

## AGENDA ITEM 5

### PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 7<sup>th</sup> November 2024

#### 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
<a href="#">109740</a>	Serendipity Care Home, 22A Greenfield Avenue, Urmston, M41 0XN	Urmston	1	✓	
<a href="#">113108</a>	Land to the front of Bowling Clubhouse, 49 Talbot Road, Old Trafford, M16 0PW	Gorse Hill and Cornbrook	29	✓	✓
<a href="#">113126</a>	Various locations within an area encompassed by Hale Road and Grove Lane to The North, Shay Lane and Burnside to the East, Bankhall Lane and Rappax Road to the South and Ashley Road to the West, Hale	Hale Barns and Timperley South	66	✓	✓
<a href="#">114203</a>	Garages to rear of 1 Marsland/Conway Road, Sale, M33 2TE	Brooklands	124	✓ Cllr Baskerville	



### Future use of site

The applicant has confirmed the proposed office would be used by the building manager / caretaker. Planning permission would be recommended for approval subject to a further condition (No. 14) stating that the office must be used as a building manager's / caretaker's office ancillary to the proposed residential development (rather than any other office use). The submitted Design and Access Statement says that the second floor will entirely be used for the management of the building and will be the primary office, storage and maintenance area in connection with this.

The application proposes the use of the property as residential apartments (Use Class C3). It is also noted that the applicant stated in their viability assessment that the units would be for sale or rent on the open market and has now agreed to enter into a legal agreement to pay £268,000 in off-site affordable housing contributions on this basis.

For clarification, the wording of paragraph 90 of the main report is amended to read:

“The planning application is being assessed on the basis it would provide individual apartments for sale or rent on the open market. This would not include permission for an HMO, which would require a separate grant of planning permission following submission of a new application.”

With regards to the condition requested by neighbours, it would not be considered reasonable or necessary to attach a condition requiring that the units should only be for sale or rent on the open market. Similarly, it would not be reasonable or necessary to seek to restrict the proposed C3 use in any other way e.g. in terms of who the occupants could be or by imposing any minimum duration in terms of occupancy. As set out above, use of the residential units as HMOs would result in a new planning use which would require a separate planning permission. It would therefore also not be necessary to attach a condition in relation to this.

For the avoidance of doubt, the development description has been updated to refer to "sixteen self-contained residential apartments (Use Class C3)", which is considered to be a more precise description.

### Design/heritage

The single storey 1930's element on the Greenfield Avenue frontage is considered to be part of the non-designated heritage asset (NDHA) and illustrates the development of the building during that period (albeit a more modern extension has been added on the street frontage). Furthermore, the planning authority must assess the acceptability of the development as submitted, which simply proposes the conversion of the building with more minor alterations.

### Submitted plans

The submitted plans are not incorrectly labelled.

### Servicing

The bins will be moved to the collection point by the building manager on collection days.

The structure at the front of the plot would be a bin presentation point rather than a bin store. The Waste consultee and the LHA have not objected to the proposal including with reference to this element.

### Amenity

The proposed apartments would comply with the Nationally Described Space Standards (NDSS). The NDSS standards do not set a specific minimum size for kitchen-diner-living rooms.

Officers also note the following:

The submitted proposed front elevation drawing does not include a detailed front door design for the main entrance to the central NDHA element matching that of the current door in place. To ensure an acceptably designed front door at this point, it is recommended that the detailed design condition (No. 3) is amended to explicitly refer to the need for the LPA's written approval of the detailed design of replacement doors and windows.

The report's detailed proposal section is incorrect in stating that all doors have level accesses. For clarification, all doors would have level access other than the main front door to the central NDHA element, which would have a stepped access, with the proposal also including the installation of an access ramp to the rear of the central NDHA element.- as explained elsewhere in the main report. All internal areas would be accessible via a ramp / lift.

### **RECOMMENDATION**

The recommendation is unchanged other than the following amendments to conditions.

Condition No. 3 shall be amended to read:

No above ground works shall take place unless and until a schedule of design intent has first been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the design of the windows and doors as shown on the proposed elevation drawings, numbers 121 H and 123 H, the schedule shall provide details in the form of 1:20 drawings and sections of all window and door reveals and recesses, flat roof trim details, and the detailed design of all

proposed windows and doors, including proposed materials. Development shall be carried out in accordance with the approved schedule of design intent.

Reason: In the interests of visual amenity and design quality, specifically to protect the quality of the proposed development and the significance of the non-designated heritage asset, having regard to Policies JP-P1 and JP-P2 of PfE, the National Planning Policy Framework, and the Trafford Design Code SPD.

Condition 14 shall be added restricting the future use of the office and storage areas:

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, the proposed second floor and basement office and storage areas, shown on drawing numbers 110 H and 113 Q, shall be used only as office and storage space ancillary to the main use of the building as residential apartments (Use Class C3) and for no other purposes.

Reason: In the interests of amenity and highway safety and as the application has been assessed on this basis, having regard to Policy L7 of the Trafford Core Strategy and policies in the NPPF.

**Page 29**                      **113108/FUL/24: Land to the front of Bowling Clubhouse, 49 Talbot Road, Old Trafford**

<b>SPEAKER(S)</b>	<b>AGAINST: Steve Byrom (Neighbour)</b>
	<b>FOR: Emma Jones (Agent)</b>

### **REPRESENTATIONS**

Further representations have been received from 4 addresses since the receipt of amended plans and the publication of the Committee Report, 3 of these addresses have previously submitted representations. Details of the additional representations are summarised as follows:

- There are existing subsidence issues for the Bowling Club pavilion building, and there is concern regarding the potential impact of the development and building phases on this building. The amended plans do nothing to allay the significant concerns regarding potential damage that may be caused to the foundations of the Grade II listed Clubhouse;
- The developer does not explain how the club will continue to have access to maintain or repair the pipe, cable or drains;

- Proposed bin stores/collections and car parking arrangements are inappropriate and will block access and egress to the Club and the operation of its business (agent of change);
- Access is required to the Bowling Club for dray deliveries, business refuse collection, car parking for customers, visitors (including matchday) and to employees of nearby business who rent spaces during the week;
- Council officers raise concerns about the scheduling of works and significant environmental and nuisance impacts during the development and construction phases and these have not been addressed in the amended plans;
- The developer has failed to make appropriate adjustments so as not to affect the operation of an existing business. The 'agent of change' principle specifically ensures that existing businesses and facilities should not have unreasonable expectations placed on them by new residential developments;
- Proposal would have little or no impact upon achieving the CQAAP aspirations of building up to 4000 new properties in the area;
- Amended plans add further confusion rather than clarity to the issues of highway safety, traffic and parking issues and historic buildings;
- Question where the bin collection point would be as Talbot Road does not facilitate collection because of cycle lanes. Bins left on the access drive to the Club would impact the operation of the Bowling Club;
- Fence around the Bowling Club needs to remain as it is part of the security for the building;

## **PROPOSAL**

For clarity, the 7 dwellings proposed are all to be 3-bedroom dwellings with units 5 and 7 also benefiting from a study at first floor.

## **OBSERVATIONS**

### **Impact on Old Trafford Bowling Club and Agent of Change Principle**

Representations received have raised concern with regard to the potential impact on the running and operation of the Bowling Club, a historic use which operates from a historic, Grade II listed pavilion building.

The Civic Quarter Area Action Plan will bring about significant change to the area to create a new sustainable, diverse and vibrant mixed-use neighbourhood where new residential development will sit alongside both existing and new commercial uses. It is through careful consideration of each development on its own merits, alongside the use of appropriate mitigating conditions, that ensures that these uses can successfully exist as neighbours. The Bowling Club is an important heritage asset within the Borough and the Council would not want to see any harm to this asset as a result of the proposed development works.

Reference is made in paragraph 86 of the committee report to the agent of change principle (NPPF paragraph 193) and representations have been made on this basis. It is necessary to ensure that the development does not prejudice the running of the Club. As well as operating as a Bowling Club, the extra events held by the Club as a venue stream are an important source of income for them. As a listed building, the Club is an important heritage asset for the Borough and it is considered that the proposal can sit alongside this asset and not prejudice the ongoing use subject to conditions.

The layout and siting of the proposed development has given consideration to the relationship with the Bowling Club, ensuring that views are retained through the development from Talbot Road.

Specific concern has been raised by the Club with the blocking of access through construction works and servicing of the dwellings. A bin presentation point has been provided for the dwellings clear of the highway, on either side of the access road. With regard to the proposed CEMP condition, submitted details will be required to consider and mitigate the impact of the construction works on the access to the Club for its staff and customers.

Conditions are proposed within the main report to ensure that future occupiers of the development would not be affected by the adjacent Bowling Club business and events and thereby allow the business to continue to operate as it does today.

Given the age and condition of the Bowling Club pavilion building, there are already issues with subsidence. The responsibility for the care and upkeep of the existing Bowling Club pavilion building lies with the owners. Representations received on behalf of the Club however have raised concern regarding potential damage and exacerbation of subsidence as a result of the building works. There is quite a degree of separation between the proposed development and the pavilion building. Furthermore, the development is only 2.5 storeys high. A Phase 2 Ground investigation has been carried out which has not identified any ground stability issues. It is not expected therefore that piling would be required.

Amended plans have been submitted which show bin presentation/collection points either side and clear of the access road. As detailed in earlier sections of the report, the proposed level of parking is considered to be appropriate having regard to standards set out within the CQAAP, the sustainable location of the site and the nature of the development and it is considered that there would be no detrimental impact on the Bowling Club as a result of any parking associated with the proposal.

## DESIGN AND VISUAL AMENITY

### Appearance and Materials

Paragraph 71 to be amended as follows:

71. Proposed materials are also set out within the Design and Access Statement as matching the local vernacular, comprising red brick, Spanish slate roof tiles, artificial stone cills and headers for windows. Agate grey UPVC windows and doors are also proposed however black may be considered more appropriate in this development given its traditional design. Amended plans have also been received which have replaced the artificial stone cills and headers with brick to provide a consistent approach. Having regard to the siting of the proposed development adjacent to the listed building, further consideration needs to be given to the overall palette of materials to create a quality development and as such it is recommended that this matter is dealt with through a condition.

## EQUALITIES

Paragraph 119 to be replaced with the following:

119. Detailed plans showing a level threshold have been received.

The following subheading and paragraphs to be inserted after paragraph 120:

## OTHER MATTERS

### Site Ownership

Objections received on behalf of the Bowling Club assert that the access road from the traffic lights is owned by the Club. The agent states that this is incorrect and copies of title plans for both the applicant's land and the Bowling Club have been provided. The access is owned by the applicant but the Bowling Club has the benefit of a right of way from a conveyance dated 26<sup>th</sup> March 1986 over the access and a copy of this document has also been provided.

Matters of site ownership are not a material planning consideration and disputes should not prejudice planning decisions. The agent has confirmed that to the best of their knowledge, there is no issue and the correct certification has been completed as part of their application. Officers have no evidence which casts doubt on this.

## RECOMMENDATION

The recommendation of approval remains unchanged, however there are amendments to a number of conditions following the receipt of additional plans and information and for clarity in drafting of several conditions, along with the addition of conditions relating to contaminated land:

Condition 2 to be amended as follows to include the correct reference to updated plans and elevations showing level access to the properties and removal of stone cills and headers.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:



- 24-102-P01 'Location Plan'
- 24-102-P02 Rev B 'Planning Layout'
- 24-102-P03 Rev D 'Plots 1-4 Floor Plans'
- 24-102-P03 Rev D 'Plots 1-4 Elevations'
- 24-102-P05 Rev D 'Plots 5-7 Floor Plans'
- 24-102-P06 Rev E 'Plots 5-7 Elevations'
- 24-102-P07 Rev A 'Site Section and Architectural Details'
- 24-102-P08 Rev B 'Street Scene'
- 24-102-P10 Rev A 'Enclosure Details'
- 7412.01 Rev B 'Landscape Proposal'
- 070723JC-01 'Site Survey'

Reason: To clarify the permission, having regard to Policy JP-P1 of Places for Everyone, Policy L7 of the Trafford Core Strategy, and the National Planning Policy Framework.

Condition 3 to be amended as follows for clarity on information required:

3.

Notwithstanding any description of materials in the application no above ground works shall take place until samples and/or full specification of all materials to be used externally on the buildings (including rainwater goods) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity, having regard to Policies JP-P1 and JP-P2 of Places for Everyone, Policies L7 and R1 of the Trafford Core Strategy and relevant sections of the National Planning Policy Framework.

Condition 5 to be amended as follows to refer to relevant details being "prior to above ground works" rather than "prior to the commencement of development":

5. No above ground works shall take place until details of the bin stores at scale 1:10 or 1:20 which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and made available for use prior to the first occupation of the dwellings and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities at the design stage of the development and that these have an acceptable appearance, having regard to Policies JP-P1 and JP-P2 of

Places for Everyone, Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

Condition 12 to be amended as follows to include specific reference to the protection of the operation of Old Trafford Bowling Club:

12. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, including details of the proposed measures to manage and mitigate the main environmental effects on the surrounding area, providing specific reference to the access to and operation of the adjacent Old Trafford Bowling Club. The development shall be implemented in accordance with the approved CEMP. The CEMP shall address, but not necessarily be limited to the following matters:
- a) Site working hours to be restricted to between 07:30-18:00 on Monday to Friday; 08:00 – 13:00 on Saturday, and no work permitted on a Sunday or a Bank Holiday;
  - b) The parking of vehicles of site operatives and visitors;
  - c) Loading and unloading of plant and materials (all within the site), including times of access/egress;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoardings;
  - f) Wheel washing facilities;
  - g) Measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions;
  - h) A scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);
  - i) Measures to prevent undue impact of disturbance from noise and vibration in accordance with the principles of Best Practicable Means as described in BS 5228: 2009 (parts 1 and 2), including from piling activity and plant such as generators;
  - j) Floodlighting and security lighting;
  - k) Information to be made available for members of the public;

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 businesses and users of the highway, having regard to Policy L4 and L7 of the Trafford Core Strategy, Policy JP-C8 of Places for Everyone, and the National Planning Policy Framework.

Condition 17, 18, 19, and 21 have been amended as follows to clarify the requirements if the conditions:

17.

The dwellings hereby approved shall be built to the “accessible and adaptable” standards in Part M4(2) of the Building Regulations.

Reason: To ensure that the development is inclusive and accessible and having regard to Places for Everyone Policy JP-H3 and relevant sections of the NPPF.

18.

All glazed exterior doors and windows to habitable rooms of the dwellings hereby permitted shall comply with the acoustic performance criteria as referenced within Section 9 of the supporting Noise Impact Assessment Report (NIA) prepared by Hann Tucker (ref. HT: 31264/NIA1, 10 June 2024).

a)

Prior to any above ground works, technical and acoustic details of the glazed doors and windows to be installed shall be submitted and approved in writing by the Local Planning Authority.

b)

Prior to the first occupation of any of the dwellings, a verification report shall be submitted and approved in writing by the Local Planning Authority, to demonstrate that the installed windows and doors have been installed in accordance with the approved specification and retained thereafter.

Reason: In the interests of amenity, having regard to Policy JP-P1 of Places for Everyone, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19.

All habitable rooms of the dwellings hereby permitted shall be provided with a Mechanical Ventilation with Heat Recovery (MVHR) system with a manual summer boost function. The MVHR system shall (i) not produce self-noise exceeding 26dB(A) within bedrooms and 30dB(A) within living rooms and (ii) comply with System 4 as defined in Approved Document F to the Building Regulations 2010.

a)

Prior to above ground works, a strategy for ventilation and overheating mitigation measures for each unit shall be submitted to and approved in writing by the Local Planning Authority.

- b) Prior to the first occupation of the dwellings, a verification report shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate the installation of the approved MVHR system and compliance with the approved strategy. The details of the approved strategy shall be retained thereafter in good order for the lifetime of the development.

Reason: In the interests of amenity, having regard to Policy JP-P1 of Places for Everyone, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. Prior to above ground works details of energy efficient measures to demonstrate compliance with the Building Regulations Amendments to Approved Documents Part F (Ventilation), Part L (Conservation of fuel and power), Part O (Overheating) and Part S (Infrastructure for charging electric vehicles) shall be submitted and approved in writing by the Local Planning Authority and the development shall not be occupied until all approved measures have been implemented in full and are operational.

Reason: In the interests of working towards achieving the target of meeting net-zero carbon emissions in accordance with Policy JP-S2 and the National Planning Policy

22. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to the assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place other than the excluded works listed above. The submitted report shall include:
- i) a survey of the extent, scale and nature of contamination
  - ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems.
  - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
  - iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken
  - v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the approved remediation strategy before the first occupation of the development hereby approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

23. The development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

24. Prior to above ground works a detailed surface water drainage scheme based on the hierarchy of drainage shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangement embodied within the scheme.

Reason: To prevent flooding by ensuring satisfactory storage of/disposal of surface water from the site, having regard to Policy JP-S4 of Places for Everyone, Policy L5 and Policy L7 of the Trafford Core Strategy, and the National Planning Policy Framework.

25. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a resident's management company or any other arrangements to secure operation of the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, having regard to Policy JP-S4 of Places for Everyone, Policy L5 and Policy L7 of the Trafford Core Strategy, and the National Planning Policy Framework.

**113126/FUL/24: Various locations within an area encompassed by Hale Road and Grove Lane to The North, Shay Lane and Burnside to the East, Bankhall Lane and Rappax Road to the South and Ashley Road to the West, Hale**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	<b>Colin Tiernan (Neighbour)</b>
		<b>Jerry Williams (Neighbour)</b>
		<b>Mark Guterman (Neighbour)</b>
	<b>FOR:</b>	<b>Rabbi Binstock (B/h of Agent)</b>
		<b>Craig Lewis (B/h of Agent)</b>
		<b>Lauren Jackson (B/h of Agent)</b>

## **REPRESENTATIONS**

An additional 26 letters of objection have been received stating the following concerns:-

- These structures cater for a small group of people within one religious sector.
- It is a visual statement which is unnecessary in a very dangerous political time, research suggests that antisemitism is at a record high.
- It could be considered discriminatory by other religious groups who up to now have lived in harmony.
- Why do the majority have to endure this blight for 365 days a year?
- If allowed, planning committee do not represent the majority and must take full responsibility for future issues.
- Other religions may wish to erect structures along roads.
- Attract anti-semitic activists and disruption, not limited to the Synagogue but the locations of the poles and arches.
- Poles would impede access to BT junction boxes and obstacles to street cleaning operatives.

- Poles must be marked to show ownership and 24/7 emergency contact number and materials used must be EU product approved.
- An Eruv enclosure would distort property prices.
- Nylon wires would pose physical danger to avian and certain mammalian wildlife.
- Risk to the public in the event of a lightning strike on the pole/wire
- Tightly strung wires would hum in certain wind conditions causing a nuisance.
- The poles and wire would attract vandalism.
- The wires would collect windblown debris.
- Contravenes Human Rights law than an Orthodox Jewish member of the community living within the Eruv has rights on the sabbath which are denied to one living outside an arbitrary boundary.
- Breaches Human Rights by giving a religious Jewish role to the walls and fences of non-Jewish residents.
- It is noted families visit the Synagogue on the Sabbath local streets congested with parking.
- Poles will impact outlook.
- The Councils SPD on Houses of Multiple Occupation places high value on character of the area
- This application should be determined by full Council.
- Not enough details on materials and will harm historic fabric (designated and non-designated heritage assets)
- Sets precedent for future similar developments.
- Poles and filament will restrict high level vehicles passing under.
- Could affect mobile phone reception.
- Foundations inadequate in depth.
- Will require traffic control measures during weekly inspections.
- Increase in traffic from people driving to the sites to view the poles.
- Additional armed police would be required at public events to protect congregants.
- We should be working towards harmony in the area, not supporting an archaic symbol which has no place in a modern progressive world.
- The area in North Manchester which has an Eruv has become significantly less diverse.
- Undeniable that areas with Eruvs have a disproportionate increase in the Orthodox Jewish population, reducing diversity and social cohesion.
- Rise in antisemitic incidents targeting Jewish people and institutions in Greater Manchester.
- Hale and Hale Barns must remain secular.
- It is understood that support for the Eruv is actually very limited and would benefit only a small number of Orthodox Jewish people.
- The Institute for Jewish Policy Research has produced a report that concludes that strictly Orthodox Jews are expected to constitute a majority of British Jews before the end of this century.
- Concern over lack of notification and consultation.
- Difficulty with accessing the committee documents on the Council web-site

- Applicant has not undertaken a pre-application submission with the Council.
- Applicants planning statement is flawed, no widespread consultation undertaken.
- The Planning permission for the Eruv in Cheadle has now lapsed without being implemented, therefore this cannot be used by the applicant as stated within their planning statement as an example to justify the Eruv in Hale.

The majority of these issues are addressed and responded to within the original officer report. New issues raised are addressed below.

One objection has specifically asked a) for the number of objections received from members of the Jewish community to be published, and b) for the Council to identify and publish the number of householders within the boundary of the Eruv which support it. In response to both requests, this is not information which is available or held by the Council as objectors have not necessarily identified themselves as having any particular religious faith and not everyone within the boundary of the Eruv has, or would be expected to, make representations. Additionally, in respect of any interested party's religious belief this is 'special category' personal data and the publishing of such in these circumstances would fail to comply with the Data Protection Act.

One of these additional representations has questioned the applicants planning statement which states (paragraph 1.2 and 4.2) that Eruvs have no impact on the wider community. The representation refers to two reports which suggest a correlation between the establishment of Eruvs and an increase in antisemitic incidents. The two reports referred to are the Community Security Trust : Anti-semitic Incidents Report 2023 (specifically paragraphs 49 & 54) and the Jewish Regional Council Manifesto for Greater Manchester (Mar 2024) (specifically Section 04 Community Security and Antisemitism : Paragraph 2, line 1).

In relation to the Community Security Trust : Anti-semitic Incidents Report 2023 the data produced does unfortunately show a rise in reported antisemitic incidents from the period January 2012- December 2023. The report does not however make any direct reference to the rises in antisemitic incidents because of the presence of an Eruv. The Jewish Regional Council Manifesto for Greater Manchester (March 2024) also recognises the rise in antisemitic incidents and especially since October 2023 but it does not specifically identify the presence of an Eruv as being a reason for such an increase.

Whilst it is accepted buildings and structures associated with different religions can be a target for religious hate crimes, this does not mean that any proposed developments by a religious organisation should be refused based on perceived threats. The evidence cited in the reports identifies an increase across the nation in such antisemitic incidents, however the evidence does not correlate such incidents as a direct result of an Eruv being specifically present in an area.



The same representation has questioned what measures the Council have taken to address the applicant's lack of public consultation. Pre-application consultation by an applicant is not a mandatory requirement for this type of application within the planning system. Whilst applicants are encouraged by national guidance to undertake consultation, the lack of such engagement cannot be seen a reason to not determine or refuse a planning application.

## **HERITAGE**

Paragraph 59 of the committee report refers to the boundary wall of the Stamford Park Primary school as being 'curtilage listed'. This is incorrect, the boundary wall forms part of the school building listing description and is listed in its own right. This does not alter the conclusions in the main report.

## **EQUALITY ASSESSMENT**

A representation has made reference to the application submission not making reference to the Council's Public Sector Equality Duty (PSED) to 'foster good relations between persons between persons who share a relevant protected characteristic and persons who do not share it'. Whilst the applicant's submission might not reference this part of the PSED, there is no requirement for it to do so. The applicant is not subject to the PSED, it is the Council. The PSED is a statutory duty of the Council in carrying out its public functions and decision making and therefore the Committee report address this point in full at paragraphs 142 to 159.

**Page 124**                      **114203/FUL/24: Garages to rear of 1 Marsland/Conway Road, Sale**

**SPEAKER(S)**            **AGAINST: Rebecca Rayson  
(Neighbour)  
COUNCILLOR BASKERVILLE  
(Written Statement)**

**FOR:**

## **RECOMMENDATION**

The recommendation for approval; remains unchanged, however further to the publication of the Committee report it is considered necessary to add a condition in requesting further details of the proposed bin store and boundary wall:

13. Prior to above ground works details of the design, appearance and materiality of the bin store and boundary wall shall be submitted and approved in writing by the Local Planning Authority, including plans and

elevations at a scale of 1:20. The boundary wall and bin store shall be erected in accordance with the approved details prior to the development hereby permitted first coming into use and retained as such thereafter.

Reason. To ensure that satisfactory provision is made within the site for the energy efficiency and having regard to visual and residential amenity, in regard to Policy L7 of the Trafford Core Strategy, Policies JP-P1 and JP-S2 of Places for Everyone, and the National Planning Policy Framework.

**RICHARD ROE, CORPORATE DIRECTOR, PLACE**

**FOR FURTHER INFORMATION PLEASE CONTACT:**

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