

AGENDA ITEM 8

PLANNING (DEVELOPMENT CONTROL) COMMITTEE – 9th July 2014

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	For
71614	158 Broad Road, Sale, M33 2FY	Sale Moor	1		
74382	130a Flixton Road, Urmston, M41 5BG	Urmston	17		
77850	122 Seymour Grove, Old Trafford, M16 0FF	Longford	29		
81735	Land to the north of Dartford Road, Urmston, M41 9DE	Urmston	31		
81768	21 Little Ees Lane, Sale, M33 5GT	Ashton on Mersey	38		
81952	Land adjacent to the Manchester Ship Canal M60 and Trafford Boulevard	Davyhulme East	48		
81973	Clay Lane Nurseries, Clay Lane/Thorley Lane, Timperley, WA15 7AF	Hale Barns	64		
82046	Former Kratos site, Mercury Way, Davyhulme, M41 7BZ	Davyhulme East	76		
82214	Mitford Lodge, 90 Mitford Street, Stretford, M32 8AQ	Stretford	79		

<u>82243</u>	Hillside, 4 The Springs, Bowdon, WA14 3JH	Bowdon	90		
<u>82313</u>	Central Island of Junction 10, M60/Trafford Boulevard, Barton Road, Trafford Park, M41 7JE	Davyhulme East	97		
<u>82644</u>	46 Hermitage Road, Hale, WA15 8BW	Hale Central	104		

Page 1 H/71614: 158 Broad Road, Sale.

SPEAKER(S) AGAINST:

FOR: Rob McGuinness
(Behalf of Applicant)

Page 17 74382/FULL/2009: 130A Flixton Road, Urmston.

Observations

Paragraph 21 refers to the proposed conversion of 158 Broad Road, Sale into 5 apartments. This should refer to 130A Flixton Road, Urmston and not 158 Broad Road, Sale.

Page 31 81735/FULL/2013: Land to the north of Dartford Road, Urmston

REPRESENTATIONS

The occupants of 42 Dartford Road have submitted an additional letter of objection following a second round of consultation in response to amended plans. Those concerns which have not been previously raised include:

- The siting of the new-build property, at the end of a Victorian terraced road, and at right-angles to other Victorian properties would have a devastating visual impact.
- The development is too large for the size of its plot.

CONSULTATIONS

LHA: A 10m length of driveway is required to prevent vehicles from overhanging onto the highway.

Network Rail: The developer will need to provide a risk assessment and method statement for all works on site, which would include all details of excavation and drainage works. No surface water or foul water drainage should be discharged in the direction of the railway.

OBSERVATIONS

ACCESS, HIGHWAYS AND PARKING

The applicant has amended the site plan to create a wider and more useable vehicular access onto the proposed driveway. The Council's SPD3: Parking Standards advocates a driveway length of 10m for residential tandem parking. The depth of the application site restricts the driveway associated with the proposed dwelling to 9.85m. Typical parking bays, such as those provided within commercial car parks, measure 4.8m in length and subsequently 9.6m for a tandem arrangement. The proposed driveway falls just 150mm short of the SPD3 standards and therefore it is considered highly unlikely that vehicles parked on the driveway will overhang the public highway. Notwithstanding this if there was any overhang then the resulting harm would be very limited due to the property's location at the head of a cul-de-sac where there is relatively little footfall. In conclusion it is felt that a refusal of planning permission could not be justified on the grounds of highway or pedestrian safety.

RECOMMENDATION: GRANT

(I) Add the following conditions:

12. Full details of ground levels and earth and excavation works to be submitted and development to be implemented in accordance with these details;
13. Risk Assessment and Method Statement to be submitted in relation to development adjacent to embankment (to include details of scaffolding) and development to be implemented in accordance with these details;
14. Drainage scheme, to include surface water draining away from embankment; and development to be implemented in accordance with these details;

Page 38 81768/VAR/2013: 21 Little Ees Lane, Sale

SPEAKER(S)

AGAINST:

FOR:

**Mrs Amanda Bryan
(Applicant)**

Page 48 81952/VAR/2013

Recommendation

In relation to the submission of design details, conditions to be amended where relevant, to ensure the Local Highway Authority is included in the consultation process in addition to the Highways Agency.

SPEAKER(S)	AGAINST:	Ben Thornley (Agent)
	FOR:	Mrs Louise Westwater (Neighbour)

Agent: The initial agent who submitted the application (Urban Roots) was subsequently replaced by Civitas Planning Ltd (Chester); Urban Roots were incorrectly reported on the committee report.

APPLICANTS SUBMISSION

The applicant's agent has submitted a letter requesting that the application be deferred in order to give them sufficient time to consider a response to the additional six letters of representations received following the reconsultation with neighbours on the additional information submitted by the applicant. The agent suggests that the applicant has been prejudiced as a result and that the Council have failed to act proactively with the applicant. The submitted letter also outlines the applicants response to the issues raised in the officers report, with regards Green Belt and Residential Amenity, summarised as follows:-

Green Belt

It has been made abundantly clear that the applicant will not be storing vehicles outside, it is accepted that there will be some manoeuvring required. However the manoeuvring of a vehicle is not a form of development and will not therefore have an impact on the openness of the Green Belt. In any case, the area over which the vehicles are manoeuvred is an area of hardstanding and therefore the loss of openness has already occurred as a matter of fact. Manoeuvring or temporary parking of vehicles therefore cannot possibly harm the openness of the Green Belt in this location, as the openness has already been lost and once lost there can be no further loss of openness.

The area of existing hardstanding lies south of Glasshouse A, a portion runs along the eastern boundary between the two glasshouses, and an area to the north of Glasshouse B. The area of land to the west of Glasshouse B, that lies east of 2 Clay Lane and north of the landscape business premises, is not an area of hardstanding. This area of land was formally occupied by a series of poly-tunnels, which had earth floors. The poly-tunnels have since been removed, their foundations remain. It is not in the applicant's interest to use this land for manoeuvring as it becomes churned up and muddy. The applicant does not manoeuvre or temporarily park on the bare ground. The applicant is willing to accept a condition that prevents any parking/manoeuvring on this land or have it removed from the red line application area. This ground for refusal is therefore fundamentally flawed, as the proposed development does not result in a loss of openness.

Residential Amenity

The applicant's agent states that they have seen no empirical evidence to demonstrate that there is a detrimental impact on the amenity of the occupant of 2 Clay Lane.

Impact on residential amenity in relation to general noise and disturbance can also only be assessed in light of the fallback position. The established planning position is that this site has a nursery use and is not subject to significant levels of control via conditions, for example the site is not tied to operational hours of work. These glasshouses, and indeed the external areas, can therefore legitimately be used to produce plants and all the associated activities including storage of materials, equipment and machinery, deliveries of materials, manoeuvring of stock, exports, staff movements, visitors, customers, servicing, movement of materials, equipment and machinery and crucially continuous monitoring of valuable stock and tending to the stock, particularly in adverse weather conditions.

Significant weight appears to have been placed on the evidence of the resident of 2 Clay Lane, evidence that we have not been afforded sight of, and yet it is interesting to note the occupant of 2 Clay Lane, on the basis of their earlier letter, moved into the property on 12 June 2013, after the car storage operations had commenced which you identify in your report as being May 2013.

The occupant of 2 Clay Lane is therefore not in a position to objectively assess the impact of the car storage against the fallback position; having moved into the property after it commenced, they have only ever experienced the impact of the car storage operation and therefore, while they may consider it a nuisance, they cannot assess that it has an impact greater than the fallback position as they have never experienced the nursery business in full operation.

LPA's Response to Applicants Representations

Of the six additional letters received by the Local Planning Authority as a result of the reconsultation, five of the respondents had made previous representations. The one letter from a local resident who had not previously made representations stated that they wished to object to the proposal which was against Green Belt Policy; increased traffic on country lanes and increase in noise and pollution to a residential area, all issues reported previously. Two of the letters stated that they wished to reiterate their previously raised concerns and did not expand any further.

A further two of the previous respondents raised concerns regarding the conclusions of the applicant's highway report. This service is no longer recommending a refusal on highways grounds, with the LHA having found the applicants highway report findings acceptable. The remaining letter from the occupant at 2 Clay Lane raises the same examples of disturbance that they have previously outlined in their earlier representations; the latest letter does include

pictures of cars parked externally. The suggestion from the planning agent that their client has been prejudiced as they have not had sufficient time to consider the additional representations is not accepted. The additional letters of objection do not raise any issues that the applicant is not already aware of.

In addition the agent states specifically in their letter of representation that they had not seen the additional letter from the resident at 2 Clay Lane. Copies of all six letters from neighbours were e-mailed to the planning consultant on the morning of the 2nd July 2014; an e-mail was received later that day from the planning consultant containing their letter of representation.

It should also be noted that it is not normal practice for this service to e-mail copies of consultations and representations to applicants or agents; it is their responsibility to view planning files.

With regards the issues outlined in the planning consultants letter regarding Green Belt, there are no further comments to make other than those already reported under the observations section of the officer's report.

With regards the case advance by the applicant regarding the fallback position in relation to residential amenity. The established use of the site is for horticulture related activities. The current unauthorised use is considered to generate activity (i.e the moving and storage of multiple numbers of vehicles on likely to be on a daily basis all year round) that does not reflect the activity associated with a garden nursery which is an appropriate use in the Green Belt. The planning consultant attaches great weight to the observations of the resident of 2 Clay Lane (and their lack of experience of the previous use), however it is important to note the observations from the other residents who have not previously complained about the horticulture use.

It is not considered that the conditions suggested by the applicant would be enforceable, nor would they make the proposal acceptable

Page 79 82214/FULL/2014: Mitford Lodge, 90 Mitford Street, Stretford

This application has now been withdrawn by the Applicant.

Page 90 82243/HHA/2014: Hillside, 4 The Springs, Bowdon

SPEAKER(S)	AGAINST:	John Hickey (Neighbour)
	FOR:	Rawdon Gasgoine (Agent)

PROPOSAL

For clarification on the proposal, as originally proposed the wall would have been 1.2 metres higher than the existing wall. Following discussions with officers, this was reduced by 0.4 metre such that as now proposed the wall would be 0.8 metre higher than the existing wall.

APPLICANTS SUBMISSION

The applicants have submitted a letter detailing the following points:

1. The sketch submitted by the applicants is inconclusive in assessing the impact of the proposed development on the daylight that would be enjoyed by the residents of the ground floor apartments facing the boundary wall.

BRE Guidelines:

- The BRE guidelines referred to by the objectors set out when an adverse effect is likely to occur; in such circumstances the occupiers will notice the reduction in the amount of daylight entering the room. This does not however mean there will be a loss of amenity and this could depend on the use of the room – it should be judged on a case by case basis.
- The BRE guidance is advisory only; it is not a mandatory standard and is not planning policy. The guidance highlights the need for flexibility and professional judgment.

Issues with the supplied drawing:

- The drawing supplied by the objector is considered to have a number of inaccuracies in relation to the scale and measurements used and therefore cannot be relied upon to identify loss of amenity.
- The drawing does not provide sufficient information to ascertain whether the impact of the proposed wall on the level of daylight entering the ground floor windows of Bow Green Mews would result in an adverse effect as it doesn't meet the BRE assessment criteria.
- The submitted drawing does not show the extent of the reduction or the area of the rooms that would receive a reduced amount of direct sunlight.

Fallback position under Permitted Development:

- The submitted drawing does not provide a comparison of the likely reduction in direct sunlight if the applicant was to implement the fall back option under Permitted Development.
- The erection of a 2metre high wall/fence set back slightly from the existing wall within the Hillside site could be erected without planning permission. Given the existing privacy issues which result from the existing low level

boundary wall, there remains a very real prospect of this being implemented if planning permission for the current proposal is refused.

- The fall back option would result in a further wall/fence being erected that would be higher than the current proposal. This would lead to a greater loss of direct sunlight entering the ground floor windows of Bow Green Mews.

REPRESENTATIONS

Neighbours:

A further 4 representations have been received:-

- The unauthorised wall within the Hillside site is unauthorised due to its positioning, as well as its height.
- Officers have visited the application site and are aware of the current amenity impacts from the existing wall, and are therefore aware of any resultant consequences of raising this further.
- A further drawing has been submitted seeking to demonstrate that a second wall cannot be constructed behind the existing boundary wall.
- A further drawing has been submitted detailing that the proposed wall would need to be reduced in height by approximately 600mm in order to avoid any loss of amenity to the residents of Bow Green Mews.
- The amended scheme would still have an overbearing impact upon the residents of Bow Green Mews and lead to a loss of amenity.
- Concerns have been expressed regarding the partial rather than total demolition of the proposed wall; and the harm this would cause for the remaining section of wall.

OBSERVATIONS

The applicants submission, together with the additional representations made on behalf of residents of Bow Green Mews, in particular the comments made by both parties in relation to BRE guidelines, have been considered. It is noted that these guidelines are not mandatory and are not planning policy. The specific circumstances of this proposal, the relationship to the neighbouring property and the rooms affected have all been taken into account as set out in the main report. As such the recommendation set out in the main report remains unchanged.

**SPEAKER(S) AGAINST: Mr David Brown
(Neighbour)**

**FOR: Mr Simon Plowman
(Agent)**

PROPOSAL

Amended plans were received by the council on the 08/07/2014, these detail the following changes:

- The enlargement of the proposed first floor window openings within the main principal front elevation
- The re-siting of the proposed garage door
- Other elevational changes to the proposed string course/soldier course around the proposed openings within the main front elevation

REPRESENTATIONS

Councillor Alan Mitchell has made the following additional comments:

- The side extension is wider than the width of the original house and therefore would appear prominent within the wider street scene.
- The width of the extended house would remain wider than any other property within the immediate adjoining area.
- The gap between the proposed side extension and the neighbouring property to the west would be smaller in comparison to the spaces retained between other neighbouring properties.
- The development would be uncharacteristic of the wider area.
- The case officer's report details the garage being reduced in size; this should state that the garage door has been reduced in size and not the actual extension itself.

OBSERVATIONS

Such design changes were requested by the case officer and are considered to represent minor design improvements.

The proposed side extension at two storey level would measure to approximately half the width of the original dwelling. Only the part single storey side extension section would be in excess of this and this has been set back from the main front elevation of the proposed extension.

The space retained between the side extension and neighbouring property to the west would remain unchanged from the current situation, with regards to the space retained from the existing detached garage.

The report details the garage has been reduced in size, this is due to the reduction in size of the proposed garage door which would now only allow parking for one vehicle; whereas previously this was detailed as a double garage.

Paragraph 2 of the case officers report refers to number 46A Hermitage Road this should read 44A.

Paragraph 13 should also refer to number 48 Hermitage Road to the East of the site and not to the West.

**HELEN JONES
CORPORATE DIRECTOR ECONOMIC GROWTH & PROSPERITY AND
INTERIM CORPORATE DIRECTOR OF ENVIRONMENT, TRANSPORT AND
OPERATIONS**

FOR FURTHER INFORMATION PLEASE CONTACT:

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