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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 10 December 2020

Time: 4.00 pm

Place: Virtual Meeting

AGENDA

ITEM

9. ADDITIONAL INFORMATION REPORT

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

9

SARA TODD
Chief Executive

Membership of the Committee

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

Further Information

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Agenda Item 9

AGENDA ITEM 9

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10th December 2020

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

1.0 INTRODUCTION

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

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

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

REVISED ORDER OF AGENDA (SPEAKERS)

Part 1 Applications for Planning Permission					
Application	Site Address/Location of Development	Ward	Page	Speakers	
				Against	For
99280	Former Itron Site, Talbot Road, Stretford, M32 0XX	Longford	1	Application withdrawn	
99872	Victoria Warehouse, Trafford Wharf Road, Trafford Park, M17 1AG	Gorse Hill	19	✓	✓
100164	231B Hale Road Hale, WA15 8DN	Hale Central	55	✓ Cllr Mrs Young	✓
100767	Casal, 14 Planetree Road Hale, WA15 9JN	Hale Central	76	✓ Cllr Mitchell Cllr Mrs Young	✓
100987	Chesham House, 101 Church Road, Urmston, M41 9FJ	Urmston	100	✓	✓
101155	Harry Lord House, 120 Humphrey Road, Old Trafford, M16 9DF	Longford	119	Cllr Jarman	
101637	Greatstone Hotel, 845 - 849 Chester Road, Stretford, M32 0RN	Gorse Hill	139		✓
101647	5 Pinewood, Sale, M33 5RB	St Marys	168	✓ Cllr Holden	
101830	60 Broad Road, Sale, M33 2BE	Priory	177	✓ Cllr Brotherton	✓

101906	19 Blueberry Road, Bowdon, WA14 3LS	Bowdon	186	✓ Cllr Mrs Churchill	
102023	42 Church Road, Urmston, M41 9BU	Urmston	205		Cllr K Procter

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99872/FUL/20: Victoria Warehouse, Trafford Wharf Road, Trafford Park

SPEAKER(S) AGAINST: Don Murphy (Neighbour)

FOR: David Cohen (b/h of Agent)

REPRESENTATIONS

One further letter has been received from Cole Waterhouse, the developers of No.1 Old Trafford, objecting on the following grounds:

- The objector has had to incorporate extensive acoustic attenuation measures to No. 1 Old Trafford and is also acutely aware of the potential impact the Victoria Warehouse operations could have on other potential residential sites within the area including the Hilti site which has recently come to market;
- It is essential therefore that the regeneration of this key part of Trafford is not hindered due to noise and disturbance issues which could otherwise be adequately controlled;
- No condition has been attached to restrict the use of the running track and club house;
- With regard to the use of the hotel roof terrace as a smoking terrace between 11pm – 7am, Hann Tucker Acoustic Consultants (acting for No. 1 Old Trafford) have advised that a group of 6 people talking with raised voices would exceed the background noise level at No.1 Old Trafford. The roof terrace appears to have substantial capacity, and the use of the terrace in association with weddings and other events within the building is likely to result in adverse impacts upon the amenity of future residents of the No.1 Old Trafford scheme. It is therefore requested that condition 8 is amended to ensure the terrace is not utilised at all between the hours of 11pm – 7am, or that use between those hours is restricted to the eastern part of the hotel roof terrace;
- Surprised that TMBC Highways are happy to accept a continuation of highway safety conflicts.

SITE DESCRIPTION

1. Further information has been received in relation to the breakdown of events which occur on site. In 2019, the Victoria Warehouse site saw a total

of 386 event days. 314 (81.5%) of these were Corporate Event days and 72 (18.5%) were Music Event days. These event days took place in both the hotel building and the main arena/event space, although as seen in the table below the majority of events occurred in the main arena/event space.

No. of events taking place in 2019	Hotel	Arena/Event Space
Music Events	3	69
Corporate Event	95	219

OBSERVATIONS

NOISE

2. It must be emphasised that a key part of the proposed development is to improve the sound insulation properties of the existing arena through the installation of a new sound insulated concrete roof. It is however noted that since the opening of the venue Victoria Warehouse, the operators have worked closely with Trafford Council in monitoring the noise levels as necessary, to ensure that the noise emanating from the site is at an acceptable level. Noise levels from events have also been successfully managed to ensure that there have been no issues arising from the existing construction of the buildings.
3. The applicant has not yet assessed the performance of the proposed construction but this will be tested at a later stage to make sure that the noise levels outside the site will be no worse than present, as required by recommended conditions 11 and 12.
4. In response to the objections raised by Cole Waterhouse, officers propose an amendment to condition 8 to ensure the western section of the terrace is closed between the hours of 11pm and 7am, with only the eastern terrace accessible during these hours.
5. With regard to the proposed clubhouse and running track on the roof top of the western warehouse, it is considered that the proposed condition 14 will adequately address and control the use of this area and ensure that there is not impact on the amenity of local residents and paragraph 88 of the Committee Report should be amended to read:

The proposed roof top clubhouse and running track will only be used by users of the wider site, i.e. office occupiers and hotel guests, and will not be used for organised sporting or entertainment events. In order to protect the residential amenity of future occupiers of nearby residential accommodation two conditions are proposed which will to ensure that this roof top use remains ancillary to the main use of the site and requires a management

plan to be submitted prior to first use, which will set out how and when these uses will be used and if mitigation is necessary, what will be required.

HIGHWAYS

6. The concerns of the Local Highway Authority (LHA) and the impact of the development on the wider highway network have been reviewed and have taken into account the range of events which occur on site and the improvement in the sustainability of the location of the application site with the opening of the Trafford Park Metrolink Line in March 2020 and the ability for, and expectation that, the majority of journeys to the site will now be via public transport.
7. It is therefore considered that a phased approach to an Event Traffic Management Plan (ETMP) could be implemented on site, which sees different measures implemented depending on the size of the event occurring on site. Wherever possible, the measures implemented should seek to actively reduce the number of vehicles travelling to the venue. It is considered appropriate for a condition (recommended condition 28 in the AIR) requiring an ETMP to be submitted to and approved by the LPA, in conjunction with the LHA prior to the commencement of works on site. The proposed ETMP would improve the existing highways situation on event days.
8. The ETMP would be implemented in conjunction with the Travel Plan which encourages visitors to the site to travel via sustainable transport methods.
9. Two additional conditions (29 and 30) are also recommended to secure details of the cycle and motorcycle storage to be provided and to secure off-site parking during the interim period of works commencing on site and the delivery of the MSCP.

EQUALITIES

Further to paragraph 75 of the Committee Report, which addressed accessibility the applicant has provided a statement which outlines how the site and proposed development has addressed matters of equality. This confirms that no individuals or groups would be discriminated against or prevented from using the development.

CONDITIONS

Amended conditions are proposed as set out below:

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

Site Wide

07495(00)00 P1 - Location Plan
07495(02)00 P5 - Proposed Site Plan
07495(02)10 P5 - Proposed Basement and Ground Floor Plans
07495(02)11 P2 - Proposed First and Second Floor Plans
07495(02)12 P4 - Proposed Third and Fourth Floor Plans
07495(02)13 P2 - Proposed Fifth Floor and Car Park Levels 5/6
07495(02)14 P2 - Proposed Sixth Floor / Roof Plan
07495(02)20 P4 - Existing and Proposed Elevations 1
07495(02)21 P3 - Existing and Proposed Elevations 2
07495(02)30 P1 - Existing and Proposed Sections 1
07495(02)31 P1 - Existing and Proposed Sections 2
07495(21)20 P2 - Window Details Type WT1
07495(21)21 P1 - Window Details Type WT2
07495(21)22 P2 - Window Details Type WT3

Eastern Warehouse

07495(02)100 P1 - Proposed Basement Plan
07495(02)101 P3 - Proposed Ground Floor Plan
07495(02)102 P2 - Proposed First Floor Plan
07495(02)103 P3 - Proposed Second Floor Plan
07495(02)104 P2 - Proposed Third Floor Plan
07495(02)105 P2 - Proposed Fourth Floor Plan
07495(02)106 P2 - Proposed Fifth Floor Plan
07495(02)107 P2 - Proposed Roof Plan
07495(02)108 P1 - Proposed Section AA
07495(02)110 P1 - Proposed North Elevation
07495(02)111 P1 - Proposed South Elevation
07495(02)112 P2 - Proposed East and West Elevations

Car Park and Arena

07495(02)113 P3 - Proposed Car Park Plan L0
07495(02)114 P3 - Proposed Car Park Plan L1
07495(02)115 P3 - Proposed Car Park Plan L2
07495(02)116 P3 - Proposed Car Park Plan L3
07495(02)117 P3 - Proposed Car Park Plan L4
07495(02)118 P3 - Proposed Car Park Plan L5
07495(02)119 P3 - Proposed Car Park Plan L6
07495(02)125 P2 - Proposed Section through Arena
07495(02)130 P5 - Proposed North Elevation
07495(02)131 P2 - Proposed East Elevation
07495(02)132 P5 - Proposed South Elevation
07495(02)133 P2 - Proposed West Elevation
07495(21)01 P3 - Detail section through car park
07495(21)02 P2 - Footbridge Details

Western Warehouse

07495(02)140 P6 - Proposed Ground Floor Plan
07495(02)141 P4 - Proposed First Floor Plan
07495(02)142 P9 - Proposed Second Floor Plan
07495(02)143 P5 - Proposed Third Floor Plan
07495(02)144 P5 - Proposed Roof Plan
07495(02)150 P4 - Proposed Section AA
07495(02)160 P10 - Proposed North Elevation
07495(02)161 P8 - Proposed East Elevation
07495(02)162 P6 - Proposed South Elevation
07495(02)163 P7 - Proposed West Elevation
07495(21)10 P2 - Glazed entrance details
07495(21)11 P1 - Glazed Lift Details

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

8. The hotel (eastern warehouse) roof terrace shall not be used for the purposes of providing entertainment or playing of amplified music. Between the hours of 23:00h and 07:00h on any day, the western roof terrace shall be closed to members of the public. The eastern roof terrace may remain open to be used by guests of the hotel and attendees of events in the function room as a smoking area.

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

9. Before any works to the Eastern Warehouse hotel function room take place, the full and final design details of the function room roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include calculations to demonstrate the predicted acoustic performance of the roof and the predicted maximum internal music noise level that must achieve the following external music noise limits at 1 m from the façade of a noise sensitive receptor:
 - The external music noise level (LAeq,15min) shall not exceed the representative lowest background sound level (LA90,15min) for the periods of operation
 - The external music noise level (L10,15min) shall not exceed the representative lowest background sound level (L90,15min) in both the 63Hz and 125 Hz octave bands for the periods of operation

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

11. Before any works to the arena take place, an assessment to determine the sound reduction specification of the existing main arena roof (as identified as on drawing no. 07495(01)10 P1 as 'Cotton Sheds Events') shall be submitted to and approved in writing by the Local Planning Authority. The

assessment shall have regard to applicable national standards and guidelines.

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

12. Once works to the existing arena roof have first taken place, no music events shall take place within the arena space until the new roof has been completed and a verification report has been submitted to and approved in writing by the Local Planning Authority. The verification report shall confirm that the acoustic performance of the replacement arena roof (as identified as on drawing no. 07495(02)00 P5) is not less than the approved sound reduction specification for the former roof established by the requirements of condition 11. Thereafter the arena roof shall be maintained to ensure that its acoustic performance does not drop below the level established by condition 11.

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

15. Before any works to multi storey car park take place, details of an Electric Vehicle Charging Point scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be implemented and retained in working order for the lifetime of the development.

Reason: In the interests of sustainability and reducing air pollution having regard to Core Strategy Policies L5 and L7 and the NPPF.

25. Prior to any demolition works to the western boundary wall taking place a demolition method statement detailing the extent of wall to be demolished and a method statement for the retention of the remaining wall shall be submitted to and approved in writing by the Local Planning Authority. 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 and protecting the character of the historic environment, having regard to Policy L7 and R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

Additional conditions are proposed as set out below:

28. No works relating to this proposal shall take place unless and until an Event Management Plan has been submitted to and approved in writing by the Local Planning Authority for vehicles and pedestrians visiting the site. The Event Management Plan shall identify all categories of events and include:
 - Temporary arrangements during construction works on site;

- The limited provision of off-site overflow car parking and clear communication of this through the promotion of and incentives for public transport use;
- Pre-booking of car parking spaces;
- Traffic management arrangements (including temporary Traffic Regulation Orders);
- Coach and taxi drop off arrangements;
- Management of pedestrian access (including queuing arrangements and use of barriers);
- Mitigation for match day events at Old Trafford football ground;
- The use of the on-site multi storey car park;
- Record keeping to allow for updating the Event Management Plan;
- Annual review mechanism.

Thereafter events shall only take place in accordance with the approved Event Management Plan.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

29. Prior to any of the hotel, office space, events centre or car park being brought into use following completion of any the proposed works (whichever occurs first) a scheme for secure cycle and motorcycle parking for the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the location, store design and materials to be used in the construction of the stores, which should meet the requirements of SPD3 Parking Standards and Design for Trafford. The approved scheme shall be implemented before the development is brought into use and maintained at all times thereafter for its intended use.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

30. No works relating to this proposal shall take place unless and until a scheme to secure off-site car parking provision for the duration of on-site construction works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall outline off-site parking arrangements during the period between works taking place on site and the multi storey car park being made available for use and shall take account of the phasing of the development. The scheme shall provide a minimum of 52 car parking spaces. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and residential amenity, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing

SPEAKER(S)	AGAINST:	Lindsay Humblet (Neighbour) Councillor Mrs Young
	FOR:	Tom Bedford (Agent)

REPRESENTATIONS

Two further representations has been received from neighbouring properties:

- Mr Wyche (no. 6 Grange Avenue) is concerned the submitted design and access statement, submitted on behalf of the applicant, refers to their growing family and personal circumstances as justification for the proposal. Should this be disclosed and is this prejudicial?
- Mr Humblet (no. 8 Grange Avenue) submitted illustrative plans, showing boundary distances and a 3D elevation view of the proposed extensions from the Grange Avenue viewpoint.

OBSERVATIONS

1. The point raised by Mr Wyche is noted is duly noted. The Planning Authority does take personal circumstances into account and they are a material consideration. However the fact that the applicant may have a growing family requiring extra internal space is not justification in its self to make proposals that would otherwise be unacceptable, acceptable. The personal circumstances of the applicant is not the justification officers have noted in coming to the recommendation for approval.
2. The 3D elevation plans from Mr. Humblet are duly noted. As with any visual mockup of a proposal (including from an applicant), Members are advised to treat this submission with caution. The superimposed nature of the plan and white block colouring of the extensions is considered to make the extensions appear more prominent than they could be in reality and could provide a distorted view of the proposal.

CONCLUSION

There are no amendments or additional conditions proposed taking into account the representations received and observations set out in this Additional Information report and the recommendation remains unchanged.

SPEAKER(S)	AGAINST:	Mike Williams (Neighbour) Councillor Mitchell Councillor Mrs Young
	FOR:	Michael Tutty (b/h Agent)

REPRESENTATIONS

Edgar Wood Society

Whilst a brief summary of the comments from the Society has been provided in the committee report, it is considered necessary to expand upon these comments and provide further observations on the information and opinions provided. In addition the Society has provided an update to their comments which is reported below:

In regards to the application property the Society has made the following comments:

- The property is on part of the original Richardson Estate, which was given over for the residential developments by Edgar Wood buildings.
- The proposal would cause substantial harm to the application property, which is considered to be a historic building of considerable interest and attractiveness.
- Though not designed by Edgar Wood Casal is considered to demonstrate a modern development of vernacular forms inspired by Edgar Wood houses, although built in 1930 a little after Edgar Wood had retired and so is likely to have been designed by Sellers or another architect in the Wood and Sellers practice.
- Casal is an excellent design in its own right with an attractive asymmetrical composition and the layout of the house provides an insight into social history.
- The design with double height bow window and projecting gable shows features of Arts & Craft architecture, but of a more modern design to Edgar Wood properties.
- The layout and siting within the plot corresponds to the curve in the road.
- The garages detract from house but this is considered of minimal harm.
- The South Hale Conservation Area is almost completely based upon twentieth century historic houses such as the application site, therefore the form and architectural character should be conserved as a matter of principle.
- Consider that the proposal would lead to the destruction of architectural quality of the property and conservation area.

In regards to the Edgar Wood properties the Society has made the following comments:

- Trafford Borough has finest collection of Edgar Wood properties, with nine Listed properties within the local area of the application site
- The properties to the rear of the property sit at a higher level and look out over the application property
- Considers the proposal to increase the roof height and construct two dormers to be busy and of low artistic quality and as such would harm the setting of the Listed Buildings

In regards to the impact on the South Hale Conservation Area the Society has made the following comments:

- Consider that the applicant has failed to understand and address the significance of the site as required by the NPPF and the role it plays within the conservation area
- Consider the proposal involves the loss of elements which make a positive contribution to the significance of the conservation area and that substantial harm would occur to the application property Casal and its immediate vicinity in the conservation area. Less than substantial harm would also occur to the wider conservation area through the mutilation of a non-designated heritage asset.
- No public benefits to outweigh harm and would set a precedent for other developments within the area
- Request that the recommendation be changed to refusal.

Supporting PDF Plans + Images from applicant (Mr. Tutty)

- A plan has been submitted showing the separation distance between the applicant property and adjacent properties to the sides and rear.
- Images have been submitted showing examples of other dormers at neighbouring properties within the vicinity.

Comments from no. 16 Planetree Road and no. 121 Park Road

- Comments received stating that the amended 3D visual plan V3B dated 26th November is not accurate and provides a wider, distant view of the rear elevation from neighbouring gardens than in reality, putting the application property in a better light.

OBSERVATIONS

1. The Edgar Wood Society updated comments are duly noted. Although the existing property dates back to the 1930s the age of the property alone is not considered to result in it having architectural significance. The exact designer is not known and whilst there is speculation that it may have been designed by J. Henry Sellers or another architect within the practice, it is accepted it was not Edgar Wood himself. Substantial harm in NPPF terms is a very high bar and normally arises only from total loss or destruction of a designated heritage asset. Substantial harm would not

arise as a matter of fact to either the listed buildings or the conservation area.

2. The social history of whether the existing two storey side extension was a servant's wing is not known for certain. Nevertheless this is considered to be outweighed by the poor aesthetic and lack of coherence with the main part of the property, which is compounded by the poor front garage extensions. The proposed front / side extensions are considered to improve the aesthetic value of the application property from Planetree Road with a high quality design. The extensions would appear proportionate in relation to the original body of the property, with a clear set back / down at first floor and roof level, respecting the original property. The gable to hip roof form alteration to the side compensates for the increase in height and depth.
3. The siting of the extension is not considered to harm the original design intent of the property in regards to the orientation on the plot and would be appropriately subservient to the existing dwelling. The construction and high quality build of the extension is essential to secure the benefits of the extension and therefore it is proposed to amend condition 3 to ensure all material samples are available for officers to view. In addition a further condition requiring a higher level of architectural detail (elevations and cross-sections at a greater scale) in regards to the proposed fenestration and openings, including windows, doors and dormers to ensure the appearance of the proposed works is delivered to the required quality for the site and wider area.
4. In terms of the impact upon the listed buildings to the rear (no. 119 and 121 Park Road) it is not considered that the proposal would result in harm to the setting, as outlined in the committee report. Whilst the changes to the roof and introduction of the dormers would change the view from the properties to the rear, given the change in land levels, separation distances and scale of the roof increase and dormers the proposal is not considered to be overbearing or visually intrusive or harm the setting of the Listed Buildings. Being able to see the proposals from within the curtilage of a listed building does not necessarily equate to any harmful impact on that building or its setting.
5. The applicant submitted a planning and heritage statement in support of their application. Whilst it does not find the property to be of the same architectural significance as the Edgar Wood Society, neither does the Council's own Conservation Area Appraisal (SPD 5.21) which does not identify it as a positive contributor. Through the application process officers have visited the site and surrounding area and consider that the application property is not of an architectural quality that is worthy of substantial preservation.
6. The Conservation Area is characterised by large residential dwellings, which the proposal maintains. Whilst it has been found that there would be

a degree of harm to the conservation area, the level of harm identified by officers is at different scale to that as identified by the Edgar Wood Society. Council officers consider that harm would arise as a result of the increase in massing on the plot, with this considered as less than substantial harm in accordance with the NPPF. However as detailed within the committee report it is considered that given the improvements to the overall aesthetic of the application property this would result in the site improving its visual contribution to the built environment and wider conservation area and as such that low level of harm is outweighed.

7. The further documents submitted in support of the application by the applicant, being the plan with separation distances and images showing dormers on other properties within the locality area are noted. As detailed above to ensure that the proposed dormers are of a quality appropriate for the site and wider setting further details are to be requested via condition.
8. The additional comments from no. 16 Planetree and no. 121 Park Road are duly noted. The LPA advised that the 3D visuals plan V3B are for illustrative purposes only and still provide a sufficient representative view of the proposals from the east / south east. Caution is advised as with any CGI image provided with an application.

CONCLUSION

9. Taking into consideration the additional comments and further assessment of the proposal the recommendation remains the same with the proposed changes to condition 3 (materials) and an additional condition regarding architectural detailing.
3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and full specification of materials to be used externally on the buildings [brick, windows / doors, roof tiles, rainwater goods, fascia / soffits, dormers, rear extension flat roof, Juliet balcony railing] 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 Policy L7 and R1 for historic environment of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. Notwithstanding the details hereby approved, no above ground works shall take place until detailed plans and sections at a scale of 1:10 showing the external reveals, detailing the dormers and window and door openings (including heads, cills and jambs) and the treatment of facade and roof edges have been submitted to and approved in writing

by the local planning authority. The 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 Policy L7 and R1 for historic environment of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

Page 100 **100987/FUL/20: Chesham House, 101 Church Road, Urmston**

SPEAKER(S) **AGAINST: John Alexander
(Neighbour)**
Statement read out only

**FOR: Kevin Coogan
(Applicant)**
Statement read out only

Page 119 **101155/OUT/20: Harry Lord House, 120 Humphrey Road, Old Trafford**

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

FOR:

REPRESENTATIONS

One further representations have been received one from a member of the public and a question from Cllr. Barry Winstanley as a Member of the Planning and Development Committee. The following is a summary of the points raised:

- Has disabled accessibility been considered as part of the application?
- Monthly car parking charges have now been introduced for current residents of the Harry Lord House Building – this is encouraging further on street parking in the area
- This raises more concerns about the current proposal and adverse impact this proposal will have in terms of traffic, parking, pedestrian and highway safety.

OBSERVATIONS

ACCESSIBILITY

3. The question raised by Cllr. Winstanley is duly noted. In this regard the Planning Authority does not have any adopted policy or guidance in terms of a developer's requirement to provide disabled accessibility.

4. The applicant has provided a disabled adaptable room at ground floor (room 11) and with 16 rooms in total at ground floor there would be capacity to convert further rooms if there is demand.
5. The site plan as proposed provides one disabled car parking bay equating to 10% of the total on site provision proposed. There is no specific parking requirement for student accommodation and in absence of this the proportion of disabled accessibility parking is considered reasonable.
6. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
7. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
8. The scheme includes 16 ground floor rooms and a lift to access the upper floors, although with only one adaptable room at ground floor designed into the proposal. However the applicant has confirmed that there is level access into the buildings and all rooms are compliant with Part M of the Building Regulations with regards to being accessible and adaptable to meet the needs of a wide range of occupants.
9. Therefore officers consider that the introduction of the student housing with only one adaptable unit would not prejudice protected groups. Officers are mindful that through the Greater Manchester area and especially in the boroughs around and including Manchester City there already exist numerous student apartment developments which will also have disabled accessibility rooms and facilities available for students attending the various third level institutions. Therefore the proposal is considered to have a neutral impact on matters of equalities.

COMMENTS ON APPLICANT'S FURTHER SUBMISSION

Heritage matters:

1. With regard to the assessment of 'major' and 'moderate' harm to heritage assets in the committee report, this has been clearly categorised as less than substantial harm as required by the NPPF. Within this category, the harm has been articulated as major and at the upper end of that scale, as is clearly required by the NPPG (Reference ID: 18a-018-20190723):

Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 194-196) apply.

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

2. The letter from the agent states that the identified harm to heritage assets is solely to the assets' setting, and is not direct harm to the assets themselves. It should be clarified that heritage assets may be affected by direct physical change or by change in their setting. Harm to the setting of a listed building is still harm to the significance of the designated heritage asset. The Planning Acts and the NPPF do not differentiate the weight to be given to an impact on a listed building, or its setting, and to give less weight to a harmful impact because it is to setting rather than the listed building itself would be unlawful.
3. Reference is made to NPPF paragraph 11(d)(i) requiring there to be a clear reason for refusing the proposal on heritage grounds, and it is stated that given the less than substantial harm identified, the tilted balance should be engaged. The NPPF is clear that great weight should be given to an asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. This assessment has been appropriately set out in the committee report and concludes that the level of harm provides a clear reason for refusal. Again, it would be unlawful – and indeed a wilful misinterpretation of policy – to conclude that 'less than substantial harm' means that the tilted balance is not engaged.
4. The applicant has not provided a clear and convincing justification for the identified harm as, required by paragraph 194 of the NPPF. Local Planning Authorities are also required to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal (NPPF paragraph 190). An alternative approach to development could potentially address the conflict, but such a scheme has not been pursued.

5. With regard to the proximity of the development to the listed Gorse Hill Park Entrance Portal & Lodges, whilst the proposed block may be further from this listed building than the existing buildings on site, and 'The Park' to the south, this does not indicate that its impact will necessarily be lessened. The committee report is clear that it is the combination of the siting of the building together with its height, massing and overall scale which causes harm to the setting, and therefore significance of this listed building.
6. Comments are made regarding the proposed materials and the composition of the proposed building, the applicant's heritage consultant stating that they are disappointed that this is not acknowledged in the Officer's report. The application is in outline form, with matters of appearance (and landscaping) reserved for future consideration. NPPG defines 'appearance' as including "*the external built form of the development, its architecture, materials, decoration, lighting, colour and texture*". It is therefore entirely appropriate and correct that these matters have not been considered under the current application.

Design and amenity matters:

7. The letter refers to the principal objections from the Council being a subjective opinion on design. The NPPF is clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. The lack of a 5 year housing supply does not mean development at any cost and matters of design have been appropriately addressed in the committee report.
8. As is clearly set out in the committee report, the comparison with Burleigh Court is misplaced for a variety of reasons, most notably due to its height in elevation and its depth. Regarding the visibility of the development from the park, it is important to note that the park would be used during winter months as well as the summer, when visibility of the building would be greatly increased, as demonstrated in site photos.
9. It is incorrect to say that the objection by the Local Planning Authority on amenity grounds is not due to the size of the apartments themselves, but only to the provision of amenity space. The relevant reason for refusal states that the small internal dimensions of many of the apartments do not accord with the nationally described space standards, resulting in a poor standard of amenity for future residents. The committee report explains that it is the combination of a lack of amenity space and small apartments that contributes to a poor standard of amenity generally.
10. The comparison of the scheme to the development at the former Itron site on Talbot Road (Novus) is not considered to be of relevance. The context of the Itron site is very different and is not constrained by any designated heritage assets.

- The garage / utility room of 5 Pinewood is attached to the neighbour's property and runs the full length of the neighbour's lounge. At present the garage acts as a buffer for transmission of noise. Now this buffer may be removed.
- Why does a single Guest room/study require its own front door? – unless it is because it is intended to be separate accommodation.
- Why is there a need for such a large extension for a single Guest room?
- A couple of houses on the road have converted their garages but they are not extended or connected to anyone's lounge, do not affect parking and the neighbour has been informed that soundproofing is adequate.
- Planning officers have stated that the Human Rights Act will not be contravened, quoting a balance for both parties. However, the applicants will have a kitchen, stairwell, downstairs bathroom plus a hallway acting as a buffer to their lounge from their family's flat. Whereas the neighbour's main living area is immediately next to this flat only separated by a single wall. The Human Rights Act is being contravened and there is an imbalance. Disturbance and noise will ruin the enjoyment of the neighbour's home and quality of life, causing misery because the tranquillity that they have enjoyed for the past 27 years will be disrupted. Reduced noise is the reason they bought a link-detached house.

Observations

The points relating to the Human Rights Act are addressed in the main report. The submitted plans do not show a separate front door externally, although there is a door directly from the porch into the study / guest room. The proposed accommodation is of limited size and only shown as one room on the submitted plans. However, for the avoidance of doubt, it is recommended that a condition is attached requiring it only to be occupied as accommodation ancillary to the use of the existing application property.

Recommendation

That a further Condition is attached as follows: -

4.The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the use as a single dwellinghouse of the dwelling known as 5 Pinewood, Sale.

Reason: In order to prevent the additional accommodation being used as a separate dwelling which would have unsatisfactory facilities for prospective occupants or would have an unsatisfactory relationship with the existing dwelling, having regard to policies L4 and L7 of the Trafford Core Strategy and NPPF

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