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TRAFFORD
COUNCIL

AGENDA PAPERS FOR PLANNING DEVELOPMENT CONTROL COMMITTEE

Date: Thursday, 11 February 2016

Time: 6.30 pm

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford, Manchester
M32 0TH**

AGENDA

ITEM

3. ADDITIONAL INFORMATION REPORT

To consider the attached report of the Head of Planning and Development.

3

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors Mrs. V. Ward (Chairman), D. Bunting (Vice-Chairman), Dr. K. Barclay, N. Evans, T. Fishwick, P. Gratrix, D. Hopps, E. Malik, D. O'Sullivan, Mrs J. Reilly, J. Smith, L. Walsh and M. Whetton

Further Information

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

Michelle Cody, Democratic & Scrutiny Officer

Tel: 0161 912 2775

Email: michelle.cody@trafford.gov.uk

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Agenda Item 3

AGENDA ITEM 3

PLANNING (DEVELOPMENT CONTROL) COMMITTEE – 11th February 2016

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

1.0 INTRODUCTION

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

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

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

REVISED ORDER OF AGENDA (SPEAKERS)

Part 1 Applications for Planning Permission					
Application	Site Address/Location of Development	Ward	Page	Speakers	
				Against RECOMMENDATION	For REC.
<u>84623</u>	Fairbairn House, 21-25 Ashton Lane, Sale. M33 6WP	Ashton on Mersey	1		
<u>85548</u>	74-78 George Street, Altrincham. WA14 1RF	Altrincham	8		✓
<u>85754</u>	Fairbairn House, 21-25 Ashton Lane, Sale. M33 6WP	Ashton on Mersey	34		
<u>85835</u>	Bay Malton Hotel, Seamons Road, Altrincham. WA14 5RA	Broadheath	45	✓	✓
<u>86208</u>	13 Rivershill, Sale. M33 6JS	Ashton on Mersey	60		✓
<u>86514</u>	Land To The South Of Manchester Ship Canal And West Of Barton Bridge, Trafford Way, Trafford Park.	Davyhulme West/East	75	✓	✓
<u>86550</u>	Former Kratos Site, Barton Dock Road, Trafford Park. M41 7BQ	Davyhulme East	110		
<u>86759</u>	Grove House, Skerton Road, Old Trafford, M16 0WJ.	Longford	121		
<u>86872</u>	Former Depot, Manchester Road, Partington.	Bucklow St. Martins	133		✓

86922	1 Dean Drive, Bowdon, WA14 3NE.	Bowdon	146	✓	✓
87009	Former Altrincham General Hospital, Market Street, Altrincham, WA14 1PE.	Altrincham	157	✓	✓
87109	Cherry Manor Centre, Cherry Lane, Sale, M33 4GY.	St Marys	187		

Page 1 84623/PAJ/15: Fairbairn House, 21-25 Ashton Lane, Sale

RECOMMENDATION:

The recommendation should be revised to read as follows:-

To authorise under Part W of the General Permitted Development Order (2015) amendments to the parking layout as approved under application reference 84623/PAJ/15 subject to the development being carried out in full accordance with the car park management strategy outlined in paragraphs 3.7 and 3.8 of the Transport Statement, submitted on behalf of Future Island Development Ltd and prepared by SATPLAN LTD, dated November 2015.

Page 8 85548/FUL/15: 74-78 George Street, Altrincham

SPEAKER(S)

AGAINST:

FOR:

**Richard Peel
(Agent)**

REPRESENTATIONS

One further representation received from Bowdon Downs Residents' Association summarised as follows: -

We would like to see a Condition imposed on not allowing any 'For Sale' or 'Sold' 'To Let' or 'Let' signs, which will be constant visual clutter because the flats will be Buy to Lets or have rapid first time buyer turnover. They should not be allowed on the retail units either. It is neither good for the owners/occupants of the building nor the look and impression of the town and character of the Conservation Area, in addition to all the other semi-permanent estate agents signs.

The shop fronts are still not at all what is required in the Conservation Area and this key shopping street. They ignore the Council's own shop front guidance and forthcoming Management Plan. It should be noted that there is a strong correlation between the shops which are let and have traditional shop fronts and those that lie empty that have modern shop fronts with too much glass and no interest or enhancement to the street scene at all. Independent retailers wish to

let shops which have something of interest and be of high quality and the current proposed design will not attract them to the town.

Having the stall risers much higher would make them look better and be more balanced with the shop sign area above. The latter is oversized and should be reduced in area. There should be more moulding and prominence to the window frames as well.

OBSERVATIONS

In the light of further heritage advice, replace paragraph 24 of the report with the following text:

The significance of the George Street Conservation Area is its development from the historic spine of the medieval Lower Town to a primarily commercial location from the Victorian period and the varying dates and styles of buildings. These include Georgian and Victorian buildings which retain a variety of architectural detail contributing to a high level of historic character and a limited use of building materials, local details and plan form throughout the Conservation Area which gives the area a sense of visual harmony. Some property boundaries reflect medieval burgage plots. Historic route ways or ginnels between properties remain on both sides of George Street, providing pedestrian access to The Causeway, Central Way and beyond.

The significance of the Old Market Place Conservation Area which is to the rear of the site derives from its pre-1290 Charter layout, along with medieval town layout in the form of burgage plot boundaries, its historic market town character and small scale buildings from the 19th century or earlier which retain a variety of historic architectural detailing and traditional materials. The Old Market Place is a significant open space and place of public gathering and has strong sense of civic identity and the area is also a historic and important communication point on major transport routes.

The height of the building on Central Way, the height and expanse of the side elevations and flat roof, the pitch of the mansard roof and the use of render are features not typical of either the George Street or Old Market Place Conservation Areas. These elements would result in a degree of harm to the significance of both Conservation Areas, however in the context of the overall scale of the development the level of harm would not be significant and the specific elements that contribute to the special interest of the Conservation Area as summarised above would not be harmed. The form of development proposed in terms of its siting, scale, proportions, design and materials is otherwise appropriate to its historic context and would be an enhancement compared to the buildings being replaced. It is therefore considered these elements of the development would result in less than substantial harm to the significance of both Conservation Areas.

Where a proposal would result in less than substantial harm, the NPPF requires this to be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134). In this case the proposed development will result in a number of public benefits including the replacement of a vacant building of poor architectural quality that detracts from the character of the

Conservation Area with a better quality building; the site being brought back into active use which would support the regeneration and vitality of the town centre; and it will provide new housing on previously developed land in a highly sustainable location that would contribute to the Council's housing land supply.

It is also anticipated that this scheme together with the recent public realm improvements in the Lower Market area will stimulate further development on Central Way and promote increased activity in the area, which would contribute to the vitality of the town centre and provide further opportunities to enhance the character and appearance of this part of the Conservation Area.

With regards to the archaeological impact summarised at paragraph 39 of the report, any below ground archaeology in this location is considered to be a non-designated heritage asset. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining the application. It is noted that GMAAS do not object to the proposals and consider that any impact can be mitigated with a condition requiring a phased programme of archaeological works to ensure no harm to the significance of the heritage asset.

ADDITIONAL OBSERVATIONS

The display of 'For Sale' and other similar temporary signs is controlled under the Advertisement Regulations. Such signs benefit from a deemed consent and do not require consent from the Council, subject to compliance with criteria relating to their size and removal after completion of the sale or tenancy agreement. Whilst officers share the concern that a number of such signs on the building could detract from the character and appearance of the Conservation Area, a planning condition cannot be imposed to remove what is permitted under other legislation. Additionally, it would be unreasonable to expect that this building not be given the same opportunities to advertise opportunities within it as any other building within the Conservation Area which also benefit from deemed consent from this type of advertisement.

With regards to the comments on the proposed shop fronts it is acknowledged these do not entirely reflect a traditional design, nevertheless it is considered the design, proportions and materials would be appropriate to the building and a significant enhancement compared to the existing two storey glass frontage.

CONCLUSION

It is considered that the public benefits of the proposal in terms of replacing a vacant building which does not contribute positively to Conservation Area with a high quality mixed-use development and which would contribute towards the regeneration of Altrincham town centre outweigh the less than substantial harm to designated heritage assets identified above. The development therefore comprises sustainable development and complies with Paragraphs 14 and 134 of the NPPF.

In reaching this decision due regard has been given to S72 of The Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore it is considered that on balance the application would be in accordance with relevant Local and National policies summarised in the report.

In all other respects the proposed development, including the proposed uses, impact on the highway, car parking and cycle provision and impact on residential amenity, is compliant with relevant Local and National policies.

RECOMMENDATION: GRANT subject to the conditions set out in the report and the following additional and amended conditions: -

No development shall take place until full details of all windows and doors to be installed has been submitted to and approved in writing by the Local Planning Authority. The details (including sectional drawings at a scale of no less than 1:20) shall include materials to be used, details of the reveal, transoms, mullions, glazing bars, location of fixed / opening lights and method of opening. Development shall be carried out in accordance with the approved details.

The rating level (LAeq, T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall be 5dB below background noise level (LA90, T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".

Amend Condition 18 to specify permitted hours of opening as follows: The ground floor units hereby permitted shall not be open to customers outside the hours of 07:00 to 23:00 on any day in the event of being occupied by uses falling within Use Classes A3, A4, A5, D1 or D2.

Page 34 85754/FUL/15: Fairbairn House, 21-25 Ashton Lane, Sale

Paragraph 23 should be deleted and replaced with the following text:-

CONCLUSIONS

23. The Council is unable to identify a five year supply of deliverable housing land and therefore the housing policies within the Development Plan are "*out of date*" in the context of paragraphs 14 and 49 of the Framework. The presumption in favour of sustainable development, set out in paragraph 14 of the Framework is therefore engaged, and it is on this basis that this application should be determined. Granting planning consent for residential development will make a small contribution towards addressing the housing supply shortfall within the Borough and will increase the supply of family dwellings within this part of the Borough. The impacts of the proposed development have been assessed and it is considered, where necessary, that these impacts can be mitigated through

the use of planning conditions and obligations to deliver a sustainable form of development. There are no adverse impacts that would demonstrably or significantly outweigh the benefits in accordance with paragraph 14 of the Framework and as a result there is a presumption in favour of granting planning permission. It is therefore recommended that planning permission should be granted subject to entering into a legal agreement to secure a financial contribution of £90,000 towards the delivery of off-site affordable housing provision and the conditions outlined below

CONDITIONS

Delete conditions 9 and 10 and replace with a new condition 9 which requires the submission and approval of all internal and external acoustic mitigation measures described within Section 5 of the submitted Noise Impact Assessment prepared by REC, (reference 91020r0 –Townhouses) dated 24th June 2015.

Page 45 85835/FUL/15: Bay Malton Hotel, Seamons Road, Altrincham

SPEAKER(S)	AGAINST:	Julia Chester (Neighbour)
	FOR:	Richard Purser (Agent)

REPRESENTATIONS

5 further neighbour representations have been received and these are summarised below:

- Development of new car park and new access point would lead to highway safety concerns for Seamons Road and result in an increase in traffic flow
- New entrance will lead to obstruction of road and existing access points for neighbouring dwellings
- Generation of noise from new car park and entrance point in close proximity to residential dwellings would harm their amenity
- Light arising from new car park would harm amenity of neighbouring dwellings
- Erection of bin store close to neighbouring dwellings would have amenity concerns
- Rear door opening of the site sits adjacent to neighbouring dwellings, leading to noise/nuisance
- Inaccuracies with submitted plans
- Objection to centrally sited tree to be removed as part of the works

1 letter in support of the application was also received

The issues raised above remain in line with matters that have previously been raised and addressed within the main body of this report. 2 new issues have also been raised which make reference to the loss of a tree on site, and is addressed within the main body of this report below. The second relates to the submitted plans, it is understood that the amended plans remain accurate and reflect the proposed scheme and it is on this basis that the application has been assessed.

OBSERVATIONS

Delete Para's 8 and 9 and replace with:

8. A raised terrace area, adjacent to the new extensions, is also proposed as part of the proposals. This is considered to be an alteration to the existing building and an engineering operation. Both of these types of development are appropriate in the Green Belt provided, in the former case, they do not comprise a disproportionate addition; and in the latter, if the works do not impact on openness. The raised terrace area would be erected in an already developed area of hard-standing within the site, and would not increase the size of the alterations beyond the extensions discussed above to a degree which is considered to be disproportionate. There would also be no harmful impact on openness given the existing hardstanding in this area. In this regard the development would therefore remain compliant with the relevant policies of the NPPF and TBC Core Strategy.

9. The proposal would see the creation of a 32 space car park on the eastern side of the site, on part of the existing beer garden. Conversely, a much smaller part of the existing car park would become beer garden. The creation of this car park, an engineering operation, would have an impact on the openness of the Green Belt, by allowing the parking of vehicles within the site. The loss of the sizeable area of the existing grassed beer garden to create this car park is therefore considered to constitute inappropriate development within the Green Belt, given that this development would not meet any of the exceptions as set out in Para's. 89 – 90 of the NPPF. With reference to such development the NPPF states within Para.88: *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"*.

Insert the following at the end of Para 12:

The Bay Malton is also a good and well preserved example of Edwardian public house architecture and although not statutorily listed, is considered to be a non-designated heritage asset. The proposals would bring this non-designated heritage asset back into use, without causing harm to its significance. This weighs positively in favour of the proposals, with the NPPF at Paragraph 131 stating that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the

significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Insert following paragraph after Para. 14:

14. The NPPF also supports the provision of community facilities with Para. 70 stating “To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
 - Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;
 - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community”;

The bringing of vacant public houses back into use is therefore supported in principle by the NPPF and considered to have positive economic, social and environmental benefits. This also weighs in favour of the development.

Delete Para 18 and replace with.

18. A number of positive benefits would flow from the proposed development; including the bringing of the public house back into use, the preservation of a non-designated heritage asset, economic benefits, an improved level of amenity for surrounding residential properties and improvements to highway safety. These benefits are all supported in principle by the NPPF, which should be read as a whole. Although individually they may not equate to the Very Special Circumstances required to outweigh harm to the Green Belt and any other, when considered cumulatively the argument for very special circumstances becomes compelling. However, Very Special Circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and **any other harm**, is clearly outweighed. It is therefore essential to assess the impact of the scheme on non-Green Belt issues before a conclusion on Very Special Circumstances can be reached.

Delete Para. 39 and replace with:

39. The proposed development has elements, specifically the alterations to the car park, which comprise inappropriate development in the Green Belt as a result of their impact on the openness of the Green Belt. As a result ‘Very Special Circumstances’ must be demonstrated in order for

development to proceed. The Very Special Circumstances demonstrated, as set out in Paragraph 18 of this report, are considered to outweigh the limited harm to the Green Belt by reason of inappropriateness and an impact on openness which has been identified. All other material planning considerations have been addressed and either result in a positive benefit, no harm, or any harm which can be mitigated by the use of appropriate planning conditions. There is no 'any other harm' to therefore weigh against the development when considering whether Very Special Circumstances exist. It is therefore considered that the identified positive benefits of the proposal cumulatively comprise 'Very Special Circumstances' and the development meets the test required by Paragraph 88 of the NPPF. The application is therefore recommended for approval.

RECOMMENDATION: GRANT subject to the following conditions

Alteration to condition 16, please delete and replace with:

16. Submission, implementation and retention of designated smoking area on site and details of its management. To be submitted to the LPA for its approval. No food or drink to be taken to smoking area outside of 11.00 – 22.00 hours.

Alteration to condition 19, please delete and replace with the below:

19. Hours of use condition for bin store to be amended from 22.00 – 07.00 Sunday to Thursday, 10.30 – 07.30 on Friday to Saturday, subject to no bottles being disposed of in the outside area between the hours of 21.00hrs - 07.30hrs Sunday to Thursday, 21.00hrs -08.00hrs Friday, and 21.00-10.00hrs Saturday.

Delete conditions 21 and 22:

21. No equipment or structures to be erected within beer garden/external areas of the site
22. All vents/openings to be acoustically sealed

Page 60 86208/FUL/15: 13 Rivershill, Sale

SPEAKER(S)

AGAINST:

FOR:

**Ben Johns
(For Applicant)**

CONSULTATIONS

LLFA (Drainage) (replaces previous sub-heading of 'Built Environment (Drainage)')

REPRESENTATIONS

One further letter of objection received (from neighbour at 11 Rivershill who had objected previously), making the following comments: -

- There is an existing private right of way extending the full length of the un-adopted road, Rivershill up to the River Mersey and for a width of 2.8852m. This right of way as far as the top of the river bank must be maintained and left open and unobstructed to the agreed width of the law. The fence, grass and private parking area of the proposal would block this right of way and therefore contravene a previous High Court judgement.
- The proprietors of land and properties along Rivershill only own land out as far as the middle of the road, as such the proposed development would take place on land that they do not own.

RESIDENTIAL AMENITY

Impact on No. 2 Riverside Gardens: (replaces previous sub-heading of 'Impact on No. 2 Rivershill')

Following text to be inserted into paragraph 31 of the original Committee report:

However, in order to prevent any overlooking or loss of privacy to the habitable windows to the northern facing side elevation of No. 11 Rivershill it is recommended that a condition be attached removing permitted development rights for the introduction of any openings at first floor level to the southern facing side elevation of the proposal.

Following text to be inserted into paragraph 32 of the original Committee report:

However, in order to prevent any overlooking or loss of privacy to the habitable windows to the east facing rear elevation of No. 12 Greenhill Avenue it is recommended that a condition be attached removing permitted development rights for the introduction of any openings at first floor level to the southern facing side elevation of the proposal.

OBSERVATIONS

In response to the additional representation received from the occupant of No. 11 Rivershill and reported above, the applicant believes that the land as indicated by the red edged line on the submitted Location Plan is under his ownership. With regard to the private right of way, this is a private legal matter that needs to be resolved between the applicant and the affected parties. As such, the Council sees no reason why this planning application should not be determined and granted permission. However, , it is recommended that if planning permission is

granted, before any development commences the applicant should liaise with the affected parties to ensure that any development does not contravene the conditions and terms attached to the existing right of way.

Page 75 86514/VAR/15: Land To The South Of Manchester Ship Canal And West Of Barton Bridge, Trafford Way, Trafford Park

**SPEAKER(S) AGAINST: Mason Corbishley
(Breathe Clean Air Group)**

**FOR: Jonathan England
(Applicant)**

REPRESENTATIONS

One letter of objection has been received from Councillor Procter, making the following comments: -

I wish to object in the strongest possible terms to the planning application variation. This application is both unwarranted, unnecessary and should be refused on the grounds of the significant objective perception of health risks amongst the local community (as set out in the second reason for refusal of the original application).

I strongly believe that there is no requirement for this development and would hope that you would see fit to dismiss it on the grounds stated above.

One letter of objection has been received from Councillor Baugh, making the following comments: --

I strongly OBJECT to the variation on the following grounds:

- The technology involved in BREP is already outdated.
- The UK is already well above maximum limits allowed by EU directives. The M60 has been identified by Highways England as having levels of Nitrogen dioxide exceeding maximum limits
- The height of the chimney stack is well below that advised by the Environment Agency
- Burning waste at 850degrees is far too low to destroy dangerous chemicals.
- The siting of this plant is in an urban area with schools in close proximity
- This council has a responsibility to protect the health and wellbeing of the residents of Trafford and has no option therefore but to refuse this application.

One further letter of objection has been received from the Breathe Clean Air Group (BCAG), making the following comments: -

Trafford Council unanimously rejected plans to build the Barton Renewable Energy Plant and should also reject this planning variation.

BCAG object to the Variation on the following grounds:

Proximity to Neighbours

People living along the Broadway area (Davyhulme), the “Wimpey estate” and the proposed Trafford Waters development, and people working in and using nearby sports facilities and hotels, will be in the immediate fall-out zone for air pollution, noise and vibration from BREP. They will also be adversely affected by additional road traffic congestion and exhaust fumes.

Negative Health Impacts

The burning of wood (especially waste wood) and other waste including plastics, produces emissions of Particulate Matter, polycyclic aromatic hydrocarbons (PAHs) dioxins, heavy metals (including arsenic), nitrogen dioxide and carbon dioxide. These emissions will not be adequately captured in BREP’s out-dated, bag-filtration system and the low chimney stack will not disperse the emissions adequately. Medical research shows that this will lead to ill-health impacts including asthma, COPD, heart attacks, strokes, cancer, Alzheimer’s disease and autism. This will affect children, elderly people, people with pre-existing health conditions and people who are exercising. Wood and waste is NOT safe to incinerate.

Air Quality Management Area

The BREP proposal is sited next to an Air Quality Management Area, which extends around the major roads in the area WHERE PEOPLE LIVE. BREP emissions will add to the already high level of pollution caused by traffic. BCAG has monitored nitrogen dioxide over the last 2 YEARS. The monthly results clearly show that NO₂ levels have exceeded the European safety standard of 40 ug/m² consistently on many occasions.

Just in Time System

The proposed Just-in-Time fuel supply system could lead to an imbalance between wood and plastic waste fuel mix, resulting in uneven calorific value of the fuel mix with consequent higher or lower temperature. This would have an effect on the emissions. It will be more difficult to regulate the calorific fuel mix and there would be pressure on BREP staff to proceed even if there was not enough fuel to create the correct calorific value of the fuel.

Where will the off-site storage be? Will this be in Urmston/Davyhulme close to housing? These sites generate wood dust, a grade 1 carcinogen and such sites have caused health problems within other communities (e.g. Mossley in Tameside). There have been problems with HGVs and heavy plant causing noise and exhaust fumes.

Bottom Ash

Bottom ash is very toxic and should be disposed of safely. How is this to be achieved? Will it be trucked through the district to a waste disposal site in the district?

Air Cooled Condenser

If this equipment is operating 24/7 it will create an unacceptable level of noise at night.

Heat

There is no evidence of demand for the supply of heat. Therefore the whole project is unviable. If the applicant is suggesting that they will create the demand at some later date, this is NOT acceptable for a planning application. In any case, the possible future demand needs will be local and therefore prone to emissions from the plant. It will also cause future traffic congestion.

Detrimental Impact on the Community

The BREP variation would still have a detrimental impact upon the vitality and attractiveness of, and the self-confidence of communities within the nearby established areas of Davyhulme, Urmston and Flixton and would thereby prejudice regeneration and improvement of these areas, which have been identified by the Council as being in need of investment. This would be contrary to Policy WD5 of the Trafford UDP.

False Claim about Boiler Efficiency

The efficiency of the proposed boiler (furnace) as claimed by Peel is false. The claim is based on a graph, where the "line of best fit" does NOT fit the data set. The line of best fit is advantageous to Peel Energy's position. In addition, the line of best fit was projected further to a place where there was no data set. The efficiency was quoted from this projected position. This results in an extremely doubtful output of nitrogen dioxide production. Therefore it is likely that the proposed boiler (furnace) will NOT conform to the Environment Agency specification.

Protecting Planet Earth

Proponents of burning biomass have made false claims about the amount of carbon dioxide produced from burning biomass. They claim that it is more environmentally friendly (re carbon dioxide) compared to burning coal. Experts in the USA and other researchers have found that for the equivalent amount of energy produced, wood produces 50% MORE carbon dioxide than coal.

As BREP will inevitably burn biomass produced from trees it has been claimed that if you grow as many trees as you burn it will be carbon neutral. However, as it takes 20 years to grow a tree and 20 minutes to burn a tree, then there is a massive catch-up that has not been accepted by biomass supporters. The Earth does not have time to wait for that catch-up. Therefore burning biomass is NOT carbon neutral and BREP will NOT be producing low carbon electricity.

BREP not using Best Available Techniques

BREP proposes to use an open grate furnace, an out-dated bag-filtration system and a 44 metre high chimney stack. It should employ a plasma arc gasification furnace, a scrubber filtration and/or electrostatic precipitators and a stack height of at least 80 metres. Public Health England stipulates that BREP should take all appropriate measures to prevent or control pollution in accordance with the relevant sector technical guidance or industry best practice. This clearly is not proposed by BREP.

Size of the Building

Although there has been a reduction in the size of the building it is still too high for a residential area. BREP will be clearly seen from Davyhulme Circle, way above the tree line. It will add to the depression felt in the area.

Flooding

Recent rain this winter produced flooding alongside the Manchester Ship Canal in Flixton. In view of the BREP site being “upstream” of Barton Locks and in view of Global Warming it is conceivable that the BREP site will also be prone to flooding in the foreseeable future.

Sustainability

It is foreseeable that the northwest will run out of waste wood and BREP will have to import wood pellets from overseas. This will be contrary to Peel’s declaration that the fuel will be sourced from the northwest region. Shipping wood pellets across the Atlantic Ocean (possibly from endangered rain forests) could be an ecological disaster if a ship was to sink, allowing thousands of tons of wood pellets to float to the surface, to be ingested by marine and bird species. Also will the wood producing nations stop exporting their trees?

Future developments and planning applications

On the adjoining site, United Utilities have planning applications for over 50 buildings and a scheme to export biomethane to the national grid, as well as its newly developed methane extraction process with 5 biogas engines. Coal Bed Methane Fracking has received planning permission. Port Salford is being developed with HGVs, container moving equipment, trains and ships/barges burning diesel or heavy oil and creating more nitrogen dioxide and other pollution. In Carrington there are plans for 3 gas-fired power stations and the former Shell Chemicals site will include industrial development.

The application should therefore be rejected.

127 additional letters of objection have been received, re-iterating the comments of BCAG and raising the following additional concerns: -

- The application is unwarranted, unnecessary and should be refused.

Air Quality and Health Impacts

- Levels of air pollution are already dangerously high in Trafford and often breach the legal pollution limits as shown by the data in Trafford Council's "Air Quality Study for Davyhulme" (August 2015).
- Air Quality levels already exceed EU maximum safe exposure levels. The UK Government will have to pay large fines to the EU as a result. Aren't there better ways to use taxpayers' money?
- Any increase in emissions is significant if the air pollution already exceeds limits.
- The World Health Organisation has recently produced their report on air quality including Manchester. 450 citizens are expected to die this year in Manchester as a direct result of air pollution.
- The area is already over the EC Legal limit in this area without the additional from BREP, CBM and Port Salford and the new road bridge.
- What is the point of monitoring the air quality impacts in the Air Quality Management Area if the Council is powerless to stop it getting even worse?
- In 1956, the Clean Air Act came into operations to counter the terrible smogs at that time. This is a retrograde step back to the bad old days.
- The incinerator will emit fine particulate matter, including PM2.5, which is small enough to get into the deepest part of your lungs and is known to cause respiratory illness such as asthma and cardiovascular disease. There is also strong evidence linking it to type 2 diabetes. Research regarding this is being ignored.
- Air Pollution in Davyhulme Barton Road according to BCAG has a yearly average mean for Nitrogen Dioxide for 2014 of 46.57ug/m³ and 41.20ug/m³ for 2015. Both these figures are after subtraction of laboratory blanks and the National adjustment Bias factor. Where in the Applicants variation does it prove No Harm to residents' health from a cocktail of emissions from this plant and the others mentioned coupled with vehicle emissions from the M60?
- Wind direction readings have been taken from the BBC Weather APP over the last 18 months and this has shown that sometimes the wind changes direction up to 4/5 times per day. In 2015, the wind direction would have meant the Plume from BREP falling on Davyhulme, Urmston and Flixton 193 days out of 365 days.
- There are other developments in the area and a new road bridge under construction that will add to the overall pollution impact.

- The air pollution is a threat to food security.
- There are 19 schools in the vicinity of the proposed plant and Kingsway Park Primary school is one of the most polluted schools in the country. The pollution will damage children's lungs as they develop.
- This is not clean energy - it causes pollution. The smell from this plant combined with the smell from the sewers cannot be good for anybody.
- This is a serious public health issue which especially affects small children and the elderly. There are increasing numbers of children being diagnosed with asthma.
- The development would lead to long term health problems. The net result of this will be a huge spike in diseases of the airways and even more overloading of the NHS.
- This proposal makes a complete mockery of the government's promotion of a healthier lifestyle (e.g. in terms of smoking, MOT test fuel emissions etc) and this one development will be the equivalent of every resident within the area taking up smoking.
- The technology is outdated and dangerous and will use a low burn temperature. The chimney is not high enough and is not at the recommended safe level and the type of filter is not of sufficient quality.
- The Applicant is only changing the Building design and not altering the outdated boiler with the same emissions of dioxins and furans, aluminium, arsenic, cadmium, chromium, copper, lead, nickel, zinc, formaldehyde etc as turned down by the Council on the original application.
- The delivery of fuel on a required basis is open to mis-use allowing contaminated loads to be delivered and burnt more quickly without adhering to Regulations.
- This is unproven technology, which is not used by other countries.
- The health of the people of this area should be the prime consideration.
- The Council should start thinking about significant REDUCTION in pollution and stop allowing any increase, no matter how 'insignificant'.
- The technology is not the best available. Plasma Gasification is safer and more efficient. At the Public Inquiry into BREP, Peel stated that Plasma Gasification is not proven, but they applied to Nottinghamshire County Planning Committee for a Plasma Gasification incinerator at Bilsthorpe months before the Public Inquiry into BREP. In that application to

Nottinghamshire and on their website, Peel describe Plasma as being 'advanced' and 'proven'.

Traffic Congestion

- The area is already overdeveloped and suffers from increasing traffic congestion due to the motorway, the Trafford Centre and surrounding commercial development. More commercial traffic and lorries filled with waste will not help.
- This is already the busiest stretch of the M60 and will get busier with proposed housing developments.
- Fuel will now be brought onto the site more regularly as there will be less on site storage – therefore increasing traffic movements.
- The increased traffic will lead to greater delays and loss of economic productivity for many local businesses.

Climate Change and Sustainability

- There is not enough wood to fuel the development without importing it from abroad.
- Biomass may have a role in a zero-carbon future as a source of carbon monoxide in the manufacture of synthetic transportation fuel, to replace non-renewable petrol and diesel, but it is not a clean source of energy especially if it is actually domestic waste, full of plastics, and not a renewable source of energy, especially if it is actually virgin forest shipped from the Americas.
- Trafford should be promoting Green Energy and clean renewable technology and reducing Greenhouse Gases but this application is promoting the opposite.
- There are far better ways of disposing of waste wood and also far more ways to generate carbon neutral electricity.

Other Environmental Concerns

- The Applicant doesn't state to where the heat from this plant is destined, do we need more road works for pipes which will only have a 30 year life?
- There is too much conflicting information to be sure that there is no danger attached to this proposal. If there was an accident at the plant, it would affect the motorway bridge, the local housing, the retail park and the

Trafford Centre. The site is also close to a major water treatment plant and a potential CBM site. It is madness to crowd so much development into the area.

- How is the bottom ash going to be safely transported and disposed of?
- The site won't be monitored. Where does the Applicant mention who will be doing the testing of the incoming feedstock and subsequently the bottom ash?
- Concerned about noise levels from the construction of the development and the constant running of the plant, which will affect people's sleep. There is already a loud humming noise but anymore would be devastating.
- A safety case has not been prepared for the interaction of all the proposed developments in that very small area - BREP, CBM extraction and the methane plant at United Utilities. What effect could failure of one have on the others? What effect could normal operation of one have on the others? How will the ground vibrations caused by the methane extraction affect the neighbouring sites? How will the to and fro of traffic at one affect the others? How will the build process affect the others?
- The size of the building is likely to be seen from Davyhulme Circle and will have a negative impact on the environment and the character of the area and a negative impact on the community.

General Concerns / comments

- There are too many people living in close proximity to the site. There are alternative areas that have not had as much development recently and are much less populated. This type of business should be located in an out of town environment.
- This development will affect house prices and ultimately the quality of schools in the area as the house prices fall. There are a number of houses for sale in the area because people are already scared about the pollution. Local people will need to move away from the area where they were brought up because of health problems.
- Local decisions should be made by local residents.
- Post implementation reviews from similar plants in the US conclude that building them in residential areas results in ongoing problems, complaints and community dissatisfaction.
- There are many examples of damage caused by these plants around the world, which is why many countries have banned them.

- The development will provide only 15 jobs in the long run.
- The variations are not minor.
- Peel Holdings have too much power in the area and it is time for the Council to fight for democracy.
- There has been no comprehensive public consultation and many locals are unaware of the proposed development. Local residents should be informed and consulted as they will have to live with the development.
- Trafford refused this proposal previously and should do so again.

One further letter of objection has been received from Councillor Cornes, making the following comments: -

Point 1

In the document Turley have made their own reference to the government targets of carbon neutrality, which is now in question as part of the debate within Westminster.

This is relevant to the new proposal since it continues to presume a 'carbon neutrality benefit' which is now in serious question, as noted by Turley themselves within the submission.

Thus the amended proposal submitted to TMBC needs to be considered on this basis. Obviously the subsidies which benefit such plants (and thus their economic viability) are also now in question since these subsidies depend upon the **continued acceptance of "neutrality"** which is becoming more questionable as time goes on.

Point 2

It is noted that Turley themselves reinforce Point 1 above thus putting emphasis on that which is now in question, in their letter from Andrew Bickerdike dated 28 Aug '15 Ref - page 2 paragraph 1. It is thus becoming clear that they are now depending upon a perceived benefit from this plant as opposed to a real benefit, having failed to recognise the latter day evidence which is now available.

Point 3

The guarantees of emissions, which were sought and not obtained, apply to the new proposal **"and"** are also still in question and hence a relevant consideration of the variation.

Point 4

Page 28 of the Fichtner report notes in Table 6.1 "75% of less of AQO/EAL" The meaning of this is in question! It appears not to make sense!

Point 5

Page 62 of the Fichtner report states that Appendix D contains results including the calculations of the deposition of nitrogen etc but the tables appear only to contain the results. How they were calculated does not appear to be explained in the way they say it is and thus can not be checked. Since TMBC wish to check such data it is very important that this missing information is provided by the developer.

Point 6

There is a consequential affect on how fossil fuels are defined which in turn is also relevant to the amended proposal. ie Given the growing evidence that BioMass is not carbon neutral, its credibility as a 'non-fossil fuel' is now under question as a result. This aspect is also referenced in the letter from Andrew Bickerdike and hence a relevant point to submit regarding this variation.

APPLICANT'S SUBMISSION

Relevance of Issues Raised

The planning permission for the Barton Renewable Energy Plant Combined Heat and Power Plant (BREP CHP) remains extant and is capable of being implemented without the requirement for a further a planning application. This provides the baseline position from which any assessment of the current Section 73 application for amendments to the permitted scheme should be undertaken.

The majority of issues raised by BCAG seek to challenge the planning merits of delivering a combined heat and power plant in this location by reference to the nature of the operation and the site's physical context, including its proximity to an AQMA and residential properties.

It is noteworthy that these matters were assessed in detail through the Public Inquiry held in respect of the original planning application in November 2012. The acceptability of bringing forward a biomass fueled plant of the size, scale and capacity proposed in this location has therefore been subject to rigorous evidence based testing through the Inquiry process. Following this, the Secretary of State found that the scheme's impacts were within acceptable limits in approving the planning application.

It is not the role of the current planning application to reconsider the merits of and planning case for developing a combined heat and power plant of the scale proposed in this location. Rather the application is concerned with the changes to the scheme and whether these would give rise to additional or greater impacts than those identified in respect of the original scheme to the extent that planning permission for these changes should not be granted.

In this regard, the development now proposed remains fundamentally the same as that permitted, most notably in terms of the emissions profile and proposed fuel mix and volume. This is set out in more detail within the submitted

Environmental Statement Update which also considers whether and how the environmental impacts of the development as now proposed would be any different to the original scheme.

Very few of BCAG's comments relate to the proposed amendments to the scheme but rather focus on issues which were resolved through the Inquiry process. The vast majority of BCAG's representation should therefore be given no further consideration on the basis that they relate to issues which fall outside the scope of the determination of the current Section 73 application. This relates to comments made under eleven of the fifteen headings set out.

There are some limited exceptions to the rule which we respond to below.

Just in Time System

The representation states that reliance on a just in time system of fuel delivery, which is a new feature of the development, could result in an unbalanced fuel mix being fed into the combustion process. The assertion appears to be that the operator will have less control over the balance of the fuel mix held on site to the extent that the proportion of any Solid Recovered Fuel (SRF) could exceed the 5% limit controlled by the development's Environmental Permit under which it will operate.

The just in time system is designed to ensure that the fuel mix held on site at any one time is consistent with the fuel mix for the development. The fuel supply itself is mixed on site via an automated system before being introduced in to the hopper which feeds the boiler. This is not a manually controlled process and any SRF cannot be added at a greater rate to distort the mix.

Notwithstanding this, it is a condition of the Environmental Permit for the development that no more than 5% of the overall fuel supply comprises SRF (Schedule 2 table S2.2). It is a legal requirement that the operator of the plant complies with the Permit and any conditions it sets out.

The operator's ability to comply with the Permit, and indeed the adequacy of the Permit as a means of controlling the operation, is not a matter for the planning application process. The Public Inquiry Inspector considered this point and concluded that

"...it remains a fact that an Environmental Permit has been issued and the decision maker must proceed on the assumption that the relevant pollution control regime will be properly applied and enforced."

The applicant can confirm that compliance with the Environmental Permit will be achieved in the context of the changes proposed through the Section 73 application. As indicated by the Inquiry Inspector, the Local Planning Authority should assume the Environmental Permit is capable of fulfilling its role and ongoing compliance with this will be achieved. This will ensure that the SRF component of the fuel mix does not exceed 5%.

Heat

The site is located within an industrial and commercial area where heat usage (and therefore demand) is clearly high. Whilst this demand is currently satisfied by other means, reliance is placed on less sustainable non-renewable forms of heat generation for this purpose. The development will reduce reliance on these sources of heat generation for localized users and in doing so will satisfy demand utilising a more sustainable and environmentally efficient source of heat generation.

Notwithstanding this, the issue of heat demand is not a material consideration in the determination of a planning application for a series of minor changes to a scheme which already benefits from planning permission.

Size of the Building

BCAG's representation notes that the proposed amendments to the scheme will result in buildings of smaller scale being provided. It goes on to assert that the scale of the buildings remains unacceptable, notwithstanding this point.

Given the reduction in scale of buildings, the visibility and prominence of the development will only reduce compared to the baseline / fallback provided by the extant scheme. The amendments will therefore represent an improved outcome in terms of the visual impact of the development compared to this baseline.

The acceptability of the previous scheme in visual impact terms was resolved through the appeal process. Given the reduction in scale and reduced visual impact, it follows that the revised scheme is also acceptable from a visual point of view.

Flooding

BCAG assert that in view of Global Warming the site will be prone to flooding in the foreseeable future. It is pertinent to remind oneself that the use of renewable energy sources such as biomass are designed to combat this very same threat. Notwithstanding this, the updated information on flood risk has been submitted as part of this Section 73 application which demonstrates that this site is not at risk of flooding.

CONSULTATIONS

Environment Agency – Has commented further as follows: -

Just in time delivery system for fuel – The Environmental Permitting Regulations permit (EPR permit) for the Energy Plant does not address offsite storage of waste which may need a separate permit. It does apply to on site off-loading, storage, and movement. The amended proposal removes a fuel storage building and includes provision of two external fuel unloading bays and associated fuel

conveyor. Experience of other energy from waste facilities has shown that waste fuel offloading and storage has potential to generate odour. The permit places limits on the type and quantity of waste that can be combusted and limits on the exhaust gases. The operator must ensure that the waste inputs and operating parameters are balanced to comply with the limits imposed. The EA carry out audits to ensure that the limits in the permit are complied with.

Bottom ash - Prior to the commencement of commissioning the EPR permit requires that the Operator submits a protocol for the sampling and testing of bottom ash to assess its hazard status. The permit does not regulate transport of the ash. The holder will have to comply with Duty of Care requirements and ensure that it is only removed to a suitably authorised facility.

The Environmental Protection Act 1990, Section 34, imposes a Duty of Care on persons concerned with controlled waste. There are additional controls if the waste is consigned as hazardous. The duty applies to any person who imports, carries, keeps, treats or disposes of controlled waste. Breach of the Duty is an offence. All waste holders must act to keep waste safe, including falling or blowing away whilst stored or transported. If waste is transferred, it is only transferred to an authorised person and with a written description. The Environment Agency does not have a specific duty to enforce the duty of care, however, we have an interest in breaches which might contribute to illegal waste management.

Boiler efficiency – The EPR permit requires the operator to take appropriate measures to ensure that energy is recovered with a high level of energy efficiency and review suitable opportunities to improve energy recovery and implement appropriate measures. It also requires continuous monitoring of oxides of nitrogen, the EA carry out audits to confirm that the monitoring is in accordance with permit requirements and emission limits met.

Best available technique – The furnace technology proposed, a mechanical moving grate, together with the gas clean-up techniques, were assessed by EA during the EPR permit application process as best available technique (BAT), based upon the Waste Incineration best available technique reference document (BREF). The permit also contains an improvement condition requiring an assessment of the environmental performance of the plant as installed against the design parameters set out in the Application post commissioning.

OBSERVATIONS

The majority of the concerns that have been raised by the Breathe Clean Air Group and other objectors relate to the principle of a renewable energy plant on the application site rather than the differences between the proposed development and the approved scheme. The principle of a biomass renewable energy plant has been established by the previous permission, 76513/FULL/2010 and the relevant material considerations in the current application relate only to any differences in impact between the proposed scheme and the extant permission.

In terms of the general objections raised in relation to air quality impacts, health effects, noise, visual impact, flood risk and transport impacts, it has been concluded in the main report that, in respect of these issues, any impacts over and above those of the consented scheme would not be significant.

Some of the concerns raised relate to issues that are controlled by the Environment Agency through the Environmental Permit. The Permit will control matters relating to the specification of raw materials, operating techniques, the combustion process, levels of emissions, odour, noise and vibration, the disposal of waste and future monitoring of emissions, processes and waste. The NPPF and National Planning Policy for Waste (NPPW) are clear that consideration of planning applications should proceed on the assumption that the relevant pollution control regime will be applied and enforced.

Just in Time Delivery System - The applicant has confirmed that the Just in Time delivery system will not result in increased emissions from the plant. In any case, the Environment Permit will control the level of emissions and the combustion process including specific controls over any unavoidable stoppages / abnormal operation of the combustion process during which the normal emissions limits could be exceeded.

Off-site Storage - In terms of the question of environmental impacts as a result of the possible use of another site for off-site storage, this does not form part of the application proposals and any potential environmental impacts resulting from operations on another site would not be a material consideration in the current application.

Bottom Ash - The Environmental Permit will control the sampling and testing of bottom ash to assess its hazard status. The Permit does not regulate transport of the ash but the operator would have to comply with Duty of Care requirements and ensure that it is only removed to a suitably authorized facility. Since the previous permission, there have been no material changes in circumstances or changes to the proposed development that would raise any new issues in relation to this aspect of the scheme.

Demand for Heat - In relation to the question of whether there is a need to provide evidence of a demand for the supply of heat, the proposed scheme does now include a Combined Heat Power (CHP) plant and the applicant has stated that studies have been carried out that show that heat recovery and localized distribution can be viably achieved. However, in the appeal decision in respect of the previous application, 76153/FULL/2010, the consented scheme was deemed to be acceptable by the Secretary of State and the Inspector without the inclusion of such evidence and it is not considered that there is any requirement on the applicant to demonstrate that there is such demand in relation to the current variation of condition application.

Perception of Health Risks and Impact on Community confidence / Regeneration
- At the time of the previous application, the Secretary of State agreed with the

Inspector that, whilst there was a level of fear amongst objectors and this was a material consideration to which some weight could be attached, it was not supported by substantive evidence of actual harm to health arising from the proposal. The Secretary of State and the Inspector also concluded that the perception of harm on the part of a large section of the local population did not outweigh the presumption in favour of granting planning permission for development which accords with the Development Plan. In addition, the Secretary of State and the Inspector did not accept that it had been demonstrated that the fears expressed in terms of arresting the process of regeneration and damage to community confidence would materialize in practice. The principle of a biomass renewal energy plant has been established by the previous permission and it is not considered that there are any material changes in circumstances or changes to the proposed development that would justify a different conclusion in respect of the proposed scheme.

Boiler Efficiency – The Environment Agency (EA) has commented that the Environmental Permit requires the operator to take appropriate measures to ensure that energy is recovered with a high level of energy efficiency and review suitable opportunities to improve energy recovery and implement appropriate measures. It also requires continuous monitoring of oxides of nitrogen and the EA carry out audits to confirm that the monitoring is in accordance with permit requirements and emission limits met. The EA has also raised no objections to the proposed scheme.

Sustainability / climate change impacts - At the time of the previous application, the Secretary of State agreed with the Inspector that there was insufficient evidence to show that existing generating capacity exceeds the supply of suitable sustainable waste wood and attached greater weight to the strong support expressed in national and local policy for a development that has the potential to contribute to renewable energy capacity. There has been no material change in circumstances in this respect since the previous permission. The UK Renewable Energy Roadmap Update 2013, paragraph 96, states that “Biomass, when sourced sustainably, can provide a cost-effective, low carbon and controllable source of renewable energy across the electricity, heat and transport sectors.” Paragraph 97 states that “Government support is informed by the sustainability principles set out in the 2012 Bioenergy Strategy and as such is intended to be focused on more resource efficient use of biomass. These include technologies that generate heat, especially combined heat and power (CHP)”. At the time of the previous application, the Secretary of State also agreed with the Inspector that the climate change benefits of the scheme would be greater if Combined Heat and Power (CHP) had been designed as an integral part of the scheme. The current scheme includes details of CHP and would provide greater sustainability benefits and comply more fully with the Greater Manchester Joint Waste Plan and national policy than the permitted scheme in this respect.

Best Available Techniques – The Environment Agency has commented that the furnace technology proposed, a mechanical moving grate, together with the gas clean-up techniques, were assessed by the EA during the Environmental Permit application process as best available technique (BAT) based upon the Waste

Incineration best available technique reference document (BREF). The permit also contains an improvement condition requiring an assessment of the environmental performance of the plant as installed against the design parameters set out in the Application post commissioning. With regards to the height of the chimney, the EA commented on page 157 of the Permit Decision document that “Given the constraints imposed by other statutory regimes, we accept the height of the stack is BAT (best available technology).” The height of the stack is unchanged since the previous permission.

Cumulative Impacts – The cumulative impact of existing permitted developments has been taken into account in the assessment of the impacts of the proposed scheme. In respect of air quality, the Council’s review of the impact of the proposed scheme includes background nitrogen dioxide monitoring results which take into account existing sources of pollutants within the area. The Council commissioned an air quality study for Davyhulme in 2015 which identified impacts of future point sources of pollution on annual mean nitrogen dioxide levels within the area. This data has been used in the Council’s review of this application.

Risk of Accidents - With regards to any risk of fire or explosion, at the time of the previous permission, the Secretary of State and the Inspector were satisfied that this matter could be dealt with effectively by condition. There have been no material changes in circumstances or changes to the proposed scheme that would justify a different conclusion in this respect in relation to the proposed scheme. Condition 13 of the extant permission requires the submission of a Crime and Risk Prevention Plan, which addresses these issues, and it is proposed that this condition is retained if permission is granted for the current scheme.

It is therefore considered that no issues have been raised that would alter the conclusions of the main report that, in terms of the differences between the proposed scheme and the extant permission, there would be no significant additional adverse impacts in terms of air quality, health effects, noise, highway issues, visual amenity, ecology or flood risk and that the amended scheme would provide greater sustainability benefits through the inclusion of CHP. It is therefore considered that the proposed variation of conditions would be acceptable in terms of national and local planning policy as set out in the main report.

As the original planning obligations in relation to planning permission 76153/FULL/2010 were secured by way of a Unilateral Undertaking, the wording of the recommendation needs to be amended as set out below. In addition, it is recommended that the precise wording of the pre-commencement conditions 3-8 and 10 should be revised to reflect best practice.

RECOMMENDATION

MINDED TO GRANT SUBJECT TO A LEGAL AGREEMENT and subject to the following conditions: -

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement / undertaking to secure a financial contribution of £16,740 towards the provision of green infrastructure (minus £310 in respect of each tree planted on site in accordance with an approved landscaping scheme), a financial contribution of £4,257 towards highways and active travel and a financial contribution of £7,310 towards public transport provision.
- (B) In the circumstances where the legal agreement / undertaking has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning Services; and
- (C) That upon satisfactory completion of the above legal agreement / undertaking, planning permission be GRANTED subject to the following conditions: -

Conditions 1 – 20 as set out in the main report except that, where Conditions 3 – 8 and 10 include the wording “Prior to the commencement of development...”, “Prior to development commencing...” or “No development shall commence until...”, this phrasing shall be replaced by the words “No development shall take place until...”

Page 110 86550/VAR/15: Former Kratos Site, Barton Dock Road, Trafford Park

Re-word condition 10 as follows:

10. No development shall take place unless and until a scheme has been submitted to and approved in writing by the Council (in conjunction with TfGM), which demonstrates that the proposals for the frontage of the development on Mercury Way have taken account of the latest Metrolink Trafford Park Line detailed designs for the vicinity of the drop off area.

Page 121 86759/FUL/15: Grove House, Skerton Road, Old Trafford

DESIGN AND VISUAL AMENITY

A typing error has occurred in the first line of paragraph 13, it should state: The proposed extension would lie as a centre-point to the east elevation.

AIR QUALITY

A typing error has occurred in line four of paragraph 21, it should state: “operational impacts on local air quality will be negligible and not significant”

SPEAKER(S) AGAINST:

**FOR: Paul Westhead
 (Applicant)**

REPRESENTATIONS

A letter has been received from Kate Green MP in regards to comments she has received from a neighbouring resident of Hallcroft, who raises concerns that a new housing estate will increase the issues residents experience with parking. The resident suggests that a layby is put in place on Hallcroft, which may help the parking issues.

A letter of objection has also been received from a neighbouring resident of Derwent Close, following the submission of amended plans, which states that their existing concerns (which are reported within the main Planning Committee report) still stand. They are concerned that the proposal will result in them being more exposed to intruders and the reduction in the height of the proposed fence along their rear boundary from 2.1m to 1.8m will contribute to this.

OBSERVATIONS

AMENITY

The concerns detailed above from neighbouring residents are noted. In regards to the impact of the proposed development on on-street parking pressures, the application proposes the provision of two car parking spaces per dwellinghouse, which complies with the Council's car parking standards as set out in Appendix 3 of the Trafford Core Strategy. The application also proposes the creation of a layby to the front of No.s 23 – 25 Hallcroft and as part of the proposed alterations to the existing residents parking at the head of Hallcroft, the proposal would result in an increase in residents parking by four spaces. It is therefore considered that the proposal would not result in an increase in parking pressures in the surrounding area.

Concerns raised in regards to safety are noted. The Greater Manchester Police Architectural Liaison Unit have raised no objections to the application and it is considered that as the site is not currently actively used on a regular basis, the proposed development would result in an increase in natural surveillance of the site and adjoining streets and therefore could actually provide an increase in safety for neighbouring residents. In order to address the neighbour's concerns, the applicant has submitted a further amended plan which increases the height of the proposed boundary fence to 2.1m where it lies along the common boundary with this resident on Derwent Close.

CRIME

It is noted that the submitted Crime Impact Statement recommends that the position of Plots 9, 10 and 11 is adjusted to achieve a better overlook of the access road. The layout of these plots has not been amended in accordance with this recommendation. It is considered that it is necessary to balance this issue with the amenity of existing residents, future occupants of the proposed development, parking provision and highway safety. It is noted that these properties would provide a degree of natural surveillance of the highway and neighbouring properties and the layout is therefore considered acceptable. Accordingly, as the proposed development would not fully comply with all recommendations within the Crime Impact Statement, condition 7 is proposed to be amended as detailed below.

CONCLUSION

Paragraph 38 is amended to:

It is therefore considered that the proposal would accord with paragraph 14 of the NPPF, which sets out a presumption in favour of sustainable development. The development would provide regeneration benefits, bringing a brownfield site back into use and would contribute to the supply of housing in the Borough. Where potential harm has been identified, it has been mitigated by suitable planning conditions. Therefore any adverse impacts do not significantly or demonstrably outweigh the benefits and as such the application is recommended for approval.

RECOMMENDATION

It is recommended that condition 6 is amended to:

6. (i) The Sustainable Urban Drainage Scheme (SUDs) shall be implemented in accordance with the approved plans. Prior to the first occupation of the approved development and upon completion of the SUDs, a verification report shall be submitted and approved to demonstrate that the scheme has been implemented as approved. The verification report shall include photographic evidence of the scheme as built.

(ii) Prior to the first occupation of the development, a scheme for the long term maintenance of the SUDs scheme shall be submitted and approved and thereafter maintained in accordance with the approved details.

It is recommended that condition 7 is amended to:

7. The approved development shall be carried out in accordance with the 'Physical Security Specification' checklist set out within the submitted Crime Impact Statement.

Since the publication of the Planning Committee report, the applicants have submitted a remediation statement which the Pollution and Licensing team have

confirmed is acceptable. It is therefore recommended that condition 8 is amended to:

8. The approved remedial scheme shall be carried out and prior to first occupation a Site Completion Report is submitted and approved.

It is recommended that condition 12 is amended to:

12. Prior to the first occupation of the approved development, full details of the emergency access shall be submitted and approved. The emergency access shall be retained and maintained thereafter in accordance with the approved details.

The application site is located within a 'cold' location and is therefore below the threshold for requiring affordable housing, in accordance with SPD1: Planning Obligations. As such it is recommended that condition 13 is removed.

Page 146 86922/COU/15: 1 Dean Drive, Bowdon

SPEAKER(S)	AGAINST:	Stefanie Connoly (Neighbour)
	FOR:	Melinda Beckett-Hughes (Applicant)

RECOMMENDATION

Condition 2 to be amended as follows:

2. The number of lettable rooms in association with the development hereby permitted, shall not exceed 3 at any one time. The applicant shall keep a register of all guests staying at the property including dates of arrival and departure. The register shall be made available for inspection by the Council at all times.

Reason: In the interests of residential and highway amenity, having regard to Policies L4 and L7 of the Trafford Core Strategy.

Page 157 87009/FUL/15: Former Altrincham General Hospital, Market Street, Altrincham

SPEAKER(S)	AGAINST:	Dale Lowe (Neighbour)
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FOR:

**Phil Osbourne
(Agent)**

RECOMMENDATION

It is considered that the following condition should be attached:

25. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved unless otherwise agreed in writing by the Local Planning Authority. All areas for the movement, loading, unloading and parking of vehicles provided in accordance with this permission shall be made available for those purposes at all times when the premises are in use unless otherwise agreed in writing by the Local Planning Authority.

Page 187 87109/VAR/15: Cherry Manor Centre, Cherry Lane, Sale

CONSULTATIONS

Incorrect reference - Trafford Drainage to be replaced by Lead Local Flood Authority

OBSERVATIONS

LOSS OF OPEN SPACE

Paragraph 8 -

By way of clarification, and as mentioned in paragraph 10, the track would be used by SEN pupils only, predominantly by Brentwood pupils but on occasion and by invitation only by other SEN schools within Trafford and Manchester. The track would only be used during school times and would not be used by the wider public.

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

FOR FURTHER INFORMATION PLEASE CONTACT:

**Rebecca Coley, Head of Planning and Development, Planning Department,
1st Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH
Telephone 0161 912 3149**

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