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**TRAFFORD**  
**COUNCIL**

## **AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE MEETING**

**Date: Thursday, 15 June 2017**

**Time: 6.30 pm**

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

### **AGENDA**

### **ITEM**

#### **7. ADDITIONAL INFORMATION REPORT**

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

**7**

### **THERESA GRANT**

Chief Executive

#### Membership of the Committee

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

#### Further Information

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

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# Agenda Item 7

## AGENDA ITEM 7

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 15<sup>th</sup> June 2017

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.
<a href="#"><u>89973</u></a>	45 Woodcote Road, Timperley, WA14 5PY	Broadheath	1		✓
<a href="#"><u>90274</u></a>	4 Lock Lane, Partington, M31 4PX	Bucklow St Martins	9		✓
<a href="#"><u>90352</u></a>	St Vincents Catholic Primary School, Orchard Road, Altrincham, WA15 8EY	Altrincham	30		
<a href="#"><u>90392</u></a>	Land to the rear 397 Stockport Road, Timperley, WA15 7UR	Village	40		✓
<a href="#"><u>90438</u></a>	Grove House, 35 Skerton Road, Old Trafford	Longford	55		
<a href="#"><u>90711</u></a>	Trafford Plaza, 73 Seymour Grove, Old Trafford	Longford	69	✓	✓
<a href="#"><u>91018</u></a>	5 Bude Avenue, Flixton, M41 9FR	Flixton	100		
<a href="#"><u>91021</u></a>	281 - 285 Talbot Road, Stretford, M32 0YA	Longford	106	✓	✓
<a href="#"><u>91269</u></a>	33 Norley Drive, Sale, M33 2JE	Sale Moor	119		

**Page 1 89973/HHA/17: 45 Woodcote Road, Timperley**

**SPEAKER(S) AGAINST:**  
**FOR: Simon Vineer**  
**(Applicant)**

**Page 9 90274/FUL/17: 4 Lock Lane, Partington**

**SPEAKER(S) AGAINST:**  
**FOR: Paul Westhead**  
**(Agent)**

**Page 40 90392/FUL/17: Land to the Rear of 397 Stockport Road, Timperley.**

**SPEAKER(S) AGAINST:**  
**FOR: Paul Westhead**  
**(Agent)**

## **CONSULTATIONS**

A further response received from GMP on the amended plans stating previous comments still stand (i.e no objections subject to development being carried out in accordance with submitted Crime Impact Statement and a condition attached to ensure compliance).

## **REPRESENTATIONS**

A further two letters of objection have been received following reconsultation on amended plans both from neighbours who had raised concerns with regards the original plans as submitted at the outset of the application, further objections as follows:-

Owner of 339 Stockport Rd – As a result of the plans, the shop (397-401 Stockport Road) will not have loading or rear access; it will eradicate the fire exit and block access to the rear. The scheme is over developed and to close to adjoining boundaries

The owner of 395a Stockport Road has sent a further representation in stating that they had not been made aware of the proposal. The owner has however

made written representations on the original plans that had been submitted as part of this application and letters had been sent by the Council to the commercial premises 395 Stockport Road, 395A Stockport Road and 393 Stockport Road advising of the initial plans and the subsequent amended plans (it is believed these premises are all owned by the same individual). The concerns raised by the owner include:-

- The officers report does not describe accurately this part of the village which includes a mixture of retail, restaurants and bars and gives the impression of a derelict area of the village.
- As stated in the officers report 393 Stockport Road is currently vacant but this is just for a short time until refurbishment works are completed, the upper floor will be used for residential.
- A number of units in the parade are existing or have planning permission to be occupied by restaurants including 395A (former Co-Op) has permission for a range of uses including a restaurant. 391 Stockport Rd (Little Italy ) has recently extended to the rear to extend kitchen and storage facilities
- As this is a vibrant part of the village it is considered appropriate that a condition be attached requesting appropriate sound mitigation measures in the building design to ensure that future occupants of the development would not raise complaints regarding neighbouring existing commercial uses.

## **OBSERVATIONS**

### **RESIDENTIAL AMENITY**

No objections have been raised by the Council's Pollution & Housing Section with regards noise. The new building will have blank elevations facing the commercial properties to the south-east side of Stockport Road with no window or door openings. Future occupants of the building will be aware of the location of the accommodation within a commercial centre. It is not considered reasonable or necessary to condition sound mitigation measures.

Paragraph 19 in the main report demonstrates that the relationship to 393 Stockport Rd would be acceptable. It states that there are no objections on residential amenity grounds. To be clear the reference to 'no objection' is in relation to officers conclusions on the issue, representations have been received regarding residential amenity as indicated in the main report.

### **DEVELOPER CONTRIBUTIONS**

Discussions are still ongoing with the applicant with regards achieving some green infrastructure provision at the site. It is therefore considered appropriate to attach a condition requesting submission of such detail prior to development commencing on site as detailed below.

## RECOMMENDATION

### Condition 10:-

Prior to works commencing on site, details of Specific Green Infrastructure provision at the application site in accordance with Trafford's Revised SPD1: Planning Obligations shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.

Reason: To ensure that appropriate Green Infrastructure is incorporated into the development having regard to its location, the nature of the proposed development and having regard to Policies L7, R3 of the Trafford Core Strategy and the National Planning Policy Framework. This condition is required to be pre-commencement to ensure that such requirements are included at design stage.

**Page 69 90711/FUL/17: Trafford Plaza, 73 Seymour Grove, Old Trafford.**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	<b>Steve Burrows (Neighbour)</b>
	<b>FOR:</b>	<b>Christian Gillam (Architect)</b>

### **Further consultation responses:**

Environment Agency: No requirements for additional works or planning conditions.

### **Observations:**

Paragraph 22 of the Committee Report makes reference to paragraph 65 of the NPPF which refers to buildings or infrastructure which promote high levels of sustainability through their design. Whilst the site is deemed to be in a highly sustainable location, it should be noted that a case has not been put forward by the applicant that the proposed building is highly sustainable in terms of its design. Notwithstanding this, Officers do not have concerns regarding the compatibility of the scheme with the existing townscape and as such, there is no requirement for mitigation in this respect.

### **Developer contributions:**

The consultants' appraisal of the applicant's viability assessment indicates that it may be appropriate for a clause requiring the undertaking of a viability review

mechanism to be included as part of any legal agreement. Officers have considered this approach and concur that in this instance, such a clause would be appropriate.

It is acknowledged that guidance contained in the National Planning Practice Guidance (NPPG) and RICS Professional Guidance Financial Viability in Planning (2012) notes that such an approach would generally be suitable in cases where a development is phased over the medium and longer term, which is not the case in this instance. However having regard to the advice received from the Council's viability consultant and the Council's adopted SPD1: Planning Obligations, it is considered that the lack of comparable development within the vicinity of this site, the perceived demand for residential development within the local area and the possibility for this to have an impact upon improved sales values indicates that there may be uncertainty regarding final values associated with the scheme. It is therefore considered reasonable to require the applicant to carry out a viability review at a later stage of the development in order to ensure that an appropriate contribution towards affordable housing and spatial green infrastructure is secured should it be concluded that profits from the scheme exceed 20%. Whilst RICS guidance stresses that viability review mechanisms can introduce uncertainty for a developer, it is not considered that it would do in this case. It should not undermine the basis of a competitive return as envisaged by the NPPF by introducing uncertainty post the implementation of the development, nor make funding the scheme difficult or unlikely as any contribution to the Council would only be triggered after the developer has realised a 20% profit (the basis on which the viability assessment was submitted), whilst any contribution would be in the form of a commuted sum, and would not include the provision of affordable units on site.

**Recommendation:**

That Members resolve that they would be MINDED TO GRANT planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure :
  - A contribution of £2000 for the provision of a 15-tree orchard within Seymour Park;
  - Agreement that the development shall not be occupied for as long as the existing Trafford Plaza building is in B1(a) office use;
  - Agreement that the car parking spaces within the site will be offered to and made available for residents of both the proposed building and the existing Trafford Plaza building, once in residential use; and

- The submission of a viability review of the scheme at a point to be agreed with the applicant and agreement that an appropriate contribution towards affordable housing and spatial green infrastructure will be made should the review conclude that developer profits will exceed 20%.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the conditions listed in the committee report (unless amended by (ii) above or the following section).

**Conditions:**

Condition numbers 2, 18 and 19 have been updated to reflect the current plans which are under consideration. The requirement for a Phase I contaminated land report has been removed from condition 4 as this has already been provided by the applicant. The wording 'including any works of demolition' has been removed from condition 5 as no demolition is proposed under this application. Condition 11 has been amended to require the submission of the noise mitigation scheme prior to its implementation rather than prior to any above ground construction works.

Condition 2:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers L(00)22 (Rev F), L(00)135 (Rev J), L(00)139 (Rev A), L(00)140 (Rev A), L(00)141 (Rev A), L(00)142 (Rev A), L(00)143 (Rev A), L(00)144 (Rev A), L(00)145 (Rev A), L(00)148 (Rev D), L(00)149 (Rev D), L(00)150 (Rev D), L(00)151 (Rev D), L(00)152 (Rev B), L(00)154 (Rev B), 7596-L(00)155A, 7596-L(00)157A, 7596-L(00)160C, 7596-L(00)161B, 7596-L(00)162B, 7596-L(00)163B, 7596-L(00)165, 7596-L(00)166, 7596-L(00)167, 7596-L(00)168, 7596-L(00)169, 7596-L(00)170, 7596-L(00)171, L(00)172 (Rev A), 7596-L(00)173, L(00)176 and L(00)177.

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

Condition 4:

No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been



submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. The scheme is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in risks to site operatives.

Condition 5:

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) the loading and unloading of plant and materials
- (iii) the storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) wheel washing facilities, including measures for keeping the highway clean

- (vi) measures to control the emission of dust and dirt during construction
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (viii) hours of construction activity.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Condition 11:

Notwithstanding the details submitted with the application, a revised noise mitigation scheme in respect of glazing and ventilators shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the scheme. The mitigation scheme shall demonstrate that the criteria contained within Section 4.0 of the submitted noise assessment (ref. P3414/R1C/PJK dated 22 February 2017) can be met whilst providing an adequate means of ventilation that accords with Building Regulations requirements. The development shall be carried out in accordance with the approved scheme.

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

Condition 18:

The development shall not be occupied unless and until the cycle storage facilities for 174no bicycles, as shown on drawing nos. L(00)135 (Rev J), L(00)152 (Rev B), 7596-L(00)155A and 7596-L(00)157A have been implemented and made available for use. The approved facilities shall thereafter be retained.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

Condition 19:

The refuse storage area shown on approved drawing nos. L(00)135 (Rev J), L(00)152 (Rev B), 7596-L(00)155A and 7596-L(00)157A shall be completed and made available for use prior to the first occupation of the development and shall be retained thereafter. This storage area shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

**Page 106 91021/FUL/17: 281-285 Talbot Road, Stretford.**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	<b>Phil Bradbury (Agent)</b>
	<b>FOR:</b>	<b>Mrs Diane Partridge (Neighbour)</b>

**RICHARD ROE, DIRECTOR OF GROWTH AND REGULATORY SERVICES**

**FOR FURTHER INFORMATION PLEASE CONTACT:**

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

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