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TRAFFORD COUNCIL

AGENDA PAPERS FOR PLANNING DEVELOPMENT CONTROL COMMITTEE MEETING

Date: Thursday, 10 January 2013

Time: 6.30 pm

Place: Rooms 7 and 8, Quay West, Trafford Wharf Road, Trafford Park,
Manchester M17 1HH

AGENDA	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers and any apologies for absence.		
2. MINUTES		1 - 14
To receive and, if so determined, to approve as a correct record the Minutes of the meetings held on 13 th December, 2012.		
3. ADDITIONAL INFORMATION REPORT		
To consider a report of the Chief Planning Officer, to be tabled at the meeting.		
4. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.		15 - 38
To consider the attached reports of the Chief Planning Officer.		
5. URGENT BUSINESS (IF ANY)		
Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.		

6. **EXCLUSION RESOLUTION (REMAINING ITEMS)**

Motion (Which may be amended as Members think fit):

That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors Mrs. V. Ward (Chairman), D. Bunting (Vice-Chairman), R Chilton, Fishwick, Gratrix, E. H. Malik, D O'Sullivan, Mrs J. Reilly, B. Shaw, J. Smith, Walsh, K. Weston and Whetton

Further Information

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

Michelle Cody, Democratic Services Officer

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This agenda was issued on **Wednesday 2nd January 2013** by the Legal and Democratic Services Section, Trafford Council, Quay West, Trafford Wharf Road, Trafford Park, Manchester, M17 1HH.

PLANNING DEVELOPMENT CONTROL COMMITTEE

13th DECEMBER, 2012

PRESENT:

Councillor Bunting (In the Chair),
Councillors Chilton, Fishwick, Gratrix, O'Sullivan, Sharp (Substitute), Shaw, Stennett (Substitute), Walsh, Weston and Whetton.

In attendance: Chief Planning Officer (Mr. K. Howarth),
Planning Team Manager (Mr. D. Pearson),
Senior Planning Officer (Mrs. R. Wyllie),
Senior Development Control Engineer – Traffic & Transportation (Ms. M. Zenner),
Solicitor (Mrs. C. Kefford),
Democratic Services Officer (Miss M. Cody).

Also present: Councillors Bennett, Brotherton, Butt, Freeman, Holden and Lally.

APOLOGIES

Apologies for absence were received from Councillors Malik, Mrs. Reilly, Smith and Mrs. Ward.

89. MINUTES

RESOLVED: That the Minutes of the meeting held on 8th November, 2012, be approved as a correct record and signed by the Chairman.

90. ADDITIONAL INFORMATION REPORT

The Chief Planning Officer submitted a report informing Members of additional information received regarding applications for planning permission to be determined by the Committee.

RESOLVED: That the report be received and noted.

91. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.

- (a) Permission granted subject to standard conditions prescribed by statute, if any, and to any other conditions now determined

Application No., Name of Applicant, Address or Site

Description

75115/FULL/2010 – Ravenstone UK – 100 Washway Road, Sale.

Erection of a third floor above existing building resulting in a part three, part four storey building to form office accommodation (Use Class B1), erection of lift shaft and remodelling of existing elevations.

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79222/AA/2012 - 3639 Limited /
Tesco Stores Limited – 313 Norris
Road, Sale.

Display of various signs including: internally illuminated and externally illuminated fascia signs to front elevation; non-illuminated vinyl signs to front and side elevations; externally illuminated free-standing gantry sign to car park entrance and 3 no. non-illuminated wall mounted signs within car park.

79260/FULL/2012 - 3639 Limited /
Tesco Stores Limited – 313 Norris
Road, Sale.

Installation of 3 no. air conditioning units to the north (rear) elevation, a condenser unit to the west (side) elevation and a chiller unit to the east (side) elevation.

79262/FULL/2012 - 3639 Limited /
Tesco Stores Limited – 313 Norris
Road, Sale.

Siting of 3 no. 5m high lighting columns within front car park.

79361/RM/2012 – Peel Investments
(North) Limited – Partington
Shopping Centre, Central Road,
Partington.

Reserved Matters application for approval of alternative layout to that approved under application 78583/RM/2012 for demolition of existing shopping centre and erection of new shopping centre comprising Class A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Restaurants and Cafes), Class A5 (Takeaway), Class B1 (Offices) and Class D1 (Non Residential Institutions) and provision of associated car parking, village square, improvements to public open space and other associated highway works. All other Reserved Matters (appearance, landscaping and scale) remain as approved under application 78583/RM/2012).

(b) Applications refused for reasons now determined

Application No., Name of
Applicant, Address or Site

Description

78856/HHA/2012 – Mr. Mohammed
Akram – 47 The Avenue, Sale.

Part retrospective application for erection of part single, part two storey front extension, two storey rear extension, two dormer windows to rear roof slope and single storey side and rear extensions, all to form additional living accommodation. Formation of new tarmac driveway access with erection of brick wall, brick piers and railings to front and side boundaries with maximum height of 1900mm. Erection of single storey outbuilding within

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rear garden.

[Note: Councillor Chilton declared a Personal Interest in Application 78856/HHA/2012 due to his intention to make representation to the Committee regarding the Application, he remained in the meeting but did not take part in the debate or cast a vote on the Application.]

79030/FULL/2012	–	MVK	Erection of two storey detached dwelling with
Construction Ltd – 2 Irlam Road,			4 no. bedrooms within side garden of 2 Irlam
Flixton.			Road.

92. **APPLICATION FOR PLANNING PERMISSION 77878/FULL/2011 – GEM GROUP – SITE OF FORMER MKM HOUSE, WARWICK ROAD, OLD TRAFFORD**

The Chief Planning Officer submitted a report concerning an application for planning permission for the erection of a seven storey hotel, comprising ninety eight bedrooms and car parking at ground floor level.

RESOLVED –

(1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure:-

- A maximum financial contribution of £119,526 split between: £19,796 towards Highway and Active Travel infrastructure; £68,110 towards Public Transport Schemes; and £31,620 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).
- An off-site car parking and management strategy to include the provision and retention of 62 car parking spaces off-site, to be provided and available for use prior to the development being first brought into use, details for its operation, monitoring and requirement for alternative parking to be provided in the event of any of the agreed parking spaces no longer being available.
- Traffic Regulation Orders and lining/signing associated with the realignment of the existing pay and display bay and for a loading bay to be installed or restrictions amended at the developers cost.

(2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

93. **APPLICATION FOR PLANNING PERMISSION 78816/RENEWAL/2012 – MR. BRIAN FISHER – DEMOLITION DIRECT, TENAX CIRCLE, TRAFFORD PARK**

The Chief Planning Officer submitted a report concerning an application for planning

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permission for extension of time limit for H/70807 for the erection of a 3 mega watt wood fuelled renewable energy biomass plant and associated industrial storage building and parking.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a financial contribution of £7,878 comprising £1,188 towards Highways and Active Travel, £2,040 towards public transport schemes and £4,650 towards specific green infrastructure.
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

94. **APPLICATION FOR PLANNING PERMISSION 79084/FULL/2012 – MR. A. NADERIAN – WARWICKGATE HOUSE, 7 WARWICK ROAD, OLD TRAFFORD**

The Chief Planning Officer submitted a report concerning an application for planning permission for alterations to 9th and 10th floor of building to form 10 flats with associated external alterations to building and car park.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure the provision of 1 affordable housing unit and a financial contribution £31,736.72, comprising:-
 - A financial contribution of £265 towards Highways and Active Travel Infrastructure.
 - A financial contribution of £805 towards public transport schemes.
 - A financial contribution of £1,550 towards Specific Green Infrastructure.
 - A financial contribution of £10,418.86 towards Spatial Green Infrastructure, Sport and Recreation.
 - A financial contribution of £22,255.70 towards education facilities.
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

95. **APPLICATION FOR PLANNING PERMISSION 79101/FULL/2012 – 3639 LIMITED / TESCO STORES LIMITED – 313 NORRIS ROAD, SALE**

The Chief Planning Officer submitted a report concerning an application for various works including: erection of external canopy to the west elevation; erection of fence above existing boundary wall to maximum height of 2.4 m to part of side boundaries and to rear boundary; installation of atm pod to east side elevation, siting of anti-ram bollards to front elevation and alterations to external elevations including insertion of

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new windows, doors and infilling of windows and doors.

RESOLVED: That planning permission be granted subject to the conditions now determined and to the following additional conditions:-

The premises shall not be open for customers [to the public] outside the hours of 07.00 to 22.00 on any day.

Reason: In the interest of residential amenity and in compliance with Policy L7 of the Trafford Core Strategy.

No deliveries shall be taken at or despatched from the site outside the hours of 07.00 and 22.00 on any day.

Reason: In the interest of residential amenity and in compliance with Policy L7 of the Trafford Core Strategy.

A servicing management plan for the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the opening of the premises to the public.

Reason: To protect the amenity of nearby residents, having regard to Policy L7 of the Trafford Core Strategy.

The ATM hereby approved shall not be open to the public outside the opening hours of the shop premises, i.e. it shall not be open to the public outside the hours of 07.00 to 22.00 on any day.

Reason: In the interest of residential amenity and in compliance with Policy L7 of the Trafford Core Strategy.

96. **APPLICATION FOR PLANNING PERMISSION 79105/VAR/2012 – BARTON SQUARE LIMITED – BARTON SQUARE, PHOENIX WAY, TRAFFORD PARK**

The Chief Planning Officer submitted a report concerning an application for the variation of Conditions 7, 8, 9 of application H/62750 to vary floorspace restriction (increase of 10,386 sq.m floorspace through use of existing non retail floorspace and insertion of mezzanine floorspace at levels 2 and 3), to allow for 8,824 sq.m floorspace to be used for general non-food retailing including the sale of clothing and footwear, fashion accessories (including jewellery), cosmetics, toiletries and pharmaceutical products, and ancillary sales of books, newspapers, magazines (up to a maximum of 5% of the sales area) and to restrict the proposed additional retail floorspace from future sub division.

RESOLVED –

- (1) It is noted that the developer will complete an Agreement under S.111 of the Local Government Act 1972, as referred to, prior to the grant of planning permission.
- (2) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement in respect of the obligations secured by the original s106 Agreement (requiring *inter alia* a financial

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contribution of £11 million towards Metrolink / public transport improvements) and to secure a further financial contribution of £2m towards town centre enhancements and improvements and a financial contribution of £287,144.00 in accordance with SPD1 in respect of the proposed additional floorspace, comprising of £64,480.00 towards Specific Green Infrastructure (off-site tree planting) and £222,664.00 towards transport improvements (comprising of £118,976.00 towards highway and active travel network improvements and £103,688.00 towards public transport improvements).

- (3) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

97. **APPLICATION FOR PLANNING PERMISSION 79106/VAR/2012 – BARTON SQUARE LIMITED – BARTON SQUARE, PHOENIX WAY, TRAFFORD PARK**

The Chief Planning Officer submitted a report concerning an application to vary of Conditions 4, 5 and 6 of application 76915/FULL/2011 to vary floorspace restriction (increase of 10,386 sq.m floorspace through use of existing non retail floorspace and insertion of mezzanine floorspace at levels 2 and 3), to allow for 8,824 sq.m floorspace to be used for general non-food retailing including the sale of clothing and footwear, fashion accessories (including jewellery), cosmetics, toiletries and pharmaceutical products, and ancillary sales of books, newspapers, magazines (up to a maximum of 5% of the sales area) and to restrict the proposed additional retail floorspace from future sub division.

RESOLVED –

- (1) It is noted that the developer will complete an Agreement under S.111 of the Local Government Act 1972, as referred to, prior to the grant of planning permission.
- (2) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement in respect of the obligations secured by the original s106 Agreement (requiring *inter alia* a financial contribution of £11 million towards Metrolink / public transport improvements) and to secure a further financial contribution of £2m towards town centre enhancements and improvements and a financial contribution of £287,144.00 in accordance with SPD1 in respect of the proposed additional floorspace, comprising of £64,480.00 towards Specific Green Infrastructure (off-site tree planting) and £222,664.00 towards transport improvements (comprising of £118,976.00 towards highway and active travel network improvements and £103,688.00 towards public transport improvements).
- (3) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

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98. **APPLICATION FOR PLANNING PERMISSION 79109/HHA/2012 – DR. F. SALIM – 12 GORSE BANK ROAD, HALE BARNES**

The Chief Planning Officer submitted a report concerning an application for the erection of a part single, part two storey front, side and rear extensions to form additional living accommodation.

RESOLVED: That planning permission be refused for the following reasons:-

The proposed extension, due to its size, scale, massing and proximity to the site boundaries, would create an overbearing form of development that would cause detrimental harm to the outlook and general amenity of occupants of neighbouring dwellings, particularly from within the rear garden area of the adjacent property, 10 Gorse Bank Road. As such, the proposed development would be contrary to Policy L7 of the Trafford Core Strategy and related supplementary planning guidance contained within SPD4: A Guide for Designing House Extensions and Alterations (February 2012).

The proposed extension, due to its design, size, scale, massing and proximity to the site boundary, would create a visually dominant and incongruous feature within the streetscene. As such, the proposed development would be contrary to Policy L7 of the Trafford Core Strategy and related supplementary planning guidance contained within SPD4: A Guide for Designing House Extensions and Alterations (February 2012).

Reason for refusal: The Committee members were mindful of the extension approved under planning application 78008/HHA/2012 and the Officer's recommendation to approve the proposed scheme. However, members considered the proposed extension to be huge and the consequences of this would be that the development would have a devastating effect upon neighbouring properties, particularly 10 Gorse Bank Road and most notably from within the rear garden of that dwelling. Members were also concerned about the overall size of the extension and considered that it would represent an incongruous feature within the streetscene.

[Note: Councillor Sharp declared a Personal Interest in Application 79109/HHA/2012 due to his representations regarding the Application as Ward Councillor, he remained in the meeting but did not take part in the debate or cast a vote on the Application.]

99. **APPLICATION FOR PLANNING PERMISSION 79182/HHA/2012 – MR. ALAN SMITH – 1 MELROSE AVENUE, SALE**

The Chief Planning Officer submitted a report concerning an application for the erection of dormer window with Juliette balcony to side roof slope of existing outrigger.

RESOLVED: That planning permission be granted for the reasons given below and subject to the following conditions:-

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The development must be begun not later than the expiration of three (3) years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 330/001 and 330/002, unless otherwise agreed in writing by the Local Planning Authority.

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

Notwithstanding the details submitted to date, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy.

[Note: Councillor Walsh declared a Prejudicial Interest in Application 79182/HHA/2012, as the Applicant was known to him, and left the room during consideration of this item.]

100. **APPLICATION FOR PLANNING PERMISSION 79256/FULL/2012 – MR. NICK WOODS – LAND ADJACENT TO 2 MAYFIELD AVENUE, SALE**

The Chief Planning Officer submitted a report concerning an application for planning permission for the erection of two storey dwelling with accommodation in the roofspace to adjoin 2 Mayfield Avenue to form a pair of semi-detached dwellings.

RESOLVED -

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £11,320.74 split between £155 towards Highway and Active Travel infrastructure; £384 towards Public Transport Schemes; £930 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); £2,319.79 towards Spatial Green Infrastructure, Sports and Recreation and £7,531.95 towards Education Facilities.
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

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101. APPLICATION FOR PLANNING PERMISSION 79278/FULL/2012 – WIGGETT CONSTRUCTION LTD – CALDER COURT, DAVYHULME ROAD/CALDERBANK AVENUE, URMSTON

The Chief Planning Officer submitted a report concerning an application for planning permission for the erection of 7 no. three and four bedroom semi-detached and detached dwellings with works ancillary thereto (amendments to plots 27-33 of 77886/FULL/2011).

RESOLVED –

- (1) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Deed of Variation to the original Legal Agreement for 77886/FULL/2011, which secured a maximum financial contribution of £84,407.63.
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

102. APPLICATION FOR PLANNING PERMISSION 79286/VAR/2012 – KEY PROPERTY INVESTMENTS (NUMBER TWO) LTD/MILAN (AVRO) LTD – LAND EAST OF MOSLEY ROAD, TRAFFORD PARK

The Chief Planning Officer submitted a report concerning an application for the variation of Condition 2 (provision of parking and access facilities), Condition 3 (retention of access facilities), Condition 5 (landscaping), Condition 6 (landscape management plan), Condition 7 (list of approved plans), Condition 8 (contaminated land), Condition 9 (travel plan), Condition 12 (cycle shelters and bin stores), Condition 14 (foundation details) and Condition 15 (secondary access) of planning permission 77238/FULL/2011 (erection of four no. three storey offices (Use Class B1(a)) buildings and associated single storey building to provide site employee facilities. Associated access, car parking, landscaping and boundary treatment and other external works), to: allow for, and to refer to, drawings indicating proposed phasing of the development; increase the size of the proposed creche along with associated amendments to the landscaping/parking layout and the landscape management plan; re-siting of the bin and cycle stores; and to take account of previously submitted information to discharge relevant conditions associated with 77238/FULL/2011.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £330,153.00, which would be split as follows:
 - £326,487.00 as set out in the original s106 Legal Agreement (77238/FULL/2011), broken down as follows:

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- (1) £44,343.00 towards highway network improvements.
- (2) £111,024.00 towards public transport improvements.
- (3) A maximum of £171,120.00 towards the Red Rose Forest.

- An “additional” contribution of £3,666.00 relative to the increased crèche floorspace, broken down as follows:

- (1) £408 towards Highways and Active Travel.
- (2) £1,088 towards Public Transport Schemes.
- (3) A maximum of £2,170 towards Specific Green Infrastructure (inc. trees).

And, with reference to the original s106 Legal Agreement to secure:

- A Local Labour agreement through the construction period.

103. APPLICATION FOR CHANGE OF USE 79307/COU/2012 – MRS. ANDREA BRUNTON – BASEMENT LEVEL, 2A POST OFFICE STREET, ALTRINCHAM

The Chief Planning Officer submitted a report concerning an application for the Change of Use of vacant basement level to dance studio.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £2,598.00 split between:
 - £1,668.00 towards Public Transport Schemes.
 - £930.00 towards Specific Green Infrastructure.
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

104. APPLICATION FOR CHANGE OF USE 79328/COU/2012 – MJF PENSION TRUSTEES LTD – 453 CHESTER ROAD, STRETFORD

The Chief Planning Officer submitted a report concerning an application for the Change of Use from offices (Use Class B1) to residential dwellinghouse (Use Class C3).

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £15,266.86 split between £3,876.29 towards Spatial Green Infrastructure Sports and Recreation

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and £11,350.59 towards Education Facilities.

- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

105. APPLICATION FOR LISTED BUILDING CONSENT 79369/LB/2012 – TRAFFORD COUNCIL – STRETFORD PUBLIC HALL, CHESTER ROAD, STRETFORD

The Chief Planning Officer submitted a report concerning an application for Listed Building Consent for external alterations including the repainting of front entrance door and re-paving of front entrance stairs; internal alterations including new brass kick plates to internal doors and lowering of public telephone and notice board.

RESOLVED: That the Council is minded to grant Listed Building Consent subject to the referral to the Secretary of State for determination as an application by the Local Authority in relation to its own land in accordance with Section 82 of the Planning (Listed Building and Conservation Areas) Act 1990 and Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and also to the conditions now determined.

106. APPLICATION FOR PLANNING PERMISSION 79370/RENEWAL/2012 – KINGSTONE ESTATE – 411 HALE ROAD, HALE BARNES, ALTRINCHAM

The Chief Planning Officer submitted a report concerning an application for planning permission in order to extend the time limit for implementation of planning permission 74349/COU/2009 for change of use of property to bed and breakfast accommodation.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £7,123 split between £855 towards Highway and Active Travel infrastructure; £3,168 towards Public Transport Schemes; and £3,100 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

107. APPLICATION FOR PLANNING PERMISSION 79391/FULL/2012 – ESTAMA GROUP LIMITED – UNIT 5A STRETFORD MALL EXTENSION, STRETFORD SHOPPING MALL, CHESTER ROAD, STRETFORD

The Chief Planning Officer submitted a report concerning an application for planning permission for the extension to western side of shopping centre (Unit 5a) to create foodstore and subdivision of existing unit to create four kiosk units.

RESOLVED –

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- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £51,472 split between £15,308 towards Highway and Active Travel infrastructure; £33,684 towards Public Transport Schemes; £2,480 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).
- (2) Delegate the approval of planning permission to the Chief Planning Officer subject to the completion of the above Legal Agreement and conditions now determined, following further consideration of the highways assessments and additional conditions relating to highway matters within the site.

108. APPLICATION FOR PLANNING PERMISSION 79397/RENEWAL/2012 – KINGSTON ESTATE – OAK CROFT, HASTY LANE, HALE BARNES

The Chief Planning Officer submitted a report concerning an application for planning permission in order to extend the time limit for implementation of planning permission 74007/COU/2009 for change of use from dwelling to bed and breakfast accommodation.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £12,294 split between £1,461 towards Highway and Active Travel infrastructure; £5,253 towards Public Transport Schemes; £5,580 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

109. APPLICATION FOR CHANGE OF USE 79086/COU/2012 – LOOKERS PLC – 776 CHESTER ROAD, STRETFORD

The Chief Planning Officer submitted a report concerning an application for the Change of Use of existing workshop to be converted to provide new training and meeting facilities.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a financial contribution up to £3,468, comprising:-

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- A financial contribution of £315 towards Highways and Active Travel Infrastructure.
- A financial contribution of £1,293 towards Public Transport Schemes.
- A financial contribution of £1,860 towards Specific Green Infrastructure.

(2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

110. APPLICATION FOR PLANNING PERMISSION 79399/FULL/2012 – PYRAMID DISPLAY MATERIALS – UNIT 5, WESTPOINT ENTERPRISE PARK, CLARENCE AVENUE, TRAFFORD PARK

The Chief Planning Officer submitted a report concerning an application for planning permission for the erection of two storey extension to north west elevation on Clarence Avenue to form additional general industrial floor space with works ancillary thereto, including alterations to site access and fencing.

RESOLVED –

- (1) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £5,579 split between £891 towards Highway and Active Travel infrastructure; £1,278 towards Public Transport Schemes; £3,410 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).
- (2) That upon the completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

111. PROPOSED STOPPING UP OF HIGHWAY AT LAND ADJACENT TO WHARFSIDE WAY, OLD TRAFFORD

The Head of Highways, Transportation, Greenspace and Sustainability submitted a report informing Members of an application made to the Secretary of State for Transport under S247 of the Town & Country Planning Act 1990 to stop up an area of highway in Old Trafford.

RESOLVED: That no objection be raised to the proposed Order.

112. PROPOSED STOPPING UP OF FOOTPATH OR BRIDLEWAY AT LACY STREET, STRETFORD

The Head of Highways, Transportation, Greenspace and Sustainability submitted a report informing Members of an application made to the Council under S257 of the Town & Country Planning Act 1990 to stop up an area of highway in Stretford.

RESOLVED: That the Acting Director of Legal Services be authorised to make and advertise an Order under S257 of the Town & Country Planning Act 1990. If

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there are any objections to the Order during the formal consultation period, which are not withdrawn, authority be given to the Acting Director of Legal Services to carry out all necessary procedures to refer the matter to the Secretary of State, for confirmation.

113. PROPOSAL TO DELEGATE CERTAIN APPLICATIONS REQUIRING S106 AGREEMENTS TO THE CHIEF PLANNING OFFICER

The Chief Planning Officer submitted a report seeking Members' approval for a 'pilot' that would result in certain planning applications currently determined by the Planning Committee being delegated to the Chief Planning Officer for determination.

RESOLVED: That the Committee delegate the determination of those planning applications requiring S106 Agreements solely to secure financial contributions in line with the requirements of SPD1: Planning Obligations to the Chief Planning Officer.

SEASONAL GREETINGS

As this was the final Committee meeting of 2012, the Chairman wished everyone all the best for the festive season.

The meeting commenced at 6.30 p.m. and concluded at 9.06 p.m.



PLANNING DEVELOPMENT CONTROL COMMITTEE – 10th JANUARY 2013

REPORT OF THE CHIEF PLANNING OFFICER

APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

PURPOSE

To consider applications for planning permission and related matters to be determined by the Committee.

RECOMMENDATIONS

As set out in the individual reports attached.

FINANCIAL IMPLICATIONS

None unless specified in an individual report.

STAFFING IMPLICATIONS

None unless specified in an individual report.

PROPERTY IMPLICATIONS

None unless specified in an individual report.

Further information from: Mr. Kieran Howarth, Chief Planning Officer

Proper Officer for the purposes of the L.G.A. 1972, s.100D (Background papers): Chief Planning Officer

Background Papers:

In preparing the reports on this agenda the following documents have been used:

1. The Revised Trafford Unitary Development Plan (2006).
2. Supplementary Planning Guidance documents specifically referred to in the reports.
3. Government advice (Planning Policy Guidance Notes, Circulars, Regional Planning Guidance, etc.).
4. The application file (as per the number at the head of each report).
5. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
6. Any additional information specifically referred to in each report.

These Background Documents are available for inspection at Planning and Building Control, Waterside House, Sale Waterside, Sale, M33 7ZF

TRAFFORD BOROUGH COUNCIL

PLANNING DEVELOPMENT CONTROL COMMITTEE - 10th January 2013

Report of the Chief Planning Officer

**INDEX OF APPLICATIONS FOR PERMISSION TO DEVELOPMENT etc. PLACED
ON THE AGENDA FOR DECISION BY THE COMMITTEE**

Applications for Planning Permission				
Application	Site Address/Location of Development	Ward	Page	Recommendation
78596	66 Barrington Road, Altrincham, WA14 1HY	Altrincham	1	Minded to Grant
79442	Mersey Valley Sports Club, Banky Lane, Sale, M33 5SL	Bucklow St. Martin's	9	Grant
79625	Land at Smithy Lane, Partington, M31 4RB	Bucklow St. Martin's	15	Grant

CHANGE OF USE FROM OFFICES TO A SINGLE DWELLING.

66 Barrington Road, Altrincham, WA14 1HY

APPLICANT: Mr Stuart Padmore

AGENT:

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

This application was considered at the 9th August 2012 Planning Committee and it was resolved to grant permission subject to a legal agreement requiring a financial contribution from the developer. Since this resolution the applicant has advised that the proposed development with the contribution required (£15,022.70) is not viable and further information has been submitted seeking to demonstrate this. The applicant has therefore requested that the developer contribution is reconsidered in light of the particular circumstances of his business, which are set out in the Applicant's Submission section of this report. Consideration of the applicant's arguments is in paragraph 9.

SITE

The application relates to a three storey late Victorian / Edwardian semi-detached property on the east side of Barrington Road and to the north of Altrincham town centre. The property is currently in use as an office. Prior to being converted to an office in 2007 the property was in use as eight flats.

The surrounding area is predominantly residential in character although there are a number of other uses in the locality, including the Garrick Theatre and police station and on the opposite side of Barrington Road, children's day nursery and a medical centre on Ellesmere Road and hotel and retirement home further along Barrington Road. The adjoining semi-detached property is in use as dwelling, to the north side of the site there is a detached bungalow (currently vacant) and to the rear there are two storey semi-detached dwellings on Gaskell Road.

PROPOSAL

Permission is sought for the change of use of the property from offices to a single dwelling. The application is for change of use only with no external alterations to the building proposed. The accommodation would be over three floors and includes 5 bedrooms, lounge/sitting room, kitchen, dining room and bathrooms. Access is to be retained as existing from Barrington Road and the existing car parking to the front and rear of the site is indicated as being retained.

DEVELOPMENT PLAN**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF)

development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

- The Revised Trafford Unitary Development Plan (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 - Design
L8 – Planning Obligations
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

H4 – Release of Other Land for Development

PRINCIPAL RSS POLICIES

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP4 – Make the Best Use of Existing Resources and Infrastructure
DP7 – Promote Environmental Quality

RDF1 – Spatial Priorities
L4 – Regional Housing Provision
MCR1 - Manchester City Region Priorities
MCR3 – Southern Part of the Manchester City Region

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/63389 – Change of use from residential use to D1 Medical Centre, including demolition of existing detached garage to rear to allow for additional car parking spaces. Refused 03/01/06

H/CLD/63224 – Application for Certificate of Lawful Established Use and Development for use of the property as eight flats. Approved 24/05/06

H/58841 - Change of use to offices (B1 use). Approved 13/05/04

APPLICANT'S SUBMISSION

The applicant has advised of the following background: -

- Till & Whitehead has been trading since 1876, is a small business, and during the period 2001 to 2006 grew by acquisition of similar small businesses. No. 66 Barrington Road was purchased in 2007 and converted at great expense from very poor quality bedsit accommodation to an office building.
- The recession and downturn from 2008 to date has hit the company extremely hard. Following a couple of branch closures and with new technology allowing different ways of working, a separate "head office" building has become something of a luxury. The company is now in a fifth year of losses and cashflow is becoming more than problematic and they have decided to sell the building and filter the staff to their Manchester and Bolton locations. The applicant intends to sell the building as a residential building, which it is hoped would bring a swifter sale than if it remains as offices.
- The property did not have any of the site laid to garden pre 2007. Any purchaser would need to convert one of the downstairs offices to a kitchen and a bathroom would need to be installed on the 1st or 2nd floor.
- The applicant does not intend to convert the building and intends to sell with the use as residential as soon as possible, otherwise the business could fail in the next six months.

The further information submitted in relation to the Section 106 contribution is summarised as follows: -

- Till & Whitehead is not a development company seeking to develop a piece of land or an existing building for profit. The application results from the adverse economic impact of the recession / downturn and closure of the 66 Barrington Road office to save costs. Many initiatives have been undertaken and reduce overheads where possible but cashflow is still very tight.
- The property has been on the market since 2012 with only two viewings and no offers made since that time. As a vehicle to initiate the cashflow benefits from the sale, which is now deemed urgent, the applicant intends to sell his own property in Bowdon which would pay off the mortgage and allow for the purchase of 66 Barrington Road. After fees and other costs there would be a loss of £5,850.
- Banks have been unsupportive.
- The S106 contribution is likely to result in a full time person being made redundant, or two part timers.
- Till & Whitehead already stand to make a loss on the sale of the property from when originally bought in 2007 and converted from bedsits to offices.

CONSULTATIONS

LHA – No objections

Pollution and Licensing – No objections

REPRESENTATIONS

None received

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The NPPF includes within its core planning principles the need to deliver the homes that are needed and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy L2 of the Core Strategy states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy. Of relevance to this application it requires new development to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, not harmful to the character or amenity of the immediately surrounding area and in accordance with Policy L7 and other relevant policies within the Development Plan.
2. The proposal seeks to make use of an existing building which is in a sustainable location. The property is in close proximity to the town centre where comprehensive services and facilities are available and the site is well served by public transport with bus stops on Barrington Road and being within walking distance of Navigation Road Metrolink and Altrincham Interchange. The proposed change of use is therefore consistent with the above policies in focusing residential development on previously developed land in sustainable locations and there is no land use policy objection to the development.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

3. Residential use is considered acceptable in this location where the predominant land use is residential. The property appears to have been originally built as a dwelling and is therefore suitable for conversion without significant alteration. No external alterations are proposed to the building or the areas to the front and rear (although see paragraph 5 below), therefore the proposal has no implications for the external appearance of the building and its impact on the wider area.

IMPACT ON RESIDENTIAL AMENITY

4. The proposed use of the property as a dwelling would have no detrimental impact on the adjoining dwelling or the dwellings to the rear on Gaskell Road. The distances retained from the existing rear windows to the rear gardens and elevations of houses on Gaskell Road and Ellesmere Road comply with the privacy distances set out in the Council's adopted guidelines for New Residential Development. No extensions or external alterations are proposed that may otherwise have an impact on surrounding property.
5. The Council's guidelines for New Residential Development state most new dwellings, including conversions, should provide some private outdoor space and as an indication states that around 80 sq. m of garden space will normally be acceptable for 3 bedroom semi-detached houses in an area of similar properties. The land to the rear of the building and which is currently a car park extends to approximately 140 sq. m and it is considered this would provide an acceptable garden / amenity space for the future occupiers of the dwelling, subject to being appropriately landscaped. In the absence of such a scheme being included with the application it is recommended a condition is attached to any permission requiring a scheme to be submitted, approved and implemented before the property is occupied as a dwelling.

ACCESS AND CAR PARKING

6. Access from Barrington Road is to be retained as existing and the existing car parking at the front and side of the building is to be retained. The LHA comment that the provision of three car parking spaces should be provided to meet the Council's car parking standards and that this can be provided on site, therefore there are no objections to the proposals on highways grounds. It is recommended a condition is attached to any permission showing the parking spaces available and for this to be retained thereafter.

DEVELOPER CONTRIBUTIONS

7. It is appropriate for this form of development to seek the Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations as set out in the table below:

TDC category.	Gross TDC required for proposed development.	Contribution to be offset for existing building/use (where relevant).	Net TDC required for proposed development.
Affordable Housing	N/A	N/A	0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£155	£612	0
Public transport schemes (including bus, tram and rail, schemes)	£307	£1,632	0
Specific Green Infrastructure (including tree planting)	£930	£2,170	£3,672.13
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£3,672.13	N/A	£11,350.57
Education facilities.	£11,350.57	N/A	
Total contribution required.			£15,022.70

8. The existing use of the site as an office would generate a higher contribution than the proposed development in the TDC categories Highways and Active Travel infrastructure, Public Transport schemes and Specific Green Infrastructure. Therefore the only contributions triggered by the development are Spatial Green Infrastructure, Sports and Recreation and Education facilities.
9. It is clear from the applicant's submission that not paying the £15,022.70 contribution would assist the business, however the case made does not demonstrate that the development itself isn't viable i.e. that the costs associated with converting the property from an office to a dwelling are such that a £15k contribution cannot be met. The circumstances set out are specific to the particular circumstances of the business and not the actual viability of the conversion. Whilst the Council welcomes development proposals that may help businesses and secure jobs there is a danger that if this case were accepted then any business in Trafford could seek to make the same arguments, particularly in difficult economic times. The effect would be that all new development which has a demand and impact on existing local infrastructure, such as education facilities, play space and sports facilities, etc. would not be required to make a contribution and as a result these facilities would suffer. Therefore it is considered that the applicant's circumstances are not sufficient to waive the £15,022.70 Section 106 contribution and the previous recommendation stands.

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT and the following conditions: -

(A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £15,022.70 split between: £3,672.13 towards Spatial Green Infrastructure, Sports and Recreation; and £11,350.57 towards Education Facilities; and

(B) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard 3 year time limit
2. List of approved plans
3. Landscaping scheme to be submitted and agreed, to include details for a garden/amenity space to the rear of the building and bin store
4. Provision of three car parking spaces in accordance with a plan to be submitted and approved and to be retained thereafter

RG



LOCATION PLAN FOR APPLICATION No: - 78596/COU/2012
 Scale 1:1250 for identification purposes only.
 Chief Planning Officer
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF
Top of this page points North

**WARD: Bucklow St.
Martin's**

79442/FULL/2012

DEPARTURE: No

INSTALLATION OF 25M TELECOMMUNICATIONS MAST AND ASSOCIATED EQUIPMENT CABINET AND FENCING, FOLLOWING REMOVAL OF EXISTING MAST.

Mersey Valley Sports Club, Banky Lane, Sale, M33 5SL

APPLICANT: Vodafone Limited

AGENT: Savills

RECOMMENDATION: GRANT

SITE

The site is part of the Mersey Valley sports club playing fields on the boundary adjacent to the existing sewage works. The site of the proposed mast is to the south west corner of the sewage works site. The site is to the north of Banky Lane.

PROPOSAL

The application proposes to replace the existing 25m high O2 mast and equipment which is immediately adjacent to Banky Lane also to the south west of the sewage works.

The replacement mast is also 25m in height but is to be sited some 9m further north than the existing mast. The site of the proposed mast is approximately 1m higher in levels than the land where the existing mast is to be decommissioned.

The proposal consists of a 23m column with antennas above to an overall height of 25m. The column is approx. 0.4m in diameter. There are also three 3m high equipment cabinets proposed and a 2.1m palisade fencing around the mast and cabinets. The steel cabinets and mast are proposed to be grey in colour.

An ICNIRP certificate has been submitted with the application.

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

- The Trafford Core Strategy, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are

superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and

- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

R4 – Green Belt, Countryside and other protected open land

L7 - Design

PROPOSALS MAP NOTATION

Green Belt

Protection of Landscape Character

Protected Open Space

River Valley Flood Plains

Wildlife Corridors

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV10

ENV13

OSR5

C4

PRINCIPAL RSS POLICIES

Non relevant to proposal

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance;

Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/49148

Installation of 22.5m monopole tower to support 6 no. dual band polar antennas and 2 x 0.6m microwave dishes; and associated radio equipment cabin

Approved 18/05/00

APPLICANT'S SUBMISSION

The replacement mast is to be a shared structure containing antennae for three operators, and therefore whilst not as slim as some structures the use of the proposed design does negate the need for second separate structure nearby. It is stated that the mast will replace the existing 25m O2 mast at the sewage works approved under application H/49148.

The applicant considers that the column height of 25m will be screened by trees between 16m and 18m high meaning it will be seen from a relatively small area. The applicant considers that the proposed micro siting will minimise the visual impact on the area whilst achieving the coverage requirements of the cell.

Alternative sites have been considered. There are no existing telecoms structures in the area. The rooftop at All Saints church was ruled out as not suitable from engineering requirements and is also closer to residential properties. A streetwork solution on Banky Lane was considered but would only be available to O2 and Vodafone and 3 would need to find an alternative solution. Ashton on Mersey RUFC was considered however this is further away from the existing mast to be decommissioned and would involve further visual disruption. A site within M & W Freight on Carrington Lane was considered however the site is not suitable from a radio engineering perspective and is closer to residential properties.

The applicant considers that the backdrop of the proposed mast with existing trees and shrubs with trees up to 18m in height, which is not overlooked by housing has led to the selection of the application site.

CONSULTATIONS

None

REPRESENTATIONS

1 letter of objection received on grounds that the mast is increasing in height by 2.5m.

OBSERVATIONS

PRINCIPLE

1. NPPF para 42 – 45 advises that advanced high quality infrastructure is essential for sustainable economic growth and advises that applications for a new mast or base station should be supported by evidence that the applicant has explored erecting antennas on an existing building, mast or

other structure, and a statement that International Commission of Non Ionizing Radiation Protection (ICNIRP) guidelines will be met. The NPPF advises that Local Planning Authorities must determine applications on planning grounds.

2. The proposal is a replacement mast however the site is located within the green belt and an area of landscape protection and protected open space. It is considered that the siting of the mast does not affect the function of the protected open space and playing fields as it is in the south east corner of the clubs playing fields.
3. In relation to the green belt, the mast would constitute inappropriate development as it is not related to agriculture, forestry, outdoor sport and recreation or any other exceptions as set out in the NPPF. The new siting of the mast is proposed to be a further 9m back from Banky Lane set further into the green belt and therefore this siting must be considered in terms of impact on the openness of the green belt and visual amenity within the green belt as well as considerations regarding landscape character.
4. In assessing the application for the existing mast it was considered that although the site is within a sensitive area and would appear quite prominent when viewed from the north and west (particularly from the sports ground) the ground structures would be partly screened by tree planting along Banky Lane. It was recognised that the upper parts of the mast would be prominent but would be partly seen in the context of the high trees. Furthermore the site is located towards the southern part of the Green Belt and would at its lower levels be viewed against the built structures of the sewage works.
5. The applicant has advised that the replacement site is proposed approximately 9m back from the existing mast at the Site Providers request. The exact location was chosen for a number of reasons:
 - There was a concern about the trees/shrubs in the corner of the field. The operator tries to locate the site as to not cause any damage to existing trees during the construction phase, if placed any further forward the existing large trees adjacent to the entrance of the site would be damaged during construction.
 - The site provider wants to use the existing double gates within the fence line, and does not want access taken from the car park across the pitches due to concerns about the damage that may be caused to them. These gates are around 3m back from the edge of the existing masts compound. The operator will need to get a vehicle on site during the construction phase and for routine maintenance. Space will be required to allow the vehicle to pull on site, the site therefore was moved backwards slightly.
6. It is considered that although the proposed mast is 9m further north into the green belt and set back further from the road, this does not significantly encroach into the openness of the green belt given the presence of existing landscaping and the sewage works. The proposed new siting of the mast will not have a significant difference in terms of the openness of the Green Belt and on the landscape character of the area

than the existing mast. On balance therefore the proposed replacement mast is considered acceptable in terms of green belt policy and landscape considerations.

7. It is considered that the principle of a mast in this part of the green belt has been established by the existing mast which has been on site since 2000 and which the proposal will replace. The applicant has confirmed that there are no alternative sites for the replacement mast in a site search, the site is away from residential properties and is adjacent to existing structures within the sewage works site. As such this is considered to constitute very special circumstances for allowing the replacement mast within the green belt.

VISUAL AMENITY/ RESIDENTIAL AMENITY

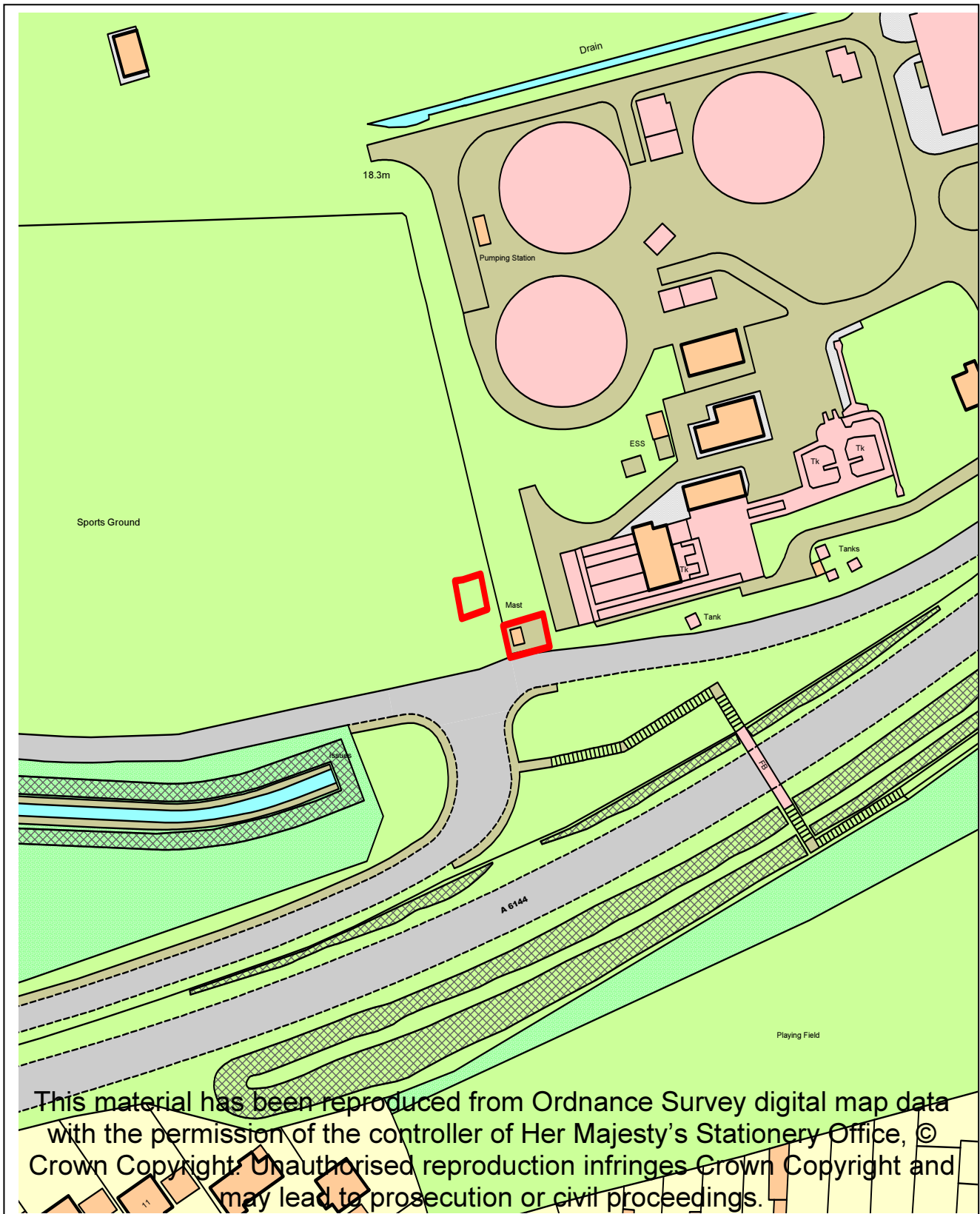
8. The mast is separated from the nearest residential properties on Hawthorn Lane by Carrington Spur and therefore it is not considered that the mast will appear as a prominent feature in this direction and only glimpsed views are seen above the landscaping which runs parallel to Carrington Spur.
9. There is an existing school to the south west of the site, All Saints RC Primary School and nursery. The proposed location of the mast will move further away from the school than the existing mast.
10. The proposed replacement mast will be at a higher land level by approximately 1m and is proposed some 9m further into the open playing fields of the sports club and green belt. Whilst the existing location of the mast is considered preferable, it is not considered that this increase in land level or siting back from Banky Lane would increase the prominence of the mast to the extent that would result in loss of visual amenity. As such the proposal is considered satisfactory in accordance with policy L7 in relation to visual amenity.
11. In relation to health considerations the applicant has submitted a statement of conformity with ICNIRP public exposure guidelines which the government has adopted. The NPPF advises that authorities should not determine health safeguards if the proposal meets International Commission guidelines for public exposure.

RECOMMENDATION: GRANT subject to the following conditions

That planning permission be GRANTED subject to the following conditions: -

1. Standard Time Limit
2. Details in accordance with approved plans
3. Mast to be coloured grey and cabinets to be coloured green unless otherwise agreed in writing.
4. Existing mast to be removed within 1 month of erection of replacement mast

MH



LOCATION PLAN FOR APPLICATION No: - 79442/FULL/2012
 Scale 1:1250 for identification purposes only.
 Chief Planning Officer
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF
Top of this page points North

**WARD: Bucklow St.
Martin's**

79625/VAR/2012

DEPARTURE: No

VARIATION OF CONDITION 1 OF PLANNING PERMISSION 77622/FULL/2011 TO ALLOW CONTINUED USE OF LAND AS MARKET AND RETENTION OF STALLS, STEEL STORAGE CONTAINERS AND MOBILE TOILET BLOCK FOR A FURTHER PERIOD OF 12 MONTHS.

Land at Smithy Lane, Partington, M31 4RB

APPLICANT: Ms Louise Morrissey

AGENT: Turley Associates

RECOMMENDATION: MINDED TO GRANT SUBJECT TO EXPIRY OF STATUTORY CONSULTATION PERIOD

SITE

The application site is located towards the western end of the area of open space that lies between Smithy Lane and Manchester New Road in the centre of Partington.

The market stalls and dark green steel containers are permanently in situ and are sited on a tarmac area with grass and mature trees to the north and east. A portable toilet block is sited to the north, adjacent to Manchester New Road.

There are eighteen parking spaces marked out on Smithy Lane, to the south and east of the application site.

The vacant site of the former Greyhound public house lies on the opposite side of the road to the north. To the south, a number of retail units within the shopping centre have now been demolished pending the proposed shopping centre redevelopment. There are also residential properties to the north and west, the nearest being approximately 40 metres from the application site.

PROPOSAL

The application proposes the continued use of the site for a market, together with the retention of the stalls, containers and portable toilet block for a further temporary period of twelve months. The previous temporary permission, 77662/FULL/2011, expired on 8th December 2012.

The market operates on 2 days per week, Tuesdays and Saturdays. In total, there are 5 container stalls and 14 open stalls.

DEVELOPMENT PLAN

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development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

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- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
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PRINCIPAL RELEVANT CORE STRATEGY POLICIES

SO2 - Regenerate

SO4 - Revitalise town centres

Place Objectives for Partington;

PAO10 - To improve and enhance the existing retail offer within the local shopping centre to create a more vital and vibrant centre.

PAO11 - To maximise employment opportunities within a redeveloped local shopping centre

L3 – Regeneration and reducing inequalities

L4 – Sustainable transport and accessibility

W1 – Economy

W2 – Town centres and retail

PROPOSALS MAP NOTATION

None but the site is adjacent to Partington town centre

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

PRINCIPAL RSS POLICIES

None relevant

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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RELEVANT PLANNING HISTORY

77662/FULL/2011

Renewal of planning permission for use of land as market for temporary period of 12 months, retention of stalls, steel storage containers and mobile toilet block – Approved – 8th December 2011

75594/FULL/2010 - Renewal of planning permission for use of land as market for temporary period of 12 months, retention of stalls, steel storage containers and mobile toilet block – Permitted – 19th October 2010

H/LPA/67556 – Renewal of planning permission for use of land as market for temporary period of three years, retention of stalls, steel storage containers and mobile toilet block – Permitted 17th September 2007

H/LPA/64801 – Use of land as market for one year, retention of stalls, storage containers, mobile toilet block and planters – Land at Smithy Lane, Partington – Permitted – 7th August 2006

H/LPA/56090 – Use of land as market for temporary period (3 years), siting of stalls, steel storage containers, mobile toilet block and planters – Land at Smithy Lane, Partington – Permitted – 17th April 2003

Adjacent shopping centre site:

79361/RM/2012

Approval of alternative reserved matters of appearance, landscaping, layout and scale for the demolition of existing shopping centre and erection of new shopping centre comprising Class A1 (Retail), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A5 (takeaways). Class B1 (offices) and Class D1 (non-residential institutions) and provision of associated car parking, village square, improvements to public open space and other associated highway works. Approved 17th December 2012

CONSULTATIONS

LHA: Comments incorporated into Observations section of report

Pollution and Licensing: No comments received to date

Strategic Planning and Developments: Comments incorporated into Observations section of report

Partington Parish Council: No comments received to date. Any comments will be incorporated into the Additional Information Report.

Positive Partington Partnership: No comments received to date

REPRESENTATIONS

None received to date, however the statutory consultation period does not expire until 11th January 2013. Any representations received will be reported in the Additional Information Report.

OBSERVATIONS

INTRODUCTION

1. The application proposes a variation of Condition 1 of planning permission 77662/FULL/2011 to allow the retention of the market on the existing site for a further period of twelve months. Planning permission H/LPA/56090 was originally granted for the use of this site as a market for a three year period on 17th April 2003. A further 12 month permission, H/LPA/64801, was granted in 2006 and a further three year permission, H/LPA/67556, was granted in 2007. Following this permission, 75594/FULL/2010, was granted on 19th October 2010 and expired on 14th October 2011 and then application 77662/FULL/2011 was granted on 8th December 2011 and expired on 8th December 2012.
2. The current market site forms part of the area of the proposed new shopping centre development by Peel Investments (North) Ltd. The letter accompanying the application states Peel have been working to bring forward the shopping centre development over the last 18 months and this has required applications to vary the approved outline parameters of the development in order to meet operational requirements of the anchor tenants. This has also required submission of two reserved matters applications due to changes in operator requirements and it has therefore taken longer to secure the required planning permissions for the shopping centre than anticipated.
3. The most recent reserved matters application for the shopping centre was approved at the 13th December Planning Committee meeting. The reserved matters scheme includes permanent facilities for the market. Demolition of parts of the shopping centre has already been carried out and the applicant advises that they are intending to progress with development on site as soon as possible. The applicant advises that it is hoped that the market will be able to relocate to its new and permanent home within 12 months. The granting of a further 12 month permission would ensure the continued use of the land as a market until the new development is completed.

PRINCIPLE OF DEVELOPMENT

4. The proposal to retain the market in its current location for a further 12 month period is not in conflict with the essential provisions of the shopping policies of the Core Strategy. There are therefore no land use policy objections to this

proposal pending the redevelopment of the adjacent shopping centre which includes provision for permanent.

5. In most cases, it is not normally considered appropriate to continue to grant a series of temporary permissions over a number of years. However, a temporary permission can be used to allow a development for a limited period prior to its relocation elsewhere and Circular 11/95, The Use of Conditions in Planning Permissions, states that a further temporary permission may be justified where redevelopment proposals have been postponed. It is considered that this is the case in relation to the current application site as the shopping centre redevelopment proposals have not commenced as quickly as was originally anticipated. It is therefore considered that, in these particular circumstances, it would not be inappropriate to grant a further permission.

VISUAL AMENITY

6. The area between Smithy Lane and Manchester New Road provides a pleasant green space and visual buffer for the town centre. The stalls, steel containers and portable toilet block are relatively prominent in this location and are not particularly attractive visually. They have also previously been defaced by graffiti, although they have been cleaned and repainted. However, the structures are dark green in colour and most are set back from Manchester New Road with some screening by existing trees.
7. It is considered that, in terms of visual amenity, this form of development would not be acceptable in this location on a permanent basis. However, it is important to provide a site for the market until such time as a more suitable permanent solution is found and it is therefore considered that the proposal would be acceptable on a further temporary basis. Detailed permission has now been granted for the reserved matters associated with the new shopping centre development and this includes permanent facilities and redevelopment of the market area. As such it is considered appropriate to grant a further 12 month permission for the market.

TRAFFIC AND CAR PARKING

8. The LHA has raised no objections to the retention of the market in highway terms. There are eighteen parking spaces marked out on Smithy Lane, to the south and east of the application site and it is therefore considered that there is sufficient space for traders' vehicles.

CONCLUSION

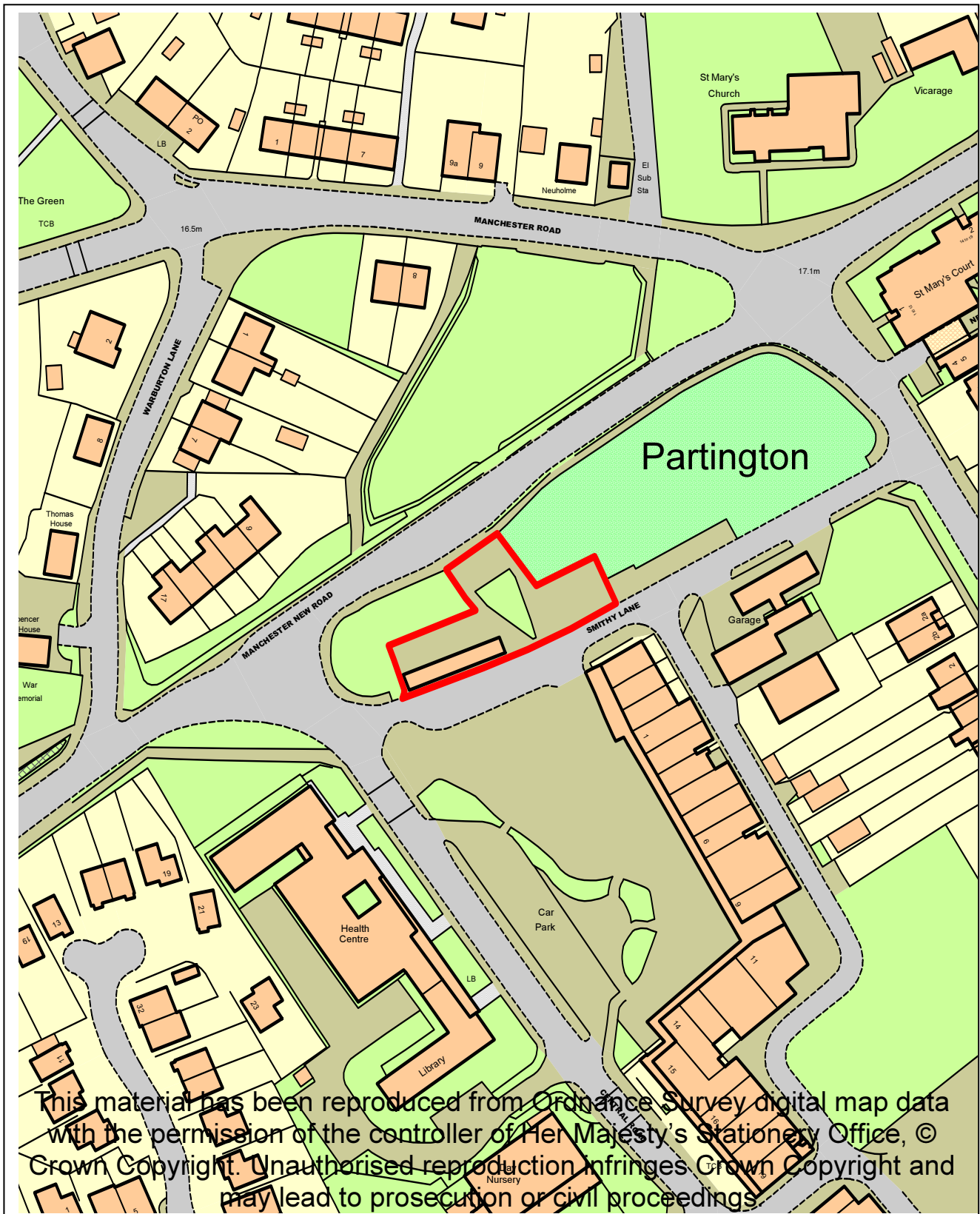
9. The proposed development is considered to be acceptable in this location on a further temporary basis. The development would permit the retention of the market as a facility within Partington, pending the town centre redevelopment proposals and the provision of a more suitable, permanent site which has now been approved. It is therefore recommended that a further temporary, twelve month planning permission should be granted.
10. The statutory consultation period following the posting of the site notice for this application does not expire until 11th January 2013. Therefore it is recommended that the Committee resolve to grant planning permission subject to no further representations being received within the statutory

consultation period which raise any new issues which have not been considered.

RECOMMENDATION: MINDED TO GRANT subject to the expiry of the statutory consultation period and no representations being received which raise any new issues that have not already been considered and subject to the following conditions:-

1. The planning permission is granted for a limited period expiring on 10th January 2014. All buildings, structures, works and uses of land or other development hereby permitted shall be removed and/or discontinued and the land re-instated to its former condition at or before the expiration of the period specified in this condition.

MH



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LOCATION PLAN FOR APPLICATION No: - 79625/VAR/2012
 Scale 1:1250 for identification purposes only.
 Chief Planning Officer
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF
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