

## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

**12<sup>th</sup> MAY, 2022**

### **PRESENT:**

Councillor Hartley (In the Chair),  
Councillors Acton (Substitute), Akinola, Bunting, Chalkin, Dagnall, Hassan,  
Maitland, Minnis, Morgan, Thomas, Welton and Winstanley.

In attendance: Head of Planning and Development (Ms. R. Coley),  
Planning and Development Manager (West) (Mr. S. Day),  
Planning and Development Manager (East) (Ms. H. Milner),  
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),  
Solicitor (Planning and Environment) (Ms. J. Cobern),  
Governance Officer (Miss M. Cody).

Also present: Councillors Boyes, Whetton and Mrs. Young.

### **APOLOGY**

An apology for absence was received from Councillor Williams.

### **91. DECLARATIONS OF INTEREST**

No Declarations of Interest were made.

### **92. MINUTES**

RESOLVED: That the Minutes of the meeting held on 14<sup>th</sup> April, 2022, be approved as a correct record and signed by the Chair.

### **93. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A question was submitted by Mr. Ning of Churton Avenue, Sale as follows:-

“Statement of concern that the planning process fails to monitor applicant compliance. Planning performance was last published in September 2013. Recent restructuring of the Planning Compliance Team and increased levels of commercial and personal property development suggests a policy of self validation and self compliance including required inspection of building work.

There is a request for an update of planning performance including Permitted Developments, Appeals and Variations.

There is a request for a 'call in' of 103760-HHA-21 and related 107572-VAR-22 as an example of poor self validation and self compliance.

The impact on Churton Avenue residents and Selsey Avenue Playing Fields locality would be of interest to local press and the wider Trafford community”.

Prior to the response being given the Head of Planning and Development advised the Committee that the call-in request had been directed back to Mr. Ning to go through Ward Councillors as is appropriate and was advised of the correct procedure, in respect of the other application Mr. Ning was informed that this cannot be called-in as it has already been determined. The response to the question is as follows:-

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Trafford Council recognises the value of a professional, proactive and well-resourced planning enforcement function and we have recently restructured the Planning Service to increase our specialist capacity in this area. There is more development taking place in the Borough, but this is reflected in increased numbers of planning applications being submitted.

The Council typically receives around 400 planning enforcement complaints per year which require investigation. A large proportion of these complaints relate to house extensions and allegations of non-compliance with approved plans or exceedance of permitted development tolerances. In many of these cases we find that there is either no breach of planning control, or that the unauthorised development can be regularised through an application for an amendment, variation or retrospective permission.

The number of complaints we receive indicate that residents are vigilant in monitoring development in their neighbourhoods and that they are not afraid to report their concerns to the Council. A programme of proactive monitoring or verification of compliance with householder planning applications would require significant additional resources, but is unlikely to be any more effective in identifying non-compliance than monitoring by residents. Unlike Building Control, there is no statutory inspection regime for planning. It is ultimately a home owner's responsibility to ensure that they comply with planning legislation when extending their home. There is also no requirement for a home owner to notify the Planning Service if they are carrying out works, including extensions, which do not require planning permission, unless those works specifically fall under the prior approval regime.

The service have identified areas where a more proactive approach can be taken by officers, including monitoring of new housing developments, advertisement control and untidy or derelict sites. We will shortly be advertising for a new Enforcement Officer to increase our capacity and capability for delivering these proactive interventions.

In respect of planning performance, a range of data is published quarterly and annually for all local planning authorities, including Trafford, by the Government. The most recent return is for Q1–Q3 2021–22 i.e. between 1 April 2021 and 31 December 2022. The data for Q4 is still being validated. The Government monitors local authority planning performance and can put an authority in 'special measures' if it is not performing adequately.

In Q1– Q3 2021–22 100% of major applications were determined within 13 weeks or an agreed extension of time, 85.7% of minor applications and 79.8% of other applications (mainly householders) were determined within 8 weeks or an agreed extension of time.

In respect of appeals, 50 appeals were determined by the Planning Inspectorate in 2021 – 22, of which 34 (68%) were dismissed. Only one of the seven appeals determined so far in 2022–23 has been allowed.

Specific data for permitted development and variation applications is not collected by Government as it is not a reflection on a local authority's performance. However, between 1 April 2021 and 31 March 2022, 132 applications for householder prior approval were submitted (where a scheme is permitted development subject to conditions being satisfied and approved by the planning authority), and 283 certificates of lawful development were submitted (to confirm that planning permission is not required). 74 variation of condition applications were submitted, of which 20 were for householder development.

**94. ADDITIONAL INFORMATION REPORT**

The Head of Planning and Development 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.

**95. 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

<u>Application No., Address or Site</u>	<u>Description</u>
106557/FUL/21 – 10 Mallard Green, Altrincham.	Erection of a two storey dwelling with associated garages.

**96. APPLICATION FOR PLANNING PERMISSION 103905/HHA/21 - 24 BONVILLE CHASE, ALTRINCHAM**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a two storey front, part single storey part two storey side, and a single storey rear extension with the creation of a roof terrace to the rear. External alterations to include new windows and alterations to the rear roof shape.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

It was then moved and seconded that the condition(s) be amended to include measures to protect the oak tree on the boundary with number 22 Bonville Chase.

The motion was put to the vote and declared carried.

It was further moved and seconded that planning permission be granted with the amended condition(s) to include measures to protect the oak tree and the specific wording of the condition(s) be delegated to the Head of Planning and Development.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted subject to the conditions now determined with the following amendments to Conditions 7 and 8:-

- (7) No development shall take place unless and until an amended Arboricultural Impact Assessment and Method Statement, which seeks to ensure the retention of tree T1 (as identified in the submitted Arboricultural

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Impact Assessment and Method Statement, 22/AIA/TRAFF/26 - January 2022), has been submitted to and approved in writing by the Local Planning Authority. The amended Arboricultural Method Statement shall include a survey of the location of the roots of tree T1 in the vicinity of the proposed development and technical solutions to protect the tree including, where necessary, a modified foundation design of the proposed structure within the RPA of tree T1. The development shall be implemented in accordance with the amended Arboricultural Impact Assessment and Method Statement.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The Method Statement is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

- (8) (i) No development or works of site preparation shall take place unless and until an amended Tree Protection Plan, which seeks to protect the retained tree T1 (as identified in the submitted Arboricultural Impact Assessment and Method Statement, 22/AIA/TRAFF/26 - January 2022), has been submitted to and approved in writing by the Local Planning Authority.
- (ii) No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with the approved amended Tree Protection Plan and BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

**97. APPLICATION FOR PLANNING PERMISSION 105482/HHA/21 - 5 KNOWSLEY AVENUE, DAVYHULME**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of single storey rear extension and new rear dormer to accommodate loft conversion.

It was moved and seconded that planning permission be granted.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted subject to the following conditions:-

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- (1) The development must be begun not later than three years beginning with the date of this permission.  
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01150 rev. A, 01250 rev. A, 01350 rev. A, 01351 rev. A and 01000.  
Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.
- (3) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.  
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

**98. APPLICATION FOR PLANNING PERMISSION 105708/FUL/21 - INGLEWOOD HOUSE, HALL LANE, PARTINGTON**

The Head of Planning and Development submitted a report concerning an application for planning permission for the Change of Use of part of the building from C3(a) to E(f) Use to form a Montessori school (day nursery) with associated parking, maintaining a self-contained residential dwelling, along with a single storey extension following demolition of existing outbuilding.

RESOLVED: That planning permission be granted subject to the conditions now determined with the removal of Condition 9 (relating to restrictions on outdoor play) and an additional condition as follows:-

12. The application building shall not be brought into use as a Montessori School / day nursery unless and until a scheme to provide lift or stair lift access to the first floor of the building has been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The approved scheme / approved measures shall be retained thereafter.  
Reason: To ensure that the building is fully accessible / useable by all sections of the community, having regard to Policy L7 of the Trafford Core Strategy and guidance in the NPPF.

**99. APPLICATION FOR PLANNING PERMISSION 105975/FUL/21 - 11-13 RAGLAN ROAD, SALE**

The Head of Planning and Development submitted a report concerning an application for planning permission for the redevelopment of existing residential

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accommodation, including demolition of existing extensions, internal reconfigurations, replacement extensions and separate new build element to create a combined total of 20 no. apartments and external works to facilitate the use.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

It was then moved and seconded that planning permission be granted subject to an additional negatively worded condition to submit a scheme to provide ramped access to the existing building.

The motion was put to the vote and declared carried.

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

25. The development hereby approved shall not be occupied unless and until a scheme for the provision of a ramped access into the existing building (Raglan House) has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme and be retained thereafter.

Reason: In the interests of working towards providing access for all, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

[Note: Due to the time restrictions on the meeting, the Committee agreed that a reconvened meeting would be held on Monday 23<sup>rd</sup> May, 2022 at 6.00pm, where consideration of the remaining items 107033/HHA/22, 107309/FUL/22, 107614/FUL/22 and Agenda Item 7 (Proposed Part Stopping Up of Highway Elsinore Road, Stretford) would take place].

The meeting commenced at 6.34 pm and concluded at 9.38 pm.