

**PLANNING (DEVELOPMENT CONTROL) COMMITTEE – 13 June 2013**

**ADDENDUM TO THE AGENDA:**

**ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)**

**1.0 INTRODUCTION**

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

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

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

**REVISED ORDER OF AGENDA (SPEAKERS)**

<b>Part 1 Applications for Planning Permission</b>					
<b>Application</b>	<b>Site Address/Location of Development</b>	<b>Ward</b>	<b>Page</b>	<b>Speakers</b>	
				<b>Against</b>	<b>For</b>
78590	212 Barton Road, Stretford, M32 8DP	Stretford	1		
78677	Land adjacent to Nag's Head Pub Barton Road, Davyhulme, M41 0SU	Davyhulme East	9		
79462	TMF House, Warwick Road South, Firwood, M16 0JR	Longford	20		
80231	Willan Enterprise Centre, Fourth Avenue, Trafford Park, M17 1DB	Gorse Hill	25		
80241	65 - 69 Northenden Road, Sale, M33 2DG	Sale Moor	33		
80279	273 Stockport Road, Timperley, WA15 7SP	Timperley	41		
80352	44, 44A, 46 and 48 Crofts Bank Road, Urmston, M41 0UH	Urmston	49		
80398	Land at junction of Stretford Road and Lucy Street, Old Trafford, M15 4BX	Clifford	65		
80425	14th Sale Scout Hut, Marsland Road, Sale, M33 3NN	Priory	75		
80449	Craigmores, Claremont Drive, West Timperley, WA14 5NE	Broadheath	83		
80518	English Martyrs RC School, Wycliffe Road, Urmston, M41 5AH	Urmston	90		
80591	29 Bamber Avenue, Sale, M33 2TH	Sale Moor	97		

**OBSERVATIONS**

Para 9 of the main report states that the proposed boundary treatment is to enclose the rear of the property as private amenity space and it is considered that this will benefit the streetscene of School Road by containing the use within the site although the precise height and type of boundary treatment will be confirmed in the Additional Information Report.

The submitted drawing shows that the fence height will be 1.8m in height, although the annotation on the drawing refers to 2m.

It is recommended that 1.8m is the preferred height and this should be ensured through condition.

**CONDITIONS**

Additional condition recommended to ensure maximum height of boundary fence to School Road to be 1.8m.

**RECOMMENDATION : MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

(I) Amend the following conditions to read as follows:

3. The accommodation hereby approved shall only be occupied by persons of 60 years of age or over, together with a spouse of 55 years or over if applicable, or other occupants as may be agreed in writing by the Local Planning Authority.

Reason: Having regard to the nature of the accommodation and the limited off-street parking spaces available, having regard to Policies L4 and L7 of the Trafford Core Strategy.

14. The developer shall submit to the Local Authority all noise mitigation measures, and any noise management plans to be included within the building design. To confirm the effectiveness of the noise mitigation measures, calculations shall be included which demonstrates how the level of noise within the worst affected bedroom(s) will meet the specified criteria as detailed within Environmental Noise Study (ref: R0514-REP01-DRG v3).

Reason: To ensure that a satisfactory noise environment is provided for the proposed occupiers of the development having regard to Proposal L7 of the Trafford Core Strategy.

(II) Remove the following condition:

15. Before the development hereby permitted is first commenced an air quality assessment shall be submitted to and approved in writing by the Local Planning

Authority. Any mitigating measures relevant to the development shall be carried out before is first occupied and thereafter retained.

Reason: To ensure that satisfactory level of air quality is achieved for the proposed occupiers of the development having regard to Proposal L7 of the Trafford Core Strategy.

**Page 25 80231/COU/2013: Willan Enterprise Centre, Fourth Avenue, Trafford Park**

**OBSERVATIONS**

It is considered that the matter of potential future amalgamation of the existing industrial units should be dealt with in the s106 legal agreement so as to provide flexibility for the applicant in the future. The amalgamation of any of the units would not require planning permission however should the existing units below 100 sq.m be amalgamated to form units above 100 sq.m and be occupied for B1a or D1 use then developer contributions should then be applied to this floorspace in accordance with SPD1. Therefore should amalgamation of all of the 5 smaller units that are below 100 sq.m occur at some point in the future, the level of maximum contributions set out in the report that could be sought on a worst case scenario basis would increase based on the total floorspace of the 12 units (1286 sq.m). As such, Members are requested to note the increased maximum level of contributions that may be sought (if amalgamation and change of use of all units occurs) as set out in the table below and this is to be reflected in the legal agreement;

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use or extant planning permission (where relevant).</b>	<b>Gross TDC required for proposed development.</b>
Affordable Housing	0		0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£7, 137	£1, 287	£5, 850
Public transport schemes (including bus, tram and rail, schemes)	£29, 757	£1,846	£27, 911
Specific Green Infrastructure (including tree planting)	£13,330	£4,960	£8, 370
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	0		0
Education facilities.	0		0
<b>Total contribution required.</b>			<b>£42,131</b>

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

(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 £42,131 split between: £5,850 towards Highway and Active Travel infrastructure; £27,911 towards Public Transport Schemes; £8,370 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); on the following provisions;

- The owner is to notify the Council of the change of use to B1a or D1 or any of the units above 100sq.m in size prior to the use being implemented.
- Should amalgamation of any of the units below 100 sq.m take place and the resultant unit is to be used for B1a use or D1 use, the owner is to notify the Council of the change of use prior to the use being implemented
- The owner shall be required to pay the relevant Trafford Developer Contribution for the B1a use or D1 use, based on the floorspace of the individual unit above 100 sq.m. The contribution will be required prior to the occupation of the unit for such a use.
- Should any of the units which are to be first occupied as B1a use then subsequently take up the alternative use (D1) the owner would notify the Council and the additional contributions required in accordance with SPD1 based on the floorspace of the individual unit would be required prior to the occupation of the unit for the D1 use.

(B) In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Acting Chief Planning Officer.

(C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the conditions as set out in the main report

**Page 41 80279/FULL/2013: 273 Stockport Road, Timperley**

**SPEAKER(S)**

**AGAINST:**

**Mr Vijay Aggarwal  
(Tenant)**

**FOR:**

**CONSULTATIONS**

**LHA** – No objections. Comments summarised as follows: -

To meet the Council's standards the provision of three car parking spaces should be provided. The application form states the provision of 2 car parking spaces but it is

considered that 3 car parking spaces are available within the site. On this basis there are no objections to the proposals on highways grounds.

The applicant must also ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

**Page 49 80352/FULL/2013: 44, 44a, 46 AND 48 Crofts Bank Road, Urmston**

**SPEAKER(S)**

**AGAINST:**

**FOR:**

**Chris Butt  
(Agent)**

### **APPLICANT'S SUBMISSION**

#### **Scale/ Impact to character of the area**

The applicant considers that the assessment of harm to character of the area does not take into account the built form of the development in the wider area including the recent commercial/ non residential development in close proximity to the site. The applicant points to the NPPF which advises that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. The applicant states that the proposals present a high quality design that will enhance the character and appearance of the area and reinforce the streetscene whilst also responding to the operational requirements of extra care housing and the need to provide level access through a single built form so that the elderly residents are able to access all facilities without leaving the building.

The applicant has also responded in relation to para 21 of the main report where it is considered that a greater balance across the site should be achieved in terms of incidental space around the building to contribute to the spacious character of the area and meaningful landscaping, as well as amenity space for future residents and separation from the boundaries of the site. The applicant states that from the applicant's experience the quantity and quality of outdoor space will serve residents needs well and in particular provision is made for a circular walking route and sitting out areas.

#### **Residential amenity**

The applicant has provided a plan to demonstrate that the proposed development would be 17.8m from the closest habitable room window within the side elevation of 1 to 12 Rose Leigh. This separation distance is therefore 0.2m below the recommended distance of 18m rather than 0.5m as reported at para 24 of the main report.

In relation to para 26 of the main report and impact to 42 Crofts Bank Road, the applicant accepts that there will be an impact however the applicant does not consider that this impact is unacceptable to an extent which would justify refusal as using the 45 degree rule, the view from rear windows of No. 42 is not impacted and also due to ground levels at No. 42 the eaves height of No. 42 is more akin to 3 storey and comparable to the

eaves height of the rear projecting element of the proposed building. Furthermore the elevation is north facing and will not result in unacceptable shadowing to No. 42.

### Air Quality Assessment

The applicant has submitted an Air Quality Assessment as part of the application site lies within the Air Quality Management Area. The Assessment considers the impacts of traffic from local roads on the air quality of future residents with modelling carried out to provide a worst case assessment in terms of traffic emissions and background concentrations.

The AQ Assessment concludes that the impacts of local traffic on the air quality for residents living in the proposed development have been shown to be acceptable at the worst case locations assessed, the concentrations being well below the air quality objectives at the application site boundary. Therefore there should be no restrictions to residential development at the site, with regard to air quality considerations.

The AQ Assessment also concludes that the overall operational air quality impacts of the development are judged to be insignificant based on the concentrations being well below the objectives.

### Bat Survey

The applicant has submitted a bat survey carried out this month (within the main bat activity season). The survey concludes that there is no evidence of bats present in the buildings proposed to be demolished and the report contains some further recommendations relating to ecological enhancement at the site.

### Highways

Amendments have been received to address the concerns of the LHA regarding the car parking layout should the application be supported. The proposals have been amended to include 3 disabled person parking bays and indicate locations for motor cycle and cycle stands.

The applicant has also submitted information from a Highway consultant which refers to the information in the Transport Statement regarding parking surveys carried out at existing care developments to demonstrate low parking demand, and also considers parking demand from visitors and suggests that 1 space per 25 visitors should be provided, therefore 2 spaces for this development. The consultant suggests that visitors would be able to park within Sainsbury's car park if the on-site car park was full.

The Highways consultant states that the management of the yearly renewable parking permits provides the applicant with the opportunity to monitor the use of the car park and adjust the number of permits issued accordingly and spaces can be re allocated depending on demands when residents give up the use of their vehicles. Therefore on this basis the applicant's consultant states that the parking provision proposed is 1 space greater than the highest parking accumulation across other sites surveyed and there is little likelihood of on street parking resulting as a direct consequence of the proposed development and there would be no adverse impact upon highway operation, road safety or resident amenity as suggested by the LHA.

### Developer Contributions

The applicant has confirmed that they would be prepared to enter into a s106 legal agreement to secure the developer contributions set out in the main report were the application to be supported.

### **CONSULTATIONS**

#### **Pollution & Licensing**

The Environmental Health Officer has advised that the applicant's Air Quality Assessment is acceptable

Concentrations of nitrogen dioxide and particulates (from road traffic pollution) have been assessed at the application site boundary and found to be well below the Government's air quality objectives. No mitigation measures are therefore required in this respect.

#### **GMEU**

The bat survey dated June 13 is considered acceptable, and GMEU therefore conclude that work can commence with minimal risks to roosting bats. However, the buildings were found to have features which could potentially support roosting bats and therefore GMEU recommend, that if more than 12 months elapse prior to works commencing then the survey would need to be repeated. A condition to this effect should be placed on any approval, if granted.

Further conditions are recommended with regard to the protection of birds, trees/ lighting and biodiversity enhancement.

### **OBSERVATIONS**

Correction to para 15 of main report – it is considered that 44 Crofts Bank Road is an Edwardian property rather than late Victorian.

#### Parking permits

The applicant's Transport Statement and reference to car park surveys undertaken at sites run by the developer does not include details of when the surveys were undertaken and whether they were undertaken by an independent body. Therefore the LHA would not accept surveys data as evidence to support the parking arrangements proposed (permit scheme) unless the surveys were undertaken by an independent body and undertaken on a number of days to provide adequate evidence. In addition, it is noted from the submitted survey data that in any case the surveys at Edenbridge and Tonbridge are similar in bedroom numbers and yet their peak parking demands exceed the number of spaces provided within the proposed site.

The LHA maintains concerns regarding the proposal to implement a permit scheme as this would lead to a likelihood of staff and visitors parking on neighbouring streets to the detriment of residential amenity and contrary to policies L4 and L7 of the Core Strategy. It has been suggested to the applicant that if the application were supported, parking spaces should remain unallocated within the site and the use of parking permits should be restricted by way of a condition. The applicant maintains the proposals to implement a permit scheme and therefore it is considered that this constitutes an additional reason for refusal.

### Impact to character of the area

In respect of para 20 of the main report it is considered useful to clarify that whilst the design approach in relation to the materials and fenestration is considered acceptable, the proposed scale and massing of the development is unacceptable and this is integral to the overall design approach.

With regard to the applicant's comments as set out above that the assessment of harm to character of the area does not take into account the built form of the development in the wider area including the recent commercial/ non residential development in close proximity to the site. Para 16 of the main report recognises that the development of Eden Square is a large development close to the site, however this is the anchor development within the town centre and it is considered that this has a different context than the application site which is outside the identified town centre.

### Residential Amenity

In relation to No. 42 Crofts Bank Road, the applicant's additional comments as set out above do not alter the assessment of the impact to No. 42 and it is considered that the 4 storey part of the main building adjacent to the boundary with No. 42 will result in an overbearing and dominant impact when viewed from the rear of No. 42 a residential property.

### Conclusion

The applicant's submissions have not altered the assessment of the application however an additional reason for refusal is considered necessary in relation to the proposed car parking arrangements and proposal to implement a parking permit scheme.

In terms of guidance within the NPPF to support sustainable economic growth, it is recognised that the scheme would provide accommodation which is supported in the Core Strategy under Policy L2.18 – Meeting Housing Needs, which states that with specific reference to the 'frail elderly' of the Borough, the Council will seek to meet their needs through allowing 4% (approximately 500 units) of the overall housing land target to be developed as new housing for older person households, including 'extra care' housing.

However the development proposed is considered to be harmful to the visual appearance and character of the area as well as having a detrimental impact upon the neighbouring residents at No. 42 Crofts Bank Road as set out in the recommended reasons for refusal. As such, the benefits arising from the delivery of the accommodation proposed do not outweigh these issues and the proposal is considered unacceptable and should be significantly reduced in scale and massing in order to achieve an acceptable form of development.

### **RECOMMENDATION**

Additional reason for refusal;

The proposed parking arrangements are considered to be unacceptable due to the proposed implementation of a resident's permit scheme which would lead to a likelihood of staff and visitors parking on neighbouring streets to the detriment of residential amenity. The proposed parking arrangements are therefore considered to be unacceptable and contrary to policies L4 and L7 of the Trafford Core Strategy.



## **WITHDRAWN**

Notwithstanding the above information, the applicant has written to request that the application is withdrawn.

**Page 65 80398/FULL/2013: Land at the junction of Stretford Road and Lucy Street, Old Trafford**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	
	<b>FOR:</b>	<b>Graham Scott (Applicant)</b>

## **CONSULTATIONS**

**Pollution and Licensing:** No comments regarding noise impact.

## **OBSERVATIONS:**

DESIGN, STREETSCENE, AND AMENITY

Amended plans have been submitted showing revisions to the front and rear elevations of the apartment block. These include coloured, obscured-glass panels to the lower pane of a number of windows on the building, and the addition of a coloured rendered panel to the head of a recessed area of brickwork adjacent to the secondary apartment entrances at ground-floor level. Whilst the final colour of these glazed/rendered panels is yet to be agreed, their introduction should contrast with the darkness of the surrounding brickwork, and catch the viewer's eye. It is considered that the development now provides the level of articulation and visual interest required for a building of this scale, massing and prominent location, and as such its design and impact on the surrounding streetscenes is considered to be acceptable.

## **RECOMMENDATION: GRANT**

(III) Add the following conditions:

12. Phase I contaminated land report to be submitted to and approved by the Council. .

**Page 75 80425/VAR/2013: 14<sup>th</sup> Sale Scout Hut, Marsland Road, Sale**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	<b>Paul Harris (Neighbour)</b>
	<b>FOR:</b>	<b>Tracey Monaghan (Applicant)</b>

## **REPRESENTATIONS**

One further letter of objection has been received which raises the following additional matters from those already set out in the main report;

- The land on which the scout hut is situated forms part of the land donated by Mr.Walkden in 1949 and the question of the legality of the building of the scout hut in 1992 is raised as the land now forming part of Walkden Gardens was given for the public good to be used as parkland.
- The "planning creep" now being proposed is not in keeping with use of Walkden Gardens for the public good.
- The fire service have not carried out an assessment and a fire engine could not gain access to the scout hut due to the narrow access points.
- Access roads to Walkden Gardens via Marsland Road are not tarmaced roads capable of the durability required by such intensive use proposed by the application.
- Planning consent cannot authorise the commission of a nuisance which will occur if the application is approved and is therefore Ultra Vires.
- The nuisance caused to 102A Marsland Road has not been considered in terms of increased traffic down a narrow unmade road.
- The proposal is to run a private school of substantial size in close proximity to residential housing with inadequate playground area.

The letter also states that the decision should be postponed until answers to the above issues have been determined and it would be premature to make a decision. The letter also states that if the application is approved the objector wishes to lodge an appeal on the grounds of not considering relevant facts, bias and taking improper factors into account.

## **OBSERVATIONS**

In relation to the issue of the donation of the land in 1949 as part of Walkden Gardens, this is a matter which the applicant must ensure has been addressed and that there are no outstanding restrictions/ covenants that would prevent the use of the building/ land that is proposed in this application. It is not considered that this matter affects the determination of the planning application and is a matter for the applicant to ensure is addressed.

In relation to the matter of 'planning creep' the building is existing and is managed by the Scouts and this has been the case since the grant of planning permission for the building in 1992 although there is some use of the building in connection with Walkden Gardens on one Saturday each month. The proposal does not affect this and brings the building into use at times when it is currently empty. It is not considered that the proposal is affecting existing facilities that are available to the public and as such it is considered that the proposal does not conflict with the site's protected open space designation forming part of Walkden Gardens as set out in the main report.

The application has been assessed by the LHA and the applicant now proposes works to upgrade the existing access and this therefore addresses the issues raised above in relation to the durability of the access road as well as access for emergency services.

The matter of residential amenity and disturbance is considered in the main report and the Environmental Health Officer has not advised that the proposal is likely to lead to disturbance which would constitute a statutory noise nuisance.

In relation to the increases in traffic adjacent to 102A Marsland Road, this is an existing access road and traffic associated with the proposed nursery use will relate to specific times of the day and the car park is set back away from the rear garden of No. 102A. Therefore it is not considered that the increased use of the existing access as a result of the proposal would give rise to unacceptable levels of noise and disturbance to No. 102A. The proposed footpath is located away from the boundary of the access road with 102A.

### **CONDITIONS**

Additional conditions;

1. The premises to which this permission relates shall be only be used for day nursery activities (Use Class D1) and Scouting and associated activities within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

2. Prior to commencement of development details shall be submitted of the surfacing materials/ boundary treatment/ existing planting to be retained and landscaping to the access road and adjoining land.

**Page 83 80449/HHA/2013: Craigmore, Claremont Drive, West Timperley**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	<b>Mr Parsons (Neighbour)</b>
	<b>FOR:</b>	<b>Mrs Holt (Applicant)</b>

**Page 90 80518/FULL/2013: English Martyrs RC School, Wycliffe Road, Urmston**

<b>SPEAKER(S)</b>	<b>AGAINST:</b>	
	<b>FOR:</b>	<b>Cllr Lisa Cooke (on behalf of the school)</b>

### **RESIDENTIAL AMENITY**

A typing error has also occurred on lines 3 and 4 in paragraph 2. This paragraph should state 'A minimum distance of approximately 12.5m would lie between the proposed extension and the eastern boundary of the site. Residential properties on Roseneath Road bound the site to the east'.

**SPEAKER(S)**

**AGAINST:**

**FOR: Debbie Merchant  
(applicant)**

**Applicant's Submission**

The applicant has advised there is not a gate presently providing access to Baguely Lane but there will be one soon as work is currently being carried out. The dustbins are collected at the front on Bamber Avenue . They will be stored at the rear and brought through the extension. They advise there is also enough space to store them at the front if ever needed.

**Observations**

If the bins were stored at the rear they would need to be wheeled through the conservatory, dining area and hall or kitchen, dining room and hall. It is considered that this would not be a practical or desirable long term plan for the storage of waste. Storage of bins in the front garden is usually unsightly and detracts from the appearance of the property and the street scene

**HELEN JONES  
CORPORATE DIRECTOR  
ECONOMIC GROWTH & PROSPERITY**

**FOR FURTHER INFORMATION PLEASE CONTACT:  
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