

AGENDA ITEM 3

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 8th March 2018

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

1.0 INTRODUCTION

- 1.1 This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.
- 1.2 Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chairman.

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

REVISED ORDER OF AGENDA (SPEAKERS)

| Part 1 Applications for Planning Permission | | | | | | |
|---|---|------------------|------|------------------------|----------|--|
| Application | Site Address/Location of Development | Ward | Page | Speakers | | |
| | | | | Against RECOMMENDATION | For REC. | |
| <u>91551</u> | Kilpeacon House, Grey Road, Altrincham, WA14 4BU | Altrincham | 1 | | ✓ | |
| <u>92619</u> | Travis Perkins Trading Co, Elm Grove, Sale, M33 7JX | Ashton on Mersey | 21 | ✓ | ✓ | |
| <u>92659</u> | Elmridge Primary School, Wilton Drive, Hale Barns, WA15 0JF | Hale Barns | 40 | ✓ | ✓ | |
| <u>92876</u> | 136 Irlam Road, Flixton, M41 6NA | Flixton | 71 | ✓ | ✓ | |
| <u>93161</u> | 75 Park Road, Hale, WA15 9LQ | Hale Central | 91 | | | |
| <u>93171</u> | Regent Road Car Park, Altrincham | Altrincham | 105 | ✓ | ✓ | |

PART 1

Page 1 91551/FUL/17: Kilpeacon House, Grey Road, Altrincham

SPEAKER(S)

AGAINST:

FOR:

**Mr Pol Gallagher
(Agent)**

PROPOSAL

Add in the following sentence at the end of this section:

The total floorspace of the proposed development would be 998.8 sqm.

REPRESENTATIONS

Four further letters of objection have been received (three from neighbours who had objected previously and one new objection) resulting in representations from 12 addresses. Most of the points raised have already been considered as part of the Officer Committee Report, however the following are additional comments:-

- The two new basement apartments will require excavating down another storey and due to the close proximity to Struan Court, the excavation could impact on Struan Court's foundations and could affect the structural stability of the whole house.
- Struan Court's drains are shared with Kilpeacon House. Having only just recently had a serious blockage problem there is a concern that the drainage will require an increased capacity to facilitate 10 new apartments to ensure the drainage will continue to flow freely from Struan Court.

OBSERVATIONS

DRAINAGE

All matters relating to the drainage design of the proposed development have been assessed as part of this application. The Local Lead Flood Authority and United Utilities raise no objections subject to a number of conditions being attached to any planning permission. These conditions are considered to address the concerns raised by the late objection from Struan Court in relation to the added pressures 10 no. new apartments would place on the existing drainage infrastructure.

OTHER MATTERS

A number of residents from Struan Court have voiced concern with regard to the impact the development would have on the existing foundations of Struan Court and subsequently the structural integrity of the whole house. This is not a

material planning consideration and could be dealt with through building regulations if issue arose.

RECOMMENDATION:

CONDITIONS

Amend condition 2 to read:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1672/096/A and 1672/097/A, received 5th June 2017 and on amended plans, numbers KIL/354/B, , received 23rd February 2018 and KIL/100/D, KIL/101/D, KIL/102/D, KIL/103/G, KIL/200/C, KIL/201/C, KIL/300/B, KIL/301/C, KIL/302/C, KIL/303/B, received 6th March 2018 and KIL/105/D and KIL/098/E, received 7th March 2018

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

Add additional condition 17:

Notwithstanding any details shown on the submitted plans, no part of the development shall be occupied until details of a bin store have been submitted to and approved in writing by the Local Planning Authority and the approved structure has been erected in accordance with the approved details. The structure shall thereafter be retained.

Reason: In the interests of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Page 21 92619/FUL/17: Travis Perkins Trading Co, Elm Grove, Sale

| | | |
|-------------------|-----------------|--|
| SPEAKER(S) | AGAINST: | Miss Wendy Snell (For Neighbours) |
| | FOR: | Adam Cornish (Agent) |

PLAN

Please see separate appendix for amended plan showing the correct address – Elm Grove instead of Elm Road.

CONSULTATIONS

Comments have been received from the Environment Agency who have raised no objection to the proposed development and requested a number of conditions to be added should planning permission be granted.

REPRESENTATIONS

A further representation has been received which has been sent for the attention of members of the Planning and Development Committee. This raises the following areas of additional concern; all other matters are detailed and addressed within the original officer report:

- Inconsistencies within the submitted Transport report
- Increase in light pollution

OBSERVATIONS

Add the following line to paragraph 19:

A condition to control any proposed lighting scheme on site will be attached as part of any subsequent planning consent, ensuring minimal harm to nearby residential occupiers.

Replace paragraph 20 with the following:

The redeveloped site is to be operated and managed by the applicants, who are already established and operating from part of the application site. The proposals would modernise the wider site for use by one business and allow for a more efficient working operation, without significant intensification of the use. This is considered to result in a reduction to the number of visitors and vehicle movements to and from the combined application site. The site would also offer a delivery service, which would reduce the numbers of customers visiting.

Replace paragraph 35 and associated table with:

Of greater benefit, the proposals would extinguish the use of part of the site by a separate occupier and consequently the vehicle movements and other activity associated with that occupier. The site had two different occupiers for some time, with the east of the site only recently becoming vacant. At the height of the operation of both business the following HGV movements took place:

| | Existing total HGV movements per day | Proposed total HGV movements per day |
|----------------------|--------------------------------------|--------------------------------------|
| Travis Perkin | 12 | 16 |
| Scaffolding supplier | 20 | 0 |
| Total: | 32 | 16 |

Add the following section below paragraph 47.

OTHER MATTERS

The submitted reports are considered to be consistent with the proposed development and other details received, these reports have been considered by the Local Highway Authority and consultees who have not raised any concern in regards to the accuracy of the reports submitted with the application.

Add the following below Paragraph 38.

39. Representations have further made reference to the loss of a turning head to the north of Elm Grove. The proposed development would not alter the road layout and the existing situation would therefore remain unaltered.

RECOMMENDATION: GRANT subject to the following conditions:

Replace condition 3 with:

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 7588 03 003 Rev. P3 7588-03-004 Rev. P3, 7588-03-010 Rev. P2, 7588-03-011 Rev. P2 and 7588-03-012 Rev. P2.

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

Amend condition 10 to read:

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

- I. The parking of vehicles of site operatives and visitors
- II. Loading and unloading of plant and materials
- III. Storage of plant and materials used in constructing the development
- IV. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- V. Wheel washing facilities, including measures for keeping the highway clean
- VI. Measures to control the emission of dust and dirt during construction
- VII. A scheme for recycling/disposing of waste resulting from demolition and construction works
- VIII. Hours of construction activity.
- IX. Phasing plan for development

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy

Replace condition 12 with below:

12. No development shall take place unless and until full a maintenance and management plan for the Sustainable Urban Drainage Scheme, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details for the life for the scheme.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Delete condition 13:

13. No development shall take place unless and until details of the full detailed drainage design and all relevant documents to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Councils Level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works, as approved, are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA and FRA thereafter.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Delete condition 16:

16. No development shall take place until a remediation strategy giving full details of the remediation measures required in relation to the ingress of landfill gas/hydrocarbon vapours and how they are to be undertaken has been submitted to and approved by the Local Planning Authority. This shall be accompanied by a verification plan, which shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy have been completed, and will identify any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action. The development shall thereafter be carried out in full accordance with the approved remediation strategy and verification arrangements before the first occupation of the development hereby approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies SL1, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Add following addition condition 21:

21. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure a safe form of development which poses no unacceptable risk of pollution, with reference to policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Add following informatives:

1. The existing green space buffer zone should be free from all new built development including new site security fencing, lighting, and formal landscaping; and could form a vital part of green infrastructure provision. Land alongside watercourses such as River Mersey are particularly valuable for wildlife and it is essential this is protected during development.
2. The site is located within a Critical Drainage Area, therefore the new development must demonstrate that it is not at risk of flooding, and will not increase the existing flooding conditions within the site or elsewhere. The surface water management should aim not to increase any runoff, and where practical reduce the rate of runoff from the site with the Level 2 Manchester City, Salford City and Trafford Councils Level 2 SFRA.
3. All new connections to the public sewer system will require formal approval and inspection by United Utilities, under Section 106 of The Water Industry Act 1991.
4. Whilst the buildings to be demolished have been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

| | | |
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| SPEAKER(S) | AGAINST: | Cleveland McCurdy (Neighbour) |
| | FOR: | Mrs Jo Appleyard (Applicant) |

REPRESENTATIONS

One representation has been received expressing disappointment at the LHA's comments regarding traffic congestion as made in the committee report and stating that the comments will be closely scrutinised by a legal team / transport specialists with a possible request for judicial review should the planning application be successful.

A further representation has been received from the same objector, making the following comments: -

- Has anyone gone to the trouble to measure the width of the Wilton Drive carriageway, the main access for traffic into the school? In fact, it measures 6.1 metres (20 feet) between kerbs. If two cars of width 2m are parked, legally, opposite each other on either side of the road at say 0.1 metres from the kerb then there would be a gap between them of 1.9 metres which is not sufficient for a vehicle to pass between them. This matter is not often an issue as many drivers, residents and visitors to the school, park illegally on the pavements. Could you please consider how you would propose to deal with a situation where cars are parked legally opposite each other on each side of Wilton Drive?
- Nobody has had the opportunity to read the Vectos Letter dated 9th February as it is not, as yet, on the council website. To omit a letter that is one month old, from the council web site, on such a contentious issue is unprofessional.
- The Tree Officer's comments are surprising as in a meeting with him at the school on 23rd February, he stated that the trees under threat were magnificent and should be retained at all costs. Why has he changed his mind?

A further letter has been received from SCP transport consultants, making the following comments: -

The LHA response does not explain what has been done to address the fundamental flaws in the Transport Assessment submitted by the school's consultants, which are summarised as follows: -

- There are discrepancies between the Transport Statement's description of the existing car parking situation and what has been observed in practice.

- It is not possible to verify the accuracy of the trip generations predicted within the Transport Statement and it is not clear why this has not been based on the existing operational school.
- The identification of the increase in trips for a single year of the gradual increase is potentially misleading and the total increase in trips as a result of the application proposals should be assessed, including the effects on capacity at already congested junctions in the area.

Given the above it is considered that the application cannot be deemed acceptable with regard to transport. The LHA response makes no mention of these issues and whether / how they have been resolved. Furthermore, the Travel Plan forms part of the mitigation proposed, but as this has not been prepared yet it is not possible to ascertain whether this will provide sufficient mitigation. The application should not be approved whilst these significant highway issues remain unresolved.

Further representations have been received from the occupier of 17 High Elm Drive, making the following comments: -

- The extended parking spaces will be within 1m of the boundary fence and just over 2m from the morning room window in the side of 17 High Elm Drive with a difference in ground levels of over 1m. In order to provide privacy, protection from surface water drainage and to prevent cars plunging into the house, there needs to be a retaining wall, a retaining barrier, a land drain and natural screening, all of which would have to be laid over an 8000v cable which runs alongside the fenceline. All this would need to be incorporated within a 1m width of land between the proposed fence and the extended car park. The school's plans show no consideration for the concerns of residents.
- If the application is allowed, there will be no screening, no land drain, no barrier and no retaining wall.
- The Arboriculturalist's comments that a Tree Preservation Order cannot be put on trees when a planning application is being considered is incorrect. Despite many attempts to contact the Arboriculturalist, he has not been allowed to contact the objector and the request for a Tree Preservation Order has received no response. The request for street markings was also never considered because "on street parking" is where the Council plans to put all the school overflow parking. These actions are a gross dereliction of the democratic process.

One letter has been received from solicitors acting on behalf of the occupiers of 17 High Elm Drive, which makes the following comments: -

Trees

- The application proposes the removal of three category B trees (T1, T5 and T6) and will have a material impact on a category A tree (T4). The application has been modified by the slight skewing of the building to sit at

an angle to the main building - presumably to address the impact on trees, particularly T4.

- The objector has submitted their own tree report, which concludes that, notwithstanding the modification made by the applicant, the development will still lead to the loss of three category B trees and is likely to lead to the loss of T4.
- Where there is doubt as to whether or not a development will have a detrimental impact on a category A tree, a precautionary approach should be taken, which points to exploring further modifications to the proposals.
- The Council's Tree Officer, Derek Austin confirmed to the occupiers of 17 High Elm Drive on a site visit that the trees in question were "magnificent" and should be retained and that he could not see why the proposed extension could not be sited elsewhere to avoid the trees. This view accords with general practice that category B trees should not be removed unless absolutely necessary.
- There is no consultation response from the Tree Officer referred to in the Committee report and confirmation is requested as to whether or not the Tree Officer has commented on the application and whether any response has been received. It is a material omission in the Council's determination of the application if he has not been consulted and if Committee determine the application without his comments that would be a material flaw in the decision making process.
- If the Tree Officer has been consulted and a response has been received, then a copy should be provided and the consultation response should be reported and made available to the Committee otherwise the Committee will not have been provided with all material considerations to make a lawful decision.
- Given the impact on category B and category A trees, the development cannot be regarded as being in accordance with Policy R2. The aim of Policy R2 is to protect assets listed in the policy, which specifically includes trees. Paragraph 22.17 of the supporting text to Policy R2 states that those assets listed in Policy R2 are currently protected by policies in the Revised Trafford UDP and will continue to benefit from that protection until the Land Allocations DPD is adopted. Policy ENV4 of the UDP states that the Council will "foster the retention of trees". The application cannot be regarded as being in accordance with Policy ENV4.
- The application therefore cannot be regarded as being in accordance with Policies R2 or ENV4 and the officer's report is a misdirection to Committee in that regard.

Impact of the Southern Extension

- The southern extension measures 29.8m in length and 7.95m in height. When the difference in ground levels is taken into account, this means that the extension will appear to be up to 9.28m in height as seen from 17 High Elm Drive. The extension will be between 20m and 24m from habitable room windows in the front elevation of 17 High Elm Drive. It is therefore

clear that the extension will have a dominant and overbearing appearance in relation to that property.

- Policy L7.3 states that development must
 - be compatible with the surrounding area;
 - not prejudice the amenity of...occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance or in any other way.

The proposal therefore cannot be regarded as being compliant with Policy L7.3.

- It is noted that the Committee report refers to the Council's adopted PG1: Guidelines for New Residential Development. Officers refer to a 15m recommended separation distance concluding that the distance between the school and 17 High Elm Drive exceeds this distance. However, this guideline refers to the distance between a main elevation and a blank gable. In this case, this elevation of the school contains entrance doors and a number of windows and is not a blank gable. If any reference is made to PG1, it should be to the 21m distance and the proposed extension would fail to meet this distance.
- PG1 relates to residential dwellings but, in the case of the school, the number of people with access to the windows overlooking 17 High Elm Drive greatly exceeds the numbers who live in a dwellinghouse. The reference to PG1 therefore provides no justification for the separation distance between the school and that property. In fact, a fair interpretation of PG1 supports the view that a greater separation distance should be applied and that the current proposal would have a dominant and overbearing impact on that property.

Extension to car park

- The application proposes the extension of the car park with the result that the nearest parking bays would be only 4.1m from the side elevation of 17 High Elm Drive. Whilst the facing window in that elevation is within the obscured glazed kitchen door, there is frequently ajar in the summer months and regularly open for access.
- The proximity of the parking spaces with the difference in ground levels will result in:
 - Noise and disturbance through banging of doors and revving of engines
 - Loss of privacy
 - Pollution and fumes

Proposed Mitigation

- A tree report has been submitted with the solicitor's letter, which comments on the proposed mitigation strategy. Given the importance of this mitigation being effective, details of the measures should be provided before the application is determined in order to allow interested parties to comment. Details of the fencing and planting at the side of the car park

should also be provided at this stage as it would be unfair not to allow the occupiers of 17 High Elm Drive to comment on this.

Drainage

- 17 High Elm Drive is already experiencing standing water as a result of surface water run-off from the elevated school site and the creation of further hardstanding areas will only exacerbate this problem. The drainage conditions should specifically address the surface water run-off to High Elm Drive.

Conclusion

- The purpose of this representation is not to object to the principle of the development but the design of this particular scheme. The proposed extension set at a skewed angle to the existing building cannot be regarded as good design and therefore conflicts with the NPPF.
- Alternative options are available that would result in a better scheme. The application should be refused as it conflicts with a number of development plan policies. It is also clear that officers have misdirected Committee in respect of a number of important development plan policies.
- Before determining the application, the Committee should visit the site and 17 High Elm Drive to gain a true understanding of the impacts on this property.

CONSULTATIONS

LHA - Further comments have been received from the LHA in response to the letter from SCP transport consultants as follows: -

There are discrepancies between the Transport Statements description of the existing car parking situation and what has been observed in practice.

It is assumed that this is referring to the on street parking which takes place within the vicinity of the school. Observations have taken place by the highway consultant as detailed in the Transport Statement and by the LHA. Whilst the LHA cannot comment directly on the observations carried out by the consultant, it is confirmed that when the LHA visited the site during the school afternoon peak period, one vehicle was parked on Wilton Drive and no vehicles were parked on High Elm Drive. However parking does take place on the other surrounding streets and during the site visit it was observed that some congestion is present but no serious highway safety issues were observed.

It is not possible to verify the accuracy of the trip generations predicted within the Transport Statement and it is not clear why this has not been based on the existing operational school.

This has been addressed in the supplementary transport information submitted in January 2018 in table 3.1. This verifies the information contained in the original Transport Statement. Table 3.1 provides the existing modal split and this has been used to predict the additional traffic, although the table only shows the annual increase and not the total traffic. Whilst it is accepted that little information was included in relation to the TRICS data contained in the Statement, a review of the TRICS data was undertaken and the LHA is satisfied that the suggested additional traffic that could result from the proposal is in line with the LHA's findings.

The identification of the increase in trips for a single year of the gradual increase is potentially misleading and the total increase in trips as a result of the application proposals should be assessed, including the effects on capacity at already congested junctions in the area.

It is accepted that the way the Statement has been presented could be seen to be misleading to the general public. However, the full increase in potential traffic has been considered by the LHA and its comments are based on this. Equally it was considered that undertaking junction assessments was not necessary based on the additional total trips given these would be distributed across the wider network and not through one particular junction.

Given the above it is considered that the application cannot be deemed acceptable with regard to transport.

The LHA do not agree with this given the comments above and are satisfied to recommend approval with conditions.

The LHA considers that it has received sufficient information to base its formal response on as outlined above and, whilst a Travel plan has not been submitted at this stage, a discussion has taken place regarding the measures the LHA would be seeking within the travel plan. A commitment was received on the 9th February 2018 around the discussions which had taken place and some of the measures that had been agreed which will form the basis of the travel plan.

The LHA also confirms that the width of Wilton Drive is approximately 6.0 metres wide. It is acknowledged that residents in the surrounding streets park up on the footway's. The scenario that the objector raises with cars parked opposite and adjacent to the kerb and therefore fully on the carriageway would restrict access along Wilton Drive. If the road is blocked then that is a Police matter. However during the life of the application we have visited the site on several occasions and each time no traffic was either parked or entered Wilton Drive. The letter of the 9th February doesn't address the road widths.

OBSERVATIONS

The Local Highway Authority has commented on the further concerns raised in relation to transport issues and confirmed that it has no objections to the proposed development, subject to appropriate conditions. It is therefore

considered that the proposals are acceptable in terms of highway impacts, which would not be classed as “severe” in terms of NPPF paragraph 32, which states that “Development should only be prevented or refused where the residual cumulative impacts of development are severe”.

With regards to the issues raised regarding trees, the Council’s Arboriculturalist was consulted and has commented on the application. However, as his position is within the Planning and Development service, his comments are not normally reported as a separate consultation response. Nevertheless, a copy of his comments is available on the Council’s website.

With reference to the comment that the Council’s Arboriculturalist referred to the trees as “magnificent” and stated that they should be retained at all costs., the Council’s Arboriculturalist has confirmed that this is not a term that he would use, preferring to rate trees according to their amenity value and / or aesthetic qualities. With regards to the suggestion that the making of a Tree Preservation Order would prevent the development from being approved, it was explained that a Tree Preservation Order should not be used to frustrate development and that planning consent would override a Tree Preservation Order in any case.

With regards, to mitigation planting, the objector’s tree report expresses the view that the fastigate trees (upright branching and columnar in form) recommended by the applicant’s tree consultant would not placate the local residents who would prefer trees with broader crowns. The Council’s Arboriculturalist has commented that fastigate trees are highly appropriate in situations where space is limited and may be planted in groups at spacings that would allow their crowns to meet when they achieve their ultimate crown spreads. The objector’s tree report comments that Council policy prescribes the use of native tree species in planting schemes. The Council’s Arboriculturalist has commented that, although the use of native trees, of which there are approximately thirty five species are highly appropriate in certain situations, for example when wildlife conservation is a management objective, their exclusive use in landscape softworks on development sites would result in a very uninteresting tree population. Of the six fastigate trees recommended for mitigation planting, four are cultivars (garden varieties) of native trees, specifically English Oak, Beech, Field Maple and Rowan. By providing the list of replacement tree species, the applicant’s consultant has gone ‘above and beyond’ the usual requirements of an arboricultural impact assessment.

The objector’s tree report also suggests that more trees should be planted to mitigate the loss of the seven individual trees and three tree groups at this site. The Council’s Arboriculturalist has commented that the grounds of Elmridge Primary School are extensive and there is ample scope for further planting. The recommendation to Committee includes a condition requiring the submission and implementation of a landscaping scheme and this can be addressed through this condition.

With regards to the statement in the Committee report that the proposed development would be compliant with Policy R2 of the Trafford Core Strategy, the

policy seeks the protection of the natural environment but does not specify that no trees shall be removed. Planning officers consider that, subject to the recommended conditions to protect the trees to be retained and to require replacement planting in respect of those that will be lost, the proposals would comply with this policy and with Policy ENV4 of the UDP. It is also relevant that the trees are not protected by a Tree Preservation Order or by virtue of being within a Conservation Area and there would be no control over their removal at the current time in any case.

With regards to the distance between the proposed extension and 17 High Elm Drive, planning officers do not consider that the 21m guideline in PG1 would be relevant in this case. This guideline applies to buildings that have "major facing windows". However, the part of the elevation directly facing 17 High Elm Drive would be blank with the only windows on this elevation being further to the north at an oblique angle to the windows in the front of 17 High Elm Drive and at ground floor level only.

The objector's solicitors state that the reference to PG1 provides no justification for the separation distance between the school and the property. The Committee report recognises that these guidelines cannot be applied directly to this form of development but it is considered that they are helpful in the consideration of the proposal. Planning officers do not consider that PG1 supports the view that a greater separation distance should be applied or that the proposal would have a dominant and overbearing impact on the property.

With regards to the statement that the extended parking spaces will be within 1m of the boundary fence, the submitted site plan and sections show the extended hardstanding area positioned 1.8m from the boundary fence. It is considered that the requirements in terms of fencing, landscaping and drainage can be controlled by conditions.

It is therefore considered that the proposed development would not have an unacceptable impact on the residential amenity of 17 High Elm Drive and would comply with Policy L7 in this respect.

The objector's solicitors state that the landscaping scheme should be provided before the application is determined in order to allow interested parties to comment. However, it is normal practice to require the detailed landscaping scheme by condition and it is not considered necessary to require this information prior to determination.

With regards to drainage, the LLFA has commented that the drainage conditions as recommended in the original report should ensure that surface water run-off from the site will be addressed.

The objector's solicitors argue that the proposal would not represent good design and would conflict with the NPPF due to the extension being at an angle to the main building. However, it is considered that the proposed scheme is acceptable in design terms and complies with the NPPF in this respect.

RECOMMENDATION

It is recommended that Conditions 15 and 16 are amended to read as follows: -

15. No external lighting shall be installed on the extension or within the extended car park unless a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be implemented and retained thereafter in accordance with the approved details.

Reason: In the interests of protecting the amenity of neighbouring residential properties in accordance with Policy L7 of the Core Strategy and relevant paragraphs of the NPPF (2012).

16. The junior playground hereby permitted and shown on drawing number L05 Rev. P3 shall not be brought into use unless and until it has been demarcated with pitch markings for multi-sport activities in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The approved pitch markings shall be retained thereafter.

Reason: To ensure the provision of an adequate level and quality of sports facilities at the site in accordance with Policy R5 of the Trafford Core Strategy and guidance in the NPPF.

Page 71 92876/FUL/17: 136 Irlam Road, Flixton

| | | |
|-------------------|-----------------|--|
| SPEAKER(S) | AGAINST: | Paul Simmons (For Neighbours) |
| | FOR: | Andy Ellis (For Applicant) |

PROPOSAL

Value Added

Add the following to the value added section:

- An amended roof with the chimney removed;
- A raised roof eaves line;
- Removal of the brick string course;
- Reduction in the projection of the integral garage; and
- Changes in the internal layout to accommodate a consistently sized garage despite a reduction in the front projection of this element.

The amendments are elevational changes which do not significantly alter the scheme. The observations made in the Committee Report, which conclude that the proposal's design and amenity impacts are acceptable, are therefore still relevant.

The applicant has also amended the proposed site layout plan to correctly reflect the off-street parking spaces approved for the linked planning permission, reference 92783/FUL/17, including the approved scheme's fencing to divide the separate dwelling car parking spaces.

CONSULTATIONS

Local Highways Authority - The LHA has provided a final formal comment regarding the proposal's highways safety and parking impacts including with reference to the amended plans and correct site layout plan received 2 March 2018, with these comments also addressing the specific neighbour objections on this subject, including those received on 6 March 2018. The LHA has confirmed no objection to the proposal's highways safety and parking impacts subject to the previously confirmed condition requiring the construction of the adjacent dwellings' three off-street parking spaces (approved as per previous planning permission reference 92783/FUL/17), and has requested that all proposed boundary fencing for the first 1m adjacent to the highways should be reduced to 0.5m to ensure adequate pedestrian visibility splays, the latter can be addressed by way of condition should planning permission be granted

Lead Local Flood Authority - Responding to a neighbour comment that a culverted stream runs to the rear of the site the LLFA has provided an addendum comment confirming that there are no records of this at the application site and in any event even if there is a culvert to the rear of the plot the proposed development would not be constructed over this water feature. The LLFA has however proposed the following additional informative comment: 'The public sewerage system and watercourses should be adequately protected against accidental spillage of oil, petrol inflammable liquids or other prohibited substances. A suitable form of interceptor should be provided with storm water by-pass if necessary, the size and type should be submitted as part of the Building Regulations submission.'

REPRESENTATIONS

Additional neighbour comments were received on 6 March 2018 from an objector who has already commented on the application. These included a number of points of objection and comments relating to the proposed development.

The email raises questions and objections regarding the proposal's highways safety and parking impacts. The above LHA comment has in part been produced with reference to these issues.

A document titled 'Breaches' alleges breaches of planning policy and a further document titled 'Committee Report Issues' raises multiple points of objection, there being a degree of overlap between the two. Most of these points have already been considered as part of the Committee Report and the LHA response, however the following are considered to be relevant for additional comment:

- The proposal does not address the environmental factors listed in Core Strategy L5;
- The proposal does not take account of Secure by Design requirements;
- There are several mistakes on the application form;
- The proposed side fencing towards the front of the plot would be 1m high, however it would be adjacent to the neighbouring dwelling's approximately 1.8m high fence;
- The proposed materials condition 3 should be amended to require the submission of full material and boundary treatment details before the 'commencement of any development on site' rather than the 'commencement of above ground development' to avoid the proposed dwelling's foundations being built in an incorrect location;
- The proposed condition 6 requiring the LPA's express consent to any rear extension should be amended to include LPA control over front dormer extensions;
- Proposed condition 10, which requires the provision of three off-street parking spaces for the sole use of No. 136 is incorrect as this property would be split into Nos. 136 and 138 (i.e. once No. 136 has been split into two dwellings); and
- The proposed condition 12, which requires the submission of a Construction Method Statement before the commencement of development has been compromised with demolition of the garage roof having taken place.

OBSERVATIONS REGARDING ADDITIONAL NEIGHBOUR COMMENTS

In response to the above additional neighbour comments the LPA would states as follows:

- The proposal is considered to be in compliance with the requirements of Core Strategy Policy L5 as it would be in a sustainable urban location and would result in an acceptable flood risk impact;
- There is no policy requirement within the Local Plan for development to meet Secure by Design standards, therefore whilst it is aspirational for development to incorporate these standards this is not a reason to refuse a planning application ;
- Whilst some errors are noted in the application form, these have been clarified with the applicant and are not considered to be significant in order to invalidate the planning application;
- The LHA has confirmed the proposal, including parking visibility with reference to the proposed side boundary fencing, would have acceptable highways safety impacts;
- Regarding the objector's request that the wording of the proposed materials condition 3 is amended the LPA would comment that the current wording requiring the submission of these details prior to the commencement of above ground development is as per current Government advice. The applicant is in any event expected to comply with the plans condition (No. 2) which stipulates the location of the proposed dwelling, failing which the applicant would be in breach of this condition and liable to enforcement action;

- Addressing the objector's request that proposed condition 6 restricting permitted development rights for rear extensions should be extended to exclude permitted development rights for front dormers the LPA notes that a front dormer extension is not permitted development and therefore would always require a grant of planning permission. It is therefore unnecessary to amend this condition;
- Regarding the objector's comment on the proposed condition 10 requiring the provision of three parking spaces for the sole use of the future occupants of No. 136, whereas this should be Nos. 136 and 138, the LPA notes this condition and notes that the reference to No. 136 within this condition relates to the current dwelling, which will be split into two dwellings as per planning permission reference 92783/FUL/17. It is not considered necessary to amend this condition to refer to both future dwellings at the current No. 136;
- Notwithstanding the fact that demolition has commenced, the LPA considers condition 12 which stipulates the requirement for a Construction Method Statement should still stand.

OBSERVATIONS

Replace Paragraph 60 with the following:

Neighbour representations that the proposed building works would result in an unacceptable amenity impact on neighbouring properties could be if needed dealt with under Environmental Health legislation should this become a nuisance. Planning permission would be subject to a condition requiring the applicant to comply with an approved Construction Method Statement during the course of the development which should seek to minimise distribution within the local area.

Replace Paragraph 65 with the following:

The fact that the amended proposed elevations do not include the required drainpipes is not considered to be relevant to this application for planning permission. Such elements are considered to be *de minimis* and would be controlled through the proposed materials condition.

RECOMMENDATION

The recommendation remains unchanged.

Amend condition 2 to read:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [ebr/00249] A0.1 (Street Scene), A0.1 (Proposed Floor Plans), A0.2 (Proposed Elevations) and A0.3 (Site Plan), received 2 March 2018.

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

Add the following additional condition 13:

No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of pedestrian and highway safety and residential amenity having regard to Policies L4 & L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Add the following additional informative 6:

The public sewerage system and watercourses should be adequately protected against accidental spillage of oil, petrol inflammable liquids or other prohibited substances. A suitable form of interceptor should be provided with storm water by-pass if necessary, the size and type should be submitted as part of the Building Regulations submission.

Add the following additional informative 7:

In respect of condition 13 all boundary fences dividing the proposed off-street parking spaces should be no higher than 0.5m in height for the first 1m adjacent to the highway to ensure acceptable pedestrian visibility splays.

Page 105 93171/FUL/17: Regent Road Car Park, Altrincham

| | | |
|-------------------|-----------------|----------------------------------|
| SPEAKER(S) | AGAINST: | Bob Dodds (Neighbour) |
| | FOR: | Neil Lucas (Agent) |

APPLICANTS SUBMISSION

The applicant has undertaken a speed survey of New Street at the request of the Local Highway Authority following concerns raised by residents:

The speed data indicates that the average speed of vehicles travelling southbound on New Street was 20.8 mph while the 85%ile speed was 25.3 mph, both of which are below that speed limit for New Street. It is noted that 143 vehicles or 2% of the total vehicles exceeded the speed limit during the survey period.

Of the 6,556 vehicles which were recorded at the ATC location, 147 were either 2/3 axle HGVs which equates to 2% of the total vehicles.

The applicant has also provided a summary in response to the officers' report before committee requesting clarification on some matters and suggesting amended wording to some conditions. The issues raised are summarised as follows:-

- Amend wording to condition 7 (landscaping) to remove specific reference to the number of trees planted but to maximise the planting of trees on site and other forms of Specific Green Infrastructure in line with SPD. Also to reduce the requirement to replace damaged/diseased trees within 5 years of planting to one year.
- Amend wording to condition 8 (landscape maintenance) to reduce requirement for a scheme of landscape maintenance from 5 years to 1 year.
- Amend wording to condition 20 (hours of servicing) to allow for deliveries from 0800hrs – 1700hrs on a Saturday instead of the suggested 0800hrs-1200hrs.
- Amend wording to condition 21 (opening hours of commercial properties) from 0800hrs -2330hrs to 0800hrs to 2400hrs.
- Amend wording to condition 23 (sound insulation measures) to include wording which relates to minimising noise to acceptable levels.
- To clarify that parking provision will be 300 spaces; 70 for the new residential units, 7 for the commercial units and 223 spaces to for public use to be managed by Trafford Council.
- The officer's comments at para.115 in the report to committee relate specifically to overshadowing to external spaces at Chapel Court and Albert Court. As officers point out the only potential space that could be impacted is between Albert Court and Chapel Court. Due to the location of the hard surface car parking within this space closest to the application site, and the lawn area closer to New Street, Grey Scanlon Hill (The applicants Daylight/Sunlight Survey Consultants) , in their professional opinion, do not consider that this area was a sensitive receptor. That said if it was deemed to be so, in their professional opinion they consider that the proposed development will have no impact at all on the extent to which this external space receive direct sunlight from the south, southwest and west.
- For clarity, the car parking numbers are: Total provision 300 spaces, of which 70 are for residents of the proposed apartments; 223 public spaces to be managed by the residents; 7 potential spaces for commercial units.
- The disabled car parking provision is detailed on the submitted plans with 17 spaces in total, 11 at the ground floor level and 6 within the upper level of the multi-storey car-park.
- For clarity the applicant will be making a financial contribution of £250,000 towards off-site public realm works.

CONSULTATIONS

National Air Traffic Services – No objections

Transport for Greater Manchester (TfGM) – TfGM have considered the applicants updated Transport Assessment and raised concerns over a number of issues, summarised as follows:-

- The LINSEG modelling of the A56- Regent Road still does not represent the actual performance of the junction. However the conclusion drawn about the impact of the development being barely noticeable would seem reasonable. (NOTE:- LINSEG is UK industry standard software for the assessment and design of traffic signal junction).
- TfGM UTC should inspect the operation of the A56 / Regent Road junction and re-validate MOVA (a strategy for the control of traffic lights) at the junction. Funding for this should be supplied as a condition of the development - £2,000 is required.
- There is no modelling of the signalised junction of Regent Road – Railway Street as such there is no understanding of the impact of the development on this junction.
- Also there is nothing about the management of the car park and what measures are to be taken to avoid queueing back from the entrance of the car park onto the road network or, worst-case, on the A56 – this is a safety issue and only related to safety.

Local Highway Authority (LHA) – The LHA have considered the updated comments from TfGM. In relation to any proposed work to the LINSEG model of the A56/Regent Road junction it is considered that this will produce similar overall results and would not affect the LHA's view of the development and is therefore not considered necessary. The applicant's traffic consultants have estimated the likely additional traffic at the Regent Road/Railway Street junction and do not consider that this is sufficient to require traffic modelling of this junction.

The models of the car park access/egress with New Street and New Street/Regent Road suggest that little queueing is present at these junctions so it is very unlikely that queueing from the car park would impact at the A56 junction.

The LHA concur with TfGM's request for a planning condition to inspect the operation of the A56 / Regent Road junction and re-validate MOVA at the junction. This should be undertaken at the developer's expense.

The LHA have also considered the submitted speed survey. Whilst the survey was undertaken during school half term the LHA are satisfied that the results are representative and are fit for purpose. The survey was positioned on the two way section of New Street close to the start of the one way section, with which the survey showed the following;

- The survey started on the 15th February through to the 22nd February,
- During the survey period some 6,556 vehicles passed through the counter, this equated to an average of 937 vehicles /day,
- The highest recorded speed was between 40-45mph,
- With the majority of vehicles travelling around 20-25mph,
- As a result the 85th percentile speed along this section of New Street is **25mph**. (This is the figure the LHA use to determine the results of a speed survey).

Therefore the survey shows that the traffic speeds are within the posted limits and as a result it would be difficult to require the development to fund any form of traffic calming scheme by way of mitigation.

REPRESENTATIONS

A further four letters of objection of have been received, one of which has been sent to members of the planning committee from the occupants of 78 New Street. The following concerns have been raised:-

- Removal of Shopmobility should not be countenanced without a legally-binding commitment to incorporate such facilities into the proposal or nearby.
- Loss of Altrincham's only public toilets accessible to the disabled should be prevented.
- Pedestrian protection measures and traffic calming measures should be employed along New Street to mitigate the impact of increased traffic.
- The previous proposal by Citybranch for the new Health and Wellbeing centre included a new public square and water feature which was subsequently abandoned. The proposal should not be approved without a legally binding commitment to deliver the landscaped memorial area 'Chapel Square' and its maintenance.
- No affordable housing.
- The site is being overdeveloped and will amount to serious 'cramming' in an already high density area and the net increase in public parking is negligible.
- The relationship with the nearby social housing should be seen by members of committee.
- The proposal will result in loss of sunlight, privacy and overshadowing.
- Concern that residents will not be able to access nearby roads during rush hour peaks because of the increase in traffic.
- The increase in visitor parking to the new development will add massive pressure to current residents and their visitor parking.
- The proposal will add to air and noise pollution.
- The proposal will alter the fabric of the area, towering over Victorian cottages and shops on the same side of the road and opposite.
- The Regent Road/Railway Street junction is difficult to negotiate for cyclists, mobility vehicles and cars due to the high levels of traffic at the poorly controlled traffic lights.

- The owner of the opticians (1 Regent Road) has queried when work will commence and for how long and would request a reduction in business rates whilst the disruption is underway as it will affect their business. They have also queried what provision the Council will make for parking whilst the works are underway.

OBSERVATIONS

In relation to the further representations received, it is considered that the material planning considerations raised have already been addressed in the officers' report. Whilst it is regrettable that the toilet facilities associated with the Shopmobility premises will be lost, there are other publicly accessible toilets within several of the larger retail premises within Altrincham and there will also be accessible toilet facilities for wheelchair users within the new Health and Wellbeing Centre.

In relation to the applicant's suggested changes to the wording of conditions, the changes are considered largely acceptable. The inability of the site to accommodate the planting of 70 new trees is accepted; extending the hours allowed for deliveries to 5pm on Saturdays is considered to be reasonable; extending the opening hours of the commercial premises in this town centre location until midnight is considered to be reasonable. It is considered that the requirement for maintenance referred to in the landscaping and landscape maintenance condition should remain at five years. The wording of conditions have been amended below.

VIABILITY & AFFORDABLE HOUSING

It has been confirmed and accepted by the Council's viability consultant that the scheme cannot support the provision of any affordable housing, largely because of the provision of the multi storey car park. The recommendation to grant planning permission subject to a s106 legal agreement remains unchanged. It includes an overage clause should the scheme prove more profitable than anticipated following the submission of a further viability assessment at an appropriate point.

RECOMMENDATION

The wording of the following conditions are revised:

Condition 7 Landscaping (Amended Wording) - (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works (which shall seek to maximise the planting of trees or alternative forms of Green Infrastructure detailed in SPD 1), have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

Condition 20 Hours of Servicing (Amended Wording) - Servicing, waste handling and deliveries relating to the commercial uses within the application site shall only take place between the hours of 0700 and 1900h on Mondays to Fridays and 0800 to 1700h on Saturdays only.

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

Condition 21 Opening Hours (Amended Wording) - The commercial premises hereby approved shall only be open for trade or business between the hours of 0800hrs - 2400hrs inclusive.

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

Condition 23 Sound Insulation (Amended Wording) - No above ground construction works shall take place until a scheme for mitigating noise emanating from the commercial buildings and the multi storey car park, and protecting existing residents and the occupiers of the proposed apartments from noise has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the residential and commercial units are occupied or the multi storey car park brought into use and shall be retained thereafter.

Reason: Details are required prior to development taking place on site in order to incorporate such details into the design of the development to protect the amenities of existing residents and the occupiers of the proposed apartments in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Condition 27 - Within no less than 3 months but no more than 5 months following the opening of the multi-storey car park a further assessment of the operation of the traffic light signals at the A56/Regent Road junction shall be undertaken and the findings, including details of any necessary revalidation of the

junction lights shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved changes shall be implemented before the full occupation of the residential units.

Reason: In the interests of highway safety having regard to Policies L4 and L7 of the Trafford Core Strategy, and the National Planning Policy Framework.

RICHARD ROE, ACTING CORPORATE DIRECTOR OF ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE

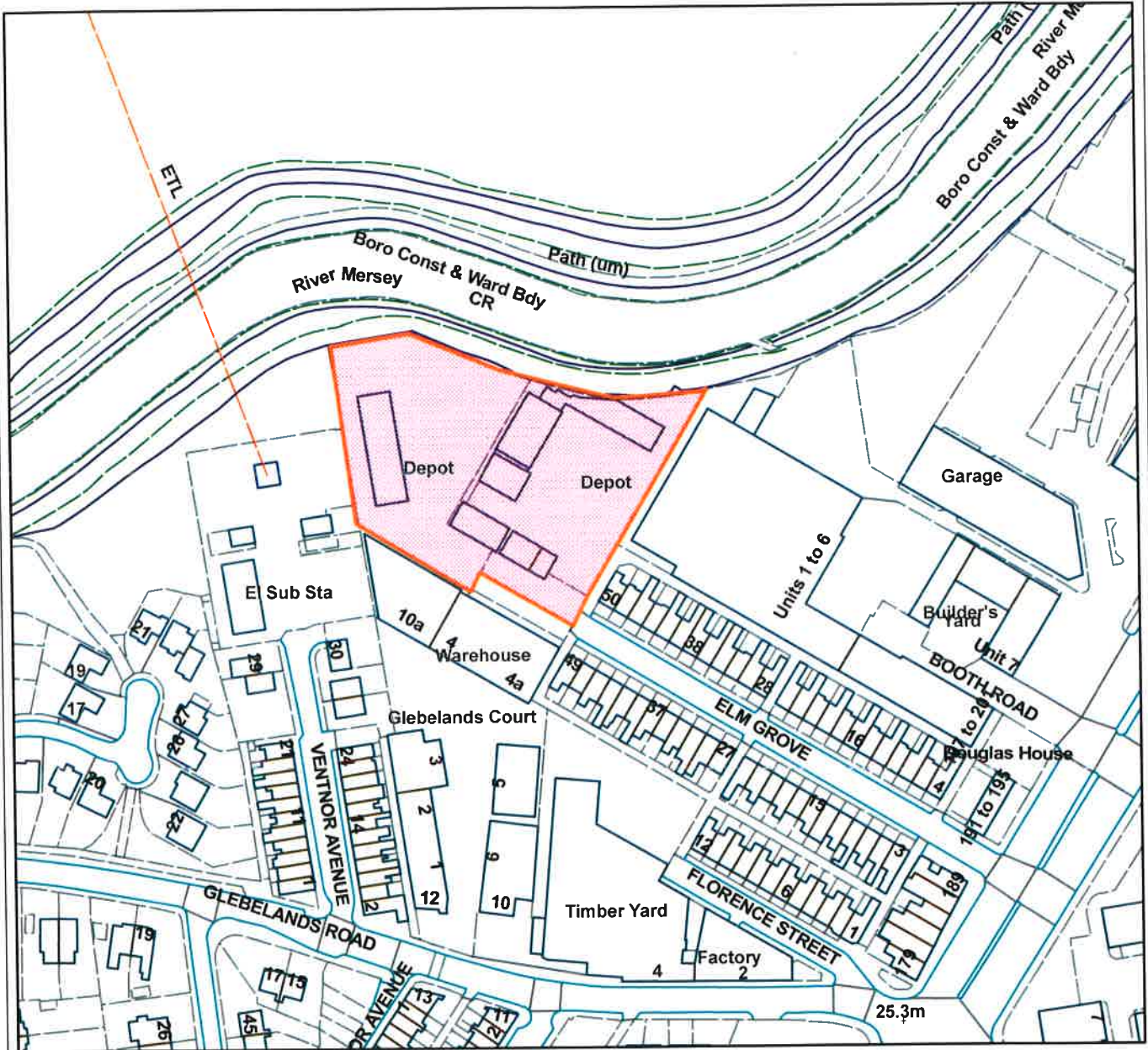
**FOR FURTHER INFORMATION PLEASE CONTACT:
Rebecca Coley, Head of Planning and Development, 1st Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH. Telephone 0161 912 3149**

92619/FUL/17 - AMENDED ADDRESS



**TRAFFORD
COUNCIL**

Travis Perkins Trading Co, Elm Grove, Sale (site hatched on plan)



Scale: 1:1,750

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| Comments | Committee date 08/03/2018 |
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