

## AGENDA ITEM 5

### PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 14<sup>th</sup> February 2019

#### 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 Chair.

##### 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<br>RECOMMENDATION | For<br>REC. |
| <a href="#"><u>90711</u></a>                | Trafford Plaza, 73 Seymour Grove, Old Trafford                        | Longford         | 1    | ✓                         | ✓           |
| <a href="#"><u>95687</u></a>                | 56 Ennerdale Drive, Sale, M33 5NE                                     | Ashton on Mersey | 38   |                           |             |
| <a href="#"><u>95716</u></a>                | Southbank & Delamer Lodge, 1 - 2 Cavendish Road, Altrincham, WA14 2NJ | Bowdon           | 47   | ✓                         | ✓           |
| <a href="#"><u>95723</u></a>                | Former Itron Site, Talbot Road, Stretford, M32 0XX                    | Longford         | 79   |                           | ✓           |
| <a href="#"><u>95865</u></a>                | 5 Groby Court, Groby Road, Altrincham, WA14 2BH                       | Altrincham       | 124  |                           | ✓           |
| <a href="#"><u>96103</u></a>                | 44 Dartford Road, Urmston, M41 9DE                                    | Urmston          | 136  |                           |             |



set out in the main Committee Report. The petition also suggests a number of changes to the development, however it is the scheme which is now before Members which must be considered and as set out in the main Report, Officers consider this to be an acceptable form of development.

### **RECOMMENDATION**

The recommendation remains unchanged from that in the main Committee Report.

**Page 47 95716/VAR/18: Southbank & Delamer Lodge, 1-2 Cavendish Road, Altrincham**

|                   |                 |                                   |
|-------------------|-----------------|-----------------------------------|
| <b>SPEAKER(S)</b> | <b>AGAINST:</b> | <b>Zoe Peters<br/>(Neighbour)</b> |
|                   | <b>FOR:</b>     | <b>Phil Grant<br/>(Agent)</b>     |

### **REPRESENTATIONS**

One further letter of objection has been received since the original Committee Report was published. This raises the following concerns:

- The use of loose and thick gravel on pedestrian/parking areas is not compliant with the Disability Discrimination Act;
- There should be electric car charging points provided.

One further letter of support has also been received.

### **OBSERVATIONS**

1. For the avoidance of doubt, this application constitutes an application for a minor material amendment to an existing planning permission, under section 73 of the Town and Country Planning Act 1990. The NPPG makes clear that *“In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application.”*

### **IMPACT ON HERITAGE ASSETS**

2. As noted in the main Committee Report, timber cladding has been installed inside the balcony areas to both buildings with the proposal being to paint this cladding. The colour of this was not specified and a condition recommended requiring the submission of details of this colour. The applicant has now confirmed that this will be painted RAL 7015 ‘Slate Grey’, advising that this is the same colour as the box gutter on the upper part of the Delamer Lodge eaves detail. The applicant also states that this

colour has been chosen as the best colour match for the roof slates, given that the balconies sit behind and above the projecting eaves details on both buildings and relate more to the roofs than the projecting eaves. This colour is considered to be acceptable and ensures that this cladding does not cause any harm to the significance of the conservation area. As such, this condition should be amended to require the cladding to be painted the agreed colour.

3. The low level boundary fence which has been installed between 15 and 16 Higher Downs has now been removed from the proposed plans on the advice of the Council's Heritage Development Officer. This is in the interests of ensuring there is no visual intrusion in the street scene and no harm caused to the significance of the conservation area. This is considered to be a positive change and is not deemed to cause any greater degree of harm to the amenity of No 15 Higher Downs, given that the higher fence is to be retained along the majority of this boundary.
4. The top course of stone has been removed from the elevation showing the vehicular access point from Higher Downs to reflect the situation on site. The previous plans showed the access gate being entirely screened by the boundary wall when in an open position, however this is partially visible above this wall. This is considered to be an acceptable arrangement, particularly given that an area of landscaping has now been included on the proposed plans to the rear of this wall, as has been suggested in a number of representations.
5. The above clarifications and amendments to the plans are welcomed and considered to benefit the current scheme, although they do not change the overall assessment of the proposal or recommendation.
6. In consideration of the current application, Officers acknowledge that whilst it is for a minor material amendment to an already approved planning permission, consideration and weight given to the impacts on the designated heritage asset must be assessed against the asset prior to any development taking place. Whilst in the course of the assessment, as set out in the officer report, consideration is given to the proposed amendments, in comparison to the original scheme, the assessment upon the potential impacts of the designated heritage asset remains against the properties prior to the works on site taking place.
7. The original proposal was assessed against the 2012 NPPF and it was concluded that *“Overall it is considered that the proposed works to the three buildings will improve their appearance and will better reflect the character of the original buildings and the character of the Downs Conservation Area. Other external works would have some impact on the character and appearance of the conservation area which would be less than significant and which it is considered would be outweighed by the public benefits of bringing the site back into residential use and provision of additional housing stock. In arriving at this decision, considerable*

*importance and weight has been given to the desirability of preserving the Downs Conservation Area”.*

8. Since the original planning permission was granted the NPPF has been updated, however paragraph 193 of the 2018 NPPF retains the same requirement that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). The 2018 NPPF continues that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
9. As set out in the main Committee Report, the amendments proposed are considered to result in less than substantial harm to the asset. Although, as identified, the changes to the gutter eaves of Delamer Lodge, boundary treatment to the car park, roof slates and cladding on the balconies are considered to introduce elements that are harmful, which were not present in the original scheme. However the overall degree of harm to the designated heritage asset from the baseline, prior to works commencing, is considered to remain as less than substantial harm. Mitigation for some of these elements is proposed, which Officers accept and this mitigation, coupled with the public benefits are considered to be sufficient and clearly outweigh the less than substantial harm to the Downs Conservation Area.
10. Furthermore, in line with NPPF paragraph 130, it is considered that the quality of the previously approved development has not diminished to such a significant degree, as a result of changes being made to the permitted scheme to warrant a refusal of permission for this reason.
11. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Downs Conservation Area.

## **OTHER MATTERS**

12. The additional representation refers to the Disability Discrimination Act 1995, and the failure of the loose and thick gravel to comply with this. Officers note that this Act has now been replaced by the Equality Act 2010 which provides legal protection from discrimination in the workplace and wider society. With regard to the use of loose gravel within the site, as noted in the main Committee Report, the previously approved plans indicated the use of a greater extent of gravel than those currently under consideration. Much of the parking area is also surfaced with resin-bound rather than loose gravel. On this basis, it is considered that the application does not conflict with the requirements of the Equality Act 2010.
13. The point raised in the representation regarding electric vehicle charging points has been covered in the main Committee Report. These cannot reasonably be required given the extant approval whereby no such facilities are provided.

## **RECOMMENDATION**

The recommendation remains unchanged from that in the main Committee Report. Condition 15, relating to the colour of the timber cladding to the balconies, should be amended to reflect the colour which is now proposed whilst conditions 1, 6, and 11 should be amended to reflect the latest set of plans received.

Amended conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans:

| <b>Plan Number</b> | <b>Drawing Title</b>   |
|--------------------|--|
| A176_P_4_T         | Proposed External Works Plan   |
| A176_P_4A_T        | Proposed External Works Plan (Annotated)   |
| A176_P_22_D        | Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> South Bank Plans                        |
| A176_P_22A_D       | Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> South Bank Plans (Annotated)            |
| A176_P_23_F        | Proposed Roof Plan – South Bank  |
| A176_P_23A_F       | Proposed Roof Plan – South Bank (Annotated)  |
| A176_P_24_C        | Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> Floor Plans – Delamer Lodge             |
| A176_P_24A_C       | Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> Floor Plans – Delamer Lodge (Annotated) |
| A176_P_25_E        | Proposed 3 <sup>rd</sup> Floor and Roof Plans – Delamer Lodge  |
| A176_P_25A_E       | Proposed 3 <sup>rd</sup> Floor and Roof Plans – Delamer Lodge (Annotated)                            |
| A176_P_30_L        | Proposed Front & Side Elevations – South Bank  |
| A176_P_30A_L       | Proposed Front & Side Elevations – South Bank (Annotated)  |
| A176_P_31_J        | Proposed Rear & Side Elevations – South Bank   |
| A176_P_31A_J       | Proposed Rear & Side Elevations – South Bank (Annotated)   |
| A176_P_32_K        | Proposed Front & Side Elevations – Delamer Lodge   |
| A176_P_32A_L       | Proposed Front & Side Elevations – Delamer Lodge (Annotated)   |
| A176_P_33_K        | Proposed Rear & Side Elevations – Delamer Lodge  |

|                    |  |
|--------------------|--|
| A176_P_33A_L       | Proposed Rear & Side Elevations – Delamer Lodge (Annotated)  |
| A176_P_40_D        | Proposed Section AA & BB – South Bank                        |
| A176_P_40A_D       | Proposed Section AA & BB – South Bank (Annotated)            |
| A176_P_41_F        | Proposed Section CC, DD, EE & FF – Delamer Lodge             |
| A176_P_41A_F       | Proposed Section CC, DD, EE & FF – Delamer Lodge (Annotated) |
| A176_C_93_B        | Proposed Car Park Screen Plan and Elevation 01               |
| A176_C_95_C        | Proposed Car Park Screen Plan and Elevation 02               |
| A176_C_119         | Proposed Rear Screen Detail 03                               |
| A176_C_788_B       | Proposed Car Park Screen Detail 01                           |
| A176_C_790B        | Proposed Entrance Gate (Higher Downs)                        |
| A176_C_791 (Rev A) | Proposed Entrance Gate (Cavendish Road)                      |

6. The location and design of the natural stone piers and gates at the entrances to Higher Downs and Cavendish Road shall be as shown on drawing numbers A176\_C\_790B, A176\_C\_791 (Rev A) and A176\_P\_4\_T and shall be retained as such thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to Policies L7 and R1 of the Trafford Core Strategy.

11. The boundary screening between the application site and No. 15 Higher Downs shown on drawing numbers A176\_C\_93\_B, A176\_C\_95\_C, A176\_C\_119, A176\_C\_788\_B and A176\_P\_4\_T shall be implemented within 2 months of the date of this consent and retained as such thereafter.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouses and in the interest of visual amenity and the character and appearance of the conservation area having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The timber cladding to the balconies of Delamer Lodge and Southbank (annotated as material '11' on the Delamer Lodge elevations and material '35' on the Southbank elevations) shall be painted RAL 7015 'Slate Grey' (matt finish) within 2 months of the date of this consent.

Reason: In the interests of visual amenity and the character and appearance of the conservation area, having regard to Policies L7 and R1 of the Trafford Core Strategy.

**SPEAKER(S) AGAINST:**

**FOR: Ian Smith  
(On behalf of Agent)**

### **REPRESENTATIONS**

One further representation has been received since the original Committee Report was published. This offers support for the application but states that it would be beneficial for a non-residential unit/space to be provided.

### **OBSERVATIONS**

#### **FLOODING AND DRAINAGE**

4. Following further discussions between the applicant and the Lead Local Flood Authority, it has been agreed that condition numbers 3 and 4 listed in the main Committee Report, requiring the submission of a sustainable drainage scheme, should be replaced with an alternatively worded condition. This would still require the submission of such a scheme but clarifies exactly what this scheme will be required to consider. This condition should therefore be amended accordingly.

#### **DEVELOPER CONTRIBUTIONS AND AFFORDABLE HOUSING**

5. The applicant has provided clarification as to the split of on-site affordable housing to be provided. This will constitute the following:
  - One shared ownership two-bed house
  - One block of 6no shared ownership apartments (2no one-bed and 4no two-bed)
  - One block of 6no affordable rented apartments (2no one-bed and 4no two-bed)
6. Officers are satisfied with this proposed mix and this shall be referred to within the legal agreement to be completed, should planning permission be granted.
7. Following discussions with the applicant, it has been accepted that the figure for a financial contribution towards off-site open space provision does not take into account the children's play area which is to be provided within the site. As such, this figure should be reduced to reflect this, resulting in a total contribution of £559,708.44.

#### **LANDSCAPING AND BOUNDARY TREATMENT**



8. Notwithstanding the submitted landscaping scheme, it is considered that further details are required to ensure that appropriate species are used across the site and to seeking softer boundary treatment to some of the parking courts. A revised landscaping condition is recommended.

## OTHER MATTERS

9. The additional representation referred to above is noted, however it is considered that a fully residential scheme is entirely appropriate in this location and there is no policy requirement for a non-residential unit/space to be provided.

## **RECOMMENDATION**

Following confirmation from the applicant on the split of affordable housing provision and the contribution towards off-site open space improvements, the recommendation is now as follows:

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
  - The provision of 1no shared ownership house (two-bed), 6no shared ownership apartments (2no one-bed, 4no two-bed) and 6no affordable rented apartments (2no one-bed, 4no two-bed) on site;
  - A contribution of £559,708.44 towards off-site open space, young people's facilities, outdoor sports and tree planting provision/improvements
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the conditions listed within the main Committee Report (unless amended below or by (ii) above).

Conditions 3 and 4, relating to the submission of a sustainable drainage scheme should be replaced with an alternatively worded condition as set out below. Condition 7 should be reworded for the avoidance of doubt to allow for site

remediation to take place before the Construction Method Statement is submitted. A more detailed landscaping scheme is required, so a new condition is recommended to replace condition 15.

Information required by condition 25 has been received and this condition can now be deleted. It is also considered that condition 21 can be deleted as the requirements are covered in condition 26.

3. No development shall take place, other than works of demolition, unless and until a sustainable surface water drainage scheme based on the hierarchy of drainage options in National Planning Practice Guidance, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

1. An assessment of site conditions and the hierarchy of drainage options shall include an assessment of (in the following order of priority):

- (i) the potential for discharge to ground (infiltration);
- (ii) the potential for discharge to a surface water body;
- (iii) the potential for discharge to a surface water sewer, highway drain, or another drainage system; and only then
- (iv) an attenuated discharge to a combined sewer.

2. A maintenance and management plan for the drainage system, which shall include arrangements for its adoption by a public body or statutory undertaker, or any other arrangements to secure the operation of the scheme throughout its lifetime

There shall be no surface water connection to the public sewer either directly or indirectly. The surface water drainage scheme must be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development shall be completed in accordance with the approved details.

Upon completion of the surface water drainage scheme, and prior to the occupation of any of the residential units hereby approved, a Drainage Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The verification report shall confirm that the approved surface water drainage scheme has been implemented in full and shall include: -

- Photographic evidence of construction as per design drawings
- As built construction drawings if different from design construction drawings

Thereafter the surface water drainage scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

Reason: Such details need to be incorporated into the design of the development to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with the Guidance Document to the Manchester City, Salford City and Trafford Councils Level 2 Hybrid Strategic Flood Risk Assessment, Policies L5, L7 and SL1 of the Trafford Core Strategy and the National Planning Policy Framework.

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

- (i) the parking of vehicles of site operatives and visitors
- (ii) the loading and unloading of plant and materials
- (iii) the management of construction traffic
- (iv) the storage of plant and materials used in constructing the development
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (vi) wheel washing facilities, including measures for keeping the highway clean
- (vii) measures to control the emission of dust and dirt during construction
- (viii) measures to prevent disturbance to adjacent dwellings from noise and vibration
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works

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

15. 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 and boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The details shall include: additional planting to parking courts, 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 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.

**Page 124 95865/HHA/18: 5 Groby Court, Groby Road, Altrincham**

**SPEAKER(S) AGAINST:**

**FOR: Alex Bennett  
(On behalf of Agent)**

**FROM THIS POINT ON REFER TO ORIGINAL AGENDA ORDER UNLESS INDICATED BY THE CHAIR**

**RICHARD ROE, CORPORATE DIRECTOR, PLACE**

**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**