

AGENDA ITEM 9

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 9th June 2022

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 | For |
| 103616 | Westwood Foodstores Warburton Lane, Partington | Bucklow St Martins | 1 | ✓ | |
| 105654 | Former Cartwright Group Site , Atlantic Street Altrincham, WA14 5EW | Broadheath | 19 | ✓ Cllr Jerrome | ✓ |
| 105786 | Pelican Inn And Hotel 350 Manchester Road Altrincham, WA14 5NH | Broadheath | 73 | N/A | N/A |
| 107207 | 154 Broadway Davyhulme, M41 7NN | Davyhulme West | 113 | ✓ | Cllr K Carter |

Page 1

103616/OUT/21: Westwood Foodstores, Warburton Lane
Partington

SPEAKER(S) AGAINST: Paul Spooner
(Neighbour)

FOR:

APPLICANT SUBMISSION

The applicant has submitted an Arboricultural Impact Statement and Method Statement which, amongst other things, surveys the trees at the site, identifies one tree and a section of hedgerow for removal and proposes a method statement and tree protection measures to seek to ensure the retention of the remaining trees.

CONSULTATIONS

Arboriculturist - I agree with the tree report that the larch, T6, can't be retained and I do not object to its removal. The larch can't easily be seen by the wider public from either Chapel Lane or Warburton Lane and I do not consider that it provides significant visual amenity for the area.

I have no objections to the proposals providing the recommendations in the submitted Arboricultural Impact Assessment and Method Statement are followed and that the tree protection fencing detailed in the Tree Protection Plan, No. LTM0531.TPP.01 is in place prior to works starting on site.

REPRESENTATIONS

Partington Parish Council - A further comment has been received from the Parish Council, objecting to the development and making the following comments: -

- The development at Orford House has been put on hold due to the fact that that permission has lapsed. Once the current application is approved, the developers at Orford House will submit their application again and this will open up two pieces of land which may become linked into one pocket of housing;
- There will be a danger to highway safety at the access into and out of the site as there is already a blind spot on that road.

Positive Partington Partnership – A comment has been received from Positive Partington Partnership raising the following concerns: -

- Not enough detail within application;
- Access will be dangerous as the road is busy.

One further letter of objection has been received from a neighbour who has commented previously, raising the following issues: -

- Notification of the meeting was at short notice (less than 2 weeks) and puts neighbours at a disadvantage as some are away or not able to deal with matters quickly. They cannot take part in the meeting virtually and public transport from Partington is poor, which further discriminates against those without a car. Holding the meeting locally would have

demonstrated a commitment to hearing neighbours' views and encouraging participation;

- The rubbish that has been buried on the site has not been checked or removed and will result in groundwater pollution that will affect all properties nearby. If properties are built, there is a risk of subsidence as the waste decays. Planning permission should not be granted whilst the amount and nature of the buried waste has not been checked, risk assessed and removed;
- The properties will overlook neighbours' gardens and rear aspects, resulting in a significant loss of privacy;
- There will be additional noise, light and vehicle pollution which will degrade the residential environment and have an impact on mental health;
- There will be a loss of sunlight and neighbours will lose views of the sun setting;
- There is a Japanese Knotweed infestation that has spread to other properties and has not been addressed;
- There will be needless destruction of trees and shrubs on the boundary, causing a further significant loss of privacy and loss of wildlife habitats;

OBSERVATIONS

The issues raised in the additional representations have been addressed in the main report, which concludes that the site is capable of accommodating six dwellings without resulting in an unacceptable impact on the amenity of neighbouring properties. The report also confirms that the LHA has raised no objections and considers that a satisfactory access can be provided to serve the proposed development and the adjacent existing businesses. The report recommends that conditions are attached in relation to contaminated land, drainage, the protection of trees, biodiversity enhancements and the control and eradication of Japanese Knotweed.

The potential that a further planning application may be submitted for development at the adjacent Orford House site is not a matter that can be taken into account in relation to the current application and, if such an application is submitted, it would need to be considered on its own merits.

It is considered that the submitted arboricultural information demonstrates that six dwellings could be erected at the site without resulting in an unacceptable impact on existing trees within and adjacent to the site. This is subject to compliance with the submitted tree protection details (Arboricultural Impact Assessment and Method Statement and Tree Protection Plan). It is recommended that Condition 10 is amended to include reference to the Tree Protection Plan and an additional

condition is attached with reference to the Arboricultural Impact Assessment and Method Statement. Requirements in relation to replacement tree planting would be considered at reserved matters stage when the details of landscaping are submitted.

RECOMMENDATION

It is recommended that condition 10 is amended to include reference to the submitted tree protection plan (or any updated tree protection plan that is subsequently submitted with a reserved matters application):

10. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with the submitted Tree Protection Plan “LTM0531.TPP.01”, (or any updated Tree Protection Plan that has subsequently been submitted to and approved in writing by the local planning authority), and BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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

It is also recommended that a condition requiring compliance with the submitted Arboricultural Impact Assessment and Method Statement (or any updated arboricultural impact assessment and method statement that is subsequently submitted with a reserved matters application) is added to any grant of planning permission:

16. Development shall be carried out entirely in accordance with the submitted Arboricultural Impact Assessment and Method Statement “LTM0531.AIA.01 and LTM0531.MS.01” (or any updated arboricultural impact assessment and method statement that has subsequently been submitted to and approved in writing by the local planning authority).

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

Page 19 **105654/FUL/21: Former Cartwright Group Site, Atlantic Street, Altrincham**

SPEAKER(S) **AGAINST: Mike Greenbank
(Neighbour)
Councillor Jerrome**

**FOR: Gavin Winter
(Agent)**

RELEVANT PLANNING HISTORY

Planning reference on officer report states 76528/FULL/20, corrected to read: 76528/FULL/11 – Formation of new access from existing car park onto Atlantic Street together with closure of existing – Approved with conditions 16/05/2011.

CONSULTATIONS

TfGM – No objections. Noted that if existing and proposed uses are the same trip generation is acceptable, although not clear if there is greater B8 or B2 use proposed (B2 produces more trips than B8 use) submission of a trip assignment would have been useful. In respect of the proposed access, parking and servicing arrangements, TfGM would refer to the LHA to confirm the suitability of these proposals.

REPRESENTATIONS

Councillor Jerrome has objected to the proposed development stating the following concerns:-

- Operational Hours
- Noise pollution
- Lighting
- Ecology issues regarding the Bridgewater Canal

Neighbours: A further representation has been received from a local resident objecting to the proposal for the following reasons:-

- Removal of trees, effect on wildlife and unsightly appearance of buildings
- Floodlights on throughout the night
- The site will operate 365 days 24/7 with noise, residents deserve peace and quietness for mental and health wellbeing.

OBSERVATIONS

(A number of updates have been added to the relevant paragraphs from the officer report, the detail within these paragraphs of the main report are still relevant subject to any specific updates as referenced below).

LAYOUT, SCALE AND APPEARANCE

The applicant has indicated on the submitted plans, the location of solar panels on the building roofs which may be installed in the future although no actual detail of the solar panels has been submitted as part of this application. An appropriate informative would be included to advise that no permission granted or implied for their installation as part of this application and that a separate planning application(s) would be required. The applicant would also be advised to consult with Manchester Airport Group prior to the installation of any solar panels as they have an interest having regard to flighty safety considerations (Glint and Glare assessment).

RESIDENTIAL AMENITY

Paragraph 90 of the officer should read: The proposed development is therefore considered acceptable in regards to residential amenity and to advice within Core Strategy Policy L5.13 and L7 and advice within the NPPF.

ACCESS, HIGHWAYS AND PARKING

Paragraph 102 of the officer report – The LHA have considered the recently submitted indicative pedestrian plan for the entire site and have requested that a condition is included for the final layout to be submitted to ensure appropriate safe access is provided throughout the site and external areas of units for pedestrians and wheelchair users to avoid any potential conflicts in particular with loading bay areas.

Paragraph 111 of the officer report – The LHA have confirmed that no Traffic Regulation Order is required as a result of the development proposals. The existing vehicular access to be closed has an existing waiting restriction in place (yellow line across the access) and this would remain when the access is closed and the footpath is reinstated.

TREES & LANDSCAPING

Paragraph 123 of the officer report – The applicant has provided an updated Arboricultural Impact Assessment (AIA) which reflects the revised layout of the proposed development. The original AIA as submitted detailed a total of approximately 21 trees to be removed, the revised layout now details a total of approximately 26 trees to be removed. The majority of these trees to be removed are situated along the western boundary (19 trees). Of these 19 trees four are identified as moderate value and 15 as low value, a number of the trees are wedged alongside Unit A and displacing the boundary fence and long term viability is an issue. The remaining 7 trees to be removed are located towards the front (north side) of the site. Trees to be removed include Lombardy, Poplar, Willow, Birch and Cherry.

EQUALITY ASSESSMENT

Paragraph 150 of the officer report – The applicant has stated within their design and access statement that *“as the service yard and storage areas are unsafe*

environments for the wheelchair bound...” the appropriate term is “wheelchair users”.

Paragraph 151 - 152 – The applicant has provided amended floor plans for Units A & B which now detail that the mezzanine floor areas to all the five units in Unit A and the one mezzanine floor are to Unit B will be accessible by lift.

PLANNING BALANCE AND CONCLUSION

(Additional paragraph) - The applicant has stated that following the administration of the Cartwrights business approximately 650 jobs were lost. The redevelopment of the application site will result in approximately 380 full time jobs being created which will go some way to remedying the loss of employment. The scheme will deliver inward investment, economic growth and creation of direct and indirect job opportunities.

RECOMMENDATION

Condition 3 (Approved Plans) amended to reflect updated floorplans for Unit A and B and include updated tree protection plans.

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

- Drwg No: 12223-AEW-SI-XX-DR-A-1001 Rev.P02 – Site Location Plan
- Drwg No: 12223-AEW-XX-XX-DR-A-0503 Rev.P7 – Proposed Masterplan
- Drwg No: 12223-AEW-XX-XX-DR-A-0504 Rev.P5 – Proposed External Finishes
- Drwg No: 4183-01 Rev.B – Landscape Proposals
- Drwg No: 12223-AEW-XX-XX-DR-A-0507 Rev.P1 – Proposed Pedestrian Connectivity
- Drwg No: 12223-AEW-BA-ZZ-DR-A-0545 Rev.P03 – Unit A Proposed GA Floor Plans
- Drwg No: 12223-AEW-BA-RF-DR-A-0546 Rev.P01 – Unit A Proposed GA Roof Plan
- Drwg No: 12223-AEW-BA-XX-DR-A-0547 Rev.P02 – Unit A Proposed GA Elevations
- Drwg No: 12223-AEW-BA-XX-DR-A-0548 Rev.P02 - Unit A Proposed GA Sections
- Drwg No: 12223-AEW-BB-ZZ-DR-A-0555 Rev.P03 – Unit B Proposed GA Floor Plans
- Drwg No: 12223-AEW-BB-RF-DR-A-0556 Rev.P01 – Unit B Proposed GA Roof Plan
- Drwg No: 12223-AEW-BB-XX-DR-A-0557 Rev.P02 – Unit B Proposed GA Elevations
- Drwg No: 12223-AEW-BB-XX-DR-A-0558 Rev.P01 – Unit B Proposed GA Sections

- Drwg No: 12223-AEW-BC-ZZ-DR-A-0561 Rev.P02 – Unit C Proposed GA Floor Plans
- Drwg No: 12223-AEW-BC-RF-DR-A-0562 Rev.P01 – Unit C Proposed GA Roof Plan
- Drwg No: 12223-AEW-BC-XX-DR-A-0563 Rev.P02 – Unit C Proposed GA Elevations
- Drwg No: 12223-AEW-BC-XX-DR-A-0564 Rev.P01 – Unit C Proposed GA Sections
- Drwg No: 12223-AEW-DE-ZZ-DR-A-0621 Rev.P01 – Units D, E1 & E2 Proposed GA Floor Plans
- Drwg No: 12223-AEW-DE-RF-DR-A-0622 Rev.P01 – Units D, E1 & E2 Proposed GA Roof Plans
- Drwg No: 12223-AEW-DE-XX-DR-A-0623 Rev.P01 – Units D, E1 & E2 Proposed GA Elevations
- Drwg No: 12223-AEW-DE-XX-DR-A-0624 Rev.P01 – Units D, E1 & E2 Proposed GA Sections
- Drwg No: 12223-AEW-BF-ZZ-DR-A-0631 Rev.P01 – Unit F Proposed Ground Floor Plan
- Drwg No: 12223-AEW-BF-RF-DR-A-0632 Rev.P01 – Unit F Proposed Roof Plan
- Drwg No: 12223-AEW-BF-XX-DR-A-0633 Rev.P01 – Unit F Proposed Elevations
- Drwg No: 12223-AEW-BF-XX-DR-A-0634 Rev.P01 – Unit F Proposed Sections
- Drwg No: 21/AIA/TRAFF/21 02 Rev.A - Arboricultural Impact Assessment
- Drwg No: 21/AIA/TRAFF/21 03 Rev.A – Tree Protection Plan

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

Condition 5 (Tree Protection) amended to reflect updated Arboricultural Impact Assessment.

No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site as identified on Tree Solutions Drawing Ref: 21/AIA/TRAFF/21 02 Rev A (Arboricultural Impact Assessment) have been protected in accordance with the tree protection measures as set out in the Tree Solutions Arboricultural Impact Assessment & Method Statement (Ref:21/AIA/Trafford/21 Rev.A). The protection measures shall be retained throughout the period of construction and no activity prohibited by the Arboricultural Impact assessment & Method Statement shall take place within the exclusion zones / root protection areas identified on Tree Solutions Drawing Ref: 21/AIA/TRAFF/21 03 Rev A (Tree Protection Plan).

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is

required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

Proposed Condition 33 – Notwithstanding the details on the approved plans, no development shall take place until a scheme detailing pedestrian footpaths and accessibility provision across the development site has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to ensure the development is accessible by all sections of the community having regard to Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework. The details are required to prior to development commencing to ensure the approved detail is incorporated into the site layout.

Page 73 **105786/FUL/21: Pelican Inn and Hotel, 350 Manchester Road, Altrincham**

CONSULTATIONS

The following additional responses have been received:

Trafford CCG: Concern that care home beds will have a detrimental impact on General Practice and other health care providers. Contribution sought to mitigate this impact.

Trafford Council (Adult Social Care): Unable to support the application – comments addressed in this report.

REPRESENTATIONS

One additional representation has been received which reiterates comments previously provided and covered in the main committee report. A further representation raises concerns that issues raised previously were not fully considered in the main committee report. These issues relate to the following:

- An open boundary is proposed to the Malpas Drive frontage – this will result in an overbearing impact, will affect residential amenity, privacy and outlook, and will give a clear view of the development, including plant and bin store.
- Development will encroach upon Malpas Drive and reduce footway width

The 'Representations' section of the report is intended as a summary of concerns raised by residents. The second of the above comments was addressed in paragraph 134 of the main committee report and Officers are satisfied in this

respect. The first comment will be addressed in the following section of this report.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Proposed care home use:

1. Policy L2.17 of the Core Strategy states that in order to meet the needs arising from the increasing longevity of the Borough's older residents, the Council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people. L2.18 goes on to say that approximately 500no housing units for older people will be sought within the plan period (2012-2026). This reference to 'approximately 500 units' is however considered to be out-of-date, given the Council's current housing supply position. The NPPG states that where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need. Advice in the NPPG is also clear that local planning authorities should count housing provided for older people, including Class C2 developments, against their housing requirement. It further advises that the ability of development proposals for homes specifically for older people to potentially free-up under-occupied local housing for other population groups may also weigh in their favour. Therefore, the ability of this development to contribute to meeting housing supply targets is important, particularly in the context of the Council's current housing land supply position set out in the main committee report.
2. That being the case however, it should be commented that a 75-bed care home in Class C2 (residential institution) use would not contribute 75no individual units to the supply position. The NPPG provides guidance on how to make an adjusted calculation of the contribution made by this type of accommodation, which takes account of the fact that, in turn, some housing would be released back into the market. When applying the appropriate formula, it has been calculated that a 75-bed care home would equate to approximately 41no units in supply terms.
3. Whilst the application seeks to address the accommodational and care needs of this population groups, concerns have been raised by Trafford's Clinical Commissioning Group (CCG) and the Council's Adult Social Care (ASC) service in a number of respects. These concerns can broadly be divided into three categories: the need for a care home of this type in this location; the financial impact on the Council/CCG associated with the development; and the impact of the development on GPs.

Need for the facility:

4. Regarding need, it is understood that the area in which the care home would be situated is already well provided for by large care homes with en-suite facilities, including another existing home operated by the applicant. Within care homes in the vicinity of the site (Timperley, Sale and Altrincham), latest figures indicate a total of 93no vacancies, whilst there are approximately 288no vacant beds across the Borough, of which 141no have en-suite facilities. It is noted that data regarding vacancy levels are reviewed frequently by ASC in order to inform the appropriate placement of individuals, and there is a consistent supply of available beds to meet the demand arising at any one time with no evidence of waiting lists. It is advised that a care home in this area would bring no added value as there are not sufficient local older people wishing to relocate into care homes, as the high level of vacancies indicates; indeed this current level of vacancy in nearby homes could absorb the claimed unmet need that the application proposal seeks to address.
5. Although being 'out-of-date', it is noted that the 500 unit figure put forward in Policy L2 has already been exceeded, taking into account completed and committed development within the plan period. For example, a 62-bed care home approved in 2014 (ref. 84381/FUL/14), a 71-bed extra care facility approved in 2012 (ref. 78436/FULL/2012) and 81no extra-care apartments approved in 2014 (ref. 83156/FULL/2014) have been completed. It is understood that a total of 528no care home, extra care and supported living beds have been completed within the plan period. Moreover, this situation has arisen by (and indeed before) 2022, which is only part way through the plan period. That this is the case supports the ASC service's position regarding the existence of an adequate stock of such provision.
6. Furthermore and in terms of future need, this pool of supply is expected to increase and continue to meet demand once other planned developments are factored in, for example the strategic development of Trafford Waters (ref. 85282/OUT/15) incorporates a new care home of up to 150 beds. Data has also been provided by ASC which identifies that new admissions to care homes has been reducing for a number of years (since before the Covid-19 pandemic), whilst from 2018 to 2022, the number of care home beds purchased by the Council has reduced by 35 per cent (over 200no beds), despite the number of older people increasing in line with demographic projections. This further supports the conclusion that future need can be met without the care home currently proposed, and that the trend for older persons' accommodation is away from facilities such as this.
7. The Council's Older Peoples' Housing Strategy 2020-2025 is referred to by the applicant, however this is intended to enable older people to live independently, as stated in its Vision: *"Work together to provide a range of quality, affordable and attractive housing options to enable older people to live independently in Trafford"*. The Strategy itself focuses on housing types which enable older people to live in their own homes, i.e. sheltered housing,

retirement housing and extra care housing; a care home such as that proposed does not fall within any of these accommodation types. As such, the relevance of this document is limited in relation to this application, other than insofar as it seeks to allow older people to remain in their own homes as far as possible (in line with the findings of the consultation exercise referred to in the Strategy).

8. The model for catering for the needs of the Borough's frail and elderly population that is encouraged by ASC is one in which people are supported and cared for in their own home for as long as possible, in line with national best practice and the Older Peoples' Housing Strategy, which has resulted in a reduction in the number of beds commissioned (as per the figures above). The opportunity that this model affords is reflected in Policy L2, with this policy providing no direct support for the provision of new institutional-type care homes, other than 'extra care' accommodation which in itself is based upon a form of independent living.
9. The applicant has failed to demonstrate that there would that there is a need for this type of care facility in this location. In this situation, whilst the care home would contribute to the wider housing land supply figure, it is considered that the weight to be afforded to this contribution is more limited than would be the case for standard housing (as per the apartment block for example). Furthermore, the site is identified on the Council's brownfield land register for residential development, and the advancement of a form of development which is not needed here at the expense of much needed standard residential accommodation further tempers the weight afforded to the care home proposal.

Financial impacts of proposal:

10. Discussions with ASC have drawn attention to a number of challenges facing the public sector as a result of the existing care home market in Trafford. It is advised that there are issues associated with the number of 'self-funders' in Trafford, which the majority of residents attracted to the development are expected to be. Self-funders are those care home residents who pay for their own care due to having sufficient personal capital. However, when a self-funding resident's funds are exhausted then it falls to the local authority to assist financially. The financial implications of this are significant in Trafford in view of the number of care home places together with high fee rates. The expectation is that the resident would stay in their current home in these circumstances and there is no guarantee that reduced local authority rates will be forthcoming.
11. Whilst the above concerns are acknowledged, Officers are required to have regard to relevant planning case law. In this case, appeal ref. APP/R0660/A/12/2188195 is of relevance and relates to a 'care retirement community'. This appeal decision is clear that financial concerns such as those raised by the ASC service are not material planning considerations and should not therefore weigh against the proposed development. This is

further supported by the Health and Safety Executive v Wolverhampton City Council & Victoria Hall Ltd [2012] UKSC 34 case.

Impact on GPs:

12. The CCG advises that it is concerned that the additional care home beds proposed in this application will have a detrimental impact on General Practice and other health care providers. It is noted that care homes are now aligned to a particular GP practice, which involves the practice registering all the patients and coordinating their care, which is labour intensive. Concerns are raised regarding the capacity of GPs to deliver the care set out in the Enhanced Care Home Specification, whilst there is also likely to be a knock-on impact on front line care.
13. The application site lies on the border of three GP networks. The closest practice in one of the networks is single-handed and has been asked to provide care for a number of complex patients in another care home close to the practice and does not currently have the capacity to do so. The closest practices in the other two networks are larger with several partners, however they too are currently responsible for high numbers of patients in other care homes and at least one of the practices is responsible for more than one home.
14. Whilst there is additional government funding for looking after these beds, it is understood that this doesn't compensate for the time required to manage these patients who often have complex needs. On this basis, a contribution of £900,000 has been requested to support the recruitment of an additional GP and nurse. This is based on £180,000 per year for five years, which the CCG advises is the minimum contract length required to recruit these positions. On this basis, notwithstanding the concerns associated with need set out above, Officers are satisfied that the impact of the care home on GPs and other health care providers could be appropriately mitigated with such a contribution, which could be secured by a legal agreement if the scheme was otherwise considered to be acceptable.

DESIGN, APPEARANCE AND AMENITY

15. As noted above, a representation raises concerns that an 'open' boundary is proposed to the Malpas Drive frontage, resulting in an overbearing impact from the proposed care home and an associated impact on residential amenity, privacy and outlook. Impacts of the development on residential amenity are assessed in full within the main committee report, and whilst concerns are raised regarding the visual intrusion of the development in street scene terms, Officers are satisfied that there will not be an unacceptable impact in terms of overbearing, overlooking or overshadowing.
16. The existing boundary treatment here comprises a concrete panel fence with mature trees and vegetation. There is some visibility of the existing

hotel here, particularly when the trees are not in leaf. The application proposes 2.1m high railings to this boundary with all but one of the trees here being retained, and additional landscaping provided within the site. The representation suggests a timber fence should be used here, however this is not considered an appropriate approach in this location in design terms. Notwithstanding this, it is acknowledged that the bin/cycle store could be a prominent feature in this street scene, however a condition could be attached requiring details of an appropriate boundary treatment to be submitted, were consent to be given. On this basis, it is not considered that this element of the scheme should constitute a further reason for refusal.

HIGHWAY MATTERS

17. The applicant has confirmed that the car park will be divided between the two proposed uses on site and will not operate as a shared facility. This reflects the shortfall from the SPD3 parking standards identified in paragraph 84 of the main committee report, however parking provision for the apartment block would be at 100 per cent. The conclusion of Officers remains that the level of car parking provision is sufficient for the proposed development in this location.

EQUALITIES

18. The main committee report sets out the purpose of the Equality Act 2010 and the requirements of the public sector equality duty. The applicant has provided an Equalities Statement which confirms that the proposal has been designed not to impact on or discriminate against persons with 'protected characteristics' as defined by the Act and set out in the main committee report. This goes on to note that the applicant is committed to ensuring that all members of staff and job applicants receive equal treatment, regardless of their Protected Characteristics. This includes all aspects of employment in the care home associated with recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures.
19. The Design and Access Statement includes further information in respect of the accessibility of the care home and apartment building. With regard to the care home, this notes amongst other things that level access from the site boundary and car park will be provided, that lifts will be provided for residents and staff and that appropriate internal manoeuvring space will be provided to allow those with reduced mobility to operate doors independently. In terms of the apartment building, the Design and Access Statement notes that step free access to the building will be provided whilst a lift will be included to give access to all floors. These units will also be designed to comply with Part M4(2) of the Building Regulations, which relates to accessible and adaptable dwellings. The proposals would represent a benefit to the elderly population of the Borough.

PLANNING BALANCE

20. The planning balance in the main committee report set out the benefits and harms associated with the proposed development. The assessment of impacts associated with the provision of the care home above has identified a further benefit which should be afforded limited weight in this planning balance, namely the contribution made towards the Council's housing supply and potential associated 'freeing-up' of local housing.
21. As set out earlier in this report, the weight afforded to this benefit is significantly tempered by the fact that the need for a facility of this type has not been demonstrated by the applicant, and information provided by the Council's Adult Social Care service indicates that there is not a need for such a facility. The provision of this care home would also reduce the amount of brownfield land available for forms of residential development which are much needed in the Borough.
22. On this basis, the limited weight afforded to this benefit does not tip the planning balance in favour of supporting the application. The conclusion set out in paragraph 145 of the main committee report therefore remains valid, that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so.

Page 113

107207/COU/22: 154 Broadway, Davyhulme

**SPEAKER(S) AGAINST: Jonathan Knowles
(Neighbour)**

FOR: Councillor Karina Carter

APPLICANT'S SUBMISSION

The applicant has confirmed that they would be willing to accept a condition relating to the provision of a stairlift if this was required in order to secure permission and have confirmed that their concern is not with installing a stairlift in principle but installing one that may be redundant and an unnecessary obstacle. They state that the intention of their business is to provide an inclusive and loving environment within the community for those within their care.

CONSULTATIONS

The Nuisance consultee has confirmed that they have no further comments in relation to the updated Planning Statement.

REPRESENTATIONS

Three further letters of objection have been received from neighbours who have commented previously, raising the following concerns:-

- re-iterate concerns regarding impact on house prices, traffic, loss of privacy due to comings and goings, the proximity of the houses to one another, noise and disturbance, the operation of the facility, the location of a use for vulnerable children next to a main road, the potential for a precedent to be set in relation to the operation of other businesses on the estate, the potential for anti-social behaviour and crime and the existence of restrictive covenants preventing business use;
- the submitted information gives a strong impression that young offenders may be housed at the property
- a large proportion of offenders re-offend and unregulated care homes are increasingly targeted by county lines gangs;
- the location of the property close to three primary schools, a school crossing and a park maximise the potential for exposure of a significant number of children to crime;
- the nextdoor neighbour was not approached by the applicant on purchasing the property;
- the SIC (Standard Industrial Classification) code of 87900 that the business is registered under could include juvenile correction homes and halfway homes for offenders. Whilst the application refers to providing facilities for disabled children, there is no guarantee that this won't change once the application is granted. An alternative SIC code of 87300 would allow the provision of residential facilities for disabled children and reduce the opportunity to house young offenders; the safety of existing children on the estate has to take priority;
- the property does not provide disabled friendly living accommodation, which adds to doubts about whether disabled children would be housed at the property; the parking is tight with little room to manoeuvre, especially in relation to the opening of car doors to allow disabled access. This will require significant manoeuvring on the access road unless specialist transport is provided but again this would need to be parked on the access road;
- the access road is not a through road, has no turning points or scope for parking and only one entrance / exit point;
- the parking area is directly opposite the access into the estate, which raises questions about highway safety;

- encouraging the staff to park off site will increase the traffic problem on a busy main road and would risk the safety of the children who use the school crossing adjacent to the access;
- the recommendation of mechanical ventilation within the office space will cause a noise disturbance as the vent would be on an outside wall facing a neighbouring property.

OBSERVATIONS

With regards to the comments regarding crime and anti-social behaviour, the submitted Planning Statement says that the children would not be allowed out of the home independently without a member of staff due to their special needs/disabilities and the permission would be subject to a condition requiring the submission and implementation of an operating plan, which would include details of protocols for the provision of care and supervision. The SIC code is not relevant to the classification of the use in planning terms and it is recommended that the use would be conditioned to be limited to use as a care home for children under the age of 18 (with a maximum of three children). It is therefore considered that, subject to the recommended conditions, the proposal would be acceptable in this respect.

With regards to noise and highway safety impacts, the Council's Nuisance Team and the LHA have raised no objections to the proposals.

In relation to the question of any restrictive covenants, as set out in the main report, these would be a separate legal matter and would not be a material planning consideration.

Mechanical ventilation could be installed in the property without planning permission.

RECOMMENDATION

There is no change to the recommendation for approval or to the recommended conditions.

AGENDA ITEM 11

Member Update: Appeal by Acre Manchester Ltd at City Point and 2 Hornby Road, 701 Chester Road, Stretford - 104811/FUL/21

Introduction and Background

By way of update to paragraph 4 of the main report, Members are advised that confirmation has now been received from the Planning Inspectorate that the appeal will not be heard by way of Public Inquiry as requested by the appellant and will now be considered via the written representations appeal procedure.

RECOMMENDATION

The recommendation remains unchanged.

RICHARD ROE, CORPORATE DIRECTOR, PLACE

FOR FURTHER INFORMATION PLEASE CONTACT:

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