

AGENDA ITEM 5

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 11th August 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 |
| 107530 | Clarendon House Stamford New Road Altrincham, WA14 1BY | Altrincham | 1 | | ✓ |
| 107611 | 12 Park Avenue, Sale M33 6HE | Ashton On Mersey | 56 | | ✓ |
| 107787 | Moorlands Junior School Temple Road, Sale M33 2LP | Sale Moor | 81 | | |
| 107960 | 3A Marlborough Road Flixton, M41 5QQ | Flixton | 105 | | ✓ |

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107530/FUL/22: Clarendon House, Stamford New Road
Altrincham

SPEAKER(S) AGAINST:

FOR:

Katie Daniels
(Agent)

REPRESENTATIONS

A representation has been received as follows:

The Applicant is stated to be "Citihaus 7 Limited". However, a Companies House search reveals that no such company exists. Can you please explain the Committee's power to consider the Application given that the Applicant does not exist?

CONSULTATIONS

HSE Planning Gateway One –Following the submission of additional information by the applicant, the advice provided to the LPA remains as 'Some Concern'. This is due to issues in relation to excessive firefighter travel distances and unsuitable provision of firefighting facilities which they do not consider have been resolved to their satisfaction and that the resolution of these concerns may affect land use planning considerations such as the design, layout and appearance of the development.

OBSERVATIONS

Applicant's details

In response to the representation received the agent for the application has now confirmed that the company has now been incorporated as 'CitiHaus 7 Ltd, 5 The Quadrant, Coventry, CV1 2EL, Company Number 13802891. UK jurisdiction'. It is considered that this issue has therefore been satisfactorily addressed.

HSE Planning Gateway One

In relation to the further consultation response from the HSE the detail of this has been provided to the applicant's agent.

For context, and as stated in the main Committee report HSE substantive responses predominantly fall into one of five categories:

- Content
- No Comment
- Some Concern
- Significant Concern
- Suggest Refusal

It is still the case that the HSE have not suggested refusal of the planning application or stated that they have significant concerns about the proposals. These comments are therefore not considered to result in a change to the recommendation to approve the application and the development will still need to comply with any relevant fire safety and building regulations.

Paragraph 195 of the main report should however be updated to include the wording in bold as follows:

195. The adverse impacts of granting approval for the proposed development are summarised as follows:

- Less than substantial harm to the setting of the Grade II listed Station Hotel and 42 Stamford New Road and also to the setting of the Stamford New Road Conservation Area
- Negligible harm to the setting of the Old Market Place Conservation Area
- Minor shortfalls in BRE guidelines
- Amenity space provision below SPG1 guidelines
- Failure to provide First Homes
- Tenure mix of affordable housing does not comply with Policy L2 and no social rented units are proposed
- **‘Some Concern’ raised by HSE Planning Gateway One in relation to Fire Safety**

It is still concluded that the proposals would comply with the development plan when taken as a whole and that the adverse impacts of the development do not significantly and demonstrably outweigh the benefits. The benefits are considered to significantly outweigh the harms.

RECOMMENDATION

The recommendation is unchanged.

Page 56 **107611/FUL/22: 12 Park Avenue, Sale**

SPEAKER(S)

AGAINST:

FOR:

**Danielle Hignett
(Applicant)**

REPRESENTATIONS

A further objection has been received (a joint objection from the occupiers of four neighbouring properties who have commented previously), making the following comments: -

1. The information provided by the applicant is inaccurate. The applicant states she was unaware of the planning breaches and alleges that the previous owners had increased the numbers to 55 and converted the garage. This contradicts the available evidence. Expansion from 38 to 55 places occurred under the current owner and not any earlier as formalized in Ofsted reports:

- June 2017 - number of nursery places 38 and number of staff 11
- January 2020 - number of nursery places 55 and number of staff 17
- Change of ownership in 2018 led to the expansion in children numbers by 30% and in staff by 40%

Could the planning officer point to evidence suggesting planning breaches took place prior to 2018?

2. The noise management plan was an integral part of the planning permission granted in 2017 and has never been adhered to.

Despite numerous requests made to the nursery management, the noise levels have not been addressed. This resulted in the formal notification of Planning Enforcement in February 2021 and Environmental Health in June 2021. A petition by local residents was submitted to the planning department in February 2022 and again re-submitted in May 2022.

How will the noise management plan be enforced to protect local residents given a precedence of previous nonadherence?

It is requested that an amendment is made to require that children are picked up and dropped off from the main entrance to the nursery to minimize the noise levels. Drop offs and pick-ups from multiple points including the garden gate have markedly increased the levels of noise perceived by next door residents.

The noise from drop-offs and pick-ups occurring from the main entrance door could be further reduced by building an enclosed porch around the main entrance.

3. There has been evidence submitted to the local authority of vehicles that are parking across residents' drives and regularly blocking access, correlating with the increase in the numbers at this nursery.

Despite the applicant being aware of the problem, there had been little effort to put in place any Travel Plan until the applicant was compelled to do so by the retrospective planning application.

What is the proposed mechanism to ensure that the Travel Plan will be adhered to?

4. Over 30% of children that attend the Pear Tree nursery are from outside of the local area. They commute from Broadheath, Brooklands, Stretford, Stockport, Wythenshawe, and Manchester.

The number of places catering to local children at Pear Tree is well within 38 places and there are vacant places in nearby nurseries.

5. The windows from the nursery's landings and staff room at the top floor overlook directly into bedrooms of residents at 10 Park Ave. It is requested that the top floor staff room window should be required to have a privacy film applied to address overlooking. The elevated main entrance to the nursery also allows direct view into bedrooms, hence we are requesting for an enclosed porch to be built to provide privacy and noise protection.

The site planning history has consistently rejected applications to increase number of places beyond 38 due to the concerns for loss of amenities to local residents. The recent increase to 55 places has shown that these concerns were not unwarranted.

The nursery should first demonstrate that their management is able to successfully implement the planning conditions including the noise management plan for 38 children before further permissions are granted for expansion beyond that number.

OBSERVATIONS

The evidence from Ofsted does not confirm whether the increase in numbers from 38 to 55 took place before or after the change in ownership as it simply confirms that there were 38 places in June 2017 and 55 places in June 2020 but not precisely when this change took place. In any case, this is not relevant to the consideration of the planning merits of the application.

The Pollution and Licensing Section has raised no objections to the proposals on the basis of the Noise Management Plan (NMP) as currently submitted. It is therefore considered that further amendments to the NMP and / or further conditions are not required in order to address noise levels.

The enforcement of the NMP and the Travel Plan would be a matter for the Council's Planning Compliance Team if complaints are received that these are not being adhered to.

It would not be appropriate to impose planning conditions to seek to limit where children can travel from to attend the nursery and Trafford Early Years have stated that there is a high demand for early education and childcare places in central Trafford.

The upper floors of the building were previously in use as main habitable rooms (living rooms and bedrooms) in connection with the residential use with no requirements for obscure glazing. Any potential overlooking would occur for more restricted periods of time than would have been the case at that time and it is therefore considered that it would not be reasonable to impose a condition requiring obscure glazing.

The historic refusals of permission date from a significant number of years ago (1989 and 2007) and were refused on traffic and parking grounds rather than

noise or privacy grounds with different parking layouts proposed (with fewer spaces) and objections from the LHA at that time. The site now includes provision for nine off-street parking spaces (one space below the SPD3 standard) and the LHA has raised no objections to the proposed development.

There is no change to the recommendation.

Page 81 **107787/FUL/22: Moorlands Junior School, Temple Road, Sale**

SPEAKER(S) **AGAINST:**

FOR:

REPRESENTATIONS

An additional two letters of objection have been received from two neighbouring properties, one of which has previously objected as part of the initial consultation. The concerns raised in these letters can be summarised as follows:

- Strongly object to the 3no. trees being removed. Further information should be submitted confirming that new semi-mature trees will be planted on the Temple Road aspect of the site as a replacement.

- Loss of 3no. trees would damage the environment and the visual landscape. The reason for the removal of these trees is not specified.

- Insufficient parking proposed. Only six spaces now proposed compared to the previous eight or nine proposed.

OBSERVATIONS

The additional comments are duly noted. For clarity, eight additional parking spaces are proposed as part of this scheme.

Matters relating to trees and the landscape impact of the development, and highways matters are considered within the committee report.

Highways

The application has been discussed with the Local Highways Authority who have confirmed no objection to this scheme. They have outlined that an updated travel plan must be provided, which includes quantifiable and measurable targets for the reduction in car travel. This is reasonable and necessary in order to make the development acceptable, having regard to reducing the parking demands of this site and now forms part of the proposed conditions.

Currently on site there is limited cycle parking, with 10 spaces offered in total. The proposed scheme seeks to re-provide these spaces with 5 Sheffield stands proposed and an additional 40 scooter spaces. However it is considered necessary to increase the amount of cycle parking provision on site and as such an additional 10 Sheffield stands are to be sought via condition, this will facilitate the parking of up to thirty bicycles on site which could be used by both staff and pupils. These cycle spaces shall be made available prior to the development being brought into use and will be secured via condition.

Trees

In contrast to the original scheme, only three trees (as opposed to the previous four) are being removed adjacent to the Temple Road frontage. Six replacement trees are sought within the central aspect of the site adjacent to the car park and playing field. The details are as follows:

- (6x) 14-16cm girth Acer campestre 'streetwise' set in 1.2m diameter circle of bark mulch.

Condition 5 (landscaping) has been updated to specifically reference these trees and the schedule for their planting within the site.

RECOMMENDATION

The recommendation of approval subject to conditions is unchanged, however condition 5 is amended and an addition condition (14) relating to a Travel Plan is included.

5. (a) The development shall be carried out in strict accordance with the submitted Landscape Plan ref. MLD-EWA-ZZ-ZZ-DR-L-79001 (rev.P8).

(b) The soft landscaping works (including the proposed trees) shall be carried out no later than within the next planting season following final occupation of the development hereby permitted.

(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.

14. Before the development hereby permitted is first brought into use, an updated Travel Plan (TP) shall be submitted to the Local Planning Authority for review and approval in writing. A firm commitment to targets detailed within the TP

would be expected, as such measures indicated in the TP should not be primarily concerned with providing information:

- The TP shall include realistic and quantifiable targets;
- The TP shall include effective objectives and incentives to reduce car travel and increase use of non-car modes for staff, visitors;
- TP targets shall be reviewed and monitored against the baseline which will be established within 3-months of the first date of operation;
- Employee travel survey shall be completed every 12 (twelve)-months from the date of first operation, and for a minimum period of ten years, and
- The TP shall be implemented for a period of not less than 10 (ten) years from the first date of operation.

Reason: In the interests of encouraging sustainable modes of transport having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The extension hereby approved shall not be occupied unless and until a scheme for secure covered cycle storage for 10 Sheffield stands surplus to those shown on Drawing No. MLD-EWA-ZZ-ZZ-DR-L-79001 (rev.P8) has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

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107960/FUL/22: 3A Marlborough Road, Flixton

SPEAKER(S)

AGAINST:

FOR:

**Emma Jones
(Agent)**

The applicant has submitted a representation in response to the committee report being published. This has been sent to all Members of the Committee.

The letter raises a number of points most of which are already addressed in the Officer Report (OR). However it appears that the applicant has misunderstood

the reference to the design code in the report. Paragraph 20 of the OR sets out the emerging Design Guide & Code look to draw on local character and distinctiveness to form the basis of the design for new development, this principle is already established in Core Strategy Policies L1, L2 & L7 and in national policy and guidance relating to design. Paragraph 22 of the OR makes it clear that you do not need to have a Design Code adopted in order to understand the local character and distinctiveness of a local area. The report identifies the local characteristics and suggests development should reflect these in accordance with Policy L7. Officers conclude that the development does not reflect those local characteristics, and would appear visually incongruous and harmful to the character and appearance of the area. No weight is afforded to a design code, as the report rightly points out, it is not yet in existence.

RICHARD ROE, CORPORATE DIRECTOR, PLACE

FOR FURTHER INFORMATION PLEASE CONTACT:

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