

Good morning Sue,

Following submission of the planning application for the Gorton site on Friday, I received the attached email below along with an 'Invalid Letter'. The submission was made after a delay in arranging contracts and exchanging on the site and our submission was based on several pre-app discussions with yourself and ward members. Some of the issues raised in this letter are minor clarifications however others are more significant and are at odds with some of our discussions. I have outlined the issues raised in the letter and responded to each in red below.

1. Please confirm the use sought. It is not possible to revert back to Class A1 without separate planning permission. The description of development on the application form and at 4.3.1 of the Planning Statement is clear: 'Change of use from use class A1 retail to flexible use class A1 retail and use class B2 industrial, external alterations and amendments to car park'. The Q17 of the application form is also clear that B2 use is sought. It is not clear what is meant by the second part of this question 'It is not possible to revert back to Class A1 without separate planning permission'. A1 use is not sought however it is considered to be the lawful use of the unit in light of the planning history for the site, the most recent relevant application being 060589/FO/NORTH2/00 for 'Erection of a single storey non-food retail unit with attendant car parking and landscaping' approved in 2001. The site has been occupied by a carpet retailer and a video rental store in the past.
2. A noise impact assessment is required detailing the equipment to be used and the impact upon the nearest noise sensitive occupiers. Following my email setting out the proposed scope of the application and supporting documents, we discussed the issue further on the phone. Based on my notes, I believe you rang me on 18th November following my email on 8th November. We discussed that some form of transport note would be required but that this did not need to be a full TA or TS. We have provided a Transport Note as part of the application and this appears to have been accepted. We also discussed what we could provide in terms of greening and we have included a contribution towards tree planting. We also discussed whether the Council have a template for a Unilateral Undertaking which you advised that MCC don't but this has been superseded as we have provided Draft HoT s106 Agreement. We did not discuss a Noise Impact Assessment or an Air Quality Assessment so the request for these surveys is a surprise and would lead to significant delays in mobilising consultants and undertaking the groundwork. Can the application be validated and these survey follow if requested by consultees?
3. Details of the hours of opening are required (Q.19) These can be confirmed by the applicant. Is this a reason to not validate the application?
4. A waste management strategy is required. Please complete the Council's pro form and show the bin store on a plan. Details should include the disposal of oil, tyres and any other industrial waste, as well as surface water drainage details relating to oil spills etc. This was not discussed at the pre-app stage but we are happy to provide details. The proposed site plan shows a yard (internal) with bunded oil tanks and a skip/bin. The Planning Statement and Transport Note provide a commentary on waste as follows 'Waste will be segregated by type and will be collected by specialist contractors including waste oil, used tyres, scrap metal, recycling and general waste. Collections will be made depending on the schedules of third parties but it is assumed that at most, two collections per day or on average one collection per day will be made' (Transport Note page 3). We will complete the pro-forma as requested but as detailed, waste management has been considered within the application submission as a key issue.
5. Please provide detail of the electric charging point and annotate the location on the site plan accordingly. The electric vehicle charge point is shown adjacent to the accessible car parking spaces on the site plan. Please confirm what further information is required.

6. In view of the location and the nature of the use, please provide an air quality report, including detail of proposed mitigation measures. As discussed above, an Air Quality Assessment was not raised during pre-application discussions. The proposed development is a minor application resulting in the change of use of 328sq.m of floorspace. The existing building was last use for retail and attracted significant vehicle movements. As set out in the Transport Note, the proposed development will not result in significant daily or hourly vehicle movements. As instructed, a relatively 'light touch' Transport Note was agreed which does not include the level of detail of vehicle movements and vehicle types which would be required to begin to pull together such a detailed assessment as an Air Quality Assessment. Nonetheless, the applicant has instructed solicitors to prepare a Draft HoT s106 Agreement which includes a commitment to provide a substantial financial contribution to support air quality improvements in the local area.

I would be very grateful of any feedback on the above as our client and the landlord are keen that the application moves forward in order that the site is brought back into economic use as soon as possible.

Kind regards,

Tom