

## The Planning Inspectorate

### PLANNING APPEAL FORM (Online Version)

**WARNING:** The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

**Appeal Reference: APP/Q4245/W/23/3325034**

#### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

McCarthy and Stone Retirement Lifestyles Ltd

Address

Unit 3 Edward Court  
Broadheath  
ALTRINCHAM  
WA14 5GL

Preferred contact method

Email

Post



#### B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes

No



Name

Ms Carla Fulgoni

Company/Group Name

The Planning Bureau Ltd

Address

The Planning Bureau Ltd  
100 Holdenhurst Road  
BOURNEMOUTH  
BH8 8AQ

Phone number

07469118815

Email

carla.fulgoni@theplanningbureau.ltd.uk

Your reference

CF/fc/Sale

Preferred contact method

Email

Post



#### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Trafford Metropolitan Borough Council

LPA reference number

109745/FUL/22

Date of the application

25/11/2022

Did the LPA validate and register your application? Yes  No

Did the LPA issue a decision? Yes  No

Date of LPA's decision

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes  No

Does the appeal relate to an existing property? Yes  No

Address

35 Oakfield  
SALE  
M33 6NB

Is the appeal site within a Green Belt? Yes  No

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes  No

#### E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes  No

If YES, please state below the revised wording

Demolition of existing buildings and erection of a part 3 storey part 4 storey building comprising 25 no. retirement flats, closure of both existing vehicular accesses and formation of new vehicular accesses and formation of new vehicular access onto Oakfield with associated landscaping and car parking

Please attach a copy of the LPA's agreement to the change.

see 'Appeal Documents' section

Area (in hectares) of the whole appeal site [e.g. 1234.56]

Does the proposal include demolition of non-listed buildings within a conservation area? Yes  No

#### F. REASON FOR THE APPEAL

**The reason for the appeal is that the LPA has:**

1. Refused planning permission for the development.
2. Refused permission to vary or remove a condition(s).
3. Refused prior approval of permitted development rights.
4. Granted planning permission for the development subject to conditions to which you object.
5. Refused approval of the matters reserved under an outline planning permission.
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

## G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

the box below

With reference to Annex K of the Planning Inspectorate's Procedural Guide (April 2022), the Appellant requests an Inquiry. The reasons are set out below:

- The RFRs raise technical issues which should be addressed by professional witnesses referring to plans, drawings and VVI's (Architect and Planning Consultant);
- The appeal raises important substantive issues relating to the viability of affordable housing sought by the LPA which will need to be addressed through the service of technical viability evidence from experts in this field and the most effective way of testing the viability issues is through examination and cross examination.
- The LPA's RFRs should be tested through cross-examination; and
- The LPA has failed to properly balance the significant and material benefits of the proposals (adequately or at all).

(a) How many witnesses do you intend to call?

(b) How long do they need to give their evidence?

Planning Witness: 2 hours;  
Design Witness: 2 hours;  
Heritage Witness: 1.5 hours;  
Ecology Witness: 1 hour;  
Viability Witness: 2 hours

(c) How long do you estimate the inquiry will last?

(d) Is there any further information relevant to the inquiry which you need to tell us about?

The Appellant reserves the right to call more professional witnesses in the event that either the Local Authority or other interested parties raise issues either prior to or during the Inquiry, which require a specialist response. In addition, the Appellant reserves the right to call any author of reports contained within the Appellant's evidence. The Appellant shall have a Barrister as part of its team at the Inquiry.

## H. FULL STATEMENT OF CASE

see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes  No

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes  No

(b) Have you made a costs application with this appeal?

Yes

No



### I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

**I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;**



CERTIFICATE B

**I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:**



**Owner's Name:**

New Living Developments

**Address at which notice was served:**

National House, Wellington Road North, Stockport, SK4 1HW

**Date the notice was served:**

29/06/2023

CERTIFICATE C and D

**If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.**



### I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.



### J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.



02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).



03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.



04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.



05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.



05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.



05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.



06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.



06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
07. A copy of the design and access statement sent to the LPA (if required).
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application;
- (b) all plans sent at outline application stage;
- (c) the original outline planning permission.
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

## K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes  No

## L. CHECK SIGN AND DATE

**(All supporting documents must be received by us within the time limit)**

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

**Signature**

Ms Carla Fulgoni

**Date**

29/06/2023 15:26:51

**Name**

Ms Carla Fulgoni

**On behalf of**

McCarthy and Stone Retirement Lifestyles Ltd

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our

[privacy notice.](#)

## **M. NOW SEND**

### **Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:  
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

**You may wish to keep a copy of the completed form for your records.**

## N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

**You will not be sent any further reminders.**

### The documents listed below were uploaded with this form:

<b>Relates to Section:</b>	DESCRIPTION OF DEVELOPMENT
<b>Document Description:</b>	A copy of the LPA's agreement to the change.
<b>File name:</b>	Description.pdf
<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A copy of the full statement of case.
<b>File name:</b>	Sale Rule 6 STATEMENT OF CASE - 29.06.23.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. A copy of the original application sent to the LPA.
<b>File name:</b>	ApplicationForm.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).
<b>File name:</b>	SCHEDULE 2 Articles 11 and 31.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
<b>File name:</b>	109745_FUL_22-FULL_REFUSAL_NOTICE-1198586.pdf
<b>File name:</b>	109745_FUL_22-OFFICER_REPORT-1198595.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
<b>File name:</b>	NO-2860-3-AC-1001 Site Location Plan.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
<b>File name:</b>	100-003 Proposed Drainage Rev A.pdf
<b>File name:</b>	100-004 Proposed Drainage Rev A.pdf
<b>File name:</b>	2000-KC-XX-YTREE-TreeConstraintsPlan01Rev0.pdf
<b>File name:</b>	4268 201 Planting Design.pdf
<b>File name:</b>	4268 101 Landscape Layout.pdf
<b>File name:</b>	2000-KC-XX-YTREE-TreeProtectionPlan01Rev0.pdf
<b>File name:</b>	NO-2860-3-AC-1003 Site Plan with Roof.pdf
<b>File name:</b>	NO-2860-3-AC-1002 Site Plan.pdf
<b>File name:</b>	NO-2860-3-AC-1004 Floor Plans.pdf

**File name:** NO-2860-3-AC-1007 Site Boundary Treatment.pdf  
**File name:** NO-2860-3-AC-1005 Elevations 1 of 2.pdf  
**File name:** NO-2860-3-AC-1006 Elevations 2 of 2.pdf  
**File name:** NO-2860-3-AC-1011 Shadow Study 02.pdf  
**File name:** NO-2860-3-AC-1010 Shadow Study 01.pdf  
**File name:** 2000-KC-XX-YTREE-TreeSurvey and Impact Assessment-Rev0.pdf  
**File name:** 16-086-R1-1 - Oakfield Road Sale - Phase I GSA - June 2022 Part2.pdf  
**File name:** 16-086-R1-1 - Oakfield Road Sale - Phase I GSA - June 2022 Part1.pdf  
**File name:** 2484263 - 35 Oakfield Sale - PEA and PRA REV00.pdf  
**File name:** cil questions.pdf  
**File name:** FINAL Planning statement - Sale Oakfield 2.pdf  
**File name:** Chain Reaction 5 August 2020.pdf  
**File name:** McCarthy and Stone Model Planning Conditions Report .pdf  
**File name:** Healthier and Happier Final Report .pdf  
**File name:** McCarthy Stone Oakfield Sale - Statement of Community Involvement.pdf  
**File name:** Oakfield Sale Demand Assessment for Retirement Housing final report 161122 .pdf  
**File name:** R3255 - Oakfield Sale - Energy Statement.pdf  
**File name:** Planning Statement Appendix.pdf  
**File name:** Sale Construction Method Statement.pdf  
**File name:** Sustainable living report 2022 pdf.pdf  
**File name:** TPL 22-107-001.01F Transport Statement with Appendices.pdf  
**File name:** Silver Saviours for the High Street.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.  
**File name:** Sale Supporting Documents - Planning Portal.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).

**File name:** Accommodation Schedule.pdf  
**File name:** Additional information covering letter 23rd December 2022.pdf  
**File name:** 22-0527 Crime Impact Statement Oakfield.pdf  
**File name:** NO-2860-3-AC-0201 Existing Building, Basement Floor.pdf  
**File name:** FVA - SALE (December 2022) FINAL.pdf  
**File name:** NO-2860-3-AC-200 Existing Buildings, Site Images.pdf  
**File name:** NO-2860-3-AC-0202 Existing Building, Ground Floor.pdf  
**File name:** NO-2860-3-AC-0203 Existing Building, First Floor Plan.pdf  
**File name:** NO-2860-3-AC-0204 Existing Building, Second Floor Plan.pdf  
**File name:** NO-2869-3-AC-400 Typical Sections Showing Windows & Doors.pdf  
**File name:** NW-2860-3-AC-1005 Elevations 1 of 2.pdf  
**File name:** NW-2860-3-AC-1002 Site Plan.pdf  
**File name:** NW-2860-3-AC-1006 Elevations 2 of 2.pdf  
**File name:** 35 Oakfield, Sale-cpls-a1.pdf  
**File name:** CCL-1\_21541-C-SAL-GA-EXT-4000-P1\_AREAS PLAN.pdf  
**File name:** CCL-1\_21541-C-SAL-GA-DRN-4400-P1\_DRAINAGE STRATEGY.pdf  
**File name:** Existing Run-off Rates (The Wallingford Procedure) - 1 in 30 year.pdf  
**File name:** Existing Drainage Plan.pdf  
**File name:** Existing Run-off Rates (The Wallingford Procedure) - 1 in 1 year.pdf  
**File name:** Existing Run-off Rates (The Wallingford Procedure) - 1 in 100 year.pdf  
**File name:** Infiltration system design (SUDS) - Porous Car Parking.pdf  
**File name:** Greenfield runoff rate estimation - members \_ UK SuDS.pdf  
**File name:** Maintenance Regimes.pdf  
**File name:** Surface Water Model FLOW Calculations.pdf  
**File name:** SK001\_Existing Overland Flow Exceedance.pdf



**File name:** Validation-checklist-NW-SuDS-Pro-forma - Complete.pdf  
**File name:** Validation-checklist-NW-SuDS-Pro-forma - Complete 25 units.pdf  
**File name:** StmntOfHerSigFeb2023RevB.pdf  
**File name:** CCL-1\_21541-C-SAL-GA-DRN-4400-P2\_DRAINAGE STRATEGY.pdf  
**File name:** 10-2155 Phase II Geoenvironmental Assessment, Oakfield Sale.pdf  
**File name:** Maintenance Regimes 1.pdf  
**File name:** 2000-KC-XX-YTREE-TreeSurvey-RevA.pdf  
**File name:** 2000-KC-XX-YTREE-TreeConstraintsPlan01RevA.pdf

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 07. A copy of the design and access statement sent to the LPA.

**File name:** 20221110 - DAS Report compressed Part1.pdf

**File name:** 20221110 - DAS Report compressed Part2.pdf

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 08. A copy of a draft statement of common ground.

**File name:** DRAFT Sale Common ground 29th June 2023.docx

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.

**File name:** Sale.pdf

**Completed by** MS CARLA FULGONI

**Date** 29/06/2023 15:26:51