



Planning Inspectorate
inquiryappeals@planninginspectorate.gov.uk

Our Ref: 21950015 .

28 August 2020

CONFIDENTIAL

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 78
RECOMMENDATION 3 OF THE ROSEWALL REVIEW
100400/OUT/20 GREAT STONE ROAD, TRAFFORD**

We write further to our 'notice of intent' to appeal by way of public inquiry, dated 10 August 2020, and the response from the LPA dated 21 August 2020.

The Appellant's primary position as to why it is appropriate to determine this appeal by way of public inquiry is set out in its Statement of Case at Paragraphs 1.17-1.20. However, in response to the LPA's points raised in its correspondence, we note the following:

- Whilst Lancashire County Cricket Club have not to date not objected to this application, the Club has consulted with Sport England and informed Sport England's objection;
- Sport England has clarified that they are objecting to the application as a statutory consultee, which raises a further issue in the determination of this appeal, because such an objection is given considerable weight; the Appellant contends that their objection is unfounded and given this objection will be relied upon by the LPA to support the its position (and indeed Sport England may themselves elect to participate in the determination of the appeal), the Appellant should be able to test the evidence produced in cross-examination;
- This is not a straightforward case, whereby there is a simple dispute between developer and planning authority regarding the visual impact that would be caused by building out a handful of dwellings. The proposal comprises a major scheme of development, and would make a significant contribution to local housing stock. The local planning authority has suggested an intention to raise multiple issues regarding the design of the proposed development, and its associated impacts (including upon heritage assets, townscape, visual receptors and upon residential amenity). These are not simple matters that can each be dealt with in isolation by way of written submissions; if the local planning authority wishes to stand by its position in respect of these issues, then it should proffer witnesses who will adduce evidence to substantiate those positions, and the appellant should be afforded the opportunity to test that evidence in cross-examination;
- An understanding of the harm (or otherwise) on such matters also needs to be tested against the development plan policies as a whole, and material considerations such as

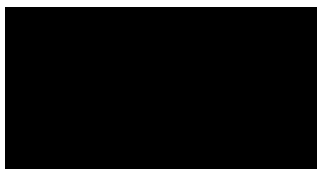


NPPF, and the weight to be attributed to such policies; this again is not a simple matter that can be confined to written representations or a hearing;

- Matters relating to planning obligations and development viability are not simple or straightforward; experience of discussions about viability in appeals suggests there will be a need for evidence to be tested relating to development costs, land values and development values; in addition there may well be a need to examine evidence relating to what constitutes a regulation-122 compliant planning obligation.

We therefore feel strongly that this appeal should be determined by a public inquiry for the matters to be fully examined, considered and concluded.

Yours faithfully



Matthew Hard MRTPI
Associate Director

Cc : Guy Pearson-Gregory

cc : Trafford MBC