

Carmel Edwards  
Programme Officer  
Trafford CQAAP Examination

Our Ref: GGA.

Date: 18 May 2022

  
Please ask for Grant Anderson

Dear Sirs

Re: **Trafford CQAAP Examination**

We are instructed to make the following brief comments on behalf of Lancashire County Cricket Club ("LCCC") in response to the Inspector's invite for the submission of any comments on the implications of the B&Q appeal decision for the AAP.

The appeal decision dismissed the appellant's scheme for "*The demolition of existing retail unit and associated structure; erection of buildings for a mix of use, including: 333 apartments (Use Class C3) and communal spaces ancillary to the residential use; flexible space for Use Classes A1, A3, D1 and/or D2; undercroft carparking; new public realm; and associated engineering works and infrastructure*" (the "Appeal Scheme").

It is important to note by way of context that the Appeal Scheme was the appellant's second scheme for a residential development on the B&Q site. In October 2018, an earlier bigger scheme for "*The demolition of existing retail unit and associated structure; erection of a building ranging in height from 5 to 13 storeys for a mix of uses including; 433 apartments (Use Class C3) and communal spaces ancillary to the residential use; flexible spaces for Use Classes A1, A3, B1, D1 and/or D2, undercroft carparking; new public realm; and associated engineering works and infrastructure*". (the "2018 Scheme") was refused by the Council on 29 March 2019.

The Appeal Scheme was a revised development scheme for the B&Q site in which the extent and scale of the development proposed was reduced from the 2018 Scheme by the appellant to try and address the reasons for refusal of the 2018 Scheme.

Notwithstanding it was a reduced scale/level of development, the Appeal Scheme was still found to be unacceptable by the Inspector following a detailed examination of the scheme at public inquiry. The Appeal Scheme was dismissed on a number of grounds. These include:-

1. The Appeal Scheme would;

- not deliver a high-quality well-designed building and place;
- would cause substantial harm to local character and appearance;
- would deliver a poor standard of amenity for future occupiers;

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- would have an overbearing effect on the outlook for residents of Great Stone Road and Trent Bridge Walk due to its height, massing, scale and layout.

2. By reason of the conflict with the existing activities of LCCC, the Appeal Scheme would cause significant adverse impacts on future occupiers of the Appeal Scheme.

The appellant's mitigation put forward at the appeal was found to be ineffective to mitigate the impacts of concert noise and indeed, the appellant accepted that concert noise could not be mitigated in the Appeal Scheme.

The inspector concluded that the Appeal Scheme would lead to conflict with LCCC and would therefore be contrary to the agent of change principle (paragraphs 185 and 187 of the National Planning Policy framework).

The inspector attached substantial weight to these matters.

The fact that two residential schemes on the B&Q site have now been rejected, the latter and smaller Appeal Scheme being rejected following a detailed examination at public inquiry demonstrates that at best delivering an acceptable form of residential development on the B&Q site is extremely difficult to achieve and that the more realistic conclusion is that residential development is not an acceptable land use in planning terms on the B&Q site given the conflicts with LCCC's operations and the proximity to the international sporting venue and visitor attraction at Emirates Old Trafford.

Whilst some of the reasons for refusal of the Appeal Scheme are design-related and in theory, capable of being addressed, the reasons for refusal relating to scale and massing indicate clearly, that for any residential scheme to be acceptable, it would need to be of a much-reduced scale.

More fundamentally, however, the noise-related reasons for refusal and the conflict that the introduction of residential development in close proximity to the international sporting venue of Emirates Old Trafford will cause, strongly indicate that any form of substantial residential development on the B&Q site will similarly be unacceptable for the same reasons. The appellant was aware of the Council and LCCC's opposition to the Appeal Scheme on noise-related grounds and had the opportunity to try and address those objections. The fact that the appellant was not able to do so, leads to the obvious conclusion that those conflicts cannot be realistically or viably overcome through redesign or the introduction of further mitigation.

LCCC submits that the B&Q appeal decision fully corroborates LCCC's submission to the AAP. LCCC further submits that the fundamental basis on which residential development has been rejected on appeal on the B&Q site, strongly supports the view that any allocation for housing on the B&Q site in the AAP, would be not only problematical but also contrary to the conclusions of the appeal inspector. In LCCC's submission that would make the AAP unsound.

In LCCC's submission, the clear and obvious implications of the B&Q decision are that residential development on the B&Q site should not be identified in the AAP as a permitted or supported land use and that the proposed allocation of B&Q site should be amended to leisure uses only. It follows that if that submission is accepted by the Inspector there will be consequential amendments to the wording/policies of the AAP.

Yours faithfully



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