



Marj Powner
Friends of Carrington Moss

By email only: marj.powner@gmail.com

Adrian Fisher
Director of Growth and Regulatory Services
Trafford Council
Trafford Town Hall, Talbot Road
Stretford, Manchester, M32 0TH
Telephone 0161 912 2000
Adrian.fisher@trafford.gov.uk
www.trafford.gov.uk

Date 4 August 2025

Dear Ms Powner

RE: Complaint CAS-87410-M7Z8 – Planning Application 115160/FUL/24 - Proposed development of a containerised Battery Energy Storage System at Land North of Ashton Road

I write further to your email dated 17 June 2025 which has been escalated to Stage 2 of the Council's Corporate Complaints Procedure. I would like to apologise for the delay in responding to you.

I understand your complaint relates to the approval of planning application 115160/FUL/24 which granted permission for a containerised Battery Energy Storage System at Land North of Ashton Road, and the response received to a Freedom of Information Act request (16028). I note your concerns relate to the approval of the application prior to the adoption of the New Carrington Masterplan which is required by the Places for Everyone Plan (PfE) policy JP A30.

You raise further concerns with the lack of compliance with the:

- Local authority best value duty
- Local authority biodiversity duty
- Trafford declaration of a climate emergency
- Trafford Carbon Neutral Action Plan
- Local Authority duty of care for residents
- Article 6 of the Human Rights Act

Local authority best value duty

The Places for Everyone (PfE) plan is part of the statutory development plan for Trafford along with the Trafford Core Strategy. In determining the planning application 115160/FUL/24, officers considered and assessed the development against a range of policies included within the plan not just the New Carrington Allocation policy JPA - 30. Overall, it was considered that the development complied with the development plan as a whole. The New Carrington Masterplan as required by JPA-30 and its

requirements are discussed at length within the officer report, and its importance is highlighted rather than ignored as you suggest.

The requirement for a masterplan at New Carrington, however cannot be a complete bar to granting planning applications ahead of that masterplan. Given the earlier development plan allocations, it would be unreasonable for the Council to effectively freeze development during the time it takes to produce a masterplan. This formed a significant part of the reasoning behind the interim developer contributions strategy at Carrington, approved by Planning Committee in February 2024, which I know you are aware of. That mechanism was necessary to ensure that the equalisation strategy was not undermined by planning applications which came forward ahead of the masterplan. This development was considered acceptable and not to prejudice the overall delivery of the allocation with contributions secured to toward the required infrastructure for the allocation.

The plan has much wider considerations beyond New Carrington and continues to provide the planning policy basis for developments within the borough and wider. It is therefore considered to be an appropriate use of public funds and aligns with the Local Authority best value duty. However, this is not something that is a material planning consideration – and was not considered throughout the determination of the planning application.

As you are aware, PfE released land from green belt and allocated this land for development, in the knowledge of the existing conditions on the ground. This site is specifically allocated for employment use. Whilst the Green and Natural Infrastructure Strategy is an important element of the masterplan, this will not supersede or reduce the amount of land allocated for development.

New Carrington Masterplan - Update

The Council is engaged in the finalisation of the Delivery Strategy whose preparation was intended to be an iterative process, allowing for new relevant information to be integrated into the masterplan throughout its preparation.

As a result, and due to the complicated and complex nature of the New Carrington allocation, there have been some delays to the completion of final delivery strategy, much of which came to light as part of stress testing and due diligence investigations in the latter stages, requiring a re-evaluation of some elements.

Work on the Green and Natural Infrastructure Strategy is expected to start soon and will be informed by the ground investigations work that has been undertaken and published to date. As the key statutory stakeholder, Natural England will be directly involved in the strategy to aid the Council in addressing the particular conditions at New Carrington. As they were in the determination of the planning application (115160).

To facilitate the completion of the Masterplan, the Council will be progressing phases 2 (spatial strategy) and 3 (design) simultaneously over the remainder of 2025, which is possible and achievable due to the substantial amount of work undertaken to date on the delivery strategy and ground investigation work, which although not finalised is sufficiently complete in large parts to be able to inform these stages.

The Green and Natural Infrastructure section of the officer report sets out clearly the position in respect of this, setting out that this site in itself is not needed to immediately contribute to the site wide green and natural infrastructure strategy. That strategy and subsequent JPA 30 complaint masterplan is capable of being produced and implemented without the application site in the first instance as it will be able to have regard to its long-term availability. Whilst the report concluded that the application is not in strict accordance with criterion 1 of Policy JPA 30, conditions which secure mitigation in the form of an updated peat management plan (which will include details of the compensation and mitigation for any loss of peat) and an appropriate landscaping scheme and SuD's strategy which tie in with any emerging masterplan evidence are attached to the permission, which are considered to mitigate any residual harm.

Biodiversity

The development is considered to comply with the statutory biodiversity requirements and is considered to be able to provide at least 10% biodiversity net gain on site. This is corroborated by the Greater Manchester Ecology Unit (GMEU), the detail of this is within the officer report. There is recognition within the BNG information of the existence of Peat on the site and the proposed habitat creation developed to be sensitive to the presence of Peat on the site.

The site was not considered to contain irreplaceable habitats given that the site has been intensively managed agricultural land, the detail on this point is discussed within the officer report. Officers took advice from both Natural England and the GMEU as experts on this matter.

Officers are satisfied that the development accords with the statutory Biodiversity Net Gain requirements for this planning application, and the permission is subject to the standard biodiversity net gain plan condition.

Climate impact

It is recognised that the Council declared a climate emergency and that the Carbon Neutral Action Plan has been published. As I'm sure you are aware in the determination of planning applications the Local Planning Authority (LPA) has to make decisions in accordance with the statutory development plan. PfE in this case sets out a number of policies aimed at achieving Net Zero Carbon. These are the embodiment of Greater Manchester's aspiration to be a carbon neutral city region by 2038, and

the Councils declaration of a climate emergency and the Carbon Neutral Action Plan for planning purposes.

In respect to the impact on peat, and as detailed within the officer report, the applicant undertook extensive work and surveys in consultation with Natural England. Firstly, to understand the impact and then to produce a mitigation strategy for the loss of any peat on the site. A condition is attached to the planning permission which requires an updated peat management plan to be submitted to and approved by the Council in consultation with Natural England before any works start on site.

The planning application has been considered in light of the Carbon and Energy policy of PFE. The policy (JP-S2) requires development to be carbon neutral in operation and from 2028 in construction. Therefore, the planning policy does not require the consideration of the carbon emissions from the construction of the development at this time, which would include the removal of any peat on the site. Notwithstanding, the release of any carbon emission from any peat removal is unknown at this point as the extent of the peat removal is unknown. This will only become apparent once further investigations are undertaken, required by condition before any development takes place.

Fire safety/ Local Authority duty of care for residents

I sympathise with your concerns in respect fire risk and safety, as detailed within the officer report, however please rest assured advice was sought on this development from both the Greater Manchester Fire and Rescue Service and The Health and Safety Executive. Neither body raised any objections to the development. An outline battery safety management plan was submitted with the application, and a full fire management plan is secured through a condition of the planning permission. Basell Polyolefins, did submit an objection to the development, however they did withdraw that objection (the day after the decision was issued) This is available to view on the Councils website.

Application Determination Process

Concern is raised about the speed at which the decision on this planning application was made, without going to the Planning Committee. The application was validated on the 11 December 2024 and a decision made on the 15 May 2025, therefore a decision was made within 22 weeks. The government sets targets for LPA's for dealing with planning applications and expects that major planning applications (for which this application would be considered) to be dealt with within 13 weeks, therefore in respect of this, the application was not made quickly. The application was not reported to Planning Committee, as it fell within the scheme of delegation and officer were able to make the decision. The community and local residents had the opportunity to comment and make representations on the proposals throughout the two consultations periods. Less than 10 addresses made representations and

therefore the application fell below the threshold needed to be reported to Planning Committee.

Conclusion

In conclusion, whilst I recognise that you have raised legitimate queries and concerns relating to the planning process, I consider all of these were properly addressed during the determination of the application. Accordingly, I do not consider that your complaint is justified.

The Council has discharged its statutory duties in respect of the determination of this application reasonably, robustly and lawfully and I find no error in the way that this has been carried out. I trust this response assists in providing some clarification of the way that we have considered this case and I do suggest you read the officer report to understand the decision-making process fully.

If you remain unhappy with the response received you can contact the Local Government Ombudsman who will look into your complaint independently.

The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH.

Telephone: 0300 061 061

The Local Government Ombudsman is an independent service set up by the Government to investigate complaints about most Council matters. You can complain to the Ombudsman at any time.

If I can be of any further assistance then please do not hesitate to contact me.

Yours sincerely,

A G Fisher

Adrian Fisher
Director of Growth and Regulatory Services