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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE MEETING

Date: Thursday, 11 January 2018

Time: 6.30 pm

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford, Manchester
M32 0TH**

AGENDA	ITEM
1. ATTENDANCES	
To note attendances, including Officers and any apologies for absence.	
2. MINUTES	
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 14 th December, 2017.	2
3. ADDITIONAL INFORMATION REPORT	
To consider a report of the Head of Planning and Development, to be tabled at the meeting.	
4. APPLICATIONS FOR PERMISSION TO DEVELOP ETC	
To consider the attached reports of the Head of Planning and Development.	4
5. PROPOSED STOPPING UP OF HIGHWAY AT POTT STREET, ALTRINCHAM WA14 1PE	
To consider the attached report.	5

6. **URGENT BUSINESS (IF ANY)**

Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors Mrs. V. Ward (Chairman), Mrs. J. Reilly (Vice-Chairman), Dr. K. Barclay, D. Bunting, M. Cornes, N. Evans, T. Fishwick, P. Gratrix, E. Malik, D. O'Sullivan, B. Sharp, L. Walsh and J.A. Wright

Further Information

For help, advice and information about this meeting please contact:

Michelle Cody, Democratic & Scrutiny Officer

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This agenda was issued on **2nd January, 2018** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

14th DECEMBER, 2017

PRESENT:

Councillor Mrs. Reilly (In the Chair),
Councillors Dr. Barclay, Bunting, Carter (Substitute), Cornes, N. Evans, Fishwick, Sharp,
Walsh and Wright.

In attendance: Head of Planning and Development (Mrs. R. Coley),
Planning and Development Manager – Major Projects (Mr. D. Pearson),
Senior Planning and Development Officer (Mr. J. Davis),
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),
Solicitor (Ms. J. Cobern),
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors Mrs. Brophy, Mrs. Bruer-Morris, Hyman, Jarman, Lloyd,
Mitchell and Mrs. Young.

APOLOGIES

Apologies for absence were received from Councillors Gratrix, Malik, O'Sullivan and
Mrs. Ward.

39. MINUTES

RESOLVED: That the Minutes of the meeting held on 9th November, 2017, be
approved as a correct record and signed by the Chairman.

40. ADDITIONAL INFORMATION REPORT

The Head of Planning and Development submitted a report informing Members of
additional information received regarding applications for planning permission to be
determined by the Committee.

RESOLVED: That the report be received and noted.

41. APPLICATIONS FOR PERMISSION TO DEVELOP ETC

(a) Permission granted subject to standard conditions prescribed by statute, if any, and
to any other conditions now determined

Application No., Name of
Applicant, Address or Site

Description

89582/FUL/16 – Mr. Kirkman –
Bowdon Lawn Tennis Club, Elcho
Road, Bowdon.

Works in conjunction with new court surface
to include new kerbing, retaining wall, steps,
patio area, ramp for disabled access, ramp for
machinery access and new fencing.

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91223/HHA/17 – Mr. & Mrs. Khan – 8 Arthog Drive, Hale Barns.	Erection of a single storey extension to the front and a part single/part double storey extension to the rear. Conversion of the roof space with new rear dormer and a new garden shed to be used as storage / gym and other purposes incidental to the enjoyment of the dwellinghouse.
91426/VAR/17 – Bowdon Lawn Tennis Club – Bowdon Lawn Tennis Club, Elcho Road, Bowdon.	Application for variation of condition 2 (approved plans) and variation of condition 6 (development to be carried out in accordance with approved lighting scheme) of planning approval 86115/FUL/15 (Erection of 9 no. floodlighting columns (10 no. luminaires) at 6.7 metres high to courts 4 and 5) to allow LED lamps and amended lighting scheme.
91563/FUL/17 – Lunar Stretford Sarl – Stretford Shopping Mall, Chester Road, Stretford.	Demolition of part of shopping centre, minor alterations to car park and new facades to retained building.
91936/FUL/17 – Wide Avenue – Halliwell House, 2 Rappax Road, Hale Barns.	Conversion of the existing dwelling into 4no 2.bed apartments.
92545/HHA/17 – Mr. Chien – 6 Hazel Road, Altrincham.	Erection of a two storey front and side extension and single storey rear extension. Erection of a detached garage to the rear and new front driveway with dropped kerb.
92584/HHA/17 – Mr. Leech – 8 Stretton Avenue, Sale.	Erection of a single storey side extension together with the demolition of the existing garage and erection of a new garage and store.

42. APPLICATION FOR PLANNING PERMISSION 90945/FUL/17 – MR. GARTSIDE – ALTRINCHAM BOYS GRAMMAR SCHOOL, MARLBOROUGH ROAD, BOWDON

[Note: Councillor Dr. Barclay declared a Personal and Prejudicial Interest in Application 90945/FUL/17, being a Governor at the school and removed herself from the Committee. After making representations to the Committee as a Ward Councillor she remained in the meeting but did not participate in the debate or cast a vote on the Application.]

The Head of Planning and Development submitted a report concerning an application for the creation of Artificial Grass Pitch (AGP) to form a full sized playing enclosure for rugby union and football activities with new artificial grass pitch surface, new perimeter ball-stop fencing, new hard standing areas for pedestrian access, goals storage and

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maintenance access; new floodlights.

It was moved and seconded that planning permission be granted subject to a reduction in the hours of operation to 0900 to 1800 hours Monday to Friday, 1000 to 1500 hours Saturday and at no time on Sundays and Bank Holidays.

The motion was put to the vote and declared lost.

RESOLVED: That planning permission be granted subject to the conditions now determined.

43. APPLICATION FOR PLANNING PERMISSION 91289/FUL/17 – WELLINGTON SCHOOL – WELLINGTON SCHOOL, WELLINGTON ROAD, TIMPERLEY

[Note: Councillor Dr. Barclay declared a Personal Interest in 91289/FUL/17 as a former employee of the school also Councillor N. Evans declared a Personal Interest in 91289/FUL/17 as a friend is on the Board of Governors and he also helps fundraise for the school.]

The Head of Planning and Development submitted a report concerning an application for planning permission for a floodlighting scheme to existing All-weather pitch (erection of 8 no. 11.8 metre high floodlighting columns).

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

RESOLVED: That planning permission be granted subject to the conditions now determined.

44. APPLICATION FOR PLANNING PERMISSION 91948/FUL/17 – RCW STRETFORD LTD. – ROYAL WORKS, EDGE LANE, STRETFORD

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of 47 dwellings across 40 apartments, 3 townhouses, and 4 semidetached houses, and a landscaped public open space. Associated alterations to existing vehicular access and formation of internal access road and parking.

RESOLVED –

(A) That the application will propose a satisfactory development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure:-

(i) The provision of five affordable homes, in accordance with Policy L2 of the Trafford Core Strategy.

(B) In the circumstances where the Section 106 Agreement has not been completed

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within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development.

- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

45. HOUSES IN MULTIPLE OCCUPATION (HMOs): ARTICLE 4 DIRECTION TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR THE CHANGE OF USE OF DWELLINGS TO SMALL HMOs AND NOTING OF ASSOCIATED DRAFT SPD

The Head of Planning and Development submitted a report setting out the reasons behind the proposals to introduce a Borough-wide Article 4 Direction to remove permitted development rights for changes of use from dwellings (Use Class C3) to Houses in Multiple Occupation (Use Class C4). The report also detailed the need for and purpose of the adoption of an associated Supplementary Planning Document (SPD) which, if adopted, would be a material consideration when determining planning applications for changes of use to HMOs.

RESOLVED –

- (i) That the making of a Direction pursuant to Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 on a Borough-wide basis to withdraw the permitted development rights to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) is appropriate, and justified, in order to prevent harm to local amenity and the wellbeing of the Trafford area.
- (ii) Approve the making of the Article 4(1) Direction for all land within the Borough boundary the extent of which is shown in Appendix 2 attached to the report.
- (iii) Delegate authority to the Director of Legal Services to make the Article 4(1) Direction for all land within the Borough boundary shown on the plan attached at Appendix 2 and delegate to the Director of Growth and Regulatory Services authority to carry out all necessary consultation following the making of the Direction, to notify the Secretary of State in accordance with statutory requirements and to take all other action considered necessary or expedient to give effect to the matters set out in the report.
- (iv) Confirm that the Borough-wide Article 4(1) Direction will be effective with immediate effect once made.
- (v) Note that following public consultation a further report will be presented to the Planning and Development Management Committee reporting on the outcome of the consultation and recommending whether or not to confirm the Direction.
- (vi) Note the contents of the associated draft proposed Supplementary Planning Document which, if adopted, would be a material consideration in the determination of planning applications.

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SEASONS GREETINGS

As this was the final Committee meeting of 2017, the Chairman wished everyone a merry Christmas and a happy New Year.

The meeting commenced at 6.32 pm and concluded at 9.19 pm.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 11th JANUARY 2018

REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT

APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

PURPOSE

To consider applications for planning permission and related matters to be determined by the Committee.

RECOMMENDATIONS

As set out in the individual reports attached. Planning conditions referenced in reports are substantially in the form in which they will appear in the decision notice. Correction of typographical errors and minor drafting revisions which do not alter the thrust or purpose of the condition may take place before the decision notice is issued.

FINANCIAL IMPLICATIONS

None unless specified in an individual report.

STAFFING IMPLICATIONS

None unless specified in an individual report.

PROPERTY IMPLICATIONS

None unless specified in an individual report.

Further information from: Planning Services

Proper Officer for the purposes of the L.G.A. 1972, s.100D (Background papers):

Head of Planning and Development

Background Papers:

In preparing the reports on this agenda the following documents have been used:

1. The Trafford Local Plan: Core Strategy.
2. The GM Joint Waste Development Plan Document.
3. The GM Joint Minerals Development Plan Document.
4. The Revised Trafford Unitary Development Plan (2006).
5. Supplementary Planning Documents specifically referred to in the reports.
6. Government advice (National Planning Policy Framework, Circulars, practice guidance etc.).
7. The application file (as per the number at the head of each report).
8. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
9. Any additional information specifically referred to in each report.

These Background Documents are available for inspection at Planning Services, 1st Floor, Trafford Town Hall, Talbot Road, Stretford, Manchester M32 0TH.

TRAFFORD BOROUGH COUNCIL

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 11th January 2018

Report of the Head of Planning and Development

INDEX OF APPLICATIONS FOR PERMISSION TO DEVELOP etc. PLACED ON THE AGENDA FOR DECISION BY THE COMMITTEE

Applications for Planning Permission				
Application	Site Address/Location of Development	Ward	Page	Recommendation
<u>86160</u>	Land at Lock Lane, Partington	Bucklow St Martins	1	Minded to Grant
<u>91610</u>	Dovecote Business Park, Old Hall Road, Sale, M33 2GS	Sale Moor	51	Grant
<u>92563</u>	Merrick, 22 Willoughby Close, Sale, M33 6PJ	Ashton on Mersey	72	Grant
<u>92598</u>	Gateways, 14 Broadway, Hale Barns, WA15 0PG	Hale Barns	86	Minded to Grant
<u>92764</u>	Gulmarg, Garden Lane, Altrincham, WA14 1EU	Altrincham	107	Grant

WARD: Bucklow St Martins

86160/OUT/15

DEPARTURE: YES

Application to extend the time limit for the implementation of planning permission H/OUT/68617 (Outline application, including details of access, for residential development of up to 550 dwellings; associated footpath, landscaping and ecological works.)

Land at Lock Lane, Partington

APPLICANT: Peel Holdings (Land & Property) Ltd

AGENT: Turley

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

THIS APPLICATION HAD PREVIOUSLY BEEN CONSIDERED AT PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE ON THE 9TH MARCH 2017. COMMITTEE WERE MINDED TO GRANT PLANNING PERMISSION SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT TO SECURE PLANNING OBLIGATIONS WITH REGARDS TO OPEN SPACE PROVISION ON SITE; HIGHWAYS AND PUBLIC TRANSPORT IMPROVEMENTS AND PROVISION OF THE 'GREEN LOOP' LANDSCAPING SCHEME.

TO DATE THE SECTION 106 LEGAL AGREEMENT HAS NOT BEEN COMPLETED. THE APPLICANT HAS BEEN IN DISCUSSIONS WITH THE LOCAL PLANNING AUTHORITY WITH REGARDS UNDERTAKING MINOR AMENDMENTS TO THE WORDING OF THE CONDITIONS APPROVED AT PLANNING COMMITTEE IN MARCH 2017.

AMENDMENTS ARE PROPOSED TO CONDITION NUMBERS:

3, 4, 6, 8, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32.

SITE

The application relates to a long, narrow area of land of approximately 15.9 hectares in area, which runs alongside the Manchester Ship Canal on the western side of Partington village.

To the north-west, the site borders onto the Ship Canal for its entire length. The canal forms the boundary with the Salford City Council administrative area and the opposite bank is largely occupied by existing industrial development and a recently completed residential development within the Cadishead area. The A57 main road also extends alongside the canal on the Salford side. To the south-east, the site fronts onto Lock Lane for roughly half its length and then borders onto the rear of existing residential areas on Thirlmere Drive and Inglewood Close and the former caravan site off Hall Lane.

The land is currently vacant and undeveloped. There are some small areas of mature trees, in particular, adjacent to Lock Lane at the south-west end of the site

and running through the centre of the site and to the rear of Thirlmere Drive. The remainder of the land is generally somewhat overgrown with small self-set trees and shrubs and bushes and long grass sward. There are informal footpaths running alongside the canal, which link with Lock Lane in the centre of the site (where there is currently a gated access) and with the existing public footpath network at the north-east and south-west ends of the site.

There are some significant differences in ground levels, in particular, where the site drops steeply from Lock Lane in some places and where it drops again to the canalside. In between this, there is a flatter area of land where the majority of the development is proposed.

The site is designated within the Revised Trafford Unitary Development Plan Proposals Map as Protected Linear Open Space; a Wildlife Corridor; an Area of Landscape Protection and a Priority Regeneration Area. Two Public Rights of Way are located adjacent to the north-east boundary of the site accessed from Hall Lane (Partington 4 & 5 PROW) another PROW Partington 3 extends beyond the site boundary to the north-east of the site accessing River Lane. A further public right of way extends adjacent to the south-west side of the site near to the junction with Forest Gardens and Lock Lane (Partington 6 PROW). Parts of the site fall within each of Flood Zones 1, 2 and 3, as identified by the Environment Agency.

PROPOSAL

Part 20 (b) (i and ii) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 makes provision for the replacement of planning permissions which are extant but have not been implemented provided that they were granted before 1st October 2010.

This is an application for an extension of the time limit for the implementation of planning permission H/OUT/68617 which was originally granted consent on the 30th July 2010. The applicant seeks to renew the extant planning permission for a further five years. The application was submitted in July 2015 and following consideration of the proposals, the Local Planning Authority requested further information in order to determine the application. All the additional information requested has now been received and is referred to as necessary in the Observations section of this report.

The original application sought outline planning consent for the development of up to 550 (maximum) residential dwellings with all matters reserved with the exception of access to the site. The development would include the construction of new road infrastructure with two vehicular accesses onto Lock Lane and a pedestrian and cycle route onto Hall Lane via Scroggins Lane. The main vehicular access into the site from Lock Lane would be achieved via a mini roundabout junction referred to as the east access and opposite Our Lady Of Lourdes Primary School. A 'Grampian condition' (condition 33) was included on the original approval to facilitate parking provision for the school, two options proposed one within the school grounds or one immediately opposite within the application site beside the new east vehicular access. It was recognised that a separate planning application would be required for either of these two options, but the condition was to ensure that no works relating to the proposed works would commence until such provision was provided.

Whilst the initial application was submitted in outline only, it was accompanied by a series of plans and documents which provided an indication of how the site could be developed. The Development Principles Plan shows that landscaping of open space, including a canalside promenade, would be constructed along the waterfront. The primary vehicle routes through the site include a general distributor road that runs generally south-west to the north-east along the length of the development. For the majority of its length, this road runs parallel with and close to the canalside. The indicative layout plan also shows pedestrian and cycle routes alongside the canalside and identifies pedestrian routes linking with existing footpaths at the northern and southern ends of the site. Incidental open space would be provided adjacent to the canalside, whilst trees and wooded areas at the south-western end of the proposed development, adjacent to Lock Lane and running through the centre of the development and to the rear of Thirlmere Drive, would be retained.

The number of units indicated in the description relate to the maximum figure to be provided on site. Provided any future scheme complies with the scale parameters set by this outline and other material considerations at the detailed design stage, there is scope within the site for the numbers of dwellings to vary from the maximum number of units.

The Design and Access Statement provides phasing details and indicates that the site would be developed in three phases, Phase 1 being the western end of the site, Phase 2 being the central area and Phase 3 being the eastern end.

The original planning consent included the following elements to be secured through an appropriate legal agreement:-

- the development and substantial completion of Phase 1 of the proposed shopping centre development (as shown on the submitted layout plan for application H/OUT/68618) prior to the substantial completion of more than 250 houses on the development site;
- the implementation of the Green Loop improvements listed in the submitted “Green Loop Proposals” document (including any amendments subsequently approved in writing by the Local Planning Authority) and in accordance with a detailed specification and programme / timetable to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development; future maintenance of the open space network (and/ or a commuted sum for maintenance) in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development;
- the payment of a financial contribution of at least £1,000 per residential unit towards Public Realm improvements within Partington. The payments are to be phased throughout the development in proportion to the number of houses constructed and to be paid prior to the commencement of each phase. The arrangements for the setting up of a partnership of relevant organisations to administer the fund and details of the timescales, types of works and the improvement areas

shall be agreed in writing by the LPA prior to the commencement of development;

- the payment of a transport improvements financial contribution to a value at least equivalent to £321,722.50 prior to the substantial completion of more than 150 residential units to be used for the implementation of a public transport improvements scheme / works to be decided in consultation with the public.

Planning consent was originally granted on the 30th July 2010 subject to conditions and a legal agreement, including that the development was to be commenced within 5 years of the permission which was an agreed extension from the normal 3 years given the complexity of delivering the shopping centre.

THE DEVELOPMENT PLAN IN TRAFFORD

For the purposes of this application the Development Plan in Trafford Comprises:

- The **Trafford Core Strategy** adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes

L2 – Meeting Housing Needs

L3 – Regeneration and Reducing Inequalities

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L6 – Waste

L7 – Design

L8 – Planning obligations

R2 – Natural Environment

R3 – Green Infrastructure

R4 – Green Belt, Countryside and Other Protected Open Land

R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

Protected Linear Open Space (OSR6)

Wildlife Corridor (ENV10)

Protection of Landscape Character (ENV17)

Priority Area for Regeneration (H11)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 – Protection of Open Space
OSR6 – Protected Linear Open Land
ENV10 – Wildlife Corridors
ENV17 – Areas of Landscape Protection
H3 – Land Release for New Housing Development
H4 – Release of Other Land for Development
H11 – Priority Regeneration Area – Partington
T8 – Improvements to the Highway Network
T18 – New facilities for Cyclists

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2018.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

The following applications are related specifically to the application site:-

78681/RM/2012 – Approval of reserved matters for erection of 73 dwellings (Phase 1). Application approved 27th July 2012. This application relates to the northern part of the approved outline application; however the scheme has never been implemented and has now expired.

78680/FULL/2012 – Residential development for erection of 122 dwellings with associated access and landscaping works. The site is located adjacent to the southern edge of H/OUT/68617. Members of Committee resolved at their meeting of 12 July 2012 that they were minded to grant this application, subject to completion of a legal agreement. The legal agreement has not been progressed to date. It is understood the applicant now wishes to progress this application and it will be brought back before the Committee for re-determination in due course.

H/OUT/68617 - Outline application (including details of access) for residential development of up to 550 dwellings; associated footpath, landscaping and ecological

works. Application approved 30th July 2010. This is the permission for which the applicant wishes to extend the time limit.

H/OUT/59083 – Erection of 37 dwellings with associated access roads and public open space – Land at Lock Lane, Partington. Application withdrawn 20th May 2004

H/OUT/56356 – Erection of 37 dwellings with associated access roads and public open space – Land at Lock Lane, Partington. Application withdrawn 13th June 2003

The following applications relate to the regeneration of Partington Shopping Centre. The approved regeneration works have now been fully implemented:-

78583/RM/2012 - Approval of Reserved Matters of appearance, landscaping, layout and scale for the demolition of existing shopping centre and erection of new shopping centre comprising Class A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Restaurants and Cafes), Class A5 (Takeaways), Class B1 (Offices) and Class D1 (Non Residential Institutions) and provision of associated car parking, village square, improvements to public open space and other associated highway works. Application approved 22nd June 2012

H/OUT/68618 - Outline application (including details of access) for erection of new shopping centre (use classes A1 (retail), A2 (financial and professional services), A3 (restaurants/cafes), A5 (takeaways), B1 (offices), and D1 (non-residential institutions)). Provision of associated car parking, new village square, improvements to public open space and associated highway works. Application approved 8th May 2008

APPLICANT'S SUBMISSION

The applicant submitted the following documents in support of the original planning application:-

- Design and Access Statement
- Development Principles Plan
- Environmental Statement
- Environmental Statement (Non-Technical Summary)
- Green Loop proposals
- Planning Statement
- Public Realm Regeneration Fund document
- Transport Assessment
- Regeneration and Housing Analysis
- Retail Analysis

As this application is an extension of time application and there are no changes proposed to the development from the original consent, the above documents are still relevant. Notwithstanding this, the applicant has submitted an addendum to the previously submitted Environmental Statement as the proposed development requires an Environmental Impact Assessment. The purpose of the addendum is to properly assess the scheme against the material changes that have taken place

since the original assessment was undertaken and are considered later within the report. The following information has been submitted by the applicant in support of this application to extend the time limit for implementation:-

- Environmental Statement (September 2016)
- Ecology Survey Update (June 2016)
- Flood Risk Assessment (September 2016)
- Planning Update Statement incorporating meeting housing needs statement; carbon budget statement; open space provision statement and a Transport Assessment update technical note.

These additional statements will be referred to as necessary within this report.

CONSULTATIONS

Carrington Parish Council – No comments received.

Dunham Massey Parish Council – No comments received.

Electricity North West – Indicate that the proposed development would have no impact on their Electricity Distribution System, infrastructure or other assets.

Environment Agency – No objection, subject to inclusion of mitigation measures to be implemented and secured by condition, relating to finished ground and floor levels as per FRA; provision of compensatory flood storage as per FRA and a full structural survey of the canal wall/embankment adjacent to the site.

Greater Manchester Archaeological Advisory Service (GMAAS) - Recommends a condition that no development should commence until the applicant has secured a programme of archaeological work in accordance with a written scheme of investigation approved by the Planning Authority

Greater Manchester Ecology Unit – The GMEU have requested that a number of conditions be included in any grant of planning permission. These conditions include those previously included on the original approval with regards no vegetation clearance during bird breeding season; retention of a ditch to the north-west boundary of the site; scheme to mitigate any impact on water voles and sand martins; provision of bat boxes and additional conditions relating to a scheme to control invasive plants and a updated method statement to ensure no harm to badgers during course of approved development on site should planning permission be granted.

Greater Manchester Fire and Rescue Authority – Recommend that the proposal should meet the requirements for Fire Service access. A number of informatives are proposed which will be included as part of the decision notice.

Greater Manchester Pedestrian Association – No comments received.

Greater Manchester Police Design For Security – They recommend that the scheme should be accompanied by a thorough assessment of crime and disorder

issues through the submission of a Preliminary Crime Impact Statement. They recommend that the proposals should be designed and constructed to Secured By Design standards.

Health & Safety Executive – Do not advise against the granting of planning permission.

Lead Local Flood Authority – Request that a Sustainable Urban Drainage Scheme(s) SUDS be implemented at this site. Appropriate conditions to be attached to any grant of planning permission for reserved matters to ensure SUDS and submission of detailed drainage design.

Local Highway Authority – No objections – Comments detailed later in this report

Manchester Ship Canal Company – No objections. There are no operational or adverse impacts on the Manchester Ship Canal

Natural England – Advise that the site is unlikely to affect any statutorily protected sites or landscapes. Indicate that the scheme could include biodiversity and landscape enhancements. Development proposal considered in the context of the requirements of The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species regulations 2010 (as amended). Advise that the site is unlikely to affect any statutorily protected sites or landscapes. Advise that the Council apply Natural England Standing Advice to the application, including in relation to European Protected Species (further details on this issue under Ecological Considerations later in this report)

National Grid – No comments received.

Public Health England (PHE) – The development is not within an Air Quality Management Area. There does not appear to be significant changes to the proposals since the original grant of planning permission that would cause PHE to have significant concern for public health.

Partington Town Council – No comments received.

Peak and Northern Footpath Society – The proposal appears to affect Partington footpath numbers 3, 4 & 5. If planning permission is granted, recommend a condition that there must be no obstruction of a public right of way. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use.

Housing & Pollution – Contaminated Land – Reiterate their comments to the previous application and suggest that the condition relating to contaminated land is reattached to this application.

Housing & Pollution - Noise – Raise no objections to the renewal of the planning permission. Suggest including same condition as previous approval (condition 23)

requesting submission of Environmental Plan which included a noise and pollution control plan.

Housing & Pollution – Air Quality – Raise no objection, recommend that an updated air quality assessment is undertaken through an appropriate condition.

Network Rail – No objections in principle – Subject to applicant entering into Basic Asset Protection Agreement (BAPA) with Network Rail and inclusion of conditions to any grant of planning permission relating to: Submission of Risk Assessment Method Statement; provision of security steel fence adjacent to Network Rail land; Provision of Method Statement for any vibro-compaction/piling ground treatment works; scheme to ensure surface water directed away from Network Rail land (foul drainage to be separate from Network Rails drainage); provision of details relating to any excavation/earthworks within 10m of Network Rail boundary and provision of mitigation measures to ensure future occupants are protected from any possible noise/vibration from the railway. Network Rail have also requested a number of informatives and have requested to be consulted on any proposed soft landscaping proposals adjacent to their land.

National Grid – No comments received.

Ramblers Association – No comments received.

Salford City Council – No objections

Sport England – No comments received.

Transport for Greater Manchester – No objections in principle, further comments detailed Observations section of this report (traffic Impact).

Trafford Council (Public Health) – No comments received.

Trafford Council (Education) – No comments received.

The Council for British Archaeology – No comments received.

United Utilities – No comments received.

Warburton Parish Council – No comments received.

REPRESENTATIONS

19 letters of objection have been received as a consequence of the planning application publicity. The following issues have been identified:-

- Existing road infrastructure is insufficient to accommodate the increased traffic flow on to and off the A1644
- Highway safety
- Congestion during school drop off / pick up
- Impact on wildlife including protected species

- Impact on privacy
- Loss of view
- Loss of trees
- Increased risk of flooding
- Japanese knotweed is on site
- Carrington development and the extension to the paper mill will result in further congestion
- Local schools cannot cope with extra pupils will require funding
- Proposed accesses opposite two schools not an acceptable arrangement
- No road to access site from Lock Lane
- Difficult to get a doctor's appointment (or even a place at a surgery), an increase in population will add to this.
- No details on how the buildings will look or impact on nearby residents
- Lock Lane has seen an increase in traffic and cars speeding
- Properties on Inglewood Close will be devalued due to being overlooked.
- Already suffer noise from the Cadishead bypass, this development will exacerbate that situation.
- The access to Manchester Rd from the Hall Lane/Lock Lane/Manchester New Road junction is already busy and the development will add to this – An alternative access route to Manchester Road should be explored.
- The area selected for development is within the HS2 catchment area with the proposed railway line being built 1 to 1.5 miles away over the ship canal adding to the congestion on Lock Lane and surrounding roads.

OBSERVATIONS

BACKGROUND

1. This application seeks to extend the time to implement planning permission H/OUT/68617. The ability to extend the lifetime of a planning permission was introduced to allow greater flexibility for planning permissions in response to economic circumstances of the country and sought to make it easier for planning permissions to be kept alive for longer so that they can be implemented more quickly when circumstances improve. This mechanism was introduced as a temporary measure, which only relates to applications submitted before 31 October 2010 and which remain extant at the date of application. Most such applications have now expired. The application, if approved, would grant an entirely new permission and as such regard must be given to any changes in material planning circumstances which have arisen since the previous permission was granted.
2. The main planning issues to be considered under the previous application were:-
 - Principle of development
 - Protected Linear Open Land
 - Housing Land Supply
 - Greenfield development
 - Wildlife Corridor

- Landscape considerations
 - Proposed mix of house types, sizes and tenure
 - Design and visual amenity
 - Development principles
 - Design and Access Statement
 - Assessment of Design Principles
 - Open Space
 - Open Space Provision
 - Green Loop Proposals
 - Ecological considerations
 - Accessibility, traffic generation and highway safety
 - Traffic generation
 - Connectivity
 - Location of Vehicular Accesses onto Lock Lane
 - Amendments to road layout at Manchester Road and Manchester New Road
 - Carrington Transport Study and Developer Contributions
 - Pedestrian and cycle route
 - Residential amenity
 - Relationship between existing and proposed dwellings
 - Noise
 - Flood Risk and Drainage
 - Section 106 Obligations
3. During the consultation period as part of the determination of this current application, additional information was requested from the Environment Agency (in respect of flood risk matters); GMEU (in respect of ecology matters) and the LHA (in respect of traffic related matters). These matters are addressed in the subsequent sections of the report.
4. The main issue in the determination of this planning application is whether there has been any significant material change in planning circumstances as a whole; the immediate area surrounding the application site or the development plan, since the original planning permission was granted which would lead to a different view being taken by the Local Planning Authority

MATERIAL CHANGES TO SITE CIRCUMSTANCES

5. Since the original outline permission was granted, an application for the approval of reserved matters (layout, scale, appearance and landscaping) pursuant to the outline permission for the development of 73 dwellings was approved by the Council in July 2012 (reference 78681/RM/2012 and now expired). There have been no further Reserved Matters applications forthcoming in the interim period since the grant of outline approval and the application site therefore remains undeveloped. Alongside this, a full planning application for the redevelopment of the Hall Lane site (as referred to above) was submitted to the council (reference 78680/FULL/2012). The Committee resolved to approve that particular application in July 2012 subject to the completion of a Section 106 Agreement which was not progressed. It is understood the applicant now wishes to progress that scheme which, given

the length of time since the previous Committee resolution, will be brought back to the Committee for re-determination in due course.

6. At the time of the original planning application, the proposed development was shown to be located within Flood Zone 1 of the Environment Agency's published flood map. However, further updates to the published flood map have since been produced and the site is now located within Flood Zones 1, 2 and 3 and is therefore defined by the National Planning Policy Framework as having a medium / high probability of flooding and as such there has been a material change in the site circumstances. Matters of flood risk are discussed further within subsequent sections of this report.
7. On the opposite side of the Manchester Ship Canal (within Salford City Council's administrative boundary) a residential development has been completed since the grant of planning permission at the application site, this new residential development is located on an area of land adjacent to the redundant viaduct in Cadishead. Occupants of these dwellings which directly face towards the application site have been consulted on this application.
8. The former caravan park accessed from Hall Lane has now closed and the site has been cleared. This site forms part of the Hall Lane planning application area as detailed earlier in this report (Ref: 78680/FULL/2012).
9. Other notable developments in the area include the completion of the Partington Shopping Centre which formed part of the developer contributions as part of the original approval. Other nearby sites that have benefited from planning permission or pending a decision since the original approval include:-
 - Trafford Power - Power Station, Manchester Road, Carrington. Extant consent No: 83364/C77/2014) – approximately 1.9km to the north east of the site
 - Carrington Power - Land at former Carrington Power Station, Manchester Road, Carrington. Erection of a 860mw gas fired combined cycle gas turbine generating power station, currently under construction and nearing completion (Application No: H/CIR/67818).
 - Saica Paper UK Ltd – Manchester Road Carrington – Ref:80650/FULL/2013 – Warehouse extension approved in 2013 and completed on site.
 - Land of Common Lane Carrington (Planning Ref:88779/OUT/16) application submitted in June 2016 and proposes redevelopment of mainly industrial land with proposed uses incorporating B1b(Research and Development); B1c (Light Industry; B2 (General Industrial and B8 (Storage and Distribution) with up to 43,874sqm of new floorspace. Application approved 05.05.2017
 - Land known as Carrington Village off Manchester Road Carrington (Ref: 88439HYB/16) – Hybrid application in relation to a proposed mixed use development, including construction of up to 725 dwellings, up to 46,450 sq.m employment space (B1/B2/B8) and 929sqm of retail (use class A1), erection of replacement clubhouse with new infrastructure and other works. Application approved subject to s106 legal agreement 25.08.2017.

MATERIAL CHANGES TO THE DEVELOPMENT PLAN AND PLANNING POLICY

10. The previous application was assessed against the development plan at that time which comprised the saved policies of the Revised Unitary Development Plan (RUDP) and the Regional Spatial Strategy (RSS) for the North West. The vast majority of saved RUDP policies were replaced by the Core Strategy following its adoption on the 25th January 2012; albeit that the spatial expression of the UDP policies remains extant (save for those amendments detailed within appendices 1 and 4 of the adopted Core Strategy) and continues to form part of the development plan. The RSS was formally revoked on 20th May 2013 and as such, no longer forms part of the Development Plan for Trafford.
11. The current Development Plan for Trafford Council for the purposes of this application is outlined within previous sections of this report and under S38(6) of the Planning and Compensation Act 1991 this application should be determined in accordance with it, unless material considerations indicate otherwise.
12. Since the previous application was approved the Council has adopted a number of Supplementary Planning Documents (SPD). Of relevance to the determination of this application are SPD1: Planning Obligations, adopted July 2014 and SPD3: Parking Standards and Design. The application of these SPDs are discussed further within subsequent sections of this report.
13. The National Planning Policy Framework (NPPF) was released on the 27th March 2012 and it replaced the majority of national guidance set out within Planning Policy Statements (PPS) and Planning Practice Guidance (PPG) notes. The NPPF aims to streamline the planning system and create a more positive approach to development; facilitating development which will contribute to meeting wider Government objectives, including boosting the supply of housing. The National Planning Practice guidance (NPPG) was published by the Government on 6th March 2014 to accompany the NPPF. The NPPF and NPPG will be referred to as appropriate within the following sections of the report.
14. The Council published the draft Land Allocations Plan for consultation between 3rd February 2014 and the 17th March 2014. The objective of the Land Allocations Plan is to deliver the vision and objectives set out in the Core Strategy and once adopted, will form part of the development plan for Trafford. On 25 March 2015, the Council's Executive agreed to a delay in the production of the LAP until such time that the production of the Greater Manchester Spatial Framework is further advanced.
15. The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

With regards the application site, whilst the site is not within a specific proposed GMSF allocation of land to be released, the site is located close to the New Carrington allocation (Policy WG1) Western Gateway. This allocation includes the former Shell Carrington industrial estate and extends across towards the Sale West boundary and south of Partington to Sinderland Lane, effectively enclosing the settlement of Partington. It is suggested that this allocation will deliver up to 750,000m² of employment floorspace and 11,500 new homes with associated infrastructure. The allocation would contribute towards significant regeneration to take place in Carrington, Partington and Sale West. The proposed development of the application site for residential, complements the wider regeneration aspirations of the GMSF particularly for the Partington area.

16. The original Environmental Statement was prepared under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (DOE 1999). The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended in 2015) consolidated a number of amendment regulations and is the up to date EIA legislation for the purposes of this application.

PRINCIPLE OF DEVELOPMENT

Paragraph 14 of the NPPF

17. NPPF Paragraph 14 indicates that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless: (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (ii) specific policies in the Framework indicate development should be restricted. The Council does not, at present, have a five year supply of immediately available housing land. Paragraph 49 of the NPPF and subsequent case law indicates that policies within the Development Plan which have implications for the supply of housing have to be considered to be out of date in such circumstances. Consequently, the starting point for the consideration of this application is point (ii) above (the final bullet point of the second limb of NPPF paragraph 14), as the development site is located within an area at risk of flooding.
18. Therefore relevant flooding policies in the NPPF indicate that it *may* be appropriate to restrict development in this particular case.

Flood Risk

19. Paragraph 103 of the NPPF requires the Local Authority to apply the Sequential Test in consideration of planning applications of new development. The aim of the Sequential Test is to steer new development to areas at the lowest probability of flooding. According to Table 2: Flood Risk Vulnerability Classification of the NPPG (Paragraph 066: Reference ID: 7-066-20140306), residential development is classified as 'more vulnerable'. Table 3: Flood risk

vulnerability and flood zone 'compatibility' of the NPPG (Paragraph 067: Reference ID: 7-067-20140306) indicates that residential development may be located within Flood Zone 2, if the Sequential Test is satisfied but, within Flood Zone 3, the Sequential Test and Exception Test must be satisfied.

20. The submitted FRA identifies that those areas of land located within the medium and high risk areas of the site for flooding (Flood Zones 2 & 3) would be sufficiently raised to elevate them into Flood Zone 1 (low risk) suitable for all types of development. This therefore renders the proposed land use adequate to pass the sequential test. In addition land lowering would also be undertaken in the south western region of the site to provide the necessary flood volume compensation to mitigate the impact of displaced floodwater as a result of the land raising. The Environment Agency and the Lead Local Flood Authority (LLFA) have raised no objections to the proposed changes to land levels to ensure areas of medium and high level flood risk are changed to low risk areas suitable for residential development and to provide the necessary flood volume compensation in the south-western corner of the site.
21. It should also be noted that the application site is an allocated development site within the Trafford Core Strategy and was subject to a sequential test as part of the plan adoption process. Paragraph 33 of the Flood Risk and Coastal Change Planning Practice Guidance is clear that developments already allocated and sequentially tested as part of the local plan process are deemed to have satisfied the sequential test. However, as the proposal would result in the provision of housing (a more vulnerable use) in Flood Zone 3 an exception test assessment was undertaken as part of the local plan standing advice report completed for the Core Strategy, relating to PPS25 Flood Risk assessment (Government advice at that time now superseded by NPPF). The three areas addressed as part of the exception test were:-
- a) *Would the development provide wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA where one has been prepared?*
 - b) *Is the development on developable previously developed land? Or, if it is not on previously developed land, are there no reasonable alternative sites on developable previously developed land? and;*
 - c) *Could a FRA demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall?*
22. The conclusion reached was that the proposed development at Partington Canalside would deliver a significant number of sustainability benefits to the community. Although the proposal would take place on a greenfield site, the Council were satisfied that there were no reasonable alternative sites on developable previously developed land that could accommodate the quantum of development necessary to make the required contribution to the regeneration priorities of Partington.

23. 17% of the area was identified as a high risk of flooding and the Trafford Strategic Flood Risk Assessment (SFRA) specifies that more vulnerable uses should be steered to lower risk areas. It was recognised that if those parts of the site at highest risk were to be excluded from residential development, Partington Canalside could still accommodate 550 dwellings at a density of circa 42 dwellings per hectare, which is considered to be an appropriate density for the area. Consequently, subject to the proposed housing being located outside of the portion of the area that is at the highest risk, it was considered that the proposals for more vulnerable development (i.e. residential) would be likely to pass the Exception Test and would require submission of a site specific FRA.
24. As stated a specific FRA was submitted with this application which details that land levels would be raised sufficiently to ensure that the areas of site at medium and high risk from flooding are elevated to Flood Zone 1 (lowest risk of flooding), this goes further than just locating development out of high risk areas. Two areas of the site are proposed to be raised, one area towards the north-east side of the site (adjacent to the redundant railway line) and one centrally extending up to the rear boundaries of 116 – 160 Lock Lane. In addition the proposals also include providing suitable compensatory flood storage within the site and not moving flood risk elsewhere. The Environment Agency have requested that a condition be attached (condition 9) providing details of existing ground levels and proposed finished floor levels before works commence on site.
25. The proposal is therefore considered to comply with advice within Policy L5 and based on the above assessment of flooding risk it has been demonstrated that it is not appropriate to conclude policies within the NPPF should restrict this development.

Strategic Location

26. The application site is located within the Partington Priority Regeneration Area as defined by the Revised Unitary Development Plan Proposals Map. Core Strategy Policy L3 seeks to aid regeneration and to reduce inequalities. Policy L3.4 indicates that, within Partington, *“development....will be supported which will provide or contribute towards the provision of approximately 850 units of new residential accommodation, suitable for families (part of which will be provided on a substantially vacant / unused 16 hectare greenfield site abutting the Manchester Ship Canal).”* The reasoned justification to the policy outlined in paragraph 12.17 states that, *“the development of the large scale private market sector housing scheme, at Partington Canalside, linked to the redevelopment of the shopping centre, will help diversify and stabilise the population of Partington and facilitate its development as an attractive and sustainable residential location; offer the capacity to contribute to the housing needs of the Borough up to and beyond the end of the Plan period; improve the quantity, quality and diversity of the stock on offer in the township, facilitate the improvement of public transport provision to and from it; facilitate improved local recreational provision, via the creation of a proposed “green access loop” around the township and; help to reduce pressure for*

development on the Green Belt.” It is noted that policy HO1 of the draft Land Allocations Plan identifies the release of the application site for residential development to be delivered in a phased manner over the plan period.

27. Policy L3.5 relates specifically to the application site (Partington Canalside) and lists a number of criteria that developers would be expected to deliver upon in developing out this site and include; redevelopment of the existing shopping centre; loss of amenity space compensated with improvement to open space and public realm; located development outside of Flood Zone 3 and contributions towards transport and accessibility projects that will deliver sustainable transport benefits to Partington.
28. It is therefore clear that the Core Strategy identifies significant residential growth within this part of the borough over the plan period; and it identifies the application site as a means of delivering this anticipated growth. Since the approval of the previous planning application, the policy framework set out in the Core Strategy provides significant support for the development of this site for residential purposes. It is considered that the principle of residential development on this site is consistent with the Regeneration Framework of the Core Strategy and its development could make a positive contribution towards achieving Core Strategy Strategic Objectives SO1 (Meeting housing needs); SO2 (Regenerate); SO4 (Revitalise Town Centres) and SO5 (Provide a Green Environment) and Core Strategy Place Objectives for the Partington Area PAO1, PAO3, PAO8, PAO10, and PAO12.
29. The Revised Unitary Development Plan Proposals Map identifies the site as comprising Protected Linear Open Land (Policy OSR6), a Wildlife Corridor (Policy ENV10) and an Area of Landscape Protection (Policy ENV17). Although these RUDP policies have been replaced by Core Strategy policies R2 and R3, following the adoption of the Core Strategy, the spatial expression of these policies remains extant until such time as the Land Allocations document is adopted. However, the Revised Unitary Development Plan Policies (RUDP) are effectively superseded by the Core Strategy identifying the site for residential development.

Greenfield Land

30. The Core Strategy aims to prioritise the development of previously developed land. Core Strategy Policy L1.7 sets a target of 80% of all new dwellings to be provided on brownfield land across the Borough. The policy states that, *“the Council will release previously developed land and sustainable urban area green-field land, in the following order of priority:*
- *Firstly land within the Regional Centre and Inner Areas;*
 - *Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in Policy L3 and / or strengthen and support Trafford’s 4 town centres; and*
 - *Thirdly land that can be shown to be of benefit to the achievement of the wider plan objectives set out in Chapters 4 and 5 of the Core Strategy. (Strategic Objectives and Place Objectives).”*

31. Further to this, policy L3.4 states that, *“the release of greenfield land for development will only be allowed where it can be demonstrated that it will make a significant contribution to the regeneration priorities for Partington...”*
32. The application site is not located within either the Regional Centre or Inner Area and therefore the first priority is not applicable to the determination of this application. However, in respect of the second bullet point, policy L3.4 identifies a requirement to deliver 850 new dwellings within Partington over the plan period, further to which the policy broadly identifies the application site as playing a significant role in the delivery of the proposed quantum of development. Since the previous application was considered, the Core Strategy has been adopted and Policy L3 provides further support for the development of the site for residential purposes. In addition to the regenerative benefits associated with the delivery of new housing, S106 monies will also be secured towards the provision of a Green Loop recreational route and highway improvements along Manchester Road (A6144) and public transport infrastructure. The previous scheme placed significant emphasis on the redevelopment of Partington Shopping Centre; however these improvement works have since been completed by the applicant to the benefit of the existing community and future residents. It is considered that the scheme will act as a stimulus for future investment in the area, attract economically active residents to the area and create an uplift in the local economy in terms of increased spend. On this basis, it is considered that the potential regenerative benefits of the scheme are sufficient to justify the release of this greenfield site for residential development.

Housing Supply

33. NPPF paragraph 47 identifies a clear policy objective to, *“boost significantly the supply of housing”*. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
34. The Council have indicated that it does not, at present, have a five year supply of immediately available housing land, although this site is identified within Trafford’s SHLAA (Strategic Housing Land Availability Assessment). The absence of a continuing supply of housing land has significant consequences in terms of the council’s ability to contribute towards the government’s aim of *“boost(ing) significantly the supply of housing.”* Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government’s objective of securing a better balance between housing demand and supply, in the determination of this planning application.
35. The application site is allocated within the Land Allocations Consultation Draft Policies Map (January 2014) as Land Release for New Residential Development (Policy HO1)

36. Core Strategy policy L2.6 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. The development proposes up to a maximum of 550 dwellings on site, which may comprise a mix of 2, 3 and 4 bedroom houses and 1 and 2 bedroom apartments. The final scheme, which will be delivered through the reserved matters process could be for fewer dwellings than the maximum number of units proposed. Core Strategy policy L3.4 indicates that the proposed scheme should improve the housing mix, type and tenure across Partington as a whole. Although no firm conclusions can be reached at this stage of the process, the housing mix, type and density will be influenced by the Council's relevant development plan policies at the time and the housing market at the time of delivery. The concurrent proposals for the Hall Lane site would indicate a desire to bring forward family housing, which is welcomed and would contribute to the target in Policy L2 of the Core Strategy for two thirds of the Borough's housing to come forward as family homes.
37. Core Strategy Policy L2 indicates that appropriate provision should be made for the provision of affordable housing. The site is located within Partington and as such is classified as being a "cold" market location, where no more than a 5% affordable housing target will be applied under normal market conditions, with a flexibility to raise this to a 10% requirement under "good" conditions. The supporting text of Policy L2 recognises that under "poor" market conditions a 5% contribution could inhibit the delivery of development and therefore where these conditions exist, developments will not trigger a requirement for the provision of affordable housing. Trafford is currently operating under poor market conditions. Notwithstanding this, the original application was approved without the requirement for affordable housing provision. The justification for this approach was the delivery of the Partington Shopping Centre which has now been provided and the consequent implications for the viability of the scheme. During the determination of the previous application it was recognised that the regeneration needs of Partington justified a different approach, which would allow the maximum available funding to be invested in the shopping centre.
38. Whilst there was a recognised requirement for affordable housing in Partington, there was also a recognised need for a greater quantity of higher quality private housing in Partington in order to provide a greater mix of tenure across the whole settlement. This would also encourage a greater number of high earning residents to the area in order to ensure adequate spending power to secure the long term future of the shopping centre. This remains the case today.
39. As stated the site is allocated as Protected Linear Open Land (RUDP Policy OSR6) covered by Core Strategy Policy R3. Trafford's Green and Open Spaces – An Assessment of Need Update (2009) identifies the site as situated within the Bucklow St Martin sub-area, which at the time of the publication of the assessment had approximately 52ha of accessible greenspace above the recommended minimum standard. The assessment

identifies that this figure includes a large amount of woodland within the rural area that is not accessible to Partington residents, who make up the majority of the wards population. With an above average level of under sixteen year olds, the many small sites and recreation grounds do not offer the variety of facilities that other parts of the Borough offer.

40. It is not considered the proposed development would prejudice the purposes of Policy R3 which identifies Green Infrastructure in the Borough providing social, economic and environmental benefits contributing to the development of sustainable developments. Part of the proposal includes the provision of the Green Loop around Partington Village. The details submitted as part of the original application and carried forward as part of this proposal detail that the Green Loop proposals will protect and enhance existing landscape and ecological assets, provide managed and accessible open space and a network of paths, which encourage recreational access to the open space and to the wider landscape setting of the village. The intention would be to create a circular route with an overall length of 6.2km as well as improved paths into the settlement and towards Warburton with a total length of 1.8km. In addition the provision of open space on site (1.46ha) and play facilities will form part of the proposals (see section on Open Space later in this report) therefore providing managed accessible open space network and play facilities to this section of Partington which is currently lacking. In any event, the benefits of the development in providing circa 550 residential properties given the Councils housing land position and the identification of this site for residential development within the Core Strategy, weighs very positively in the planning balance.

41. The principle of residential development is therefore considered to be acceptable.

DESIGN AND VISUAL AMENITY

42. The original outline permission is tied to an approved Development Principles Plan which sets out the key parameters for the development. The requirement to bring forward the development in accordance with this plan is controlled by condition 5 of the outline permission. A revised Development Principles Plan was however approved by the Council to replace the original in May 2012, which incorporated an amended route of the internal road network and introduced a new vehicular connection to a further residential development site at Hall Lane.

43. Although the design policy context had changed since the time of the previous approval, the thrust of these policies are continued within the Core Strategy and NPPF which require that high quality design solutions are achieved through consideration of design quality, functionality, amenity, security and accessibility. It is considered that the revised Development Principles Plan provides an appropriate means of controlling the overarching design principles of the development and that an appropriate layout could be developed on site in principle. The overall acceptability of the layout will however depend upon the design solution proposed at a future reserved

matters stage. The applicant will be expected to address detailed design issues in accordance with relevant development plan policies and the NPPF to ensure that a quality scheme is achieved, which respects the characteristics of the surrounding area.

OPEN SPACE

44. Core Strategy policy R5 states that the Council will secure the provision and maintenance of a range of recreation and open space facilities and will ensure that all developments contribute, on an appropriate scale, to the delivery of the open space standards identified within the policy, either by way of on-site / off-site provision or by way of a financial contribution towards improving the quantity or quality of such provision.
45. Partington is considered to have an oversupply of open space provision per resident but the Partington Canalside development site is not wholly within the Core Strategy Policy R5.3 accessibility criteria for Local Open Space of 300m. Therefore in accordance with Core Strategy Policy R5 the proposal would require provision of 1.46ha of open space provision. The applicant has confirmed that this provision will be delivered on site and secured through an appropriate legal agreement; the applicant has confirmed that an area of 1.86ha of open space will actually be provided. Core Strategy Policy R5 and SPD1 details the minimum provision for play space the projected population of the development site would be over 1000 (1,085 estimated population) and this would generate the requirement for a Neighbourhood Equipped Area of Play (NEAP) with a minimum size of 1,022sqm activity zone with a buffer zone of 8,684sqm, details of this facility would be dealt with through an appropriate planning condition. This NEAP area can be included within the overall requirement of open space provision of 1.46ha.
46. The original planning permission (H/OUT/68617) included a condition (Condition 31) requesting details of at least two on-site children's play areas to be submitted as part of subsequent reserved matters application(s), this requirement based on the Development Plan and Supplementary Planning Guidance relevant at the time of the application determination.

ECOLOGICAL CONSIDERATIONS

47. The site is identified on the RUDP Proposals Map as a Wildlife Corridor (Policy ENV10) and as such Core Strategy policy R2 is applicable to the determination of the application. Core Strategy policy R2 requires developers to submit through a statement how their proposal will protect and enhance biodiversity of the site and its surroundings and how the natural environment will be protected throughout the construction period. Core Strategy policy L3.4 indicates that development will only be acceptable where it would not have a significant adverse impact on the ecological value of the land.
48. The applicant has submitted an Ecological Assessment (June 2016) in support of the planning application in accordance with the provisions of Core Strategy Policy R2.

49. There are no statutory protected sites designations relating to ecology and nature conservation on the site. There are a number of protected sites in the vicinity of the site, including the following: -

- Rixton Clay Pits SAC (Special Area of Conservation) Local Wildlife Site and SSSI (Site of Special Scientific Interest) is approximately 1.9km west of the site near Hollins Green Warrington (European Protected Site) – Protected with regards its grasslands and largest breeding population of Great Crested Newts in Cheshire
- Manchester Mosses SAC and SSSI (European Protected Site) – Incorporates Astley and Bedford Mosses along with Risley Moss and Holcroft Moss north of the Manchester Ship Canal (approximately 2-3km northwest of the site), protected primarily relating to the existence of areas of peat bog.
- Rostherne Mere RAMSAR (National Nature Reserve, A Ramsar Site and SSSI – Approximately 7.2km south of the application site, protection linked to its importance to wildlife, the lake and surrounding woodland and pasture.

50. The Greater Manchester Ecology Unit has confirmed that the proposals do not fall into any of the risk categories identified by Natural England in their SSSI Impact Risk Zones.

51. Six Sites of Biological Importance (SBI's) are located within 2km of the application site:-

- The Reed bed by Manchester Ship Canal Sidings SBI – Located to the north-east of the proposal site on the opposite side of the redundant railway embankment (nearest SBI to the proposal site)
- Coroners Wood SBI – Approximately 0.5km south-west of the application site.
- Broadoak Wood SBI – Approximately 1.2km southeast of the site
- Carrington Power Station SBI – Approximately 1.4km northeast of the site
- Sinderland Green Wood SBI – Approximately 1.8km southeast of the application site.
- Moss Wood SBI – Approximately 1.9km southeast of the application site

52. The submitted ecology statement from the applicant indicates that Partington Wetland SBI to the south east side of the site has been de-notified in 2014 due to encroachment of invasive species such as Indian Balsam and Japanese Knotweed.

53. With regards status of protected species, the updated ecology statement identifies the following:-

- Common Frogs and Toad – Several common frogs located beneath discarded rubbish on the site, one common toad found just off the site to the east (the common toad is a Section 41 Principal Species)[*Section 41 of the 2006 Natural Environment and Rural Communities Act, lists the rarest and most threatened species*]. Ponds and ditches on site have dried and suitability of the habitats for breeding amphibians has declined since previous survey in 2007.

- Water vole – recorded within proposal site in 2007, updated survey in 2012 found no evidence of their existence on site. An additional six records of water vole in wider area, three records approximately 1km south of the site; two from the southeast of the site and one to the north of the site approximately 1.8km. 2015 survey recorded no water vole activity
- Bats – Five trees within the site identified as moderate potential for roosting bats, No bats found to be present in these trees. The site is likely to act as a good movement corridor with the adjacent canal.
- A total of 23 bird species were recorded as using the application site (which includes three Section 41 Principle Species (Dunnock, Song Thrush and Bullfinch). These are species listed as rarest and most threatened under section 41 of the Natural Environment and Rural Communities Act 2006. Other species recorded include Tawny Owl, Buzzard, Blackcap and Jay. Several waterbird species were noted using the adjacent ship canal, including Mute Swan, Mallard, Cormorant, Moorhen and Kingfisher (a schedule 1 species under the Wildlife and Countryside Act 1981 as amended by the Environmental Protection Act 1990). A section of sandy earth cliff embankment to the canal from the application site could be used by sand martin colonies.
- Alder leaf beetle was recorded on site which has been previously relatively scarce in the area.
- Presence of Badgers on site and also that signs of Otter along the site whilst moving along the ship canal.

54. The Greater Manchester Ecology Unit (GMEU) has considered the proposed development and has stated that although there are some protected species of interest on the site, these are limited and the development of the site is considered not to cause harm. In relation to the proximity of the site to the statutorily protected sites referred to in paragraph 44 above, GMEU do not consider that the proposal falls within any of the risk categories identified by Natural England in their SSSI Impact Risk Zones (IRZ's) (January 2017). Consequently, in GMEU's view, an appropriate assessment, under The Conservation of Habitats and Species Regulations 2010, is not required for this application. Natural England state that SSSI IRZs can be used as part of a Habitats Regulations Assessment (HRA) to help determine whether there are likely to be significant effects from a particular development on the interest features of a European site. Consequently, it is not considered likely that any European Protected Sites are likely to be adversely affected by the development. Natural England has responded similarly in their consultation response.

55. In respect of protected species, GMEU have assessed the likely impact, but do not consider the development will result in any harm provided mitigation measures are implemented through suitable planning conditions. These conditions include those previously included on the original approval with regards no vegetation clearance during bird breeding season; retention of a ditch to the north-east boundary of the site; scheme to mitigate any impact on water voles and sand martins; provision of bat boxes and additional conditions relating to a scheme to control invasive plants and a updated method statement to ensure no harm to badgers during course of approved works.

56. The saved policies of the RUDP identify the site, as a Wildlife Corridor, however the Core Strategy Policies must take precedence. The principle of this site for residential purposes is therefore in accordance with the development plan, provided the specific requirements of Policies L3.4 and L3.5 are met.

ENVIRONMENTAL IMPACT ASSESSMENT

57. The applicant has provided an updated Environmental Statement (ES) which provides a summary of the key findings from the original ES and the relevant changes since the original planning application was approved. The changes include the relevant change to planning policy and site characteristics which are summarised earlier in this report. The Council have advertised the updated ES in accordance with the provisions of Part 5, (22) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). The applicant acknowledges within the updated ES that there have been several changes to the baseline condition of the site from an environmental perspective namely with regards flood, transport and ecology matters. The applicant has therefore provided an updated Flood Risk Assessment (FRA); Ecology Report and Transport Assessment to provide along with the updated ES for consideration. The following areas are referred to within the updated ES:-
58. Hydrology and Hydrogeology – The original ES considered the potential impact of the development on the hydrological and hydrogeological characteristics of the site and its surroundings, in particular the effects on surface and ground water quality, drainage patterns and flooding risk. The conclusion reached was that no adverse impact on the above subject to appropriate mitigation measures with regards the final design of the development and during the construction/operational phases (appropriate conditions attached to the planning approval relating to drainage and protection of the watercourse). The updated FRA confirms that the Environment Agency Flood Risk maps have been updated since the original grant of planning approval and the site now lies within Flood Zones 1, 2 and 3 (Zones 2 and 3 at greatest risk of flooding) the site had previously been designated as Flood Zone 1 only. The FRA identifies that those areas of land within Flood Zone 2 and 3 would be raised to elevate them into Flood Zone 1 (low risk). The Environment Agency have confirmed they have no objections to the redevelopment of the site subject to a number of conditions to be attached to any grant of planning permission relating to finished building floor levels; compensatory flood storage and structural surveys of the existing canal wall/embankment. The planning application has also been considered by the Lead Local Flood Authority who has raised no objections and suggest Sustainable Urban Drainage as appropriate for the site.
59. Ecology – The original ES included a full ecological survey which comprised a detailed review of the biodiversity and nature conservation interests within the site and its surroundings. The updated Ecology Report (2016) provided an assessment of protected and notable animal species on site along with reptiles, amphibians, birds and invertebrates and the condition of habitats (i.e. vegetation/ trees). As indicated the Ecology statement has been considered

by GMEU who have raised no objections to the proposal, subject to a number of suggested conditions.

60. Geology and Soils – The original ES had previously assessed the physical nature of the local geology and soils of the site and potential for contaminated land. That assessment had indicated that there could be possible contaminated land risks, and therefore given the sensitive use of the site for residential there would be a requirement for further intrusive site investigation works. The original planning approval included a standard condition which required the submission of a detailed contaminated land report prior to works commencing on site. The Council's Pollution & Licensing section have provided comments on the current planning application with regards contaminated land and have no objections subject to inclusion of an appropriate contaminated land condition.

61. Air Quality - The Council's Housing & Pollution section have considered the updated environmental statement and have concluded that in relation to air quality that an updated air quality assessment be provided via an appropriate planning condition. With regard to impacts on local air quality there have been a number of industrial developments in the previous 5 years which have impacted on annual nitrogen dioxide levels at the site, namely Carrington Power and Trafford Power stations and Saica Paper Mill. Because of these changes an updated air quality assessment will be required to model annual mean levels of nitrogen dioxide at the site and the impact of the development itself. However, looking at the previous air quality assessment provided for this site, it is considered reasonable to condition this matter in this particular case as the predicted impacts were not forecast to:

- lead to significant worsening of a breach of an EU Limit Value (as the pollutant concentrations under Do Something scenario were predicted to be within the air quality objectives and in some cases an improvement in air quality was predicted for some receptors);
- Will not lead to an extension of the existing AQMA and will not cause declaration of a new AQMA;

62. Noise - The Council's Housing & Pollution section have concluded that since the original granting of planning permission there are no significant changes with regards noise and the proposed development. It is suggested that an updated noise assessment is requested through the planning application process. Condition 23 of the original approval required the submission of a noise management plan with each phase of the development.

63. Traffic/Highways - The transport assessment submitted with the original approval concluded that there would be no adverse impact on the road network and capacity subject to appropriate mitigation measures and road improvements. The Local Highway Authority have commented on the current planning application and have stated that the proposal does not result in any additional traffic impacts to the network over and above those impacts which have previously been identified and the appropriate mitigation measures identified. These included the provision of a mini-roundabout and traffic calming at the main access opposite Our Lady of Lourdes PS; Traffic

Regulation Orders to reduce speed 20mph zone around the roundabout junction; guard rails at the school entrance and removal of laybys at the east of the entrance to deter parents from parking on street. Provision of an off-street drop off and car park for the school which would be provided before works on the development site commence.

64. Landscape and Visual – The original ES a section on Landscape and visual impact. It was suggested that (prior to mitigation), there would potentially be a slight to moderate adverse impact on landscape character as a result of the loss of the current open landscape, the removal of trees and the changes to the existing landscape setting of Partington and Cadishead. However, the overall conclusion was that the wider, long-term impacts would be slightly beneficial as a result of the provision of the Green Loop proposals. It is suggested that this, together with on-site mitigation in the form of tree retention, new planting and careful consideration of the design of the site frontage, would compensate for the change in the character of the application site. Since the approval of the original permission there have been several changes in the baseline condition in the wider landscape, with subsequent new developments adding to the urban context.

HERITAGE

65. Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance if any heritage asset which may be affected by a proposal (including by development affect the setting of a heritage asset).
66. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
67. Policy R1 of the Trafford Core Strategy states that the Council will identify, preserve, protect and enhance the positive features and characteristics of Trafford's historic environment.
68. The development would not have any impact on the fabric or setting of any designated heritage assets. It would however have an impact on the setting of a non-designated heritage asset, the Manchester Ship Canal, and potentially on the fabric of non-designated archaeological remains.

Manchester Ship Canal

69. The Manchester Ship Canal's significance lies in its historic importance as a man-made waterway, canalising the River Mersey in parts, and its links to the development of industry in Manchester, Liverpool and beyond. Its immediate and wider setting is much altered and unrecognisable from when it was first developed. There has been significant regeneration activity along its banks,

particularly closer towards the Regional Centre on both the Trafford and Salford sides of the Canal.

70. It is not considered that this development would harm the setting of the Manchester Ship Canal. Development along the canal is very mixed and includes traditional low rise housing development, high rise residential and commercial schemes and a substantial amount of large scale industrial and warehouse development, with buildings of matching scale. It also dates from prior to the canalisation of the river, to modern developments, post-dating the regeneration of the dock and canalside areas.
71. Instead, by introducing improved movement and circulation alongside and close to the canal, it will enable better access and appreciation of the asset. This will sustain and enhance the significance of the asset and will enable the Ship Canal to be a positive contributor to this development in turn.

Archaeology

72. The original ES identified that there were three known archaeological sites located within the perimeter of the application site; which were deemed to be of low importance.
73. Comments from the Greater Manchester Archaeology Unit (now GMAAS) at the time of the original application stated that *'An archaeological desk-based assessment has been prepared. The report considers that the greatest potential for undisturbed archaeological deposits around Partington lies in the fringes to the village, including the narrow strip of land between Lock Lane and the Ship Canal. The report considers there may be a potential for prehistoric evidence to survive as the area contains two sections of the former course of the River Mersey that were infilled during the construction of the Ship Canal. In addition, there may be buried remains relating to the canal lock and relating to a small settlement, which is shown on a map dating from the nineteenth century but for which no surface evidence is now visible. The County Archaeologist therefore recommends a condition that no development should commence until the applicant has secured a programme of archaeological work in accordance with a written scheme of investigation (WSI) approved by the Planning Authority.'* Comments received as part of the current application from GMAAS advise that a similar condition is carried forward to any grant of planning permission with regards the proposed development.
74. The development therefore has the potential to harm non-designated buried heritage assets. However, it is considered by GMAAS through their suggestion of a WSI condition that the recording of these assets, if discovered, would provide sufficient mitigation against any harm. The heritage assets are currently unknown and their recording and public dissemination of the results would aid their understanding. No overall harm would therefore result.

ACCESSIBILITY, TRAFFIC GENERATION AND HIGHWAY SAFETY

75. NPPF paragraph 32 indicates that development should ensure that safe and suitable access to the site can be achieved for all people; and that improvements to the highway network are provided that would limit any significant impacts of the development. NPPF states that, *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*
76. Core Strategy policy L4.7 states that the, *“the Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and / or traffic mitigation measures and the programme for the implementation are secured.”* Policy L4.8 states further that, *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way, either by ensuring that appropriate transport infrastructure improvements and / or traffic mitigation measures and the programme for their implementation is secured, or by securing contributions...or by a combination of these.”*
77. Policy L3.4 states that, *“development will be required to contribute to the improvement of the public transport infrastructure to mitigate against the impact of the development on the highway network and to address the deficiencies in the existing public transport provision.”*

Traffic Impact

78. TfGM have reviewed the updated information issued in support of the application for the extension of time to implement permission for the proposed Development at Lock Lane in Partington. The document provided does not include junction impact assessments. The TA argues that available reports and assessments (Carrington Village) that review the impacts of the Lock Lane development, and nearby larger developments, confirm that there are no remote off-site impacts that need to be addressed and the planning permission should therefore be extended without delay. It also states that there is no junction that is taken over capacity by the Lock Lane traffic alone.
79. Although TfGM don't disagree with the above they wish to note that some of the junctions that were assessed as part of the previous work on the Lock Lane development do not feature in the recent Carrington Village TA. Therefore any previous junction which has been assessed as part of the original application and which is not in one of the more recent TAs should be re-assessed under current conditions i.e. with all relevant committed developments, highway changes etc. etc. implemented since the original application.

80. A review of the original TA reveals that the following junctions were assessed at the time:

- Warburton Lane / Dunham Rd
- Warburton Lane / Central Rd
- Manchester Road / Moss Lane
- Carrington Lane / Carrington Spur

81. TfGM recommend that these junctions should be reassessed for present and future conditions. They also state that it would be prudent to ensure that the road network is adequately designed to accommodate buses. This should include carriageway widths, appropriate traffic calming measures and suitable locations for bus stop infrastructure such as shelters and raised kerbs. Further guidance is available from Transport for Greater Manchester should the applicant require it.

82. In response to TfGM's suggestion that further reassessment of the junctions referred to above should be undertaken, the LHA are satisfied that the original modelling at three of these four junctions indicated sufficient capacity, and that further modelling is not required.

83. The initial model of the Carrington Lane / Carrington Spur (Banky Lane) junction showed this to be over capacity and that the impact of the development here was not significant. This junction has also been recently been modelled by Himor (New Carrington development) including the Lock Lane development flows. The LHA and TfGM are comfortable with Himor's proposed improvements here. Should the Himor scheme not progress then the LHA wouldn't require any specific improvements at this junction.

84. The associated traffic impact from the Lock Lane residential development proposals has previously been assessed, and the results accepted by the LHA as part of the outline planning permission granted in July 2010. The assessment of the network then included appropriate trip generation and assignment of the development traffic onto the local highway network, together with assumptions drawn from additional modelling undertaken on the wider network produced for the Carrington Village, Partington Shopping Centre and Common Lane development applications.

85. As such, the LHA is content that the associated traffic impacts generated by the development proposals have previously been considered acceptable and can therefore be suitably managed on the network with appropriate mitigation and highway improvement schemes.

86. Additional highway improvement schemes are considered appropriate to the development, as since the granting of the outline permission in 2010 a further residential scheme at Hall Lane has been approved.

Highway Improvements and Public Transport:

87. Paragraph 63 of the committee report identifies a number of mitigation schemes identified at the time the previous application was considered. In

addition to these, it has been concluded that improvements are necessary to assist with the introduction of additional capacity, highway deflections and improvements to the pedestrian provision at the junction of Hall Lane and Manchester Road roundabout. This improvement can be secured by a Grampian style condition which is included in the recommendation below.

88. A planning s106 obligation to provide improvements to the highway network and improvements to public transport is required to make the development acceptable. Unlike the previous application (H/OUT/68617), when it was considered that the full contribution should go to public transport improvements, it is considered that there has been a material change in planning circumstances in that improvements to the A6144 Manchester Road have become a higher priority. It is therefore recommended that a sum of £384,000 is to be secured, index linked from the previous contribution associated with the original scheme to be spent on highway improvements. A specific scheme has been identified by the LHA:

- Contribution to improvements at Manchester Road/ Flixton Road/ Isherwood Road junction either independently or in conjunction with any necessary improvements brought forward as a result of the delivery of other schemes in the vicinity, or a contribution to the proposed link road to and through the development site at Carrington.
- Any remaining monies will be used for enhancement to public transport, specifically a contribution towards the provision of bus stops and any necessary access improvements to allow buses to serve the development.

Other Highway Issues

89. Peak and Northern Footpath Society have provided comments on the application. They have requested that a planning condition be attached to ensure no obstruction to a public right of way (PROW). As part of the previous approval an appropriate Informative was included on the decision notice advising the applicant of the need to keep the definitive rights of way free from obstruction, as such it is considered appropriate to include a similar informative in the event that planning permission is granted for this development.

RESIDENTIAL AMENITY

90. Core Strategy policy L7 states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way. As this is an outline application the detailed relationship of the proposed dwellings to existing residential properties would be considered in detail as part of future reserved matters applications. Notwithstanding this, the Design and Access Statement indicates that dwellings adjacent to existing neighbouring properties would be restricted to two storeys in height. This approach is considered acceptable in

principle, subject to a detailed assessment of the scheme against the relevant development plan policies as part of a future reserved matters application.

91. The site is located adjacent to the Manchester Ship Canal. The Cadishead Way (A57) and the Lanstar (Scrap & Waste Management Business) site development within Cadishead, Salford lie on the opposite side of the canal. A package of noise mitigation measures would be incorporated to ensure that reasonable internal noise levels can be achieved within dwellings on all parts of the site. The Council's Housing & Pollution section assessed the scheme previously and raised no objections subject to conditions to secure noise mitigation measures and following reconsultation on this current application have raised no objections to the granting a renewal of the consent subject to attaching the previous conditions to the new consent.
92. Network Rail have requested that appropriate measures to mitigate noise and vibration that may arise from reuse of the redundant railway line are considered at an early stage in the detailed design and layout of the scheme to ensure appropriate mitigation measures are in place in order to prevent any issues with future occupants of the development. A noise management plan condition would be included on any grant of planning permission which would also include a vibration impact assessment

FLOOD RISK AND DRAINAGE

93. Core Strategy policy L5 seeks to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location. Further to this, Core Strategy policy L3 indicates that an assessment of the proposed development on flood risk relating to the Ship Canal and Red Brook should be undertaken. The applicant has submitted a Flood Risk Assessment (FRA) as part of the submission in accordance with the requirements of the Core Strategy and the NPPF. The FRA indicates that site is located with Flood Zones 1, 2 and 3, at the time of the original application the entire site was designated as Flood Zone 1. details regarding the flood risk have been covered previously within this report. With regards drainage the Local Lead Flood Authority have requested that Sustainable Urban Drainage Scheme(s) SUDS be implemented at this site. Appropriate conditions to be attached to any grant of planning permission to ensure submission of detailed drainage design at reserved matters stage.
94. The Environment Agency had requested a planning condition be attached requesting a full structural survey of the ship canal embankment before works commenced on site. The applicant had queried why this condition was required. The Environment Agency have provided further comments stating that such a survey would allow any possible defects to the embankment to be rectified easily before dwellings are built on site ensuring that future occupants would not have to incur any expensive repair costs, should there be any embankment slippage. In addition they refer to embankment erosion that occurred in Warrington during the 2015 flood event. Following further

discussions with EA they have suggested that an informative be attached to the decision notice in the event of planning permission being granted:

A structural survey of the ship canal wall/embankment adjacent to the site should be carried out to ensure of its structural integrity and remedial works undertaken as necessary prior to the commencement of dwellings construction. This should be discussed and agreed with the Manchester Ship Canal Company/Peel Holdings.

DEVELOPER CONTRIBUTIONS

95. The Community Infrastructure Levy (CIL) was approved by the Council on the 26th March 2014 and was implemented on the 7th July 2014. Regulation 128B of the CIL (Amendment) Regulations 2012 indicates that applications to renew an existing planning permission, which was granted before a CIL Charging Schedule was in place, will not be liable for CIL and as such there is no CIL charge levied against this proposed renewal of planning permission.
96. The S106 Agreement associated with the original application secured an alternative package of Section 106 requirements to that which would normally be secured under the previous policy framework. The S106 included the provision of significant shopping centre improvements, the implementation of the Green Loop proposals, the implementation of public realm improvements to Manchester Road and an area of the town centre and the provision of public transport improvements to at least the equivalent value of the financial contribution that would normally be required under the Council's now revoked Supplementary Planning Document, "*Developer Contributions to Highway and Public Transport Schemes*".
97. As noted within previous sections of this report, the planning policy framework in respect of planning obligations has changed since the original application was considered. Core Strategy Policies L4 and L8 identify how the Council will seek planning obligations towards the delivery of environmental, economic and social infrastructure. This policy is supplemented by Supplementary Planning Document 1: Planning Obligations which was adopted by the Council in July 2014. NPPF paragraphs 203 and 204 sets out the government's policy on planning obligations. Paragraph 204, alongside Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 indicates that a planning obligation should only be sought if it meets all of the following tests:-
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development
98. In April 2015 changes to the CIL Regulations limited the ability of Local Planning Authorities to pool more than five S106 contributions towards a single item or infrastructure 'pot'. The following sections of the report provide an assessment of the proposed S106 package.

Shopping centre redevelopment

99. A key component of the previous proposals was the delivery of a scheme to redevelop Partington shopping centre, the regenerative benefits of which were afforded significant weight in the determination of the previous application. Despite the residential scheme stalling, the applicant has fully implemented the various planning permissions associated with the redevelopment of Partington Shopping Centre, to the significant benefit of the wider community. As these works have been fully implemented, there is no requirement to carry these provisions forward as part of the revised S106 Legal Agreement. As previously indicated within this report the application site is now identified within the Core Strategy (Policy L3.5) and the previous S106 requirements effectively reflects what is now a development plan policy.

Green Loop

100. As part of the scheme a new recreational and ecological Green Loop will be provided around Partington town. The Green Loop will protect and enhance existing landscape and ecological assets, provide managed and accessible open space and a network of paths which will encourage recreational access to the open space and to the wider landscape setting of the town. The route will be circular in nature and will have an overall length of 6.2km as well as improved paths into the settlement and towards Warburton with a total length of 1.8km. This proposal is in accordance with Policy L3.4 of the Core Strategy.

Public Realm Improvements

101. As part of the original proposals, a Public Realm Regeneration Fund was proposed to help fund environmental improvements to the appearance of Manchester Road and a new public realm area in the town centre. Since the granting of planning permission in 2010 the Partington Shopping Centre has been delivered and these works with regards Policy L3.5 are considered to have been covered by the implemented shopping centre development.
102. Highway Improvements to Manchester Rd and Public Transport Improvements
103. Policies L4 and L8 of the Core Strategy are the relevant policies to this element of the SPD. In particular, paragraphs L4.1 (a) to (h) set out the criteria to enable sustainable development, which includes the development and maintenance of a sustainable integrated transport network. Paragraph L8.4 also specifically makes reference to the Council seeking contributions towards “*highways infrastructure and sustainable transport schemes including bus, tram, rail, pedestrian and cycle schemes*”. The proposed improvements to the highway network and public transport improvements have been detailed previously in this report.

104. It is considered that the above terms are compliant with Regulation 122 of the Community Infrastructure Levy. A S106 Agreement is currently being prepared which will secure these heads of terms.

PLANNING CONDITIONS

105. The list of necessary planning conditions attached to the original grant of planning permission has been revisited to reflect updated comments from technical consultees, changes to planning policy and guidance and the changes requested by the applicant since the application was considered by Committee in March 2017.
106. In relation to the changes from March 2017, condition numbers 8 (Landscaping); 14 (Nesting birds); 16 (Water voles); 17 (Sand martins); 18 (Bat boxes); 19 (Contaminated Land); 20 (Construction Environmental Method Statement); 21(Tree Protection); 29 (Japanese Knotweed); have been revised to allow for the submission of information in relation to each phase of the development rather than requiring it for the whole development at once. This approach is considered to be reasonable given the scale of the development.
107. The amendments proposed to other conditions mainly relate to the timing of the submission of information, and are discussed below. All the changes are considered to be acceptable.
108. Condition 3 (Approved Plans) - Condition amended to include the updated Development Principles Drawing ref 298H-Draft C which includes the following key changes:
- Realignment of the indicative route of the primary vehicular access;
 - Emergency access along the promenade removed as this will no longer be required when a route through the Hall Lane site is provided, achieving a complete loop through the site;
 - Alternative treatment of canalside walkway moving away from an engineered hard promenade design and instead working with the existing canal bank; and redistribution of the linear open space
109. Condition 4 (Vehicular access points and off-site highways works). Amended to include the approval of a timetable for the phasing of development and delivery of the works.
110. Condition 6 (Reserved matters applications). Amended to make reference to the updated Development Principles document (Drawing Ref: 298H-Draft C).
111. Condition 12 (Drainage design). Amended to ensure consultation with Network Rail takes place should the drainage scheme propose directing surface/foul water towards Network Rail controlled land.
112. Condition 23 (Surfacing works to footpaths and access points). Amended to require the works to be completed in accordance with an agreed timetable rather than prior to the occupation of the first dwelling in any phase.

113. Condition 24 (Pedestrian & cycle connectivity). Amended to require the works to be completed in accordance with an agreed timetable rather than prior to the occupation of the first dwelling in any phase.
114. Condition 25 (Scroggins Lane footpath). Amended to require the submission of a scheme for the upgrading of the footpath between the site and Scroggins Lane prior to any dwelling being occupied and for the scheme to be implemented in accordance with an agreed timetable, rather than prior to the occupation of dwellings within particular phases.
115. Condition 26 (NEAP) – This condition remains relatively unchanged apart from the inclusion of the wording to allow for the approval of the timetable that would be submitted for the delivery of the NEAP.
116. Condition 27 (Our Lady Of Lourdes PS). Amended to require the provision of the new parking facilities at Our Lady of Lourdes Primary School prior to the occupation of any dwelling, vehicular access to which is to be from either of the two proposed access points from Lock Lane. This condition had previously prevented any dwelling within the wider site being occupied before the Lady of Lourdes parking provision was made.
117. Condition 30 (Network Rail Noise & Vibration Survey) – A minor change to the wording of this condition is proposed which now includes approval of a timetable for delivering the mitigation measures submitted in the noise and vibration management plan.
118. Condition 31 (Air Quality) - A minor change to the wording of this condition is proposed which now includes approval of a timetable for delivering the mitigation measures that may be identified as necessary within the submitted air quality assessment.
119. Condition 32 (Crime Impact Statement CIS) – The proposed change to this condition relates to allowing for the approval of a timetable for delivering the secured by design measures within a previously submitted and approved CIS. This amendment is considered acceptable.

CONCLUSION

120. This is an application for the extension of the time limit for implementation of planning application H/OUT/68617, granted in July 2010. The Town and Country Planning (Development Management Procedure) Order 2015 enables such applications to be made for extant consents submitted before 31 October 2010. Government guidance (albeit now withdrawn, but with no equivalent replacement) states that local planning authorities should, in making their decisions on such applications, focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. There have been substantive changes, particularly to the development plan, but also to material

planning circumstances since the previous grant of planning permission. This has, as a consequence, required a full reconsideration of the scheme.

121. S38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. S38(5) of the same Act states that if to any extent a policy contained in a development plan for an area conflicts with another policy in a development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. The site is identified as a commitment for residential development in the adopted Core Strategy (2012) and Policies L3.4 and L3.5 of the Core Strategy are directly relevant to this site. The saved policies of the RUDP identify the site as Protected Linear Open Land and a Wildlife Corridor, however the Core Strategy policies must take precedence. The principle of the development of this site for residential purposes is therefore in accordance with the development plan, provided the specific requirements of Policies L3.4 and L3.5 are met.
122. Paragraph 49 of the National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable sites. The Council does not currently have a five year supply of housing land. Policies L3.4 and L3.5, as well as the overarching Core Strategy policies for the control of housing land are therefore out-of-date in NPPF terms. The NPPF is a material consideration which carries significant weight and therefore this application must therefore be determined in accordance with the second bullet point of Paragraph 14 of the NPPF. Where development plans are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (the 'planning balance'), or where specific policies in the Framework indicate development should be restricted.
123. Footnote 9 of the NPPF gives examples of where development may be 'specifically restricted'. Of these examples, only 'locations at risk of flooding' is relevant to this application as the application site falls within Flood Zones 1, 2 and 3. The applicant has demonstrated that, with suitable mitigation measures which can be secured through suitable planning conditions, the site can be developed without an increased risk of flooding either on the site or elsewhere. Development is not therefore 'specifically restricted' by the NPPF and is in accordance with relevant policies in respect of flood risk in the development plan, including those specific to this particular site. The first limb of the second part of Paragraph 14 is therefore engaged and the scheme is to be assessed on the 'planning balance'.
124. The proposed development would bring forward the following benefits and which are in accordance with the development plan (policy references are to the adopted Core Strategy):-

- A substantial contribution to the Borough's housing land supply, and in particular the 850 new dwellings for Partington identified in Policy L3.4. This figure of 850 new dwellings relates to all of the Partington area, not just the development site which forms part of the planning application being considered and which can potentially deliver up to 550 dwellings.
- A substantial contribution to family housing, assisting in meeting the Borough's target for 66% of new homes to be suitable for families, in accordance with Policy L2;
- A significant contribution to the regeneration priorities for Partington in accordance with Policy L3.4;
- The protection and enhancement of ecological interests, secured by relevant planning conditions in accordance with Policy L3.4.
- The provision of the Green Loop and improvements to open space and amenity areas in terms of quality and access, in accordance with Policy L3.4;
- The redevelopment of the local shopping centre (albeit this has come forward separately) and associated improvements to public realm, in accordance with Policy L3.5;

125. The scheme will also make contributions to highways and public infrastructure. This is not entirely in accordance with the first bullet point of Policy L3.4 and the final bullet point of Policy L3.5 which require *public transport contributions* only (not highway contributions) to mitigate against the impact of development on the highway network, equivalent to that set out in the adopted SPD1 at that time (2012). The original scheme delivered public transport improvements to a value of £321,722.50, in accordance with the adopted SPD1 at that time. However, there has been a change to material planning circumstances at the site which would warrant a different approach being taken.

126. A contribution of £384,000 is now sought to be divided between suitable highway improvement and public transport schemes. This would reduce the overall monies available for public transport but increase the monies available for highway improvements from nil, which would be beneficial. The improvements to the highway network are considered to outweigh the reduction in the sums available for public transport improvements. The rebalancing of the contributions is not considered to have a 'severe' impact in NPPF terms. A similar conclusion was reached in respect of the original application; albeit the planning balance at that time lay with public transport improvements.

127. All other development impacts are considered to be neutral, with the imposition of suitable planning conditions for mitigation where necessary, and therefore neither weighs in favour or against the development. The proposed

amendments to the previously agreed planning conditions are considered acceptable and would not materially affect the delivery of the development as previously considered and approved.

128. The benefits of the development are therefore substantial and weigh very much in favour of a grant of planning permission. The effect of not obtaining a full contribution to public transport improvements but instead directing these monies to highway improvements would not have a 'severe' impact in NPPF terms and would have some benefits. It is therefore considered that the (very limited) adverse consequences of the development would not significantly and demonstrably outweigh the benefits; indeed the planning balance is very much weighted in favour of the development. The proposals are in accordance with the development plan and where relevant policies are out of date, in accordance with the National Planning Policy Framework. The application is therefore recommended for approval.

RECOMMENDATION

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure :
 - 1.46ha of open space on site;
 - The provision of the 'Green Loop' and;
 - A contribution of £384,000 to highways and public transport improvements in the vicinity of the site and specifically the following identified schemes:-
 - a) Contribution to improvements at Manchester Road/ Flixton Road/ Isherwood Road junction either independently or in conjunction with any necessary improvements brought forward as a result of the delivery of other schemes in the vicinity, or a contribution to the proposed link road to and through the development site at Carrington.
 - b) Public Transport enhancements – contribution for the provision of bus stops and any necessary access improvements to allow buses to serve the development.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development first takes place - the appearance; landscaping; layout; and scale.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the details of the matters referred to in the condition have not been submitted for consideration.

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:-
 - Drawing No: 298A-48
 - Drawing No: Singleton Clamp 06206/01/002 A (Proposed East Access Point Lock Lane)
 - Drawing No: Singleton Clamp 06206/01/005 A (Proposed School Parking Arrangement – Option 1)
 - Drawing No: Singleton Clamp 06206/01/006 A (Proposed School Parking Arrangement – Option 2)
 - Partington Village: Development Principles Drawing Ref:298H-Draft C

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

4. No residential unit shall be occupied within any phase of development which is to be served by either of the proposed vehicular access points to be taken from Lock Lane unless and until a scheme for all off-site highway works (including traffic calming, the erection of pedestrian barriers, and the removal of the existing layby on Lock Lane) together with a timetable for the implementation of the works has first been submitted to and approved in writing by the Local Planning Authority. The highway works shall be implemented in full accordance with the approved plans and timetable and retained thereafter.

Reason: In the interests of highway safety, having regard to Policy L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby permitted shall be limited to a maximum total number of 550 residential units.

Reason: To define the permission and in the interests of visual amenity, residential amenity and highway safety, having regard to policies L4, L7, L8 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

6. All reserved matters applications submitted in respect of this permission shall comply with the Development Principles listed in the submitted document Development Principles: Drawing Ref:298H._Draft C

Reason: In the interests of visual amenity and residential amenity, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No development shall take place until a phasing scheme for the development, which sets out the sequence in which the various land parcels comprising the overall development site will be built out and thereafter brought into use has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing scheme.

Reason: To ensure the satisfactory development of the site in a phased manner in the interests of visual amenity, residential amenity, highway safety, community safety and sustainable development, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. Details of phasing are required to be submitted prior to commencement to enable the Local Planning Authority to assess the phasing of the scheme before any development begins on site and because a start on site would prejudice the proper assessment of the scheme.

8. Prior to works first taking place on each phase of development, full details and an implementation programme / timetable for the section of promenade fronting that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The details shall comprise the layout, appearance, and landscaping information (including the creation of ecological areas and details of hard landscaping and street furniture including railings, lighting, seating and paving and surfacing of terraces, footpaths and cycleways).

The promenade works for each phase of the development shall then be implemented in accordance with the approved details and timetable.

Any trees or shrubs planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees and shrubs or similar size and species to those originally planted.

Reason: In the interests of visual amenity, residential amenity, sustainable development, community safety and ecology, having regard to policies L3, L4, L7, R2, L8, R2, R3, R5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

9. Prior to works taking place on any phase of the development, details of existing external ground levels within and immediately adjoining the site and proposed finished floor levels for that phase shall be submitted to and approved in writing by the Local Planning Authority. The levels shall be set in accordance with the latest climate change allowances and as shown in sections 6.1.1, 6.1.3 and Appendix C of the FRA (the freeboard shall be set at 600mm above the 1% AEP plus climate change flood level). Development shall be carried out in accordance with the approved details.

Reason: To prevent the risk of flooding having regard Policies L4, L7, R3 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

10. Prior to the occupation of any residential unit in any phase of development hereby approved, a scheme for the management and maintenance of all land falling outside private residential curtilages and outside the control of the Local Highway Authority in that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and maintained thereafter in accordance with these approved details.

Reason: In the interests of visual amenity, residential amenity and community safety, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Any reserved matters application which includes landscaping shall include a structural landscaping scheme for the estate roads and pedestrian and cycle routes within or providing access to each phase of development and include a timetable for implementation. The approved scheme shall be implemented in full accordance with the approved details and to the approved timetable. Any trees or shrubs planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In the interests of the visual appearance and character of the area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

12. No development or phase of development shall take place until details of the full drainage design and all relevant documents to limit the proposed peak discharge rate of storm water from the development or that phase of

development to meet the requirements of the Council's Level 2 Hybrid Strategic Flood Risk Assessment (SFRA) shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall undertake consultation with Network Rail as part of the consideration of the information reserved by the condition in the event that the proposed drainage scheme includes directing surface and foul water towards land in its control. The development (or phase of development) shall not be occupied until such works as approved are implemented in full in accordance with the approved details and timetable and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

Reason: To prevent the risk of flooding, including flooding to adjacent railway land, by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to works starting on site because the approved details will need to be incorporated into the development at design stage.

13. Notwithstanding the submitted Travel Plan, prior to the submission of any reserved matters application, a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall include measures and targets to increase levels of public transport usage, walking and cycling and reduce the use of the private car. Prior to the first occupation of each phase of the development, a Travel Plan for that phase, which should include measurable targets for reducing car travel, shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plans for each phase shall be in general compliance with the Framework Travel Plan and shall outline procedures and policies that the applicant and occupants of the site will adopt to secure the objectives of the overall site's Framework Travel Plan Strategy. Additionally, the Travel Plan shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the Travel Plan and its implementation remain effective. The results of the monitoring and review processes shall be submitted to the Local Planning Authority no less than six months after the occupation of the relevant phase and thereafter approved in writing.

Reason: In the interests of encouraging the use of sustainable modes of transport and reducing the use of the private car, having regards to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

14. No clearance of trees and shrubs in preparation for (or during the course of) each phase of development shall take place during the bird nesting season (1st March-31st July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the trees or shrubs proposed for removal, within the relevant phase,

during the bird nesting season are utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall include a range of bird boxes which shall be provided on site prior to any site works or vegetation clearance in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. Details for this condition need to be submitted prior to the commencement of works on site because mitigation measures need to be in place prior to any operations taking place on site.

15. Prior to works taking place on site a comprehensive Method Statement shall be submitted to and approved in writing by the Local Planning Authority giving details of the measures to be taken to avoid any possible harm to badgers and other mammals during the course of development. The development shall be carried out in accordance with approved details with any approved mitigation measures retained for the duration of works on site.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

16. Prior to works taking place on any phase of development, further precautionary surveys of the site for water voles relating to that phase of development shall be conducted, the results of which, together with a scheme to mitigate the effects of the development on water voles, if recorded on site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved details and thereafter retained.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

17. Prior to works taking place on any phase of the development hereby approved, a scheme to mitigate the impacts of the development on sand martins in respect of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development or phase of development and the approved works shall be implemented in accordance with the approved scheme.

Reason: To safeguard the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

18. Prior to works taking place on any phase of the development hereby approved, a scheme for the provision of bat boxes in respect of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development and the approved works shall be implemented in accordance with the approved scheme.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

19. No development, or phase thereof, shall take place unless and until: (a) A contaminated land Phase I report to assess the actual/potential contamination risks at the site has been submitted to and approved in writing by the Local Planning Authority. (b) Should the Phase 1 report recommend that further investigations are required, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in respect of that phase of development, in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The phase II report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: - human health, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - adjoining land, - groundwaters and surface waters, - ecological systems, - archaeological sites and ancient monuments; (iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) of each phase hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any risks are mitigated prior to any works commencing on site.

20. No development, or phase thereof shall take place, including any works of demolition, until a Construction Environmental Method Statement relating to that phase of development has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. measures to protect nearby watercourses from building materials and other construction materials / waste during construction; ii. the access and parking of vehicles of site operatives and visitors iii. loading and unloading of plant and materials iv. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities, including measures for keeping the highway clean vii. measures to control the emission of dust and dirt during construction viii. a scheme for recycling/disposing of waste resulting from demolition and construction works. ix. hours of construction activity. The approved measures shall be implemented throughout the duration of the construction works on all phases of the development.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. No development shall take place on any phase of the development hereby permitted until a tree protection scheme relating to that phase of development, which shall incorporate the following plans and details in respect of that phase of the development, has been submitted to and approved in writing by the Local Planning Authority: -

- Details of any proposed lopping or topping of any trees within the areas shown for tree retention on the approved plans;
- Details of any proposed alterations to existing ground levels and of the position of any proposed excavation within the crown spread of any tree within the areas shown for tree retention on the approved plans or of any tree on land adjacent to the site; and
- Details of the specification and position of protective fencing (and any other measures to be taken) for the protection of any tree within the areas shown for tree retention on the approved plans from damage before or during the course of development.

Thereafter, the development shall be carried out in accordance with the approved scheme and there shall be no removal of existing trees within the area of trees and woodland shown to be retained on the approved plans.

Reason: In the interests of tree protection and the visual appearance and character of the area, having regard to policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. These details are required prior to the commencement of development to ensure appropriate tree protection measures are in place prior to any works being carried out on site.

22. No development shall take place until the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) has been secured and which has been prepared by the appointed archaeological contractor and submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following: (a) A phased programme and methodology of site investigation and recording to include: - targeted field evaluation trenching - (depending upon the evaluation results) a strip map and record exercise - targeted open area excavation (b) A programme for post investigation assessment to include: - analysis of the site investigation records and finds - production of a final report on the significance of the archaeological and historical interest represented. (c) Provision for publication and dissemination of the analysis and report on the site investigation. (d) Provision for archive deposition of the report, finds and records of the site investigation. (e) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To protect the significance of any archaeological remains on the site having regard to Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework. These details are required prior to the commencement of development to ensure no harm to any material/feature that may be of archaeological interest and/or significance without proper measures for mitigation in place.

23. Prior to the first occupation of dwellings in any phase of development hereby approved, a scheme for the surfacing of the footpaths, highways and access points within that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any residential unit within that phase of the development, the scheme shall be implemented in full accordance with the approved details.

Reason: In the interests of visual amenity, residential amenity and pedestrian access and permeability, having regard to Policies L4 and L7 of the Trafford Core Strategy.

24. Any application for reserved matters which includes layout shall be accompanied by a scheme for providing pedestrian and cycle connectivity to the wider area. Prior to the occupation of any residential unit within each phase of the development, the approved works in respect of that phase of the development shall be implemented in accordance with the approved details, made available for their intended purpose, and retained thereafter.

Reason: In the interests of pedestrian and cycle connectivity and permeability, encouraging the use of sustainable modes of transport and the visual appearance and character of the surrounding area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

25. No residential unit shall be occupied within the relevant phase of development until details of a scheme and timetable to upgrade the footpath between the boundary of the application site and Scroggins Lane to form a pedestrian and cycle route have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and the pedestrian and cycle route shall be provided in full accordance with the approved details and to the approved timetable. The route shall be retained thereafter for pedestrian and cycle use.

Reason: In the interests of pedestrian and cycle connectivity and permeability and encouraging the use of sustainable modes of transport, having regard policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

26. No development shall commence on any phase of the development hereby permitted until details of the location and design of the Neighbourhood Equipped Area of Play (NEAP) and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall take place and the NEAP shall be provided and retained in accordance with the approved scheme and the approved timetable.

Reason: In the interests of ensuring adequate children's play provision, having regard to policies L7 and R5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to works taking place on site because the approved details will need to be incorporated into the development at design stage.

27. No residential unit shall be occupied within any phase of development which is to be served by either of the proposed vehicular access points to be taken from Lock Lane unless and until a drop off area / off-street parking area has been constructed and made available for Our Lady of Lourdes School in full accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety, residential amenity and the character and visual appearance of the area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

28. Prior to any works taking place adjacent to Network Rail land on the north eastern boundary of the site, a Risk Assessment and Method Statement (RAMS) along with details of proposed ground works, excavations, vibro-impact works, boundary treatment, soft landscaping and scaffolding shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: Having regards to the proximity of Network Rail land in the interest of railway safety and in accordance with Policy L7 of the Trafford Core Strategy. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to protect the integrity of adjacent Network Rail Land before any operations take place on site.

29. Prior to development taking place on any phase of development, a method statement detailing eradication and/or control and/or avoidance measures for Japanese Knotweed and Himalayan Balsam (and any other invasive species identified) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented in full during the course of development.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure adequate protection measures are in place to ensure that invasive species do not harm the environment or site operatives.

30. Any reserved matters application which includes layout and / or appearance, shall be accompanied by a noise and vibration management plan, which shall include but not be restricted to measures to protect the proposed development from railway noise and vibration and any other sources of external noise. Development shall be carried out in accordance with the approved details and timetable and thereafter retained.

Reason: In the interests of residential amenity having regard to Policy L7 of the Trafford Core Strategy and advice contained within the NPPF.

31. Any reserved matters application which includes layout and / or appearance shall be accompanied by an updated air quality assessment. If any mitigation measures are identified as being necessary as a result of this assessment, development shall be carried out in accordance with the approved details and timetable and retained thereafter, where relevant.

Reason: In the interests of preventing pollution having regard to Policy L5 of the Trafford Core Strategy and advice contained within the NPPF.

32. No development or phase of development shall take place until a Crime Impact Statement has first been submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate how Secured by Design principles will be incorporated into the design of the development to prevent crime and enhance community safety. Thereafter development shall proceed in accordance with the approved details and timetable, and retained thereafter.

Reason: To ensure that appropriate details are incorporated into the design stage of the development, in the interests of crime prevention and the enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework. This condition requires the

submission of information prior to works starting on site because the approved details will need to be incorporated into the development at design stage.

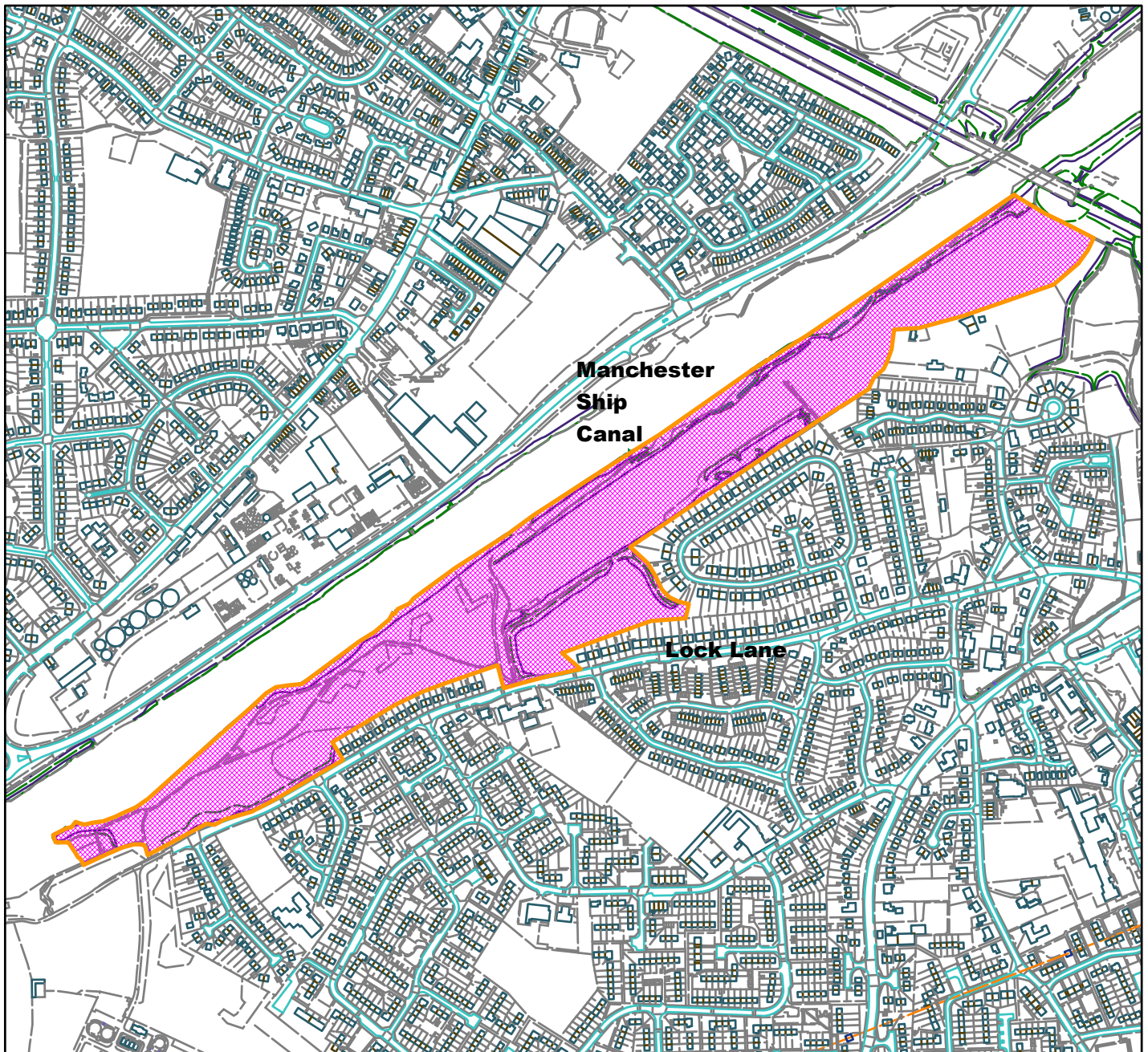
- 33.No residential unit shall be occupied unless and until a scheme for improvement works to the Hall Lane /Manchester Road roundabout has been implemented in full accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety, residential amenity and the character and visual appearance of the area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

CM



Land at Lock Lane, Partington (site hatched on plan)



Scale: 1:7,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/01/2018
Date	21/12/2017
MSA Number	100023172 (2012)

WARD: Sale Moor

91610/FUL/17

DEPARTURE: No

Erection of a Drive-Thru' coffee shop, with associated site access, car parking and other works.

Dovecote Business Park, Old Hall Road, Sale, M33 2GS

APPLICANT: Euro Garages Ltd

AGENT: WYG

RECOMMENDATION: GRANT

This application has been called in by Councillors Freeman and Bennett on grounds of highways and parking and residential amenity.

SITE

The application site relates to a 0.22 ha piece of land located on the western boundary of the Dovecote Business and Technology Park, at the junction of Old Hall Road with Dane Road.

Dovecote Business Park comprises two three-storey office buildings known as Dovecote House (currently occupied) and Number One Dovecote (currently vacant), along with associated access, parking areas and landscaping.

The application site lies on the Old Hall Road frontage of Number One Dovecote, at the main entrance to the Business Park, and comprises part of the existing parking area associated with the office building and also part of the landscaping area.

The two office buildings of Dovecote Business Park bound the northern and eastern perimeters of the site; Junction 6 of the M60 lies further north. Trees and the residential properties of Old Hall Road and Lincoln Grove lie to the south of the site. Old Hall Road and residential properties beyond lie to the west of the site.

PROPOSAL

Planning permission is sought for:-

- Erection of a single-storey contemporary drive-thru coffee shop (185 sq.m. internal floorspace) with a drive-thru lane (including a service hatch);
- Associated site access (via the existing access to the Business Park);
- Associated car parking (24 spaces including 2 disabled spaces to serve the non-drive thru customers);
- Associated landscaping.

The proposal will utilise the existing access to the Business Park.

The increase in floor space of the proposed development would be 185m².

Added Value

Discussions have taken place with the applicant's agent regarding a sequential test, highways, parking, drainage and landscaping. Additional information and amended plans have been submitted.

DEVELOPMENT PLAN

For the purposes of this application, the Development Plan in Trafford Comprises:

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

W1 – Economy

W2 – Town Centres and Retail

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

Policy EM3 of the emerging Land Allocations Plan should also be regarded as a material consideration.

PROPOSALS MAP NOTATION

Strategic Development Site

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

E13 – Strategic Development Sites

S11 – Development Outside Established Centres

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/52993 – Use of building for Class B1 (business) purposes without complying with the restrictions imposed by condition 2 of planning permission H/29608. Approved with conditions 18/02/2002.

H45067 - Erection of 6,968 sqm (75,000 sq.ft) of office accommodation in a 3-storey building. Provision of 320 car parking spaces and landscaping of site including the provision of a central amenity feature. Approved with conditions 07/01/1998.

H43694 - Removal of condition 2 attached to planning permission H/29608 to enable proposed development to be occupied by any use within class B1 (Business) of the Town & Country Planning (Use classes) Order. Refused 21/05/1997. Appeal Allowed 23/02/1998.

H44232 - Erection of a 3-storey block and 2 two-storey blocks of offices (total 6964m² of floorspace) to be used for activities within class B1 (A) & (B) of Town & Country Planning (Use Classes) Order 1987. Provision of 294 car parking spaces and landscaping of the site including provision of central amenity feature – Approved with conditions 19/03/1998.

H/29608 – Proposed high technology and business park, maximum floorspace 150,000 sq.ft including first phase development of part two, part three-storey building of 51,750 sq.ft gross with 200 parking spaces and second phase extension (outline only) of 17,000 sq.ft; two 2 storey buildings each of 25, 625 sq.ft gross with 85 car spaces per building and one 2 storey building of 30,000 sq.ft gross with 100 parking spaces. Landscaping, new footpaths, construction of new vehicular access to Old Hall Road and reconstruction of Sale Old Hall Dovecote. Approved with conditions 07/03/1990.

APPLICANT'S SUBMISSION

Euro Garages currently have a programme of building or redeveloping sites to provide new road-side services which include drive thru coffee shops both as part of their

existing service station sites and, as is the case for this site, as standalone developments.

The purpose of the development is to provide a new roadside offer with the prime customer base being motorists who pass the site as part of their journey. This is in line with Euro Garage's model who currently operate 37 coffee shop drive-thrus where, on average, circa 70% of customers either use the drive thru or purchase their goods 'to go'.

The primary use is takeaway sales from passing motorists and customers (via the drive-thru lane) with a smaller proportion of sales for consumption on the premises. On average, across the Euro Garages coffee drive-thru portfolio, 46% of customers use the drive thru, 31% 'to go' and 23% stay on the premises to consume their purchases.

The proposed drive thru coffee shop will sell freshly prepared food such as salads, fresh fruit, sandwiches, cakes and pastries and coffee; some of this food is re-heated but no fresh cooking takes place on the premises.

A Euro Garage standalone drive thru coffee shop as proposed will provide employment for up to 25 people, depending on the size of the operation.

The site provides for the locational requirements of a drive thru coffee shop operation, as it is situated along a main arterial route (A6144 Old Hall Road) and is 250 metres from Junction 6 of the M60 motorway. The drive thru will also serve the needs of employees working within the Business Park. Euro Garages has identified a need for a road side offer at this location with the number of vehicles passing Junction 6 on the M60, averaging 120,000 daily. There are no other sites within the vicinity of Junction 6 which are considered preferential over the application site in planning or operational terms. Given the proposal is serving a market made up of passing traffic it is not logical to focus this type of development within a town centre location.

The proposed drive thru coffee shop is not expected to result in any material increase in new trips along the A6144 Old Hall Road or the surrounding highway network, as the target market for the operation will be existing pass-by trips. It also targets the existing employees at the Business Park, who will already be accessing the site, and this custom will not therefore result in additional impact upon the local highway network.

CONSULTATIONS

Strategic Planning – No objection. See 'Observations' for further comment.

LHA – No objection. See 'Observations' for further comment.

Pollution and Licensing – No objection subject to conditions. See 'Observations' for further comment.

LLFA - No objection subject to conditions. See 'Observations' for further comment.

Greater Manchester Police – No objection subject to the recommendations made within the Crime Impact Statement being incorporated into the proposal.

REPRESENTATIONS

Comments have been received from two Councillors: -

Object on the grounds that the existing Business Park has co-existed reasonably favourably with neighbours encouraging wildlife and offering neighbouring residences good tree and shrub cover from the Business Park buildings. Many of these trees and shrubs have now been removed. A Drive Thru Coffee shop will change the dynamics of this area increasing noise and light pollution and traffic congestion to the detriment of the surrounding neighbours. The applicant runs service stations and allowing this development may change the designation of the Business Park to retail use and what will stop the applicant from coming back with an application for a service station. Concerned the use would potentially result in anti-social behaviour at this location.

Neighbours were widely notified and 3 site notices posted.

Letters of objection have been received from the occupiers of 58 different properties. There has also been 1 letter of support. The objections are as follows:-

Traffic

- Further local congestion on an already busy and dangerous road particularly during rush hour
- Suggest traffic calming measures/junction improvements/updated traffic lights
- Increased levels of traffic (including boy racers)
- Why is a car park needed for a Drive-Thru?
- Already difficult and dangerous for pedestrians to cross the road (no zebra or pelican crossings) especially for children walking to school and the elderly
- Many of the allocated parking spaces of the business park will be displaced
- Access onto/off Willow Court from Dane Road is already impossible, this will make it worse
- Will increase traffic on a poorly maintained road
- Residents already have parking problems – will the parking be chargeable?
- Potential overflow parking will affect the parking of local residents
- Will lorries park overnight?
- The application contradicts itself by stating its trade is from passing traffic but then intends to draw traffic from the motorway
- No technical analysis submitted to demonstrate the level of traffic generated can be accommodated on the local road network and at the junction
- If permission is granted the Council should enforce improvements to the pedestrian linkages at the junction and provide an air quality monitoring station

Amenity

- Increase in noise from traffic entering and leaving the site

- Opening hours 6am-10pm are too long and for 7 days a week will cause major disturbance to residents (car doors, cooking smells, anti-social behaviour)
- Increase in litter, will the Council clear up rubbish, already rubbish in this area and leading up to the motorway
- Removal of trees will result in further noise pollution (this has already happened, the trees absorb noise)
- The car park is too close to no.100 Old Hall Road, suggest at least a 2m high fence adjacent to the car parking spaces to absorb noise
- Loss of privacy due to existing loss of trees
- Many mature trees have already been cut down/loss of further trees and wildlife
- Light pollution from signage
- The modern building is not in keeping with the surrounding houses or area
- Will attract people to 'hang around' thereby affecting privacy and safety
- The site is not redundant, the planting was created originally to soften the impact of the Business Park on the surrounding residential area
- Disturbance from deliveries throughout the day and night
- Request a 2m high metal fence between the site and no.100 Old Hall Road to reduce noise and fumes
- Will result in gangs of teenagers congregating causing noise and possible vandalism – CCTV required
- Public cut through to Lincoln Grove will be used more and so reduce privacy/security
- Will more trees be cut down?

Use of site

- Why put a commercial building in a residential area?
- Non-employment use of an allocated employment site – it should be retained as an employment site
- McColls (110 yards away) already sells takeaway coffee
- No strategic need for additional facilities in this location
- Will take custom away from the village and result in the loss of jobs
- It will take trade away from nearby well-established small businesses
- May open the park to further retail applications
- Council must provide assurance there will no subsequent applications for a petrol station
- Are the Council re-designating Dovecote as a retail park?
- Will result in poor local air quality – go against the objectives of the Low Emissions Strategy
- Unsustainable development detrimental to the existing amenities
- Contrary to the Core strategy and NPPF – out of centre location

Other

- Close to Sale Water Park, this will result in pollution and will disrupt local wildlife
- Need to protect the wildlife
- Devalue property
- Of no benefit to the local community

The letter of support is from a resident of Ridding Close stating the building has not been occupied for some time and it is now a declining and wasting asset with no real purpose or value to the local community, whilst appreciating the concerns, this proposal will bring a new life to the area and benefit from security, job creation and placemaking.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The application site is identified as part of a wider 'Strategic Development Site' in the UDP allocations plan. The site is located within the Dovecote Business Park, at the junction of Old Hall Road with Dane Road and close to Junction 6 of the M60 motorway. The Business Park currently comprises two large office buildings with associated car parking and landscaping. The proposal is for a Drive-Thru' coffee shop on an existing parking area and landscaped part of the Business Park.
2. Policy W1.11 refers to a number of smaller areas within Trafford that are identified for employment purposes to meet local needs, one of which is the Sale Business Park, or Dovecote Business Park. Policy EM3 of the emerging draft Land Allocations Plan (2014) states that within the identified office areas, which includes Sale (also known as Dovecote) Business Park, the Council will, "*permit the development of offices (Use Class B1) and small-scale ancillary commercial/community uses (Use Classes A1, A2, A3, D1 and D2), limited to a level to meet the needs of the occupiers, in order to safeguard their primary strategic function.*"
3. Under Policy W1.12, when determining applications for the loss of employment floorspace to other uses within allocated employment areas, the following tests need to be considered:
 - There is no need for the site to be retained for employment purposes and it is therefore redundant;
 - There is a clear need for the proposed land use(s) in this locality;
 - There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;
 - The proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users; and
 - The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford.
4. The application site currently comprises landscaping and part of the car park which relates to the business park use on the wider site and is therefore not in an active employment use. The original planning permission for the offices

(H/29608) required part of this current application site to be landscaped – this was required as part of a Legal Agreement.

5. In relation to W1.12 and the need for the facility in this location, the applicant considers that it provides for the locational requirements of a drive through facility, given its close proximity to the M60 and its position on a main arterial route. It would also provide additional facilities for workers in the adjacent office buildings. The proposal is for a small scale coffee shop which would not change the primary office use of the business park. As such, it is considered that the facility would not have an undue impact on the primary function of the locality.
6. In relation to criterion 3 of W1.12 the applicant has demonstrated that they have considered other potential sites. Core Strategy Policy W2 and paragraph 24 of the NPPF require a Sequential Test for main town centre uses that are not in an existing centre, a drive through coffee shop is considered to be a 'main town centre' use as defined in the Glossary of the NPPF. The applicant has provided a Sequential Test which looked at a number of potential sequentially preferable sites in Sale town centre and Sale Moor district centre and has demonstrated that none were suitable, available or viable particularly given the specific requirements of the drive through facility.
7. On balance, there is no objection to the principle of development on policy grounds. It is considered that the proposal is acceptable in terms of the loss of employment land and it has been demonstrated that there are no suitable sequentially preferable sites. The proposal is therefore consistent with Core Strategy Policies W1 and W2 and NPPF paragraphs 22 and 24.

VISUAL AMENITY

8. With regard to the wider context, the proposed Drive Thru' is viewed in relation to the surrounding residential properties of Old Hall Road and the offices of Dovecote Business Park. The application site forms part of the Dovecote Business Park and as such when viewed from Old Hall Road and Dane Road the backdrop to the site is the three-storey offices beyond. It is noted that trees have been removed from the application site along the Old Hall Road frontage. The proposal is for a single-storey contemporary-style building (combination of flat composite panels and glazing in merlin grey and anthracite grey, and steelwork, fascia, soffit in matt black with high level glazing) with an asymmetrical roof (maximum height of 5.8m) with landscaping (19 additional trees) to the frontage with Old Hall Road. This is considered to be acceptable in terms of the street scene and character of the area generally, subject to further boundary treatment.

RESIDENTIAL AMENITY

9. Fifty-eight letters of objection (including from the Sale Moor Community Group) have been received to the proposed development many of which refer to the

impact of the proposal on residential amenity resulting from traffic generation and patrons using the site as a drive-thru' and as a coffee shop.

10. The applicant states the primary use of the site is takeaway sales from passing motorists and customers (via the drive-thru lane) with a smaller proportion of sales for consumption on the premises.
11. At the closest point there would be a separation distance of 25m between the frontage of the application site and the boundary of the residential properties to the west on Dane Road and Old Hall Road (and approximately 35m building to building). A distance of 12m lies between the application site and the boundary of no.100 Old Hall Road to the south of the site; the proposed car parking spaces would be set back from the southern boundary of the site by 6m with additional landscaping between the car park and no.100 Old Hall Road. As such, given these separation distances and the proposed landscaping scheme, it is considered there would be no unacceptable overlooking or overbearing impact.
12. The Environmental Health Officer (EHO) considers any increase in traffic will not result in a significant change to the noise climate given the site is situated within a business park accessed via a busy road close to a motorway junction. The EHO also states they would not expect the noise from customer traffic using the facility to be significantly noticeable against the background noise. In addition, there is the retention of some trees along the southern boundary adjacent to no.100 Old Hall Lane, and planting along the frontage of the site with Old Hall Road which will assist in mitigating potential noise. However, given the concerns of the residents of no.100 Old Hall Road and the proximity of that property to the southern boundary of the site it is recommended that a condition would need to be attached requiring suitable boundary treatment along the southern boundary adjacent to no.100, to be submitted for the Local Planning Authority's approval.
13. The proposed opening hours are 06.00- 22.00 hours 7 days a week. However, the EHO considers it reasonable to assume Sunday mornings will be a quieter time of the week and has therefore proposed a later opening time of 08.00 hours, which the applicant has agreed to.
14. In terms of the potential for this development to generate an odour impact, it has been stated by the applicant that the drive thru coffee shop would also sell freshly prepared food such as salads, fresh fruit, sandwiches, cakes and pastries. Some food would be re-heated but no fresh cooking would take place on the premises. As such there is no requirement for a dedicated extraction/ventilation system for this type of development.
15. In the event of planning permission being granted, the EHO suggests a condition restricting delivery and waste collection times to ensure that they are not carried out during unsociable hours and are restricted to 0900-1900 on Saturdays, Sundays, Bank or Public Holidays and 0700-1900 Monday - Friday.

16. Given the concerns of residents that antisocial behaviour may arise on a car park of this type the EHO suggests a Noise Management Plan be submitted for the LPA's prior approval, in order to detail the arrangements for dealing with noisy patrons. In addition the EHO suggests the provision of clear signage to communicate opening hours and a lockable gate/barrier to the entrance of the site to prevent access whilst the premises is not trading. This will help to prevent the congregation of people within the car park during unsociable hours which could result in noise and antisocial behaviour.
17. Given the concerns of residents regarding litter, the EHO recommends a condition requiring the submission for approval of a Litter Management Plan.
18. The EHO required confirmation from the applicant as to whether the drive-through would involve the use of public-address ordering units. The applicant confirms that order points are proposed, but consider they will not have adverse noise impacts given the site's location and existing background noise levels from the adjacent main road and Business Park activity. However, the EHO suggests attaching a condition requiring that the noise from the units is inaudible at the closest residential dwellings.
19. In relation to air quality, the EHO has agreed that an air quality assessment is not required in respect of the proposed development.

TREES / LANDSCAPING

20. A Tree Survey Report incorporating an Arboricultural Impact Assessment has been submitted with the application. An amended proposed landscaping plan has been submitted following the receipt of a revised car parking plan.
21. A number of trees within the application site are subject to a Tree Preservation Order (namely Trafford Borough Council Tree Preservation Order No.179) – Old Hall Road / Rutland Lane, Sale). The Order was made in 1988 when the site formed part of the curtilage of Old Hall Farm. The proposal would affect a tree group on the Order (G3), which consists of 10 Silver Birch, 4 Beech, 1 Mountain Ash, 1 Honey Locust, 1 Flowering Cherry, 3 Holly, 1 Ornamental Crab Apple and 1 Sawara Cypress. The majority of the surviving trees within group G3 are now in poor condition. The consultant has placed all the trees on the site, with the exception of 2 Silver Birch trees, in retention category 'C' as prescribed by B.S. 5837, which indicates that the trees are of poor quality and value. The two Silver Birch trees, T1 and T2 in the consultant's tree survey schedule, have been placed in retention category 'B', which indicates that the trees are of moderate quality and value. Only the two 'B' category Silver Birch trees would be retained as part of the development proposal. The Council's Arboriculturalist concurs with the consultant's assessment of the existing trees on the site. The trees standing

within the site that were removed last year were not protected by Tree Preservation Order No. 179.

22. The Tree Protection Plan, prepared by the consultant, indicates the positioning of temporary protective fencing and indicates a portion of the 'drive-thru' route, close to the retained Silver Birch trees, which would require 'no-dig' construction techniques to be adopted. The Tree Protection Measures specifying the proposed fencing and the areas of 'No-dig' construction will be detailed in an Arboricultural Method Statement. A condition requiring the submission of a Tree Protection Plan, incorporating an Arboricultural Method Statement (compliant with B.S. 5837:2012 – 'Trees in Relation to Design, Demolition and Construction – Recommendations') detailing tree protection measures, is included within the recommendation.
23. The landscape architects have also prepared a 'Landscape Layout' drawing which proposes new trees of advanced nursery stock size would be planted. The trees would be supplied as larger trees that would have some immediate impact at planting time. These plantings would help to mitigate the loss of existing trees of retention category 'C'. In response to the amended landscaping scheme (plan ref.3696 01B), it is considered the amendments do not detract from the original landscape proposals and in fact the scheme would be enhanced by proposed additional planting (the removal of 5no. parking spaces at the southern boundary of the site, adjacent to no.100 Old Hall Road, allows for a further tree screen). The amended landscaping scheme would give a net gain of 12 additional trees compared with the scheme that was originally proposed.
24. With regard to the Legal Agreement relating to the landscaping of planning permission ref. H/29608, this would be superseded by the grant of planning permission for the current proposal insofar as it relates to the land within the current application site.

HIGHWAYS AND PARKING

25. The existing access to the Dovecote Business Park is via an access road from Old Hall Road; this will also provide access to the application site. The junction of Old Hall Road/Dane Road/Dovecote Business Park access road is controlled by two way signals.
26. A new entrance from the existing car park for One Dovecote will provide vehicular access to the proposed coffee shop. Additional pedestrian access points will be provided from the access road and from the existing car park; all pedestrian crossing points are to have dropped kerbs and tactile paving. The access arrangements are accepted by the LHA. The drive-thru arrangement is also considered to be satisfactory by the LHA.

27. There have been a number of representations from local residents objecting to the proposals due to increased traffic on the local highway network. The applicant has provided a Planning Statement in which it is stated that the proposals are not expected to result in a material increase in new traffic trips along the A6144 or surrounding highway network as the target market will be existing pass-by trips and employees at the business park.
28. The LHA accept that whilst there will be some additional vehicle movements generated by the development, the proposals will not have a significant impact on the operation of the local highway network. The impact of the proposals on the network would not therefore be 'severe' in NPPF Paragraph 32 terms.
29. Servicing will be carried out via the access road from Old Hall Road. The proposals include a bin store located on the southern side of the building. Given the commercial nature of the site, it would allow for either private refuse collection or council refuse collection (a decision for the drive-thru company), the LHA recommend that refuse collection be secured via a Refuse Management Plan which is to have the prior approval of the LPA.
30. SPD3: Parking Standards and Design for Trafford states that for Use Class A3/A5 (Restaurants/cafes/fast food & drive through), one parking space per 5m² of public floor area is required. This equates to 24 spaces for this development. The proposal as submitted provided parking for 29 vehicles. The LHA noted this exceeded the parking requirements as set out in the Council's adopted SPD3 standards and therefore, in order to allow the provision of enhanced landscaping, a revised site plan reducing the parking to 24 spaces was submitted which has allowed for additional planting along the southern boundary. The proposed parking layout includes 2 disabled bays. The parking standards also require a maximum of 3 disabled bays for all parking areas of up to 50 spaces. However, as the overall parking provision is for 24 spaces in this case, the LHA consider that the provision of 2 disabled bays is acceptable. As such, this provision meets the requirements of SPD3 and is accepted by the LHA.
31. The LHA note that the proposals result in the loss of approximately 24 spaces from the existing business park car park. The applicant has provided information to demonstrate that sufficient parking remains for users of the existing business park. SPD3 requires one parking space per 30m² floor area for Use Class B1 in this area; this equates to 189 spaces for the existing office whilst the provision comprises 320 spaces.
32. Furthermore, the site is situated in a sustainable location being accessible on foot, by cycle and public transport with bus stops within a short walk.
33. SPD3: Parking Standards and Design for Trafford states that for Use Class A3/A5 a minimum of two cycle parking spaces and two motor cycle parking

spaces are required. The proposals include the provision of 4 cycle spaces. Two motor cycle parking spaces should also be provided; this can be achieved via a condition.

34. Some of the existing landscaping is being removed and replaced with new planting and a knee-high rail. The LHA suggest that consideration is given to the boundary treatment to prevent headlights causing a distraction to vehicles approaching the signal junction adjacent to the site on Old Hall Road from the M60 junction. This can be controlled by the landscaping condition.

DRAINAGE

35. The LLFA consider the drainage information to be satisfactory subject to the drainage scheme being designed in accordance with the submitted Flood Risk Assessment and Drainage Strategy. The LLFA suggest a condition requiring a full detailed drainage design, to limit the proposed peak discharge rate of storm water from the development, be submitted for approval by the LPA to meet the requirements of the Councils Level 2 Hybrid Strategic Flood Risk Assessment (SFRA). Also, a condition regarding the discharge and connection to the sewerage system; and a Sustainable Drainage Scheme.

CRIME AND SECURITY

36. A Crime Impact Statement by 'Design for Security' has been submitted which states the proposed development has been assessed against the principles of 'Crime Prevention Through Environmental Design' in order to reduce the opportunities for crime and the fear of crime. It concludes some features of the proposed development would make a positive contribution to the prevention of crime and fear of crime such as; additional activity and surveillance to the area at all times of the day and into the evening, a simple footprint providing few potential places for concealment, visible parking areas increasing natural surveillance opportunities, main entrance in a prominent position and uncluttered internal layout with few obstacles to surveillance. The Crime Impact Statement also suggests areas for further consideration such as; enclosing the site with low-level knee-rails and dense planting beds maintained at 1m height to maximise surveillance opportunities, retaining the existing fenceline and dense vegetation/trees at the southern boundary of the site with the footpath, lockable vehicle arm barrier or retractable bollards at night/when not in use, enclosed external store, lighting to vehicular and pedestrian routes and parking areas, and CCTV. It concludes the design/layout of the scheme is considered acceptable and as long as the appropriate physical security measures are incorporated into the consideration of the scheme, the proposed development is supported. The Crime Impact Statement recommends a condition is attached that reflects the security specification listed in the report.

OTHER ISSUES

37. Any further applications for future development would need to be considered on their own merits. Proposals for signage will need to be the subject of a separate application for Advertisement Consent. Any impact on property prices is not a material planning consideration.

DEVELOPER CONTRIBUTIONS

38. There is an adopted CIL Charging Schedule in Trafford and therefore as the proposal will create over 100 sq.m of new floorspace and will be a building that people normally enter, it will be CIL liable. However, there is a zero CIL charge for A3/5 retail in Trafford in accordance with the Council's CIL Charging schedule.

CONCLUSION

39. The proposed development is considered to be acceptable in policy terms and would be acceptable in terms of visual amenity, residential amenity, highway safety and parking provision, subject to appropriate conditions. As such, it is considered the proposal is in accordance with the NPPF and Policies W1, W2, L4, L5, L7 and L8 of Trafford's Core Strategy and that planning permission should be granted.

RECOMMENDATION

GRANT subject to conditions: -

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 148603c, 4a, 5, 6a, Landscape Layout 3696 01B and EG120-T00 Topographical Survey.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been

submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. Notwithstanding the details submitted to date, the development hereby permitted shall not be brought into use until boundary treatment (including fencing on the southern and western boundaries of the site) has been provided to all perimeters of the site in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Details shall include the design and materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to ensure satisfactory external appearance in the interests of visual amenity and residential amenity, having regard to Policy L7 of the Trafford Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any equivalent Order(s) following the amendment, revocation and re-enactment thereof, the premises shall not be used for any other purpose other than as a Drive Through Coffee Shop.

Reason: In the interests of residential amenity / highway safety / free flow of traffic having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced

within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No development or works of site preparation shall take place until a Tree Protection Plan, incorporating an Arboricultural Method Statement compliant with B.S. 5837:2012 – ‘Trees in relation to design, demolition and construction – Recommendations’ detailing tree protection measures has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall be implemented as approved.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

8. The premises shall not be open for customers outside the following hours: - 06.00-22.00 Mondays to Saturdays and 08.00-22.00 on Sundays and Bank Holidays.

Reason: In the interest of residential amenity and in compliance with Policies L4 and L7 of the Trafford Core Strategy.

9. No deliveries shall be taken at or despatched from the site outside the hours of 0900-1900 on Saturdays, Sundays, Bank or Public Holidays and 0700-1900 Monday - Friday.

Reason: In the interest of residential amenity and in compliance with Policy L7 of the Trafford Core Strategy.

10. Before the development hereby approved is brought into use, the 24 off-road car parking spaces shall be provided in accordance with plan ref.3696 01B. The approved parking spaces shall be retained thereafter for the parking of vehicles.

Reason: In the interests of highway safety and convenience and in accordance with Policies L4 and L7 of the Trafford Core Strategy.

11. The development hereby permitted shall not be brought into use until bin stores have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Details shall include siting, design, height and materials. The bin stores shall be retained thereafter.

Reason: To ensure satisfactory arrangements are in place for the disposal of refuse and in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy.

12. The development hereby permitted shall not be brought into use until a noise management plan has been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall thereafter be implemented in accordance with the approved noise management plan at all times.

Reason - To prevent a loss of amenity to the occupiers of surrounding residential properties from noise disturbance having regard to Policy L7 of the Trafford Core Strategy.

13. Noise from the public address units shall not be audible at any residential dwelling, at any time.

Reason - To prevent a loss of amenity to the occupiers of surrounding residential properties from noise disturbance having regard to Policy L7 of the Trafford Core Strategy.

14. Notwithstanding the plans hereby approved, the development hereby permitted shall not be brought into use until a Management Plan detailing facilities and measures for the disposal of litter by customers, such as additional litter bin provision and litter advice and signage to be provided at the premises, has been submitted to and approved in writing by the Local Planning Authority and has been implemented in full. The approved measures shall be retained thereafter.

Reason: In the interests of amenity of the occupiers of nearby properties, having regard to Policy L7 of the Trafford Core Strategy.

15. Notwithstanding the details submitted to date, no development shall take place until a scheme detailing crime prevention measures as set out in section four of the Crime Impact Statement, in respect of the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and operated thereafter in accordance with the approved details.

Reason: In the interests of community safety and crime reduction, having regard to Policy L7 of the Trafford Core Strategy.

16. Notwithstanding the plans hereby approved, the development shall not be brought into use unless and until a barrier/lockable gate has been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The barrier/lockable gate shall thereafter be operated at all times as approved.

Reason: In the interests of residential amenity and community safety having regard to Policy L7 of the Trafford Core Strategy.

17. The development hereby permitted shall not be brought into use until CCTV has been provided in accordance with details (including siting and design) that have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason. In the interests of visual and residential amenity and community safety having regard to Policy L7 of the Trafford Core Strategy.

18. The development hereby permitted shall not be brought into use until external lighting has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason. In the interests of visual and residential amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to Policy L7 of the Trafford Core Strategy.

19. The development hereby permitted shall not be brought into use until cycle and motorcycle storage has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: In the interests of highway safety and sustainable transport, having regard to Policies L4 and L7 of the Trafford Core Strategy.

20. No development shall take place unless and until details of the full detailed drainage design and all relevant documents to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Councils Level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works, as approved, are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA and FRA thereafter.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed of from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. No development shall take place unless and until full details of the Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed of from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

22. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii. hours of construction activity.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

23. The use hereby permitted shall not take place unless and until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The operation and management of refuse collection shall be carried out in accordance with the approved Refuse Management Plan at all times.

Reason: To ensure effective management of refuse collections to minimise disturbance and nuisance to occupiers of nearby properties and users of the

highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

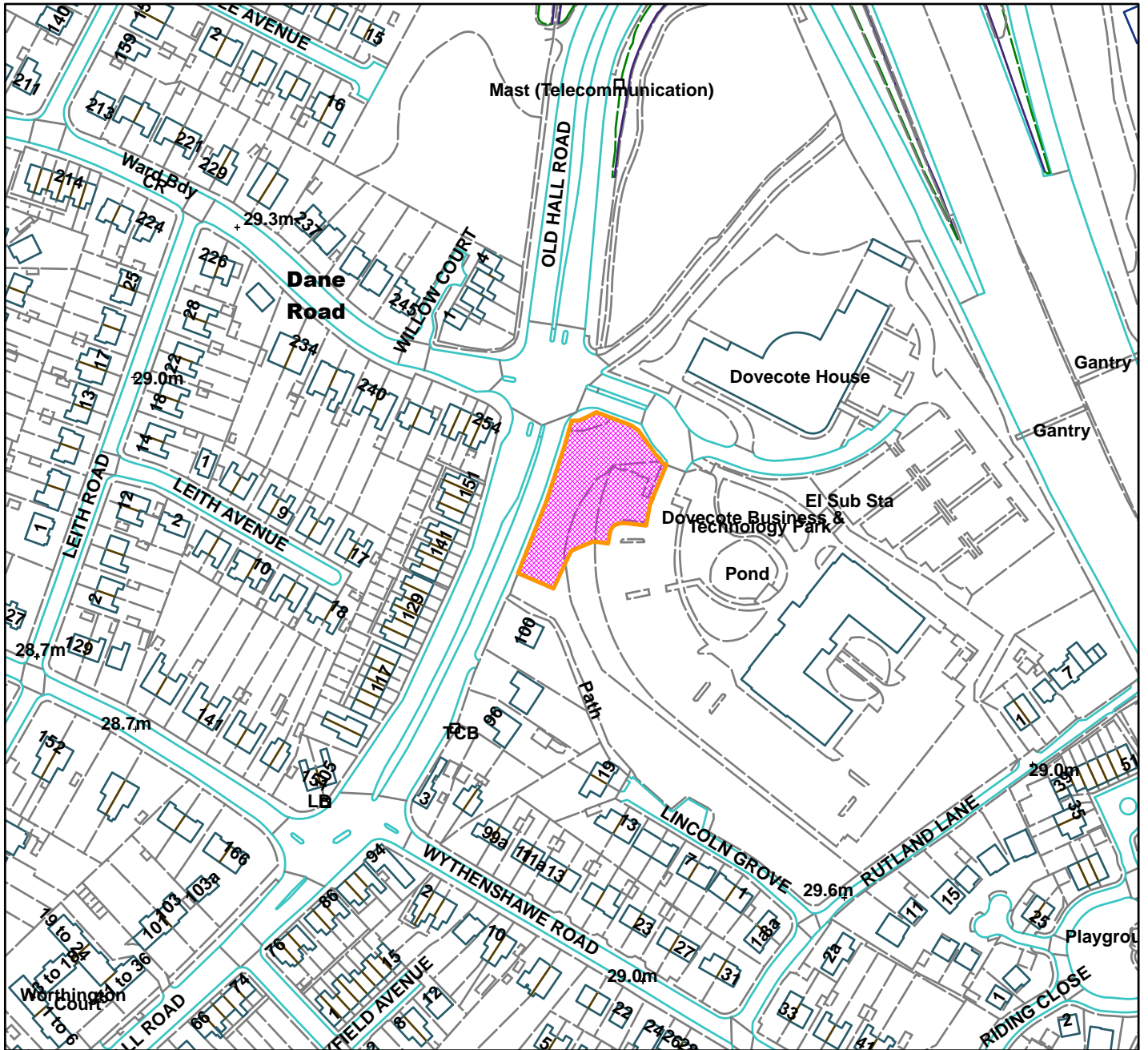
24. The use hereby permitted shall not take place unless and until a Service Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The operation and management of the servicing of the premises shall be carried out in accordance with the approved Service Delivery Plan at all times.

Reason: To ensure effective management of service deliveries to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

AC



Dovecote Business Park, Old Hall Road, Sale (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/01/2018
Date	21/12/2017
MSA Number	100023172 (2012)

Retention of remodelled dwelling including part single part two storey extensions, alterations to roof shape including formation of three dormer window and an increase in ridge height, and extensions and alterations to garage along with elevational changes involving resiting and insertion of windows.

Merrick, 22 Willoughby Close, Sale, M33 6PJ

APPLICANT: Mr & Mrs Naylor

AGENT: PHD Design

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee as the application has received more than six objections contrary to officer's recommendation.

SITE

The application site relates to a detached bungalow situated on the western side and at the head of the cul-de-sac, Willoughby Close. The remodelling works to the detached bungalow, which in part had been granted planning consent under previous permission 89294/HHA/16, had mostly been completed at the time of the case officer's site visit.

No. 22 is positioned on one side of the head of the cul-de-sac on Willoughby Close, with its front (east) elevation facing towards the side elevation on number 23 and its side (north) elevation facing towards the side elevation of number 20. Number 22 has a front, side and rear garden, with the largest garden area being to the south side of the dwelling.

The application site is located in a predominantly residential area within Sale with the pattern of development consisting of post-war brick built detached bungalows at the head of the cul-de-sac and two-storey semi-detached dwellings lining the neck of the cul-de-sac. Bounding the application site to its south is a three-storey residential development whilst to the west it is bound by semi-detached dwellings.

PROPOSAL

Planning permission is sought for the retention of the remodelled dwelling within the application site which includes part single-storey and part two-storey extensions, with associated alterations to the roof shape forming habitable space at first floor level. Other works include the re-positioning of some of the original openings.

Works have almost been completed and this application seek permission for the retention of the bungalow as built, which includes the development as approved in planning permission ref: 88464/HHA/16 in addition to a 0.25m increase in the ridge heights of the main roof, the dormer roofs and chimney stack; the reduction in height and repositioning of openings sited to either side of the chimney stack on the front elevation; the partial raising of eaves to the east facing rear elevation to accommodate a new stair window; and a 0.9m reduction in the length of the dwelling, stepping in from its southern end. The works also include a front extension to the garage of approximately 3.1m. Furthermore, the previously approved pitched roof design of the garage has been replaced with a flat roof design.

The extensions are to the front, rear and side elevations. To the rear, the extension projects approximately 3.9m from the original dwelling and which matches the extent of the now demolished single storey side and rear conservatory. To the south side of the property, the extension extends 3.7m to the side of the original dwelling and 1m beyond the demolished conservatory. To the rear it is single-storey in height and flat roofed for part of the rear extension, stepping up to two-storey in height and changing to a dual pitched roof design towards the south, with a maximum eaves height of 4.2m and a maximum ridge height of 6.8m. This is a 1.6m and 2.1m increase on the maximum eaves and ridge heights of the original dwelling and takes into account the 0.25m increase sought as part of this application, in addition to what has previously been approved under planning consents 89294/HHA/16 and 88464/HHA/16.

A new feature chimney stack has been introduced as part of the remodelling, whilst three dormer windows have been introduced to the south facing roof plane of the two-storey extension. The gable roof slope of the two-storey extension has been continued down to the proposed front door position creating a porch in that position.

The works include a number of new openings. In the south facing side elevation are two sets of bi-folding doors, a main entrance door with flanking windows within the front elevation.. To north facing side elevation are five rooflights. To the west facing rear elevation at ground floor level is a rear entrance and four windows. A pyramid rooflight sits on top of the flat roof section, whilst a rear facing stair window sits within the eaves.

Although standing approximately 0.55m taller at 3m, the existing side and rear garage has retained its flat roof design. Furthermore, it has been extended 3.1m to its front and by 1.2m in its width to abut the north facing side elevation of the extended dwelling.

The remodelled dwelling has been constructed using red brickwork. The new roof has used dark concrete roof tiles to match the original dwelling.

The additional floorspace of the proposed development would be 186 sqm.

DEVELOPMENT PLAN

For the purposes of this application, the Development Plan in Trafford Comprises:

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L7 – Design

PROPOSALS MAP NOTATION

Unallocated

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

89294/HHA/16 – Remodelling of existing bungalow to include part single, part two storey extensions including alterations to the roof shape to include habitable space at first floor level. Approved with conditions – 16th November 2016

88464/HHA/16 – Remodelling of existing bungalow to include part single, part two storey extensions including alterations to the roof shape to include habitable space at first floor level. Approved with conditions – 9th August 2016

CONSULTATIONS

None

REPRESENTATIONS

Neighbours: A total of 8 neighbours made representations to the Local Planning Authority on the following grounds:

- Not in keeping with character, design and scale of other bungalows within streetscene
- loss of views beyond No. 22 Willoughby Close and would appear visually obtrusive within streetscene
- garage has been increased in height and length leading to loss of sunlight
- increased height of garage, given its proximity to the boundary to the properties to the rear and that they are set 6ft below No. 22 Willoughby Close's ground level would result in loss of daylight to properties and garden areas
- increased height of dwelling would lead to loss of daylight to neighbours windows
- loss of screening (trees), the proposed works would amplify sense of visual intrusion
- garage appears taller than original permission
- extended garage is not structurally sound, leading to subsidence to neighbours side
- concern that if screed is applied to garage wall would further exacerbate structural integrity of garage
- height of garage is overbearing and does not comply with current planning regulations
- insufficient foundations in place for garage
- garage comprises of five different brick types
- concern as to drainage solutions with regard to flat roof
- development is impacting on value and marketing of neighbouring properties
- location of development in close proximity adversely affecting and impacting on neighbours rights to light and privacy
- concern with regard to trespassing of neighbouring property by applicants and tradespeople
- concern that pitched roof is to be erected and this will cut light to planned garage conversion to habitable space
- concerned planning information is limited to only those who have access to a computer and internet
- concern as to why neighbours weren't notified by planning department regarding ongoing alterations

OBSERVATIONS

DETAILED SITE HISTORY

1. There are a number of previous planning permissions for a remodelled bungalow at this application site. The original permission (88464/HHA/16) was granted planning permission on 9th August 2016. A subsequent application (89294/HHA/16) which sought to amend the original design by increasing the overall roof height of its two-storey element by 0.15m and recladding the retained element of the original bungalow in a matching red brickwork to that of the extensions was granted planning permission on the 16th November 2016.

DESIGN AND IMPACT ON THE STREET SCENE

2. Paragraph 56 of the NPPF states that *“The Government attaches great importance to the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
3. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of design, development must:*

Be appropriate in its context;

Make best use of opportunities to improve the character and quality of an area;

Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and,

Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”.

Garage

4. SPD4 states that *‘any garage extension to the front or that is visible to the public realm should be appropriately designed, modest in scale and not appear prominent in relation to the dwelling or the street scene.’*
5. The guidance within the SPD 4 states that detached garages should normally be set back from the front of the house. The extended garage to be retained would be set back by 1.81m from the front elevation of the dwelling and approximately 8m from the back of the pavement. Furthermore, it would not sit forward of the front elevation of neighbouring property No. 20.

6. The guidance within the SPD 4 also states that care must be taken to reduce the bulk of such extensions. Garages should be kept simple in form and should be kept as low as possible. The proposed extended garage, whilst approximately 1.2m wider, 3.1m deeper and 0.55m higher than that of the original garage, it retains a flat roof design and its 3m eaves height is no taller than what was previously approved under planning consent 89294/HHA/16. As such, the proposed garage continues to appear modest in its scale and does not appear particularly prominent within the streetscene. Furthermore, adjoining the main dwelling the garage could be considered as a side extension under permitted development which allows for an eaves height of 3m.
7. A number of comments have been received with regards to the use of varying brickwork, which does not complement the brickwork of the original garage. The garage has previously been extended to its rear, introducing new brickwork to its elevations. The front extension to the garage and the increase in its height which form part of this current application, have also introduced new brickwork. Whilst not ideal the brickwork is similar in colour albeit darker than the original brickwork. Given the application property's siting to the head of a cul-de-sac and the garage being single-storey in height, it is considered that the extended garage does not result in a significant level of visual harm to its main dwelling or to the surrounding properties so as to warrant a refusal.
8. As such, it is considered that on balance the design of the garage reflect the style of the host property, whilst relating to the host property and surrounding development in its scale, proportion and use of materials.

Front, side and rear extensions

9. Paragraph 3.1.1 of SPD4 states that side extensions should be appropriately scaled, designed and sited so as to ensure that they do not appear unacceptably prominent, erode the sense of spaciousness within an area and detract from the character of the dwelling.
10. Side extensions can have a prominent impact upon the appearance of the dwelling as they can remove gaps from the street scene which help define the local character.
11. The Council's SPD4 A guide for Designing House Extensions and Alterations, within Paragraph 3.1.2 states a: *gap of a minimum of 1m should be retained between the side elevation of an extended property and its side boundary, to retain the impression of space to the side of the dwelling.* Whilst within Figure 12 of the same section it states side extension should: *maintain gaps for glimpses of sky and greenery in the street scene.*
12. The two-storey south facing side extension projects 8.4m to the side of the retained original dwelling, which is a 1m increase in its overall projection to the

side compared to that of the original extended bungalow. The extension sits approximately 1.2m forward of the front elevation, retaining a gap of approximately 4m to the side elevation No. 23. As such, it is considered that the site would comply with Section 3 of the SPD4, retaining the impression of space between the properties. Furthermore, retaining access to the rear of the property.

13. Paragraph 3.1.2 of SPD4 advises that side *'extensions should not be taller than the existing property or extend above the main ridge line of the property'*.
14. Section 3 of SPD4 goes on to further advise that side extensions *'should be proportionate and complementary, in height and width, to the size of the original dwelling'*, their *'roof designs should match and complement the existing roof'* whilst the side extension *'should not project forward of the front elevation'*.
15. The two-storey extension is orientated at 90 degrees to the original dwelling and has an increased ridge height from the original dwelling by 2.1m. The extension extends approximately 3.9m to the rear of the original dwelling and sits forward approximately 1.2m of its front elevation. Having undertaken a complete remodelling of the original dwelling, these works are considered appropriate, helping to establish a contemporary take on the traditional form and design of the original dwelling.
16. Sitting between the two-storey extension and the garage, the single-storey rear extension extends 3.9m to the rear of the original dwelling. It has a flat roof design with pyramid roof light to its top. The 3m height of its eaves, matches that of the adjoining garage.
17. The other properties within the cul-de-sac comprise of detached gabled bungalows and semi-detached two-storey hipped dwellings. Whilst at its highest point the ridge of the remodelled property would sit approximately 6.8m, 2.1m high than the original bungalow, given is siting to the head of the cul-de-sac, and there being differing property types with varying ridge heights, the increase in the ridge height of the application dwelling does not appear overly dominant or out of keeping within the streetscene, especially given that the two-storey extension is set back from the street to the south of the property.
18. Overall, the remodelled dwelling to be retained is considered to be appropriate and reflective of the character and appearance of the host dwelling without harm to the visual amenity of the application site or wider streetscene. The application is in line with the SPD guidance and would accord with Policy L7 of the Trafford Core Strategy.

RESIDENTIAL AMENITY

19. Policy L7 of the Trafford Core Strategy states that *"In relation to matters of amenity protection, development must be compatible with the surrounding area;*

and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way”.

20. Paragraph 3.1.1 of SPD4 states that side extensions should not adversely affect the amenities of neighbouring properties.

Privacy and Overlooking

21. Paragraph 2.15.1 of SPD4 states that windows in close proximity to a neighbouring boundary are likely to lead to loss of privacy to a neighbour's house or garden.

22. Within the front elevation of the dwelling to be retained, there are three habitable ground floor windows and two habitable first floor windows, a number of which, including at first floor level would face directly on to the side and front of No. 23's property. Whilst No. 23 has an existing habitable window to its side elevation facing onto the application site, its positioning to the rear end of this elevation, which projects approximately 3.6m beyond the rear elevation of the application dwelling, with the resultant outlook onto the rear garden area of the application site. Therefore there is no direct overlooking between windows on the side elevations of both the application property and no.23.

23. To the rear elevation facing west onto the properties to Kilvert Drive, its habitable windows are at ground floor level, with the only window at first floor being a landing window, set back 8m from this boundary. The approximately 2m solid timber panel fencing forming the boundary with the properties to Kilvert Drive provides sufficient screening in relation to the ground floor habitable windows. However, it is recommended a condition be attached to any permission requiring that the landing window be obscure glazed to prevent any overlooking or loss of privacy to the properties to Kilvert Drive.

24. It is recommended as part of any planning permission that permitted development rights be removed for any new openings at first floor level within the front and rear elevations of the dwelling to be retained. The reason being that openings to the front would not achieve a minimum distance of 21m to any facing habitable windows to the properties within Willoughby Close, whilst openings to the rear, in addition to not achieving a minimum distance of 21m to any facing habitable windows to the properties to Kilvert Drive, they would not achieve the minimum distance of 10.5m to the common shared boundary with the properties to Kilvert Drive. This is contrary to the guidance as set out in Section 2.15 of SPD4 and is likely to result in an unacceptable amount of overlooking and loss of privacy to neighbouring properties and rear garden areas.

25. The application site has habitable windows at ground and first floor levels in its side south facing elevation. In line with Paragraph 2.15.2 of SPD4, which states *'extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable, unless there is adequate screening such as significant mature evergreen planting or intervening buildings'*, a minimum separation distance of approximately 11.8m is achieved between these habitable windows and the common boundary with the properties to Plant Close (to the south of the site). Furthermore, the extended property faces onto the blank gable ends of the part two part three-storey apartment blocks, as such there would be no harm to privacy of these neighbouring residential properties.
26. To the north facing onto No. 20 Willoughby Close there are five roof lights within the roof plane of the two-storey extension. However, these are positioned approximately 2.2m above internal floor level and as such present little likelihood of harm to the privacy levels of the occupants of No. 20.
27. The extended garage has not introduced any windows to its elevations.
28. As such, it is considered that the proposal does not result in any undue overlooking or loss of privacy to the neighbouring properties.

Overbearing/visual intrusion

29. Paragraph 2.17.1 of SPD4 states that positioning an extension too close to a neighbouring boundary can result in an uncomfortable sense of enclosure for the neighbouring property. A large expanse of brickwork can be overbearing to the amenities of a neighbouring property. The maintenance of adequate separation distances may help to avoid overbearing relationships between properties.
30. The siting to the head of a cul-de-sac has led to the application property being orientated at 90 degrees to that of neighbouring No. 23 Willoughby Close. A minimum separation distance of approximately 4m, reducing to 3.6m for the width of the chimney, exists between the two-storey extension and its boundary to No. 23. Although the two-storey extension would project approximately 4.6m beyond the front elevation of No. 23, given the separation distance and that No. 23 retains a significant degree of outlook from its front north facing habitable windows and is considered not to result in any significant overbearing impact or appear visually intrusive to No. 23.
31. The properties to the rear of the application property to Kilvert Drive are two-storey semi-detached and detached dwellings with single-storey outriggers to their rears. Comments have been received voicing concern that the ground levels of the properties to Kilvert Drive are set below that of the application site and there is a consequent overbearing impact to their garden areas and properties as

a result of the development. However given the separation distance to the rear elevations of these properties and the modest height of the dwelling it is considered that the proposal would not result in any undue overbearing impact harmful to residential amenity.

32. The two-storey extension maintains a separation distance of approximately 12.2m to No. 20 Willoughby Close minimising any adverse overbearing impact to the occupants of No. 20. With regard to the extended garage, it sits flush to and forms the boundary with No. 20, as was previously the case. The 3.1m forward extension adjacent to No.20's property, which has one opening serving the garage (non-habitable) which is obscurely glazed. The extended garage is not considered to appear overbearing and harmful to the outlook from habitable windows. Whilst No. 20 within their objections mentions their intention to convert their existing garage into habitable space, this has yet to be undertaken and as it stands they have no habitable windows within the side elevation of their property facing onto the application site.

33. It is acknowledged that the increased eaves height of the garage at 3m, compared to the original eaves height of 2.45m, does appear to have a more overbearing impact on the rear garden area of No. 20 given its close proximity to the boundary. However, this is not taller than what was previously approved under planning consent 89294/HHA/16. Furthermore, adjoining the main dwelling the garage could be considered as a side extension under permitted development which allows for an eaves height of up to 3m.

34. The ridge height of the two-storey extension is approximately 6.8m, approximately 2.1m higher than the ridge height of the original bungalow. With the single-storey element of the remodelled dwelling, having a ridge height of approximately 4.8m, 0.1m taller than that of the original dwelling. Whilst a significant increase in ridge height compared to the original bungalow, it is not significantly greater (0.25m) than that previously approved under planning consent 89294/HHA/16. Given the remodelled dwelling's siting to and distance from the neighbouring properties, it is considered not to result in a degree of overbearing to adversely impact on those properties residential amenity so as to warrant a refusal.

Loss of light and overshadowing

35. Paragraph 2.16.1 of SPD4 states that an extension positioned too close to a boundary, may cause a loss of sunlight and/or daylight to a neighbour's window or garden. An extension that would overshadow to an unreasonable extent would not be considered acceptable.

36. With regard to the two-storey extension, No. 23 Willoughby Close, has one habitable window to its side elevation facing onto the application site, however, it sits approximately 1m forward of the side elevation of extended dwelling and its

main outlook is onto the garden of the application site. Furthermore, this is not the only window serving this habitable room, with one being positioned to No. 23's rear elevation providing additional light in to this room. It is considered that the loss of light to this habitable window is minimal and would not result in significant harm to residential living conditions.

37. No. 20 Willoughby Close has no habitable openings to its side elevation facing onto the application site, whilst the two-storey extension is distanced approximately 12.1m away from the boundary. At 3m in height, the garage sits 0.55m higher than previously, however, being single-storey in height does not result in any significant overshadowing to No. 20's rear garden area.
38. Given separation distances of approximately 18m distance being achieved to any habitable windows to the back of their main dwellings and approximately 15m to their outriggers, it is considered that the remodelled dwelling does not result in any significant overshadowing or loss of light to the rear garden areas or properties to Kilvert Drive.
39. As such the proposal to retain the dwelling as built is considered to be acceptable in line with the guidance set out in SPD4 and would not result in undue harm to the residential amenity of neighbouring and surrounding properties. As such the proposal is considered to be in accordance with Policy L7 of the Core Strategy.

HIGHWAYS

40. SPD 3: Parking Standards and Design requires 2 no. off-road parking spaces for a 3 bedroom property. The current application seeks to increase from 2 no. to 3 no. bedrooms. The proposal includes the enlargement of the existing garage, which would allow for two off-road parking spaces, whilst there is sufficient retained hardstanding to the front of the property for at least one additional off-road parking space. As such, it is considered that the proposal would be in accordance with SPD3 and is acceptable on highways grounds. Nevertheless a condition is recommended to ensure that the hardstanding and extended garage are retained for parking at all times.

CONCLUSION

41. The retention of the development is considered acceptable in terms of design and visual amenity. The proposal would not result in undue harm to the residential amenity of neighbouring and surrounding residential property and would not cause harm to highway and pedestrian safety. As such the development is considered to comply with Policies L4 and L7 of the Trafford Core Strategy and guidance in the NPPF and SPD4. As such it is recommended that planning permission should be granted, subject to conditions.

RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 201607/OS1, received 27th September 2017 and on amended plans, number 201607/SkC1/A, received 23rd November 2017.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the first floor landing window on the rear elevation facing west, shall be fitted with textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) no window, dormer window or other opening (other than those shown on the approved plans) shall be formed in the first floor front (east) and rear (west) facing elevations of the development hereby permitted unless a further permission has first been granted on application to the Local Planning Authority.

Reason: To ensure satisfactory level of privacy between properties, having regard to Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations.

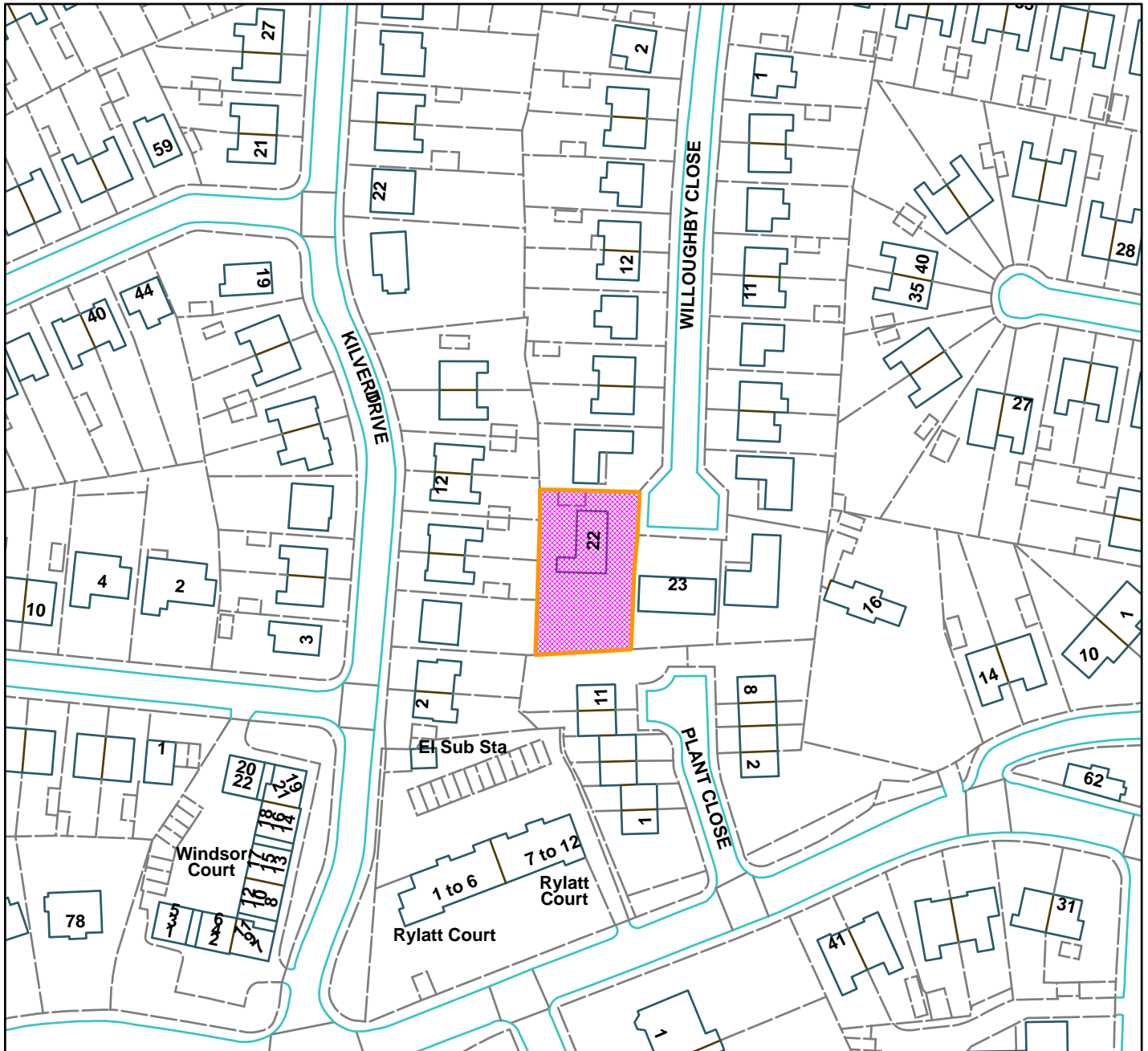
4. The extended garage hereby permitted and existing hardstanding to the front shall be kept available for the parking of motor vehicles at all times.

Reason: To ensure adequate garaging /off street parking provision is retained and thereby avoid the harm to amenity, safety or convenience caused by on street parking, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and Supplementary Planning Document3: Parking Standards and Design and the National Planning Policy Framework.

BB



Merrick, 22 Willoughby Close, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/01/2018
Date	21/12/2017
MSA Number	100023172 (2012)

Erection of two storey detached dwelling following demolition of existing house incorporating accommodation within the roofspace and garage and other ancillary accommodation at basement level.

Gateways, 14 Broadway, Hale Barns, WA15 0PG

APPLICANT: Mrs Mussarat

AGENT: CODA Bespoke

RECOMMENDATION: MINDED TO GRANT SUBJECT TO THE UNDERTAKING OF A BAT EMERGENCE SURVEY.

SITE

The application site relates to an angularly shaped parcel of land within which sits a large detached property positioned at an oblique angle to the road and surrounded by an established manicured garden to the west of Broadway. The dwelling is relatively modern in appearance with a characteristically post-war construction consisting of two storeys at the core and three associated single storey flat roofed projections either side. The building materials are traditionally formed, comprising standard brickwork to the ground floor and red tile hangings to the first floor elevations under hipped pitched roof. The garden is surrounded by an area of aged hardstanding with lawn area consisting of a number of semi-mature trees. The boundaries are laid to a mixture of established hedgerow with timber fencing interspersed by trees and shrubbery.

The site lies within a predominantly residential area of Hale Barns which is characterised by substantially scaled properties on accommodating curtilages which are distinguished by their particularly verdant surroundings. The dwellings are, for the most part, conventional in design with a mixture of contemporary influences and traditional building materials. The site and the surrounding properties on Broadway were formerly within the South Hale Conservation Area. However, as of March 2017, the application site and those properties lying along Broadway have been removed and no longer form part of the Conservation Area. The revised Conservation Area boundary is now formed along the western (rear) perimeter of the properties.

PROPOSAL

This proposal seeks the demolition of the existing two storey 6 bedroomed detached property and the construction of a contemporary dwelling house arranged over four floors, incorporating a subterranean basement level with excavated garden area and landscaping.

The proposed dwelling fronts directly onto Broadway and is formed from two linear elements connected by a central glazed atrium with single storey projection to the northern (side) elevation containing garaging and a car lift to basement level.

The architectural design utilises a mixture of interconnecting brickwork and black zinc standing seam panels to the elevations under gable ended pitched roofs, also in black zinc. The single storey projection to the northern (side) elevation is to be constructed in brickwork with a living green roof. The fenestration is to be formed from slim profile glazing panels, partially fragmented by black aluminium shutters to the surrounds and a first floor balcony to the rear elevation.

The existing main access from Broadway is to be retained with the addition of a supplementary gated vehicle entrance to the southern portion of the site.

FLOORSPACE

The total floorspace of the proposed new dwelling would be 1530m².

DEVELOPMENT PLAN

For the purposes of this application, the Development Plan in Trafford Comprises:

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

Policy L1 Land for New Homes
Policy L2 Meeting Housing Needs
Policy L4 Sustainable Transport and Accessibility
Policy L7 Design
Policy L8 Planning Obligations
Policy R1 Historic Environment
Policy R2 Natural Environment
Policy R3 Green Infrastructure

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H24267 – Erection of two storey rear extension to dwellinghouse. Approved with conditions 04.12.1986

APPLICANT'S SUBMISSION

In support of this application the following documents have been submitted:

- Design and Access Statement;
- Heritage Statement;
- Green Infrastructure Statement;
- Preliminary Ecological Appraisal;
- Arboricultural Method Statement; and
- Drainage Statement.

CONSULTATIONS

Local Highway Authority (LHA) – No objection.

Lead Local Flood Authority (LLFA) – No objection subject to the attachment of conditions requesting a full detailed drainage design and scheme and associated infiltration test.

Nuisance and Noise (Contamination) – No objection.

Greater Manchester Ecological Unit (GMEU) – Insufficient information provided to ascertain whether the building is used as a bat roost. An emergence survey is required during the next bat season prior to the determination of this application.

United Utilities – No response received.

REPRESENTATIONS

During the determination of this application, five letters of representation have been received detailing the following summarised concerns:

Design

- The scheme is aesthetically distasteful;
- Represents an overdevelopment of the site;

- The design is not compatible with existing new and old properties which use traditional brick construction or render of a traditional design;
- The new development is completely out of character with the houses on the road and will stand out like a sore thumb;
- The building is too high with an increase in height between 3.5 to 4m from the existing dwelling
- The proposal is significantly (over 3 metres) higher than the properties either side which are shown on the plans as having ridge heights of 8.3 and 8 metres and higher than some of the new houses recently built along Broadway;
- The proposal is considerably higher than the adjacent houses on Hill Top to the rear which themselves are fairly low in height, approx. 7- 8metres; the difference in ground levels will only exaggerate this difference.
- The Council's SPG on New Residential Development at S.10 on Height states that a building that is taller than nearby properties can appear over-dominant and that buildings should be of a similar height to those nearby. It goes on to say that a taller building will normally need more space around it to allow it to be properly assimilated. In this case the scale of the house proposed provides less space around it than the existing which contributes to the over-dominant presence that it will have in the area
- The materials are very dark and imposing
- The proposals include large black aluminium shutters on the front elevation. Section 15 of the SPD says that external materials should be visually appropriate and sympathise with the character of the area. The proposed development does not do that.
- Development should be proportionate to the surrounding area;
- There is no direct visual comparison made between the existing and proposed street-scene drawings.
- The proposed house is significantly larger in height and footprint compared to the existing house and to many of the neighbouring properties, in particular 15 and 17 Hill Top. It is this combination, together with loss of garden space, particularly to the side, but also to the rear, and excessive hardstanding to the front that gives the impression of overdevelopment and loss of spaciousness on the site to the detriment of the character of the area

Impact upon amenities of neighbouring properties

- The scheme is overbearing and will overshadow No.16 Broadway given the increased height, massing, bulk and colour.
- Increased pollution from proposed parking area immediate adjacent No.16 Broadway.
- Loss of privacy through overlooking to neighbouring properties;
- There would be a loss of natural light to No.13 Hill Top;
- The proposal would be overbearing to neighbouring properties;

- Insufficient information has been provided to fully appreciate the relationship between the proposed house and those along Hill Top. Full sections should be provided.
- Less than 15m would be provided between the new house and the boundary with the distance to the nearest dwelling given as 26.7m. This does not comply with the Council's SPD guidelines.
- The proposed new dwelling will be 3.6m taller than the existing house, and will sit 1.2m closer to the rear boundary, according to the applicant's heritage statement at 6.1. This significant difference, together with the different levels between the properties, would result in the proposal having a greater overbearing impact than the existing house does on the neighbours at the rear.

Natural Environment

- There would be a loss of natural habitat;
- It is not clear whether the laurel hedge along the rear boundary of the site will be retained or impacted by the proposed development, in particular the sunken garden;

Drainage

- The area has a very high water table and concern is raised regarding the drainage of rainwater which is worsening given the increased numbers of sites (at least nine) which incorporate basements;
- Rainwater runs downhill from Hale Road and the existing drains cannot cope with the flow;
- Flooding onto the drive of No.14 has occurred;
- Each new development has had to pump water out of the building site, meaning that existing underground streams have been diverted.

Highways

- The road surface has been significantly damaged as a direct result of heavy plant and machinery used in these developments with potholes and sunken manhole covers.
- All new development should have a condition attached which includes the repair of the road surface.

Miscellaneous

- A development of this magnitude would set a precedent for future development in the area.

OBSERVATIONS

The main issues in the determination of this application include:

- Principle of development;
- Harm on the South Hale Conservation Area;
- Design and appearance;
- Amenity to neighbouring properties;
- Highway safety;
- Natural environment; and
- Drainage.

Principle of development

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF specifies that where the development plan is absent, silent or the relevant policies are out-of-date, planning permission should be granted unless: any adverse impact of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in the Framework; or specific policies in the Framework indicate development should be restricted.
3. The Council does not, at present, possess a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of any planning application relating to the proposed scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply, whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites.
4. This application seeks the replacement of an existing dwelling and therefore with no net loss of housing supply towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2, the proposal is considered to be acceptable in policy terms.

Impact upon the South Hale Conservation Area

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*" in the determination of planning applications.

6. National guidance in the NPPF requires that local planning authorities take into account the particular significance of the heritage asset when considering the impact of a proposal to avoid or minimise conflict between the heritage asset and its conservation (paragraph 129). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and any harm or loss should require clear and convincing justification (paragraph 132). This is supported by paragraph 134 which confirms that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal, including securing its optimum viable use*'.
7. Policy R1 of the Core Strategy requires that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider setting, in particular in relation to conservation areas, listed buildings and other identified heritage assets.
8. As noted previously, the site has been omitted from the South Hale Conservation Area. Section 7.1.3 of the adopted South Hale Conservation Area Appraisal (2017) explains the reasoning for the removal (boundary deletion G) to focus attention on the earlier properties of Victorian and Edwardian date, which are typically larger, are situated in larger plots or demonstrate typical design features or materials, such as brick coupled with render, black and white timber detailing, gables and bay windows. As a result the Appraisal states that the revised boundary would serve to create a more distinctive character to the Conservation Area, with fewer late 20th and early 20th century properties.
9. Notwithstanding the above, the site lies adjacent to the Conservation Area boundary and therefore whilst an assessment of the scheme in relation to the policies contained within the Conservation Area Appraisal and Management Plan is not required in relation to this application, it is essential to ensure the local distinctiveness and setting of the area and that of the designated heritage asset is preserved as necessitated through the NPPF.
10. As indicated within the South Hale Conservation Area Management Plan, the special character of the heritage asset is defined by the spaciousness and degree of foliage to the boundary treatments with the adjacent properties of Nos. 13, 15 and 17 Hill Top positioned within Character Zone C, which is identified as comprising mostly spacious Edwardian properties with interwar and modern infill development. The neighbouring properties identified above are considered to be of modern construction for the purposes of this appraisal and not identified as positive contributors within the Conservation Area. .

11. The existing property of No.14 Broadway is of limited architectural merit and not visible to any significant extent from the Conservation Area. The site therefore makes a negligible contribution to this part of the designation and there is no objection in principle to the demolition of the existing dwelling.
12. In comparison, the proposed dwelling, as a result of being 3.6m taller than the existing house and sitting approximately 1.2m closer to the rear boundary, might be partially visible alongside the adjoining contemporary properties and as glimpsed through the extensive intervening foliage. However, further to undertaking a detailed site visit the impact of the proposed dwelling upon the significance of the designated heritage asset is still considered to be negligible given the distance between Hill Top and the rear building line of the proposed dwelling, the abundance of established vegetation to the surrounding properties and the acknowledgement of the existing character alongside this part of Hill Top which itself is typified by modern detached properties. The introduction of glimpses of a new modern dwelling would therefore maintain the area's present prevailing character of contemporary dwellings set amongst verdant curtilages and it is considered that the proposal would not harm the setting or the significance of the designated heritage asset.
13. In making this assessment, considerable importance and weight has been given to the desirability of preserving the South Hale Conservation Area. It is considered that the proposed development would preserve its character and appearance and the proposal therefore complies with policy R1 of the Core Strategy and the relevant heritage paragraphs of the NPPF.

Design and appearance

14. Paragraph 56 of the NPPF (2012) states that the Government attaches great importance to the design of the built environment with Paragraph 64 going on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
15. Policy L7 of the Core Strategy states that *'In relation to matters of design, development must:*
 - *Be appropriate in its context;*
 - *Make best use of opportunities to improve the character and quality of an area;*
 - *Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment'*
16. The proposed development incorporates the creation of a four storey detached residential property constructed in brick with zinc cladding under two gable ended

pitched roof elements connected by a two storey glazed link with a flat roofed single storey side extension to the northern aspect. The dwelling would be 12.1m high to the ridge and 6.8m high to the eaves.

17. Further to undertaking a site visit and noting the concerns raised by local residents, it is acknowledged that the verdant character of the street-scene is reinforced by its spaciousness and traditional architectural detailing which is characterised by, but not limited to, the use of Tudor revival, Georgian stucco and other more traditional built forms.
18. In this instance the architects have endeavoured to create a sympathetic development which combines tradition with contemporary design through the utilisation of linear forms faced with a mixture of brickwork and zinc cladding under either flat roofed or pitched roofed constructions. The elevational treatment is noticeably striking and visually differentiates from those properties within the immediate area. However, the site is accommodating with sufficient distances maintained between adjacent properties and substantial natural screening to the boundaries to soften the elevational treatment and ensure the development does not harm the prevailing character of the area which is distinguished by its spaciousness and verdant appearance.
19. It is acknowledged that the massing of development, in particular its height, has caused concern nonetheless the proposal is set over 15m back from Broadway and as discussed above, is set at a sufficient distance from adjacent properties to ensure it does not appear visually intrusive or overdeveloped on the street-scene. It is also important to note that there are other properties which have recently been constructed along Broadway, each rising between 10-11.5 meters in height and predominantly sited closer to the side boundaries of their respective plots than this proposal.
20. In considering the elevation treatment the use of brickwork to the elevations is representative of the area with zinc cladding to the first floor and roofscape providing a contemporary alternative to slate. As viewed from the principal elevation, the cladding is dissected by a mixture of brick columns and black aluminium shutters which provide visual interest and texture and assist in breaking up the massing of development. To this end the use of zinc cladding, whilst not traditional within this context, is acceptable. The scheme will also benefit from hard and soft landscaping works to the boundary treatments which will soften the development as viewed along the street-scape.
21. The NPPF specifically advocates that Council's should not impose particular architectural styles or tastes and should not stifle innovation, although it is appropriate to seek to promote or reinforce local distinctiveness. In this instance the proposal is considered to represent a distinctive piece of modern architecture which utilises the site's traditional context to create a contemporary design which remains sympathetic to the local distinctiveness of the area. In this regard, the

local distinctiveness of the area is derived from its verdant characteristics, rather than any particular architectural style.

22. It has been considered that given the proximity of the proposed dwelling to its side boundaries, permitted development rights would need to partly be removed via the use of a condition, should permission be granted. This would ensure future occupants would have to apply for planning permission to erect extensions. Rights to erect garages, out buildings or car ports or alter the means of access into the property will also be removed ensuring the parking provision on site remains in place and unaltered, as well as preserving the spaciousness of the site.

Amenity to neighbouring properties

23. Policy L7 of the Core Strategy requires new development to be compatible with the surrounding area and not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties. The Council's adopted SPD4: *Guidelines for New Residential Development* sets out more detailed guidance, particularly the requirement to retain distances 21m across public highways (24m in the case of three storey buildings), 27m across private gardens where there are facing main habitable room windows and 10.5m to the rear garden boundaries from main windows.
24. During the course of this application concern has been raised by neighbouring properties as to the impact of development upon amenity, in particular overlooking and the loss of light into the rear windows of dwellings and the potential for overbearing effect.
25. As noted above, the impact of development on neighbouring dwellings is considered in the context of the Council's adopted Planning Guidelines, New Residential Development, with spatial distances required to ensure an appropriate level of amenity is maintained to all adjoining occupiers. To this end the following table has been created to assess the proposal's compliance with the guidance.

SPD Guidance	Proposed Development	Compliance with SPD Guidance
21m across public highways (24m in the case of three storey buildings)	50m maintained between the proposed development and Nos.65 and No.11a Broadway	Compliant
27m across private gardens where there are major facing windows	37.5m maintained between the proposed development and No.13 Hill Top	Compliant
	34.7m maintained between the proposed development	Compliant

	and No.15 26.7m maintained between the proposed development and No.17	Compliant with removal of permitted development rights in respect of the proposed dwelling
10.5m to the rear garden boundaries from main windows	15m maintained between the ground floor windows and the rear boundary to the proposed development.	Compliant

Properties along Hill Top

26. As demonstrated the proposal would be slightly under 27m in respect of the distance to No.17. However, the 27m distance is intended to allow both the application property and the neighbouring property to carry out 3m rear extensions. Therefore, if permitted development rights for rear extensions are removed from the proposed dwelling, this distance would be reduced to 24m. Whilst the guidelines also state that an additional 3m should be added for second storey windows, the rooflights in the rear elevation of the dwelling would be set at least 1m further from the rear boundary thus meeting the required 27m distance. In any case, the rooflights would be positioned 1.7m above floor level as shown the sectional drawings submitted alongside this application. Consequently, it is not considered that the proposed development would harm the amenities of neighbouring occupiers through overlooking or an unacceptable loss of light.
27. It is acknowledged that there might be an impact upon outlook given the level changes between the application site and those properties along Hill Top (approximately 1.2m), however it is not considered that the proposed development would be overbearing or visually intrusive given the distances maintained, nor would it significantly reduce the amount of light entering the properties to warrant a departure from the adopted planning guidance. It is also acknowledged that whilst boundary treatments should not be used as a means of permitting inappropriate forms of development which could impact upon amenity, the extensive boundary treatments which are to be retained and form a largely evergreen presence along the rear boundary of the application site, will aid in reducing the perceived massing of development and any long distance views from the rear gardens of the adjacent properties.
28. Furthermore, as viewed on plan, none of the windows in No.17 and those on the proposed development immediately face one another with the nearest first floor habitable room window facing the application site lying at a slight angle to the proposed development. This angle, coupled with the degree of screening is therefore considered sufficient to ensure that there will be no harm to the amenities of No.17.

Properties along Broadway

29. The proposed development complies with the stipulations of SPD4 whereby distances maintained between facing windows across the highway towards No.11a are in excess of 50m.
30. In respect to No.12 to the northern aspect, a distance of 23m is maintained between side facing elevations whilst 11.8m is maintained to No.16 to the southern aspect. There are no side windows proposed within the development which could otherwise lead to a loss of privacy, nor would the siting of the proposed dwelling result in an overbearing or visually intrusive impact.

Other issues

31. The issues raised regarding construction works within this predominantly residential area are legitimate concerns for which a construction management plan is requested through way of a condition attached to any planning approval.

Highway Safety

32. Policy L7 of the Trafford Core Strategy requires development to incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety, the provision of sufficient and appropriate off-street car and cycle parking, the provision of necessary manoeuvring and operational space for service vehicles and the provision of, and access to, waste recycling facilities. Matters of accessibility are also a material consideration in the promotion of sustainable forms of transportation.
33. The application has been reviewed by the Local Highway Authority (LHA) who raise no objection to the proposed development given the attainment of adequate servicing arrangements and the means of appropriate access. The level of car parking provision meets the stipulations of SPD3 and therefore the proposal is compliant with the stipulations of Policy L7 of the Core Strategy.

Natural environment

Trees

34. Policy R2 of the Core Strategy seeks to ensure the protection and enhancement of the natural environment with woodland, hedgerows and trees being considered Borough assets. This is supported by Policy R3 which reiterates the Council's determination to work with local communities, developers and partners to develop an integrated network of high quality and multi-functional green infrastructure.
35. In this regard the site is particularly well established with a variety of established trees, hedgerows and overgrown shrubbery which provides a degree of privacy

from adjacent properties and preserves the sylvan appearance of the street-scene.

36. This has been noted by the Council's Arboriculturalist who further to reviewing the Arboricultural Method Statement (AMS) and attached Arboricultural Impact Assessment (AIA) and Tree Protection Plan prepared by the applicant's arboricultural consultants (AWA Tree Consultants (Document Reference: AWA 2003)), raises no objection to the proposed development.
37. The AMS incorporates a full tree survey and the survey data and text within the AMS indicate that 19 trees would be lost to development at this site, either to facilitate the construction works or because they are deemed to be unsuitable for retention notwithstanding the development proposal. The trees that would be removed include:
 - 3 no. Cherry
 - 1 No. Weeping Willow
 - 3 No. Norway Maple
 - 1 No. Hazel
 - 3 No. Holly
 - 1 No. Magnolia
 - 2 No Blue Spruce
 - 1 No. Apple
 - 1 No. Oak
 - 1 No. Irish Yew
 - 1 No. Japanese Maple.
 - 1 No. Elder
38. Most of the trees that would be removed have been given a B.S. 5837: 2012 retention category 'C' (trees of low quality) by the consultant. The consultant states at 3.2.5 and 3.4.1 of the report that tree losses could be mitigated by 'new tree planting throughout the site as part of a soft landscaping scheme'.
39. The AIA confirms the retention of the majority of trees sited along the site boundary and of particular interest to No.15 Hill Top, the retention of the established laurel hedge with the sunken garden lying outside the root protection area of the hedging.
40. At 4.1.4 in the AMS, under the subheading of 'Tree Fencing', the consultant specifies the use of 'Heras' type fencing panels for the temporary fencing required to protect retained trees at the site during the construction phase of the development and the Council's Arboriculturalist confirm that this specification is B.S.5837: 2012 compliant and satisfactory. The positioning of the temporary protective fencing is detailed on the Tree Protection Plan (TPP) at Appendix 4 of the AMS and is also considered acceptable.

Ecology

41. In respect to wildlife, all bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994.
42. Notwithstanding the level of protection already afforded to protected species, the NPPF also states that local planning authorities should conserve and enhance biodiversity. This is reinforced through Policy R2 of the Trafford Core Strategy which clarifies that *'where the council considers it necessary, in order to protect the natural environment, developers will be required to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the proposal'*.
43. In support of this application a Preliminary Ecological Appraisal by Estrada Ecology Ltd (March 2017) has been submitted and reviewed by the Greater Manchester Ecological Unit. The Unit is in agreement with the initial findings which principally consider the site to be of low potential for fauna. However, the Appraisal recommended the undertaking of an emergence survey to either confirm or deny the presence of bats and the potential for roosting within the house or within surrounding trees.
44. As identified within Natural England's guidance, emergence surveys must be undertaken between the months of May and September (bat active season) and prior to an application being determined. As confirmed by the GMEU such surveys could not therefore be undertaken until, at the earliest, May 2018.
45. Any resolution to grant planning permission would therefore need to be subject to the undertaking of a bat emergence survey during the active season and the resulting findings being presented to and agreed by, the GMEU. Such an interim resolution lies outside delegated powers granted to the Head of Planning and Development. Members are therefore requested, should they be minded to grant the application, to defer and delegate approval of the application subject to a suitable bat emergence survey being submitted and GMEU raising no objection to the application thereafter, subject to suitable planning conditions being imposed, if necessary.

Drainage

46. Policy L5 of the Core Strategy relates to Climate Change and states that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.

47. The site has no history of flooding and is subject to no notable flooding from the 1 in 30 year and 1 in 100 year storm event model. There are no watercourses (culverted, open and historic) shown on the LLFA records that cross or are close to the site however the area is susceptible to high ground water levels.
48. As the site is located within a Critical Drainage Area, the surface water management should aim not to increase any runoff, and where practical reduce the rate of runoff from the site with the Level 2 Manchester City, Salford City, and Trafford Council Hybrid SFRA. In achieving this the Lead Local Flood Authority (LLFA) consider the submitted Drainage Statement prepared by Curtins (ref. 066363-CUR-00-XX-RE-D-001rev 2) to be principally acceptable however request the submission of a full detailed drainage design and Sustainable Drainage Scheme, alongside an Infiltration Test on the land proposed for a soakaway.
49. Subject to this information being submitted through the attachment of appropriately worded conditions, the proposal is considered to comply with Policy L5 of the Core Strategy.

DEVELOPER CONTRIBUTIONS

50. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
51. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide additional planting of trees on site as part of the landscaping proposals.
52. No other planning obligations are required.

CONCLUSION

53. The principle of development is considered acceptable with weight afforded to the adjacency of the site to the South Hale Conservation Area and the positioning of the development within a particularly verdant street-scene whereby the spaciousness between neighbouring properties remains a prevailing characteristic.
54. The proposal seeks the construction of a detached property arranged over 4 floors which takes the form of a two storey dwelling house with ancillary accommodation within the roofscape and basement. Whilst substantial, the

development preserves the local distinctiveness of the area through the use of integrative architectural features which have been modified to create a contemporary design aesthetic. The NPPF specifically details that Council's should not impose particular styles or tastes or stifle innovation. In this instance it is considered that the proposal, whilst bold, is acceptable in architectural terms and subject to appropriate controls will enhance the character and appearance of the area.

55. The concerns raised by neighbouring properties are noted, however the proposal complies and is in excess of the detailed spatial distancing contained with the Council's Guidelines for New Residential Development. As such, the proposal would not harm the amenities of neighbouring properties through overbearing effect, or a loss of privacy or light.

56. The impacts of development upon the highway network, drainage and the local green infrastructure are considered acceptable and therefore it is recommended to accept a resolution to grant permission subject to the submission of a bat emergence survey during the next active season.

RECOMMENDATION: MINDED TO GRANT SUBJECT TO THE UNDERTAKING OF A BAT EMERGENCE SURVEY.

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows: -

- (i) On receipt of the bat emergence survey, to consult with the Greater Manchester Ecological Unit;
- (ii) To thereafter determine the application appropriately in accordance with the advice of the Greater Manchester Ecological Unit, including if appropriate the imposition of any additional planning conditions.

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers
2575 dwg 1
2575 dwg 2
2575 dwg 3
2575 dwg 4

2575 dwg 5
2575 dwg 6

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 [and R1 for historic environment] of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby approved shall not be occupied until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall

include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

7. No trees, shrubs, or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the previous written consent of the Local Planning Authority; any trees, shrubs or hedges removed without such consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development shall take place until finished ground levels and floor levels for the proposed building relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

9. No development shall take place unless and until details of the full detailed drainage design and all relevant documents to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the

Councils Level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works, as approved, are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA and FRA thereafter.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. No development shall take place unless and until full details of a Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted shall include evidence of third party agreement to connection and discharge to their network if such agreement is required and an infiltration test to any land proposed to be used as a soakaway. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii. hours of construction activity.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification):

- i) No extensions shall be carried out to the dwelling
- ii) No garages or carports shall be erected within the curtilage of the dwelling
- iii) No buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling
- iv) No windows or dormer windows shall be added to the dwelling

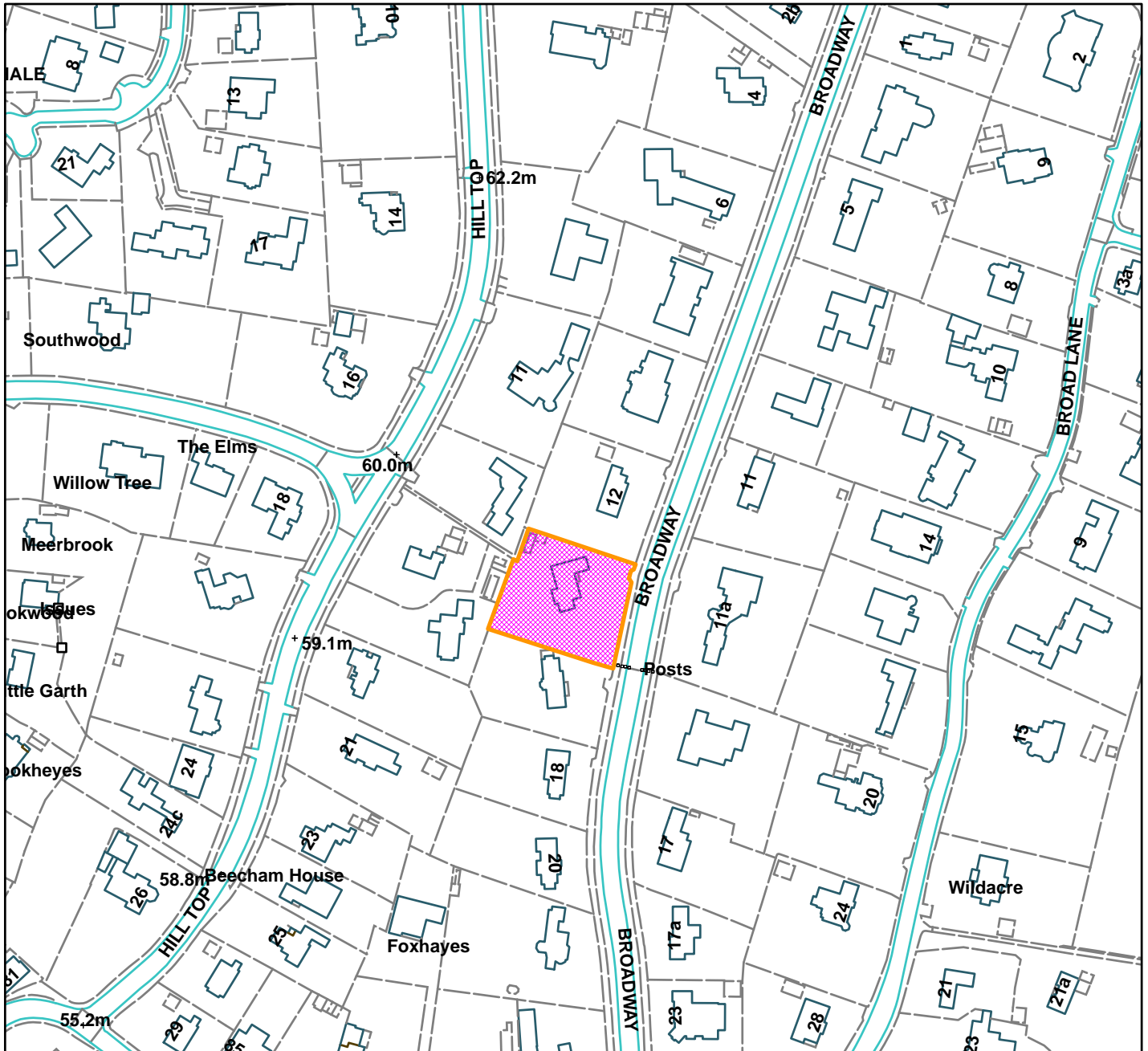
other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the residential and visual amenities of the area, privacy, and/or public safety, having regard to Policy L7 of the Trafford Core Strategy

AW



Gateways, 14 Broadway, Hale Barns (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/01/2018
Date	21/12/2017
MSA Number	100023172 (2012)

Demolition of existing dwelling to allow for the erection of a replacement 2 storey dwelling to include new replacement boundary walls and landscaping.

Gulmarg, Garden Lane, Altrincham, WA14 1EU

APPLICANT: Mr Lee

AGENT: GA Studio Architects

RECOMMENDATION: GRANT

Councillor M Young has requested that this application be determined by the Planning and Development Management Committee for the reasons set out within the report. There have also been 6 or more representations contrary to the officer recommendation.

SITE

The application relates to a detached bungalow on a roughly rectangular site on the eastern side of Garden Lane. There are small garden areas to the northern and southern sides of the building. The western boundary of the site with Garden Lane is formed by a mix of brick walling, fencing and the rendered side wall of the property. There are two existing pedestrian accesses in this boundary wall and the fencing appears to block a former vehicular access to the site with an area of hardstanding beyond within the site. The bungalow is dilapidated and the garden areas overgrown with areas of hardstanding.

Springfield to the west of the site across Garden Lane, is a detached dormer bungalow with associated access and parking on the southern side. Beyond the rear northern wall of the bungalow is a car parking area used by adjacent offices.

Adjoining the application site to the north is a recent development of a pair of semi-detached houses with gated access off Garden Lane. There is a brick wall and fencing between these houses and the application site to a height of approximately 1.8 metres.

There is a brick boundary wall along the southern garden boundary of the application site beyond which is the car park of a 4 storey office building at the junction of Garden lane and Victoria Street.

To the east of the application site are the gardens of houses fronting Springfield Road to the east. These are substantial detached and semi-detached Victorian properties, with three floors of above ground accommodation. These houses are approximately 2 metres lower than the application site and the rear gardens of these properties slope

upwards towards the application site. At the western end of the gardens the ground level of the application site is still approximately 0.9 metres higher. There is a substantial brick retaining wall at the end of the gardens to the application site which varies in height across the site boundary. There are outbuildings adjacent to the wall within the gardens of the houses on Springfield Road.

The site is located within the Old Market Place Conservation Area just outside Altrincham Town Centre and the surrounding area has a mixed residential and commercial character.

PROPOSAL

Planning permission is sought for the demolition of the existing bungalow and part of the boundary wall with Garden Lane and the erection of a part single storey, part two storey 5 bed detached property.

The proposed design of the building is contemporary with the use of flat roofs at ground and first floor level. The primary building material would be brick with areas of detailing combined with timber cladding, wet cast stone and areas of glazing particularly at ground floor level. A sedum roof is proposed over the single storey areas.

The siting of the proposed dwelling broadly reflects the existing centrally positioned footprint of the bungalow with garden areas to be retained to the north and south, with the parking areas and an ornamental courtyard approach to the north and a simpler private garden area to the south.

The existing boundary walls along the eastern, northern and southern boundaries are retained in their current location and the southern section of the boundary wall on Garden Lane would be retained with the rest re-built in brick. The vehicular and pedestrian accesses would be largely unchanged with two tandem parking spaces at the northern end of the site off Garden Lane and cycle parking in the north-eastern corner.

The predominant roof height of the building would be 6.24 metres above ground level on the site with a maximum height of 7.11 metres to the top of the chimneys. The height of the ground floor accommodation would be 3.3 metres.

The total floorspace of the proposed new dwelling would be 178 m².

DEVELOPMENT PLAN

For the purposes of this application the Development Plan in Trafford Comprises:

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes

the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
W1 - Economy
R1 – Historic Environment
R2 – Natural Environment

PROPOSALS MAP NOTATION

Old Market Place Conservation Area
Main Office Development Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV21 – Conservation Areas

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

PG1 New Residential Development (2004)
Revised SPD1: Planning Obligations (2014)
SPD3 – Parking Standards and Design (2012)
SPD5.3 – Old Market Place Conservation Area Appraisal (October 2014)
SPD5.3a – Old Market Place Conservation Area Management Plan (March 2016)

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

OTHER LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

The application is supported by a Design and Access Statement, Heritage Statement, Bat Survey and Tree Survey. The documents are referred to as appropriate in the report.

The agent for the application has provided a rebuttal to the objections received in relation to the application summarised below:

- The traffic safety objections are misleading as the vehicular access to Gulmarg has been in the same position for the last 20 years and is not proposed to be changed. There was until recently a garage located in the drive which would have evidenced this but its removal should not suggest this is no longer the vehicular access point for Gulmarg.
- There have been a number of objections regarding the appearance of the proposal when viewed from the gardens to the east of the site. While it is acknowledged that the new proposal is larger than the existing building the artist's impression submitted by objectors where the 2D building elevation is superimposed on a photograph taken from the rear of the garden is a misrepresentation of what is proposed. In an attempt to address this 3D visualisations have been produced taken from the gardens of 1, 3 and 5 Springfield Road, using topographical survey data and 3D design software to determine heights of the existing buildings and the proposal.
- The distances involved exceed those required by SPG1 to prevent overshadowing. It is also noted that the new dwelling to the north is significantly

higher than the proposed development and has habitable room windows facing properties on Springfield Road.

- As part of the proposal the trees to the south of the site that are not overgrown or diseased will be retained and new planting added along the boundary wall to the gardens to the east.
- The contemporary design approach is most appropriate style of design given the eclectic mix of styles in the area. It allows flexibility in the layout, form and mass of the building to be tailored to the existing site constraints. If a more traditional pitched roof house was proposed the mass and height of the building would be much larger.

CONSULTATIONS

LHA – No objections in principle. Comments are discussed in more detail in the Observations section of the report.

Lead Local Flood Authority – No objections in principle subject to appropriate conditions.

Pollution and Housing (Contaminated Land) – No comment to make.

GM Ecology Unit – The bat surveys undertaken for the house to be demolished have been carried out by suitably qualified ecologists to appropriate standards. No signs of bats using the building have been found and the surrounding habitat is poor for bats, although the building was found to have some features that could potentially support bats. Overall the risk of this building supporting a significant bat roost is assessed as low. If bats use the building at all it is likely to be low level use by relatively common bat species and it would be straightforward to mitigate for any potential harm that could be caused to bats.

It is not therefore considered that there are any grounds for refusing the application on nature conservation grounds and further bat surveys are not required before deciding the application. However some additional precautions for bats are justified based on the survey results and it is recommended that the measures outlined in Section 6 of the Bat Roost Survey and Assessment prepared by Ascerta be required to be implemented by a Condition placed on any permission that may be granted to the scheme.

REPRESENTATIONS

Cllr M Young has called the application in for the following reasons:

Over massing.

- The gardens of numbers 1 – 11 are all about 2 metres lower than Garden Lane which means the proposed building dominates the sky line, in particular those of No 3 and 5.

- The shade drawings provided by the applicant stop at 15.00, In the spring, summer and early autumn the shading will cover most of the gardens and the ground floor windows in the late afternoon.

Conservation Area.

The site lies in the Old Market Place Conservation Area. It mainly contains a mix of styles from the 19th and early 20th century, although the frontage of Victoria Street are modern office blocks the interior of Springfield Road are clearly of a different style residential in character with gable end and hipped roofs. The proposed building with its flat roof is of a completely different style. The view from Springfield Road is a blank wall albeit with some patterned relief to partially break it up.

Has no objection to the demolition of the old cottage but the proposed replacement is not in keeping with the style of the conservation area and is too large and overbearing and will shade the gardens of the Springfield Road houses.

Neighbours: Objections have been received from the occupiers of 9 separate addresses. Grounds of objection summarised below:

Design and impact on Heritage Assets

- Design is completely out of character with the area. The design doesn't reflect the distinction between commercial and residential developments in the vicinity
- Awkward set back between ground and first floor. Flat roof is alien feature as are large expanses of patterned brick and timber cladding for which there is no vernacular precedent
- Springfield Road houses are positive contributors to CA. Flat roofed tower is imposing and would be visible from Springfield Road impacting on the significance of those properties
- Existing house has a neutral impact. Proposal represents less than substantial harm which is not outweighed by public benefits
- New build at 8-10 Garden Lane more appropriate
- Overdevelopment of this constrained site.
- Even if the principle of the redevelopment of the site is accepted the current scheme is not appropriate and conflicts with Policies 64 and 65 of the CAMP

Residential Amenity

- Land levels are significantly lower on Springfield Road so the new dwelling would appear unacceptably high
- The first floor would appear as a brick wall at the end of the garden of Springfield Road properties and would be level with their 2nd floor windows.
- It would be an imposing structure and due to the large increase in size and scale would be overbearing and result in loss of outlook and overshadowing to houses and gardens.
- Loss of light to houses will result in increase in energy consumption.

- Loss of privacy to neighbouring houses and gardens through overlooking
- Loss of views – houses hemmed in
- Even if residential development guidelines are met this is not a normal arrangement with a flank wall close to a rear garden boundary and no intervening garden at the application site. Almost like infilling a backland site
- Shadow study not continued after 3pm – inadequate
- Existing new build houses on Garden Lane already block light and overlook Springfield Road houses

Highway Issues

- Highway safety concerns over manoeuvring of vehicles to and from the drive. Restricted view due to boundary wall and lack of suitable visibility splay.
- Lack of parking. Two tandem parking spaces is insufficient
- Access too restricted for proper manoeuvring. Garden Lane is narrow and already congested and has no pedestrian footpaths
- The first floor will reduce light to the area and impact on pedestrian safety
- Want permanent re-instatement of public highway on Garden Lane to a good standard

Other Matters

- Impact on bats and ecology. The report concludes further investigation is required. Bats are frequently seen on the site.
- If approved conditions relating to the working hours, retention of landscaping and boundary treatment including protection of retaining bank to Springfield Road should be attached
- The supporting reports don't correctly reference the relevant adopted policies and guidelines.
- Appeal decision 81794/FULL/2013 is a material consideration

Comments in support of the application have been received from the occupiers of 2 separate addresses. Grounds of support summarised below:

- Calderpeel Architects based in Market Court consider that GA Studios have produced a sensitive, intelligently considered and architecturally well-crafted proposal for the site.
- The scheme will result in successful regeneration of this run down site and be a great example of creative urban infill architecture that dynamic town centres and their planning departments should be encouraging and championing.
- The development will greatly enhance the area; a building designed by an award winning architect will elevate the image of Altrincham.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The site is currently occupied by a single dwelling and the application proposes the demolition of this dwelling and replacement with a new single dwelling. The proposal is therefore acceptable in principle and the main considerations in this application are the impact on residential amenity, design and impact on the character and appearance of the Conservation Area and streetscene generally. Highways, ecology and other pertinent issues are also considered below.

DESIGN AND IMPACT ON THE DESIGNATED HERITAGE ASSET

2. The application site is located within the Old Market Place Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area” in the determination of planning applications.
3. Paragraph 132 of NPPF establishes that when considering the impact of a proposed development of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
4. Paragraph 134 of NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
5. The NPPF sets out that harm can either be substantial or less than substantial. Case law has established that there can be degrees of less than substantial harm. There will also be cases where development affects heritage assets but from which no harm arises.
6. Policy R1 of the Trafford Core Strategy states that:-

“All new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets.”
7. Policy L7 states that ‘In relation to matters of design, development must:

- Be appropriate in its context;
 - Make best use of opportunities to improve the character and quality of an area;
 - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and
 - Make appropriate provision for open space, where appropriate.
8. The application is located within the Old Market Place Conservation Area. The relevant Conservation Area documents are the Old Market Place Conservation Area Appraisal (CAA) (Oct 2014) and the Old Market Place Conservation Area Management Plan (CAMP) (March 2016).

The significance of the Heritage Asset

9. The CAA sets out that the special interest of the Old Market Place Conservation Area is derived from it being the medieval settlement core of Altrincham. The Conservation Area has the character of an historic market town with a variety of inter-linked building types including civic, commercial and residential. The majority of buildings are 19th Century or earlier and have high aesthetic value for architectural detailing, traditional materials and sense of historic character. The consistent use of traditional building materials including brick, slate, sandstone and painted joinery and local detailing repeated throughout the Conservation Area gives the area a sense of visual harmony. Buildings range from substantial civic buildings and historic commercial properties interspersed with smaller areas of good quality residential properties with landscaping. The Old Market Place is a significant open space and place of public gathering and has the continuity of a market function.
10. Due to the variety of character within the Conservation Area, it has been divided into five character zones for the purpose of analysis. The application site is situated within Character Area C 'Church Street Commercial Area' in the adopted Old Market Place Conservation Area Appraisal, October 2014. Para 4.3.66 states:
- 'The boundary was extended in 2014 to include a number of properties on Victoria Street, the north side of Stamford Street, the northeast side of Stamford Street and part of the properties on Springfield Road. These Victorian shops, public houses and residential properties retain sufficient elements of historic character and architectural detailing to warrant inclusion into the Conservation Area.'*
11. In relation to building materials in this character zone para 4.3.69. states *'There are numerous building materials within this character zone. The predominant building materials are red brick with sandstone dressings, painted timber framed windows and doors, of varying styles, and roofs clad with Rosemary tile or blue slate. A limited number of buildings are partially rendered or painted.'*
12. In terms of architectural styles para 4.3.70. states that *'There is a combination of architectural styles throughout this character zone'*. These include classical style,

19th century Queen Anne and Victorian Classical revival style. Reference is also made to Victorian terraced and semi-detached residential properties that are High Victorian in style on Springfield Road.'

13. No specific reference is made to this site in the CAA and it is not identified as a positive contributor although the 'Plan of approximate building ages' Map 16 does indicate that the building may date from the development period 1908-1937. This is disputed in the supporting Heritage Statement which considers that from historical map evidence it is more likely that Gulmarg was built between 1937 and 1965. The design of the building indicates a likely mid - 20th century origin but whichever is the case it is not considered to have any particular historic or architectural merit and had been altered over time and become neglected.
14. A photograph on Page 28 of the CAMP document shows the Garden Lane elevation of the site with the comment '*Alleys and open spaces to the rear of the main streets have much historic character (Garden Lane)*'.

The Proposal and Impact on Significance

15. The application proposes the demolition of the existing bungalow and erection of a part single storey part two storey property with a contemporary design incorporating brick, timber cladding and glazing.

Demolition

16. Policy 63 of the CAMP states:

Demolition is only likely to be permitted if it involves the replacement of a property that has not been defined as a positive contributor (as identified in map 3) to the Conservation Area and where any replacement development preserves or enhances the conservation area; and it can be demonstrated that the substantial harm or loss is necessary as set out in NPPF. Buildings identified as positive contributors are not to be demolished, or substantially altered in any way that dilutes its contribution to the Conservation Area.

17. The existing building is a dilapidated bungalow with pitched roof. The building is predominantly rendered and appears to date from the middle of the 20th Century. As indicated above it is not considered that this building has any significant architectural or historic interest and due to its condition which appears to have deteriorated over some time has a somewhat negative impact on the immediate area. In Conservation Area terms it is considered to at best have a neutral impact on the Conservation Area. The building is not listed or identified as being a positive contributor to the Conservation Area and the demolition of the existing building would not be resisted subject to an appropriate replacement.

18. As indicated above the boundary wall forms one side of Garden Lane at this point and the CAMP indicates that this contributes to the historic character of the area. However this boundary wall is current partly formed by the side wall of the house which is rendered and the application proposes to re-instate a brick wall along the Garden Lane boundary with two pedestrian accesses as existing and a vehicular access as existing. The existing wall is in poor repair with damaged bricks and pointing and includes a faux brick archway and fencing. The permanent removal of the boundary wall feature would have been considered to have a minor adverse impact on the character of the Conservation Area and streetscene. However, on the basis that there would be retention and rebuild in appropriate brick, this would retain the sense of enclosure on Garden Lane. As such the proposed works to repair and rebuild the wall are considered acceptable subject to a condition requiring full details to be submitted and approved by the Local Planning Authority.

Replacement dwelling

19. The following Conservation Area Management Plan policies are also considered particularly relevant to the application:-

Policy 9

Brick walls or stonework should not be painted or rendered as it harms the original fabric and the character of the building and streetscene. If paint is removed to reveal the original brick or stonework, it should be done using conservation methods. Where repairs are needed to the brickwork this should be done with like-for-like replacements. The predominant building material is to be red or brown brick, with contrasting coloured details.

Policy 64

Any new development is to take inspiration from the established Georgian, Italianate, Arts and Crafts, Tudor Revival, Edwardian and Victorian architectural styles which are well-established within the Conservation Area. Use of traditional materials and architectural details would ensure new development is appropriate for its setting. Modern designs that do not respect their surroundings will be refused consent.

Policy 65

Height and massing of new developments should reflect the traditional form of development that gives the conservation area its special character. New development should reflect the traditional roofscape of the town. Prominent roof top plant and dormer windows will not generally be accepted.

20. The siting of the proposed dwelling broadly reflects the existing footprint of the bungalow and its former outbuildings, remnants of which can be seen on site on the northern side. This would allow for garden areas to be retained to the north and south, with the parking areas and an ornamental courtyard approach to the north and a simpler private garden area to the south. The existing boundary wall along the

eastern, southern and northern boundaries is retained in its current location and the southern section of the boundary wall on Garden Lane would be retained with the rest re-built in brick. The vehicular and pedestrian accesses would be largely unchanged with two tandem parking spaces at the northern end of the site and cycle parking in the north-eastern corner.

21. The height of the main roof of the building above ground level would be 6.24m. This is 1.53 metres higher than the ridge of the existing pitched roof of the bungalow and is similar to the ridge of the adjacent dormer bungalow at Springfield to the west. For a two storey dwelling the height is considered modest. It is also significantly lower than the main ridge height of the new build house to the north at 8 Green Lane which is approximately 9.8 metres high and also lower than the main roof heights of the houses on Springfield Road even taking into account the level differences. The four storey office development to the south of the site is also significantly higher than the proposed dwelling.
22. It is accepted that due to land levels some views of the first floor may be possible from Springfield Road in the gaps between the houses fronting Springfield Road but due to the distances, narrowness of vantage points and existing substantial intervening buildings it is considered that this would be minimal and would not dominate views from the public parts of Springfield Road.
23. A flat roof has been utilised in the design to reduce the massing on this contained site particularly in view of the land level difference between the site and properties on Springfield Road to the east. The roof does not include dormers or roof top plant and has a simple form with only the two stone chimneys projecting above the main roof. The flat roof results in an unambiguously modern building which is clearly of its time although the primary building material would be brick which references the local vernacular, in combination with limited areas of timber cladding and larger areas of glazing particularly at ground floor level. The use of brick in the main property and boundary walls is considered to reflect Policy 9 and the proposal would remove the currently rendered bungalow. The ground floor areas would be largely screened by the boundary walls on the site and at first floor level main windows are only proposed in the north and south elevations to prevent loss of privacy to adjacent residential properties. To break up the first floor brick elevations detailing is used – the architect has stated that the patterning is designed to be reminiscent of cotton weaving in a nod to the history of Altrincham. A sedum roof is proposed over the single storey element
24. It is accepted that Policy 64 states that new development should '*take inspiration from the established Georgian, Italianate, Arts and Crafts, Tudor Revival, Edwardian and Victorian architectural styles*' in the conservation area.
25. However it does not preclude modern design, rather it states that '*Modern designs that do not respect their surroundings will be refused consent*' and that '*Use of traditional materials and architectural details would ensure new development is*

appropriate for its setting.’ Objections have been raised that the proposed development would be out of keeping with the conservation area given its contemporary design and use of materials.

26. In a diverse context such as this, on a site with no particular architectural or historic connection to the surrounding house types, a well-designed, contemporary building can be less visually intrusive than one making a failed attempt to follow historic precedents.
27. The site is surrounded by commercial and residential buildings which vary greatly in age, design and scale. To the east of the site are substantial Victorian brick dwellings, detached and semi-detached with accommodation over four storeys. The application site was brought into the Conservation Area in the 2014 extension, which was mainly driven by the desire to bring the Victorian properties on Springfield Road to the east into the Conservation Area and they are identified as positive contributors. However the site itself despite having no particular merit is within the Conservation Area and must be assessed as such.
28. However Victoria Street contains a number of modern office developments which the CAMP notes do not all make reference to their historic surrounding. To the west of the site is a 20th Century dormer bungalow and to the north a very recent development of a pair of semi-detached houses with pitched roofs. The setting of the site is therefore very mixed in character.
29. It is considered that the proposed building has a strong and clear philosophy which draws its inspiration from the past through the use of local traditional materials in the main house and boundary walls assembled in a modern way. A good quality landscaping scheme will also assist in contributing to the streetscene and a condition is recommended accordingly.
30. The importance of good design is set out in NPPF. Paragraph 56 of NPPF advises that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
31. Paragraph 60 of NPPF continues to advise that *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*
32. One of the key tests of the National Planning Policy Framework (NPPF) in relation to development within Conservation Areas is whether the proposal would result in any substantial harm or loss of irreplaceable heritage assets. The adopted Conservation

Area Appraisal and Management Plan provide details regarding the special character of the Conservation Area as set out above.

33. It is however considered that permitted development rights should be removed for external alterations, extensions and additional curtilage structures in order that the design of the building remains appropriate.

Consideration of harm

34. It is not considered that the development would result in harm to or loss of the designated heritage assets. The building and sections of wall to be demolished are not identified as positive contributors to the Conservation Area and the site is located within a part of the Conservation Area that is mixed in age and character. It is considered that the development would not adversely affect or harm the features which contribute to the conservation areas significance and special historic and architectural interest as set out in either the CAA or CAMP documents.

35. In arriving at this recommendation, considerable importance and weight has been given to the desirability of preserving this designated heritage asset. Overall the proposals are considered to be in compliance with Policies L7 and R1 of Core Strategy and the NPPF.

RESIDENTIAL AMENITY

36. Policy L7 states that in relation to matters of amenity protection, development must:

- Be compatible with the surrounding area
- Not prejudice the amenity of the future occupants of the development and / or occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

37. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines require, for new two storey dwellings, that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. This would also apply to views from balconies and would need to be increased by 3 metres for any second floor windows / balconies. With regard to overshadowing SPG1 states that 'In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided. A distance of 10.5 metres is usually required between first floor windows and rear garden boundaries. An additional 3 metres is added for each additional floor.

38. Objectors have raised concerns about the impact of the proposal on their residential amenity in relation to loss of light, outlook and view, loss of privacy and the overbearing, overshadowing and overdominating impact of the proposal.
39. The height of the main roof is 6.24 metres above ground level on the site. This roof height is significantly lower than the majority of the surrounding buildings and the flat roofed design of the building reflects an attempt to minimise the height of the building and consequent impact on adjacent residential properties. It is however noted that there are significant differences in land levels in the vicinity of the site, in particular in relation to the houses on Springfield Road to the east which are approximately 2.4 m lower than the application site. The amenity impacts on the surrounding properties are therefore considered in turn.

Impact on 8, Garden Lane (to the north)

40. No. 8, Garden Lane is one of a pair of properties originally granted permission on a piece of land to the north of the application site in 2006 (H/OUT/63531) but with subsequent reserved matters and non-material amendment applications the most recent of which was approved in 2016. The southern side elevation and rear garden of No. 8 are adjacent to the northern boundary of the application site. No. 8 is a two storey property with living accommodation at second floor level within the main roofspace. Adjacent to the northern boundary of Gulmarg there is a single storey element at No. 8 with accommodation in the roofspace above the garage. There are no windows in the southern side elevation of No. 8 just a single side door to the living accommodation. There is a wall and fencing along the boundary between the sites to a maximum height of approximately 1.8 metres.
41. The proposed dwelling would have windows at ground and first floor level in the proposed front (north) elevation. The first floor windows would serve the master bedroom, stairs and an en-suite. There are no main habitable room windows in the side elevation of No. 8 adjacent to the site. It is therefore considered that the proposed development would not result in loss of privacy, light or outlook to the house itself due to the orientation of the two houses. The proposed first floor windows in the northern elevation of the new dwelling would be approximately 10.1 metres away from the garden boundary with No. 8 with an intervening boundary wall and fence. While this is slightly below the guidelines of 10.5 metres set out in PG1, given the shortfall is slight and the position of existing boundary treatments it is considered that the proposal would not result in harm to the residential amenity of no.8 Garden Lane.

Impact on Springfield, Garden Lane (to the west)

42. To the west of the site is a detached dormer bungalow on the opposite side of Garden Lane. At the point that the proposed dwelling would be opposite Springfield, the adjacent elevation of Springfield is blank. The area immediately to the north of the rear elevation of Springfield is used as office car parking. It is not therefore

considered that the proposed dwelling would have any material amenity impacts on the residential occupiers of Springfield.

Impact on 6 Victoria Street (to the south)

43. To the south the site adjoins the car parking area for the four storey offices at the junction of Garden Lane and Victoria Street. The majority of the first floor windows would be in this elevation. However due to the nature of the uses and the distances involved it is not considered that there would be any amenity impacts on the property to the south of the site.

Impact on 1-11 Springfield Road (odds) to the east

44. The application proposes the retention of the existing boundary walls along the eastern boundary following the removal of small outbuildings along this boundary within the application site. Four windows are proposed at ground floor level in the east side elevation. These windows would be set 1.2 metres off the side boundary and would be largely screened by the boundary wall which would measure 1.8 metres from the ground level within the application site. The wall appears significantly higher on the Springfield Road side due to the land level differences and there are garden buildings adjacent to this wall within the gardens of the Springfield Road properties. These outbuildings face towards their own gardens with their backs to the boundary wall. As a result of the siting of the ground floor windows in combination with the boundary wall it is considered that the development would not result in any harmful overlooking result in loss of privacy to properties adjoining the east of the site.

45. The first floor elevation steps in from the ground floor and is set approximately 2.5m away from the eastern side boundary.

46. No's 1, 3 and 5 Springfield Road directly adjoin the application site. The majority of the rear elevation and garden of No. 1 would back onto the garden area at the proposed dwelling rather than the house itself and the majority of the rear elevation and garden of No. 5 would back onto the single storey element of the proposed dwelling. The main impact of the scheme would therefore be on No. 3 Springfield Road and this impact is considered further below.

47. There are no first floor windows proposed in the east facing elevation and it is not therefore considered that the proposal would result in loss of privacy to the occupiers of the Springfield Road properties. A condition is recommended to ensure that first floor windows are not inserted into this elevation in the future.

48. Concerns have also been raised that the proposed building will be overdominant and result in overshadowing and loss of light. The building has been designed with a flat roof and a main roof height of 6.24 metres which is lower than the majority of

buildings in the vicinity. For example the main ridge height of No. 8 Garden Lane to the north as approved is approximately 9.8 metres.

49. The properties on Springfield Road have three levels of accommodation above ground level and it is noted that the ground floor level of these properties is approximately 2.4 metres lower than the ground level of the application site. No. 3 has single storey rear extensions with windows in the rear facing the application site. The distances between the nearest rear facing windows in the ground floor accommodation at No. 3, Springfield Road and the first floor side elevation of the proposed dwelling are approximately 19 metres. A distance of 15 metres is recommended in the Council's guidelines to prevent development being unduly overbearing or resulting in loss of light or outlook. This distance is therefore in excess of the Council's requirements. Even if the land level difference were considered to be the equivalent to an additional storey an additional 3 metres would need to be added to the separation distance and the proposed separation distance exceeds this. The development is therefore compliant with the guidelines and it is considered that the distances involved are sufficient to prevent a material loss of light or outlook to the adjacent properties on Springfield Road. The new dwelling would be visible from the rear of these properties but there is no right to a particular view under planning legislation.
50. The gardens at Springfield Road rise up to the eastern boundary and therefore the level differences are not as great between the ground level of the proposed dwelling and the adjacent Springfield Road gardens (approximately 0.9 metres) at the western end. There is no requirement for the applicant to submit a shadow study and although its findings have been considered so have the comments and submissions of neighbours in relation to this issue. Neighbours consider that the findings are either inaccurate or inadequate and have provided alternative information regarding potential overshadowing. The first floor would be 2.5 metres away from the garden boundary with an intervening boundary wall and garden buildings and would be 6.24 metres high.
51. The comment has been made by one objector that even if residential development guidelines are met this is not a normal arrangement with a flank wall close to a rear garden boundary and no intervening garden at the application site and that it is like infilling a backland site. The application site is not a backland site. It is an existing long established residential site with an existing access off Garden Lane. It is not considered that the proposed relationship is uncommon. This can be seen across the Borough when houses are situated where two roads meet and the rear garden of one dwelling backs onto the side wall of the property at the rear which is at a right angle to it and fronts a different road. Provided that adequate distances are met between rear windows and the side wall these relationships are accepted and impact on residential amenity limited.
52. The level difference between the gardens and the application site are noted however it is considered that this is offset by the low roof level of the proposed two storey

house. While the first floor of the new dwelling would have some impact on light to the end of the adjacent gardens at the end of the day it is not considered that this would be significant enough to warrant refusal on amenity grounds. In order to ensure that level differences between the site and adjacent properties remain as assessed for this application, a site levels condition is recommended to ensure that existing and finished site levels are provided prior to work commencing on site.

53. The agent for the application has stated that it is the applicant's intention to retain the existing boundary walls on the south, east and north boundaries. It is noted that there are existing single storey outbuildings on the eastern boundary of the application site, the removal of which may impact on the eastern boundary wall but this is not known at the stage. If that is the case the agent has stated that they will be rebuilt in the same manner and a condition relating to boundary walls is attached.
54. It is considered that the removal of permitted development rights for new windows, extensions or outbuildings is necessary to ensure that the residential amenity impacts remain acceptable in the future. It is also considered that a condition preventing the use of the flat roofed areas as a balcony or similar is necessary.
55. Concerns were raised by neighbours about hours of construction works and given the constrained nature of the site and proximity to existing residential properties a construction management plan condition is recommended to ensure that the construction takes place in a manner that seeks to minimise disruption for local residents.
56. For the foregoing reasons the impact of the proposed development on residential amenity is considered to be compliant with the Council's adopted guidelines for New Residential Development, Policy L7 of the Trafford Core Strategy.

HIGHWAYS & PARKING

57. Policy L7 of the Core Strategy states development must incorporate sufficient off-street car and cycle parking, manoeuvring and operational space. The car parking standards set out in the Core Strategy specify the requirements which each development will normally be expected to provide, although every planning application is treated on its own merits.
58. Concerns have been raised regarding the means of access to the property the level or parking and potential impact on highway safety.
59. The LHA have commented that the means of access is via Garden Lane and is satisfactory and that the servicing arrangements are as existing and are satisfactory.
60. With regard to parking the SPD3 requirements for a four plus bedroom dwelling are three spaces and two are provided off-road. The LHA note that this is an

improvement on the one space currently provided and is deemed acceptable in this highly sustainable location.

61. The request for works to improve the surface of Garden Lane is not directly relevant to this application.
62. The LHA have no objection to the application on highway grounds and as such the proposal is considered to have limited impact on highway and pedestrian safety and would not result in undue harm parking stresses within the local area. The proposal is therefore considered to comply with Policies L4 and L7 in this regard.

ECOLOGY AND TREES

63. The GMEU have confirmed that the bat surveys submitted are to an appropriate standard and that further bat surveys are not required before determining the application. A condition is however recommended to ensure that the measures outlined in Section 6 of the Bat Roost Survey and Assessment prepared by Ascerta are required to be implemented and this is attached accordingly.
64. There are no Tree Preservation Orders affecting the site but it is located within a Conservation Area. It is not considered that any of the trees of the site have significant amenity value. However only two are proposed for complete removal - a Cherry which is dead and a Hawthorn which is in severe decline. The other trees on the site are identified for pruning works. Subject to a tree protection condition in relation to the retained trees and a suitable landscaping plan showing mitigation planting for the loss trees the scheme is considered compliant with Policy R2.

OTHER MATTERS

65. Reference has been made by objectors to an appeal decision on the adjacent parcel of land to the north of the application site (now No's 8-10 Garden Lane). However this application was materially different to the application being considered here. It was on a formerly vacant site, proposed four new dwellings, did not comply with SPG1 distances and the highway safety concerns resulted from potential conflicts within the site between users of the 7 parking spaces within the site and pedestrians accessing and egressing their front doors within the site. It is therefore materially different to the application under consideration here and in any event each case must be considered on its own merits. It is also noted that this site has now been developed for a pair of semi-detached dwellings and reference is made to this site in the foregoing sections on design and amenity.
66. The Lead Local Flood Authority has not raised any objections to the proposals in principle subject to appropriate drainage conditions.
67. No contaminated land conditions are required.

CONCLUSION

68. The proposal has been assessed against the development plan and national guidance and it is considered that the proposed development will not result in undue harm to the amenity of neighbouring residents, highway safety or the character and appearance of the conservation area, subject to the inclusion of conditions.
69. Considerable importance and weight has been given to the desirability of preserving the setting of the designated heritage asset (the Old Market Place Conservation Area). The proposed development is not considered to result in harm to the significance of the conservation area.
70. The proposed scheme complies with policies L5, L7, R1 and R2 of the Trafford Core Strategy and the NPPF and therefore it is recommended that planning permission is granted subject to the conditions listed below.

DEVELOPER CONTRIBUTIONS

71. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the hot zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
72. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide at least three additional trees on site as part of the landscaping proposals.

RECOMMENDATION

GRANT subject to the following conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:-

L(-)002 Site Plan as Proposed
L(-)010 Ground Floor as Proposed

L(-)020 First Floor as Proposed
L(20)021 Front (North) Elevation as Proposed
L(20)022 Side (West) Elevation as Proposed
L(20)023 Rear (South) Elevation as Proposed
L(20)024 Side (East) Elevation as Proposed
L(20)010 Contextual Elevations 1 as Proposed
L(20)011 Contextual Elevations 2 as Proposed

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

3. No development works above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted (including rainwater goods, joinery details of windows and doors, brick, stone) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the details submitted, no works of demolition to the existing boundary walls shall take place until full details of the works to all the site boundaries including confirmation regarding areas of boundary wall to be retained and the type, siting, design and materials to be used in the construction of new boundary treatment and coping have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the approved structures have been erected in accordance with the approved details and they shall thereafter be retained.

Reason: To ensure a high quality standard of development and to safeguard and enhance the character and appearance of this the Old Market Place Conservation Area and the visual amenity of the locality in general in accordance Policies L7 and R1 of the Trafford Core Strategy.

5. Notwithstanding the details submitted, no above ground construction works or works of demolition to the existing boundary walls shall take place until the following sample panels are prepared for inspection on site and thereafter approved in writing by the Local Planning Authority in relation to the following:
 - A 1 metre x 1 metre sample panel (or larger) for the proposed western boundary wall including type of brick, joint, mortar mix and copings
 - A 1 metre x 1 metre sample panel (or larger) for the proposed brick weave detailing including soldier course above. Pointing is to be recessed from the brick face and details of the mortar mix shall be provided.

The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard and enhance the character and appearance of this the Old Market Place Conservation Area, and the visual amenity of the locality in general in accordance Policies L7 and R1 of the Trafford Core Strategy.

6. No development works above ground level shall take place until detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.
 - i) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths/colour, method of opening, mullions, transoms and glazing bars) at scale 1:10;
 - ii) design and materials of main entrances including surrounds;
 - iii) rain water goods (including locations, fixings, material and colour); and
 - iv) weave brick detail and soldier course
 - v) pointing detail.

Reason: To ensure a high quality standard of development and to safeguard and enhance the character and appearance of this the Old Market Place Conservation Area, and the visual amenity of the locality in general in accordance Policies L7 and R1 of the Trafford Core Strategy.

7. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

8. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works at ground and roof level have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any

banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments, planting plans to include additional native trees and shrubs, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification)

(i) no external alterations shall be carried out to the dwelling

(ii) no extensions shall be carried out to the dwelling

(iii) no garages or carports shall be erected within the curtilage of the dwelling

(iv) no vehicle standing space or other areas of hardstanding shall be provided within the curtilage of the dwelling

(v) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling

(vi) no means of access shall be constructed to the curtilage of the dwelling

(vii) no windows or dormer windows shall be added to the dwelling

other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason. To protect the residential and visual amenities of the area, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. measures to control the emission of dust and dirt during construction
- iv. details of hours of construction works

Reason: To minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that the impact of the work is minimised from the outset of the development works.

11. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of motor vehicles and bicycles have been provided, constructed and surfaced in complete accordance with the plans hereby approved and shall be retained for the approved purposes thereafter.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

12. Prior to first installation on site full details of the proposed cycle parking store shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory external appearance and acceptable impacts on amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby approved shall be carried out in full accordance with the measures contained within sections 6 of the submitted Bat Roost Survey and Assessment by Ascerta (Revision A dated 17th October 2017). The additional survey work required in section 6 in relation to bats shall be carried out and the findings submitted to and approved in writing by the Local Planning Authority prior to any work of demolition or repair taking place. If any protected species is found to either reside or forage within the site, no development shall take place until a scheme for the protection of their habitat or an appropriate mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and the approved protection / mitigation measures thereafter fully implemented.

Reason: To safeguard any protected species which may either live or forage within the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

14. Details of the siting of the house sparrow terrace required by section 6 of the submitted Bat Roost Survey and Assessment by Ascerta (Revision A dated 17th October 2017 shall be submitted to and approved in writing by the Local Planning Authority and shall be installed on site in the approved location prior to occupation of the approved dwelling and retained thereafter.

Reason: To mitigate for any habitat disturbance having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

15. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

16. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. No development shall take place unless and until full details of a Sustainable Drainage Scheme, which shall include maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted shall include evidence of third party agreement to connection and discharge to their network if such agreement is required. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily

stored or disposed from the site having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), the flat roof areas of the dwelling hereby permitted shall not be used as a balcony, terrace, roof garden or similar amenity area.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouses, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. Prior to first installation on site full details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and made available for use prior to the first occupation of the dwelling and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities and to ensure satisfactory external appearance having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

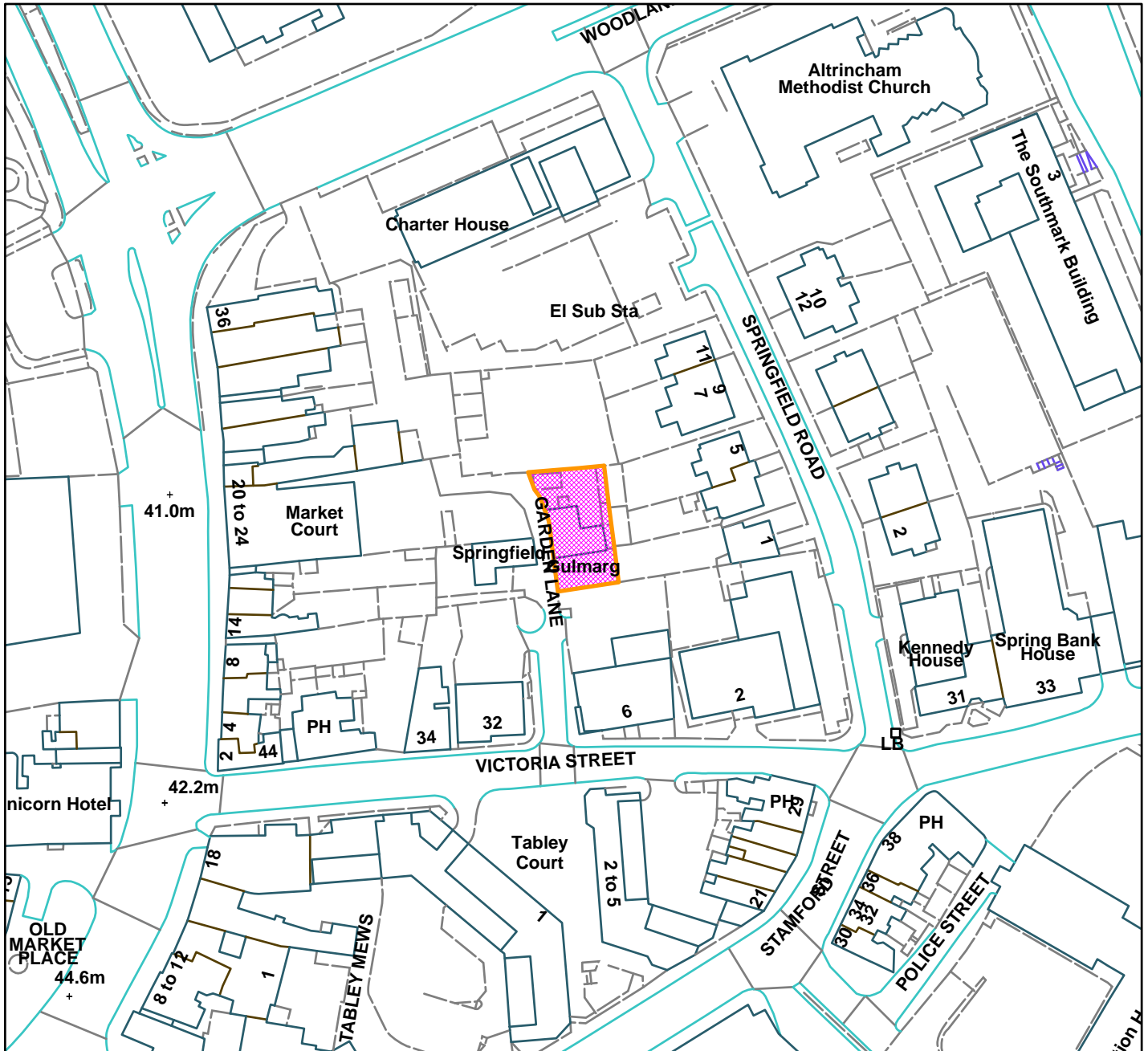
20. No development shall take place until details of existing and finished site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

JJ



Gulmarg, Garden Lane, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/01/2018
Date	21/12/2017
MSA Number	100023172 (2012)

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Agenda Item

WARD: ALTRINCHAM

87009/FUL/17

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247

**PROPOSED STOPPING UP OF HIGHWAY AT POTT STREET, ALTRINCHAM
WA14 1PE**

OS GRID REFERENCE: E:376649 N:387868

Highway proposed to be stopped up under S247 of the Town & Country Planning Act 1990 to enable development to be carried out in accordance with planning permission applied for under reference 87009/FUL/17 which is currently awaiting decision.

APPLICANT: Citybranch Limited

RECOMMENDATION: THAT NO OBJECTION BE RAISED

SITE

Development proposal by Citybranch Limited on land at Pott Street, Altrincham WA14 1PE bounded by Market Street to the north, Altrincham Market Hall to the east, Greenwood Street to the south and the new South Trafford Health and Wellbeing Centre to the west.

PROPOSAL

The Department for Transport has advised the Council (the Local Highway Authority for the area of highway referred to and therefore a statutory consultee) of an application made to the Secretary of State for Transport under S247 of the Town & Country Planning Act 1990 to stop up an area of highway in Altrincham described below in the Schedule and shown on the applicant's plan (copy attached ref NATTRAN/NW/S247/3113).

RELEVANT PLANNING HISTORY

The stopping up, if approved, will be authorised only in order to enable the development to be carried out in accordance with the planning permission applied for to the Council under reference 87009/FUL/17.

THE SCHEDULE

Description of highways to be stopped up: The highway to be stopped up is at Altrincham in the Metropolitan Borough of Trafford, shown on the plan and is a south western part of Pott Street. It commences 10 metres south west of the western corner of the Altrincham Market extending in a south easterly direction for a distance of 16.29 metres and having a maximum width of 4.66 metres.

RECOMMENDATION:

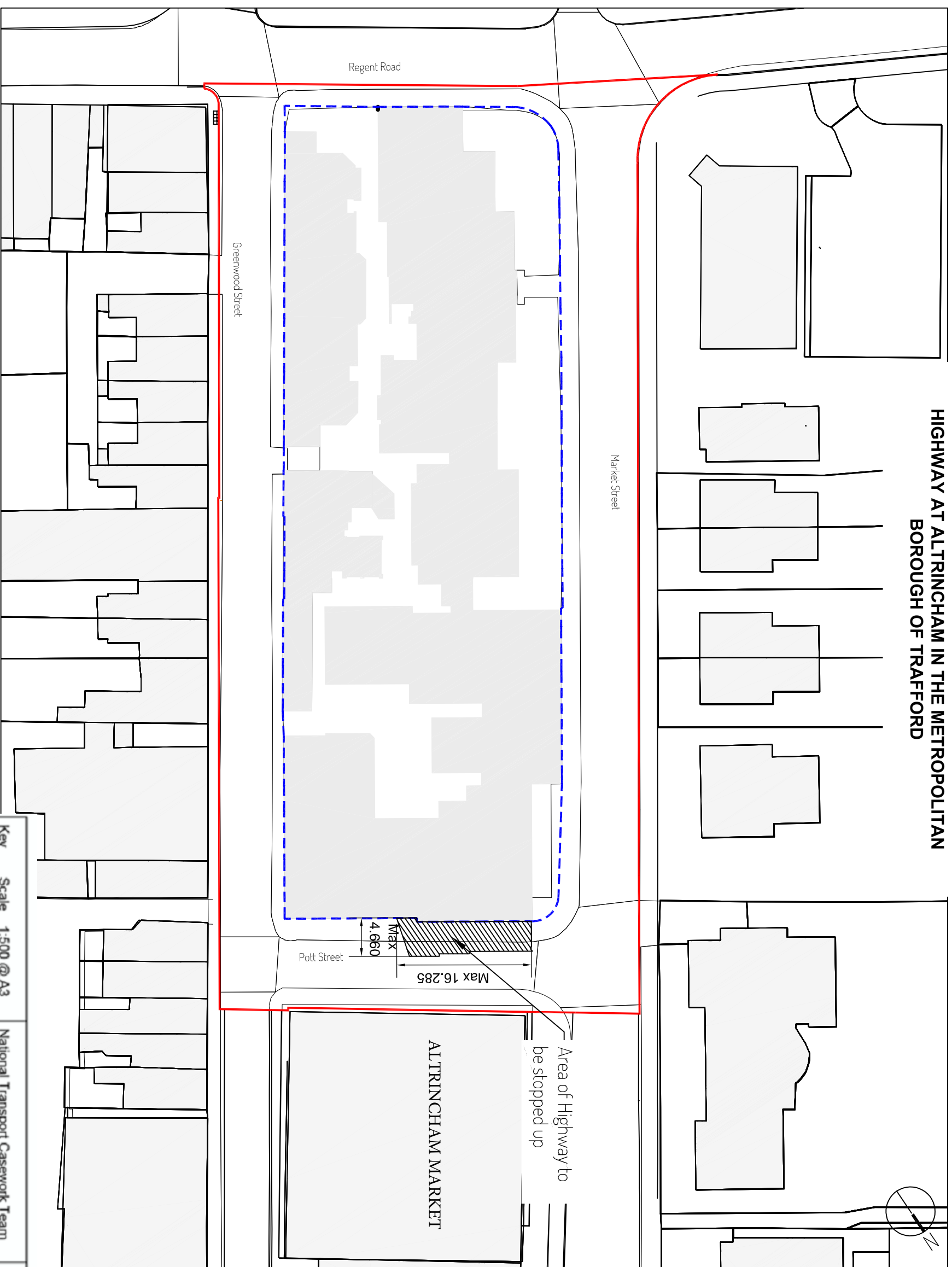
The recommendation is that the Committee raise no objection to this application for stopping up the areas of highway described in the Schedule and shown on the attached plan.


Background Papers:

Public Notice

Draft Order

**HIGHWAY AT ALTRINCHAM IN THE METROPOLITAN
BOROUGH OF TRAFFORD**



Key Scale 1:500 @ A3
 Highway to be stopped up 

National Transport Casework Team
 Department for Transport
 Plan No: NATTRAN/NW/S247/3113

Signed by Authority of the Secretary of State
 on 2017

Signature:
DAVE CANDLISH
 An Official in the National Transport Casework Team
 Department for Transport

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