



**AGENDA PAPERS FOR
PLANNING AND DEVELOPMENT MANAGEMENT
COMMITTEE**

Date: Thursday, 10 August 2023

Time: 6.30 pm

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

PLEASE NOTE: A link to the meeting can be found below:

<https://www.youtube.com/channel/UCjwbIOW5x0NSe38sgFU8bKg>

AGENDA

ITEM

1. ATTENDANCES

To note attendances, including Officers and any apologies for absence.

2. MEMBERSHIP OF THE COMMITTEE

To note that Councillor Jerrome has replaced Councillor Welton on the Planning and Development Management Committee with effect from 25th July, 2023.

3. DECLARATIONS OF INTEREST

Members to give notice of any Personal or Prejudicial Interest and the nature of that Interest relating to any item on the Agenda in accordance with the adopted Code of Conduct.

4. MINUTES

To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 13th July, 2023.

5. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4pm on the working day prior to the meeting. Questions must be within the remit of the Committee or be relevant to items appearing on the agenda and will be submitted in the order in which they were received.

6. **ADDITIONAL INFORMATION REPORT**

To consider a report of the Head of Planning and Development, to be tabled at the meeting.

7. **APPLICATIONS FOR PERMISSION TO DEVELOP ETC**

To consider the attached reports of the Head of Planning and Development, for the following applications.

7

Applications for Planning Permission	
Application	Site Address/Location of Development
108068	60 Woodsend Road, Flixton M41 8GX
110688	Land off Shawe Road, Urmston M41 5DL
111079	62 Green Drive, Timperley WA15 6JW

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

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

SARA TODD

Chief Executive

Membership of the Committee

Councillors B.G. Winstanley (Chair), L. Walsh (Vice-Chair), Babar, M. Cordingley, Z.C. Deakin, P. Eckersley, W. Hassan, D. Jerrome, S. Maitland, M. Minnis, T. O'Brien, S. Procter and M.J. Taylor.

Further Information

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

Michelle Cody, Governance Officer

Tel: 0161 912 2775

Email: michelle.cody@trafford.gov.uk

This agenda was issued on **1st August, 2023** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford, Manchester, M32 0TH

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Agenda Item 4

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

13th JULY, 2023

PRESENT:

Councillor Winstanley (In the Chair),
Councillors Acton (Substitute), Babar, Cordingley, Deakin, Eckersley, Evans
(Substitute), Hassan, Minnis, O'Brien, S. Procter, Walsh and Welton.

In attendance: Head of Planning and Development (Ms. R. Coley),
Head of Major Planning Projects (Mr. D. Pearson),
Major Planning Projects Manager (Mrs. S. Lowes),
Planning and Development Manager (West) (Mr. S. Day),
Planning and Development Manager (East) (Ms. H. Milner),
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),
Solicitor (Planning & Highways) (Ms. C. Kefford),
Governance Officer (Miss M. Cody).

Also present: Councillors Frass, Jarman, Jones, Patel and Thomas.

APOLOGIES

Apologies for absence were received from Councillors Maitland and M. Taylor.

17. DECLARATIONS OF INTEREST

Councillor Minnis declared a Personal and Prejudicial Interest in Application 109953/FUL/22 (Homestead, 121 Park Road, Timperley), due to her involvement in discussions with residents, she advised the Committee she would recuse herself and make representations against the application.

Councillor Walsh declared a Personal and Prejudicial Interest in Application 110192/PSI/23 (St. John Vianney RC School, Rye Bank Road, Stretford) due to voluntary work undertaken with the school and confirmed that he would be leaving the room during consideration of this item.

18. MINUTES

RESOLVED: That the Minutes of the meeting held on 15th June, 2023, be approved as a correct record and signed by the Chair.

19. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were submitted.

20. 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

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determined by the Committee.

RESOLVED: That the report be received and noted.

21. 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., Address or Site

Description

[Note: Councillor Minnis declared a Personal and Prejudicial Interest in Application 109953/FUL/22 (below) due to her involvement in discussions with residents, she removed herself from the Committee. After making representations she remained in the meeting but did not participate in the debate or cast a vote on the application.]

109953/FUL/22 - Homestead, 121 Park Road, Timperley, Altrincham.

Demolition of existing building and construction of 5 no. new dwellings with associated access, parking and landscaping.

110005/FUL/23 - Crossford Bridge Playing Fields, Danefield Road, Sale.

Creation of a 3G LED floodlit football turf pitch incorporating: perimeter ball stop fencing (4.5m high), pitch barriers, maintenance equipment storage container, pedestrian barriers along access route, 6no LED floodlights (15m high); open-air storage for portable football goals; extended football car park with associated soft landscaping, perimeter barriers, and lighting; pedestrian access path connecting the football car park to athletics pavilion; amenity lighting along re-surfaced driveway from athletics car park to 3G pitch entrance; covered cycle shelter with parking adjacent to athletics pavilion.

110079/FUL/23 - Bowling Green, Ashley Road, Hale.

Proposed terrace extension to new community/library building and associated works (involving a reduction in the size of the bowling green).

[Note: Councillor Walsh declared a Personal and Prejudicial Interest in Application 110192/PSI/23 (below) as he undertakes voluntary work at the school, he left the room during consideration of this item.]

110192/PSI/23 - St John Vianney RC School, Rye Bank Road, Stretford.

Proposed replacement SEN school (Class F1(a)) for 160 pupils aged 5 to 19 years comprising a one and two storey building, a multi-use games area (MUGA), cycle and car parking incorporating an overhead canopy

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with PV panels, sprinkler tank and enclosure, alterations to the site access, hard and soft landscaping, fencing and boundary treatments, and signage, together with demolition of the existing buildings and formation of a temporary access from Warwick Road South for construction purposes and the provision of contractor facilities and associated works required during construction.

[Note: At this point in the proceedings Councillor S. Procter declared a Personal and Prejudicial Interest in Application 110635/FUL/23 (below) as she resides within close proximity to the application site, she remained in the meeting but did not participate in the debate or cast a vote on the application.]

110635/FUL/23 - 43 The Crescent, Flixton.

Retrospective application for change of use from dwellinghouse (Use Class C3) to HMO (Use Class C4) with formation of loft conversion and other external alterations.

(b) Permission refused for the reasons now determined

Application No., Address or Site

Description

109558/FUL/22 - Brooklands Metrolink Station, Marsland Road, Sale.

Erection of two decked shelters to create additional customer space in association with the cafe (Class E) at the former booking hall.

22. APPLICATION FOR PLANNING PERMISSION 109111/FUL/22 - MASONIC HALL AND POLICE STATION, TATTON ROAD, SALE

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of Sale Masonic Hall and erection of a three-storey apartment building; and the retention and conversion of the former Sale Police Station to provide 30no. dwellinghouses (20 apartments and 10 houses), with associated landscaping and amenity provision.

RESOLVED: That Members are minded to grant planning permission for the development and that the determination of the application hereafter be 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:
- A financial contribution (sum to be agreed) for a review of the existing residents' permit parking area on surrounding streets.
 - A financial contribution of £24,753 contribution towards off-site education facilities, towards secondary school places.

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- (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 the satisfactory completion of the above Legal Agreement planning permission be granted subject to the conditions now determined (unless amended by (ii) above).

23. TRAFFORD DESIGN CODE

The Head of Planning and Development submitted a report concerning the Trafford Design Code which advised Members of the background to and content of the Code, being an important material consideration in planning application decision making.

RESOLVED: That Members note

- That the consultation draft Trafford Design Code (TDC) Supplementary Planning Document (SPD) has been approved by the Council's Executive.
- That consultation on the draft TDC began on 3 July 2023 and that Planning Committee Members are encouraged to take part.
- That the Trafford Design Code will be an important material consideration in the determination of planning applications.
- That the content of the consultation draft Trafford Design Guide (TDG) SPD (June 2022) has been incorporated into the Trafford Design Code and that the TDG has now been superseded.
- That the approval of the draft Code represents the successful completion of a Design Code within the 12 month DLUHC Design Code Pathfinders Programme.
- That following the consultation process described in the report, a future report will seek approval from Planning Committee for the final Trafford Design Code, which will thereafter be adopted by the Council's Executive.
- That an updated Planning Application Validation Checklist will be brought forward alongside the adopted TDC and that the approval of this document is a Planning Committee function.

24. URGENT BUSINESS

- (a) Adoption of the Validation Checklist (July 2023)

[Note: The Chair allowed consideration of this Item as Urgent Business as the

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Council could not impose its local validation requirements until it was readopted in August and those local information requirements are necessary for robust planning decision making.]

The Head of Planning and Development submitted a report which detailed the requirement for a Council to review their Application Validation Checklist at least every two years with the most recent review being in June 2021. The report provided details of a review of the Application Validation Checklist in 2023 with the proposal not to make any changes to the June 2021 Application Validation Checklist and republish this unaltered during the interim.

RESOLVED: That the Application Validation Checklist (July 2023) be approved for republication.

The meeting commenced at 6.30 pm and concluded at 9.21 pm.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10th AUGUST 2023

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 on the Council's website.

TRAFFORD BOROUGH COUNCIL

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10th AUGUST 2023

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>108068</u>	60 Woodsend Road, Flixton, M41 8GX	Davyhulme	1	Grant
<u>110688</u>	Land off Shawe Road, Urmston M41 5DL	Flixton	13	Grant Subject to Conditions
<u>111079</u>	62 Green Drive, Timperley WA15 6JW	Timperley	51	Grant

Note: This index is correct at the time of printing, but additional applications may be placed before the Committee for decision.

WARD: Flixton

108068/VAR/22

DEPARTURE: No

Application to vary Condition 3 (opening hours) on planning permission 87912/COU/16 (Retrospective application for the change of use from workshop (B2) to a gym (D2)), to vary the weekend hours to 08.00-17.00 Saturdays and 10.00-16.00 Sundays and Bank Holidays, with ancillary use for children's parties.

60 Woodsend Road, Flixton, M41 8GX.

APPLICANT: Mrs Jo Brown.

AGENT: N/A.

RECOMMENDATION: GRANT

This application is being reported to the Planning and Development Management Committee as six or more letters of objection have been received contrary to the Officer recommendation of approval.

Executive Summary

The application relates to a gymnastics centre situated to the east of Woodsend Road in Flixton. The applicant seeks permission to vary condition 3 attached to the original grant of planning permission (allowed on appeal) to extended the opening hours on Saturday and Sundays. The applicant also seeks confirmation that the holding of children's parties during the weekend (ancillary to the main use and within the hours of operation proposed for the main use) would be acceptable.

The proposed extend hours of use are not considered to have an unacceptable impact on residential amenity or highway safety and is considered to be acceptable and when considered against all other material planning considerations.

The proposal is considered to be in accordance with the development plan, and should therefore be approved without delay in accordance with NPPF paragraph 11(c). As such the application is recommended for approval, subject to the conditions listed in the main report.

SITE

The application relates to a detached two storey warehouse type building with mono-pitch roof which is being used as a gymnastics centre, this building is sited to the north-east of Woodsend Road, Flixton.

Situated within a largely residential area, the unit lies to the rear (north-east) of a pair of semi-detached dwellings which front Woodsend Road, with a car repair garage to the north, and residential properties to the south, east and west. The plot comprises the main unit itself with its associated car parking occupying the western end of the

plot, the latter immediately to the rear of the dwellings fronting Woodsend Road, with an access route running to the side (south) of these dwellings from Woodsend Road into the carpark. Boundaries are marked by brick walls with the building's north-west, north-east and south-east walls marking part of the plot's boundaries at these points.

An alleyway runs past the plot's side (southern-east) boundary and provides access to the rear of residential properties to the rear (east).

PROPOSAL

The applicant has applied to vary condition 3 (hours of operation) of APP/Q4245/W/17/3176342 to extend the hours of use to 0800-1700 on Saturdays and 1000-1600 on Sundays and Bank Holidays (no change to hours Monday to Friday). The applicant has also asked for confirmation that the holding of occasional childrens parties at the weekend would be ancillary to the approved use.

The applicant has submitted a document titled Noise Management Plan, which includes details of how the use is managed to limit any noise and disturbance, together with details of the current lighting set up.

This document also provides details of the proposed children's parties including that they will be held on an intermittent basis at weekends from 1430-1600, attended by 20-25 children up to 11 years of age, and comprise of 60 minutes of party games and supervised free play followed by a 30 minute birthday meal. Parties will only be held for club members together with class friends and relatives. Parents will drop off and pick up.

This document also confirms all parties and gymnastics classes will be hosted inside the building.

Value Added

N/A.

DEVELOPMENT PLAN

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

- The **Trafford Core Strategy**, adopted 25 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 19 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

L7 - Design;
L8 - Planning Obligations.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
SPD3- Parking Standards & Design;
PG24 Crime and Security.

PROPOSALS MAP NOTATION

Flixton Neighbourhood Forum Consultation Zone;
Critical Drainage Area.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE Regulation 19 consultation concluded in Autumn 2021 and the Plan was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors have been appointed to undertake the Examination in Public of the PfE Submission Plan and the timetabled hearings have now been completed. Given the advanced stage of PfE it now has substantial weight in the planning balance. The timing of this application means that it has not been appropriate/necessary to fully consider the PfE policies in the report, however a high level assessment has been undertaken and it is not considered that the PfE policies would have any significant implications for this application.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) in July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

93227/CND/17: Application for approval of details reserved by conditions of grant of planning permission 87912/COU/16. Conditions 1 (Noise), 2 (Lighting), 3 (Opening Hours), 4 (Use) and 5 (Car Parking). Full discharge of conditions 29 January 2019.

87912/COU/16: Retrospective application for the change of use from workshop (B2) to a gym (D2). Refused 22 December 2016. Approved at appeal 23 November 2017.

APPLICANT'S SUBMISSION

The applicant has submitted a Noise Management Plan in support of their proposal.

CONSULTATIONS

Strategic Planning: No objection.

GMP Design for Security: No comment received.

Local Highway Authority: No objection subject to condition.

Environmental Health (Nuisance): No objection.

Flixton Neighbourhood Forum: No comment received.

REPRESENTATIONS

Letters of objection have been received from seven named individuals which raise the following issues:

- The hours of operation imposed by the Inspector were reasonable to ensure the then approved gym use would not result in an unacceptable amenity impact on neighbouring residential occupants. The current proposal to extend these hours to all day on Saturday and Sunday would result in an unacceptable additional amenity impact.
- The applicant is using the car park during warmer weather for outdoor activities which is resulting in an additional amenity impact, as well as resulting in an unacceptable parking impact.
- The previous appeal was upheld on the grounds that parking would not cause disruption to the neighbouring area. The majority of users and their parents arrive by car, and many park on double yellow lines or otherwise obstruct Woodsend Road and Derwent Road when dropping off their children. Queens Court, which is a private road, is also used as a dropping off point at times. Even when parking thoughtfully, the surrounding thoroughfares are already very congested, and especially at weekends when many visiting cars also use these roads for parking to either play or watch football on Woodsend Park. Extending the opening hours of the gym further into the weekend is very likely to exacerbate this congestion problem.

- Visitors to the application site result in an unacceptable amenity impact due to the noise they create.
- The published Noise Management Plan does not address the noise resulting from visitors parking and walking to and from the gym.
- The hosting of children's parties will further exacerbate the site's unacceptable noise impact.
- The current use could result in an unacceptable overlooking/privacy impact on local residents.

OBSERVATIONS

BACKGROUND

1. The site was previously used a workshop (use class B2) with a retrospective planning application (87912/COU/16) submitted in 2016 to regularise the change of use which had taken place to a gym. The LPA refused planning permission on 27 July 2016.

2. The LPA's reason for refusal was:

The retrospective use of the application site as a gymnasium (Use Class D2), by virtue of the sites location, in close proximity to a number of sensitive receptors and the buildings overall design/form and lightweight roof, is considered to lead to an undue noise and disturbance to the detriment of residential amenity and living conditions for neighbouring residential properties. As such the development is found to be contrary to policies L7 and W1 of the TBC Core strategy and the relevant sections of the NPPF.

3. This refusal was subsequently overturned at appeal (APP/Q4245/W/17/3176342, decision 23 November 2017) with the Inspector accepting the gym use could take place without an unacceptable impact on noise/amenity to adjacent residential occupants, or unacceptable highways/parking impact, subject to the following conditions.

1. *Within one month of the date of this permission, a Management Strategy and Policy to limit the noise associated with the development shall be submitted to the local planning authority for their written approval. The Management Strategy and Policy shall include the installation and use of a sound limiting device on any amplified music system or other sound system within the building which shall be set to a specified noise level and employed at all times, with access to the device locked off and secured. The details should include the specification of the sound limiting device and the location of any speakers associated with the music and sound system, together with provision for review and monitoring of the agreed Management Strategy and Policy and a programme for maintenance of the sound limiting device. The Management Strategy and Policy shall be fully implemented within one month of the date of its approval by the local*

planning authority and thereafter maintained at all times for the duration of the use hereby permitted.

2. *Within three months of the date of this permission, details of any external lighting within the site shall be submitted and approved by the local planning authority. The external lighting shall be implemented and maintained in accordance with the approved details thereafter.*
 3. *The use hereby permitted shall only take place between the following hours: 0700 - 2000 on Mondays to Fridays, 0800 - 1200 on Saturdays and 1000 - 1200 on Sundays and Bank Holidays.*
 4. *The premises shall be used as a gym and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).*
 5. *The car parking arrangements shown on the approved plan (drg.no. 0600 001 Revision 0) shall be made fully available for customers of the gym and shall be retained for those purposes at all times for the duration of the use hereby permitted.*
4. The site is currently in use as a gymnastics centre (which falls within the permitted use class). The current use is not taking place in full compliance with the hours of operation condition (3). This, has resulted in a complaint which has been investigated by the Council's Planning Compliance Team. Following this investigation the applicant has been invited to submit a planning application to regularised the increased hours of operation.

Section 73 Application

5. This is an application under s73 of the Town and Country Planning Act 1990 and it is noted that when deciding such applications the LPA should normally limit its appraisal to the relevant conditions, albeit it does result in the grant of a new permission. Should this s73 application be approved the other conditions attached to the original grant of planning permission will continue to be attached to the new permission with all relevant condition attached.
6. When assessing variation of condition applications the LPA does not only have the option of either approving or refusing the proposed varied condition wording, but also has the power to impose an amended condition, as well as the option of imposing additional conditions should this be deemed necessary.

THE DECISION MAKING FRAMEWORK

7. S38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraphs 2 and 47 reinforces this requirement and at paragraph 12 states that the presumption in

favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an *up to date* (emphasis added) development plan, permission should not normally be granted.

8. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version.
9. The NPPF is a material consideration in planning decisions as the Government's expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
10. Paragraph 11 c) of the NPPF states a proposal which accords with an up-to-date development plan should be approved.
11. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - I. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - II. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
12. Policies controlling the amenity and highways impacts of development proposals are considered to be relevant for determining this application when considering the application against NPPF Paragraph 11.
13. Policy L7 (Design – which includes amenity and highways/parking) is consistent with the NPPF and is considered up to date. Full weight should be afforded to this policy.

PRINCIPLE OF DEVELOPMENT

14. Officers consider the principle of the current use as a gymnastics centre with ancillary parties to be in accordance with the original grant of planning permission, and the conditions attached to that permission.

IMPACT ON RESIDENTIAL AMENITY

15. Policy L7 of the Core Strategy states: *In matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.*

Noise/Nuisance

16. The Nuisance consultee has confirmed no objection to the proposed amended hours of operation and the additional use of the site for ancillary children's parties within the extended hours of the main use. The applicant has submitted a document titled Noise Management Plan (NMP) which outlines how the extended hours of use would be managed in line with the previously approved noise impact assessment. This document confirms the noise/nuisance impact (including of the proposed of the extended hours) would be limited, as well as confirming the site's current lighting set up. In addition the NMP details the arrangements for the management of the children's parties in order to limit any noise impacts. Officers do not consider that the noise generated from drop offs and pick-ups relating to the children's parties would be any different from the current gymnastic classes. The amended NMP also confirms the gymnastics parties and children's parties would be contained within the building and would not spill out into the car park.
17. It is noted that the approved hours set out in condition 3 were proposed in the Statement of Common Ground agreed by the applicant and the Council prior to the original appeal hearing (87912/COU/16) rather than being specifically proposed by the Planning Inspector. The Inspector concluded that the proposed hours of 0700-2000 on Mondays to Fridays, 0800-1200 on Saturdays and 1000-1200 on Sundays (as agreed by the two parties at the appeal) would reflect times when a noise free environment would not generally be experienced and when the sleep of occupiers of neighbouring properties would not be unduly disturbed. Given the Nuisance consultee's comments, and the fact that the proposed amended hours would still be within daytime hours, it is considered that the proposed extended hours of operation would not be at odds with the above conclusion and would not result in an unacceptable impact in terms of noise and disturbance to the detriment of residential amenity.
18. It is further considered that the operation of children's parties (as described in the submitted NMP and within the hours of operation permitted for the main use) would be incidental or ancillary to the main use of the site as a gymnastics centre. It is considered that this would not result in an unacceptable noise impact if operated in accordance with the details set out in the NMP over and above the conditions which currently exist.
19. Officers consider it necessary for planning permission, if granted, to be subject to a condition requiring compliance with the submitted NMP document.

Lighting

20. Officers note that the approved lighting could be in operation longer than at present during the winter months to account for the extended hours of operation (until 1700

on Saturday and 1600 on Sunday). It is noted that the Nuisance consultee has confirmed no objection to the current lighting set up outlined in the document titled Noise Management Plan, and Officers do not consider that the extended hours of operation of the approved lighting during the winter to cover the proposed extended hours of operation would result in an unacceptable lighting amenity impact on adjacent residential occupants.

Privacy

21. Whilst objections have been received on the grounds that the proposal would represent an unacceptable overlooking impact on neighbouring properties, it is noted that the officer's report on the original application (87912/COU/16) concluded that this would not be the case and there is no reason why an extension of the hours of use within daytime hours would result in any unacceptable additional overlooking impact. It is therefore considered that the current use does not result in an unacceptable privacy impact on neighbouring residential properties, and therefore extended hours of use alter this position.
22. The development would not result in any undue harm to the residential amenity of neighbouring and surrounding residential properties with reference to Core Strategy Policy L7.

HIGHWAYS, PARKING AND SERVICING

23. Core Strategy Policy L4 states: *[The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*
23. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
24. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.
25. The LHA consultee has confirmed no objection to the proposal, the LHA comment is subject to a standard planning condition.
26. It is noted that the Planning Inspector concluded in the original appeal decision (87912/COU/16) that the proposal has no significant impact upon local parking arrangements or highway and pedestrian safety. It is considered that there is no reason why an extension of the hours to 1700 on Saturdays and 1600 on Sundays and Bank Holidays would have any significantly different impact in this respect. It is also not considered that the holding of children's parties during Saturday and Sunday afternoons within the proposed extended hours would result in a greater

parking impact than the existing gymnastics classes. It is therefore considered that the development would not result in an unacceptable highways, parking and servicing impact.

27. The proposals to extend the hours of use would have an acceptable highway, parking and servicing impact with reference to Core Strategy Policies L4 and L7, the Parking Standards and Design SPD and the NPPF.

DEVELOPER CONTRIBUTIONS

28. N/A.

PLANNING BALANCE AND CONCLUSION

29. It is considered that the proposed extended hours of operation would not result in any harm to residential amenity through noise and disturbance or impacts on privacy nor would it result in any harm terms of highway and parking impacts, or loss of privacy.
30. The addition of children's parties (as set out in the submitted NMP) is considered to be an ancillary use, which would not result in any unacceptable noise impacts in itself or result in any additional undue impact over and above the existing conditions.
31. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted.
32. All detailed matters have been assessed, including the impact on residential amenity and highways/parking impacts. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposed amendment is appropriate for the site.
33. The proposal is considered to be acceptable and in accordance with the development plan as a whole including Core Strategy Policy L7, the Planning Obligations SPD, the Parking Standards and Design SPD and the NPPF. As such, in terms of NPPF paragraph 11 c) the proposal should be approved without delay.
34. It is therefore concluded that the application should be approved subject to appropriate conditions.

RECOMMENDATION

GRANT subject to the following conditions:

1. The approved use shall be carried out in full compliance with the document titled Noise Management Plan, received by the Local Planning Authority 27 July 2023.

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

2. The use hereby permitted shall only take place between the following hours: 0700 - 2000 on Mondays to Fridays, 0800 - 1700 on Saturdays and 1000 - 1600 on Sundays and Bank Holidays.

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

3. The external lighting shall be retained in perpetuity in accordance with the details set out in the document titled Noise Management Plan, received by the Local Planning Authority 27 July 2023.

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

4. The premises shall be used as a gym / gymnastics centre and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

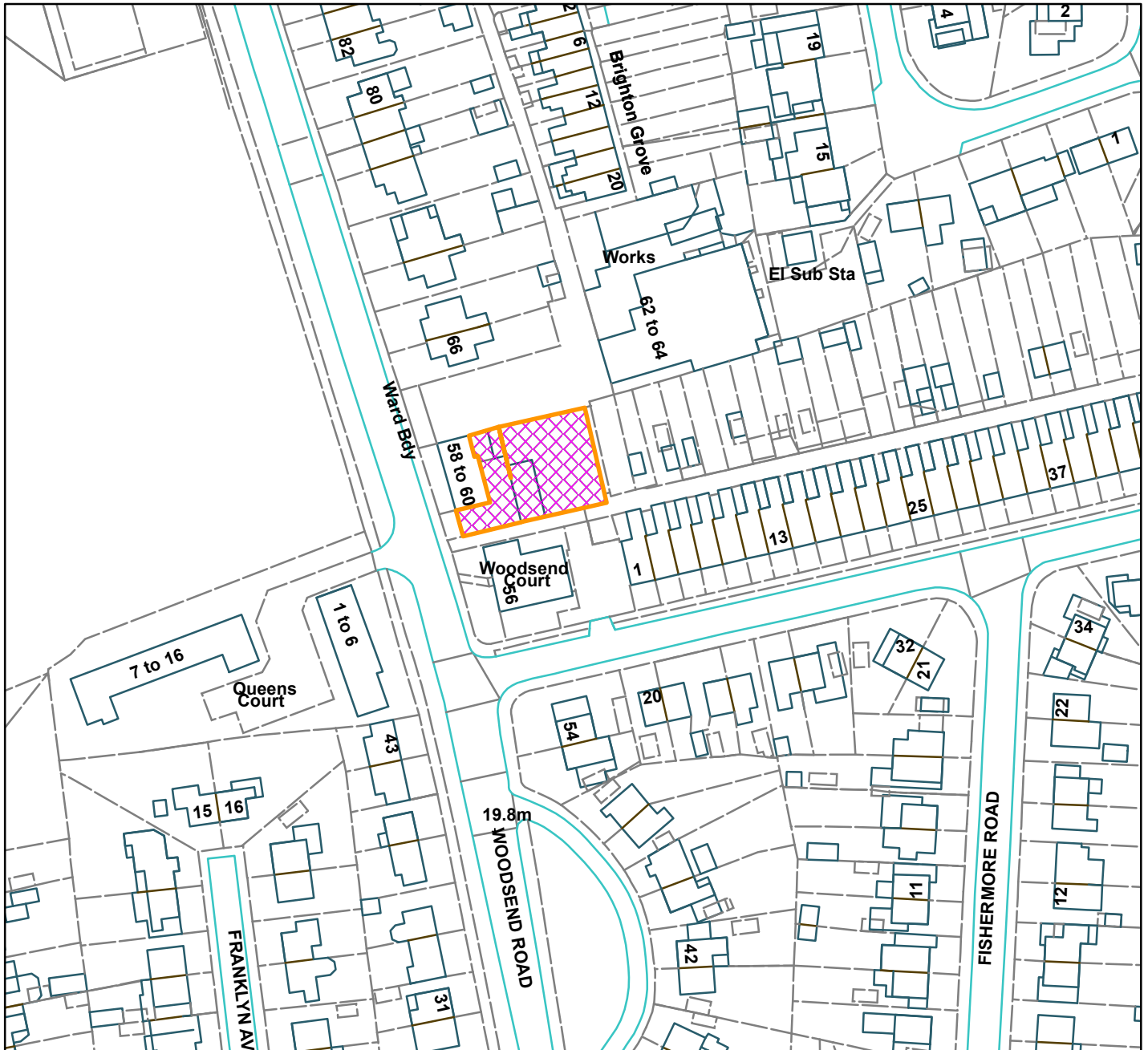
5. The car parking arrangements shown on the approved plan (drawing No. 0600 001 Revision 0 (received by the Local Planning Authority 10 March 2016)) shall be made fully available for customers of the gym / gymnastics centre and shall be retained for those purposes at all times for the duration of the use hereby permitted.

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

TP



60 Woodsend Road, Flixton, M41 8GX (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/08/2023
Date	31/07/2023
MSA Number	AC0000809316 (2022)

WARD: Flixton

110688/FUL/23

DEPARTURE: No

Erection of 12no 1B cottage style apartments with associated landscaping and parking for MSV Housing.

Land off Shawe Road, Urmston, M41 5DL

APPLICANT: Mrs O'Connor

AGENT: Mr Elliot Denby (BTP Architects).

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

The application is reported to the Planning and Development Management Committee since it relates to land in the Council's ownership. Six letters of objection have also been received contrary to the Officer recommendation.

Executive Summary

This application seeks planning permission for the erection of 12 no. dwellings available for social rent, which would be constructed in the north-eastern edge of the Pennybridge Lane car park. This would comprise 12 no. one-bedroom apartments and associated access and landscaping. The dwellings would provide accommodation to support people out of homelessness / rough sleeping. No parking is proposed on site, and 35no. informal parking spaces would be lost within the Pennybridge Lane car park. There are no Tree Preservation Orders, Heritage Assets or Conservation Areas affecting the site.

During the consideration of the application, significant amendments have been negotiated by Officers. These relate to the massing, scale and external appearance of the building, landscaping (including tree planting), private and communal amenity space, and servicing.

Letters of objection received relate primarily to the loss of parking within Pennybridge Lane car park, and the potential for overspill parking and any impact that this could have on the surrounding area. The representations received have been duly noted and the issues raised considered as part of the application appraisal.

Whilst amendments have been secured through this application, the development remains poorly designed owing to the siting of this scheme and its external appearance. This is, however, balanced against the substantial weight which is afforded to the delivery of greatly needed affordable homes, specifically for those who are homeless, on a sustainable brownfield site.

All other detailed matters have been assessed and the proposal is considered to be acceptable in terms of policy, residential amenity, parking, highway safety, ecology, flood risk, drainage, contamination and other relevant matters.

The Council cannot demonstrate a five year housing land supply and therefore paragraph 11(d) of the NPPF is engaged. When assessing the scheme against paragraph 11(d)(i) there is no clear reason for refusal when considering the matters referred to in footnote 7. When the tilted balancing exercise is carried out, the adverse impacts do not significantly and demonstrably outweigh the benefits the scheme would deliver. The application is therefore recommended for approval, subject to appropriate conditions.

SITE

The application relates to the north-eastern section of an area of land used informally for parking accessed from Pennybridge Lane, and some of the associated trees bounding the eastern boundary of this car park. The area is characterised by an array of uses including residential, educational, and leisure uses, alongside car parking and formal open space. An Area of Landscape Protection abuts the western side of Pennybridge Lane. The site area is 0.12 hectare. The car park on Pennybridge Lane could accommodate up to 154no. spaces.

Bounding the site to the north is Shawe View Terrace, a row of characterful two-storey terraced properties which to the site. To the east resides Shawe View Residential Home, and its associated car park. To the south and western boundaries is the remaining car park. Further south resides Trafford FC and Shawe View Stadium, and designated Green Belt.

The site and wider estate is located within a Critical Drainage Area within Trafford Councils Strategic Flood Risk Assessment and is also identified as coming within Flood Zone 1 with regards Environment Agency Flood maps (lowest risk of flooding).

There are no designated or non-designated heritage assets within the vicinity of the site, nor are there any Tree Preservation Orders.

PROPOSAL

Planning Permission is sought for the erection of 12no. one bedroom apartments within the north-eastern area of the Pennybridge Lane car park. This would incur the loss of 35no. parking spaces from the car park, alongside a proportion of the trees, and shrubbery established along the eastern boundary. The proposed apartments are to be affordable (social rent) and would be made available for those who are homeless, with nomination rights through the Council's HOST (Housing Options Service Trafford) service.

It is understood that each unit would in most cases be occupied by one person. The ground floor units would comprise approximately 46sqm. The first floor units would comprise approximately 49sqm. No parking is proposed on site.

The building itself would be two storeys, comprising a pitched roof, and to be finished in red facing brick. Bin and cycle stores would be integral to the building via single storey sections at each gable end. The building would actively front the highway – identified as Shawe View, and the car park associated with Shawe View Residential Home. Individual terraces would be provided for the ground floor apartments only. Communal space would be available within the rear and front of the site. Two pedestrian routes would connect the site to the east only.

Planting is proposed to the western boundary of the application site including a mixture of hedges and trees, separated 6.0m from the proposed building. A 2.1m high brick wall would form the main boundary to the retained car park.

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

- The Trafford Core Strategy (TCS) 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
L7 – Design
L8 – Planning Obligations
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation
W1 – Economy

PROPOSALS MAP NOTATION

None.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

SUPPLEMENTARY PLANNING DOCUMENTS

PG1 – New Residential Development
SPD1 – Planning Obligations
SPD3 – Parking Standards and Design

OTHER RELEVANT DOCUMENTS

Manchester City, Salford City, and Trafford Councils Level 2 Hybrid Strategic Flood Risk Assessment (SFRA).

Trafford Council Homelessness Strategy 2019 – 2024.

PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE Regulation 19 consultation concluded in Autumn 2021 and the Plan was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors have been appointed to undertake the Examination in Public of the PfE Submission Plan and the timetabled hearings have now been completed. Given the advanced stage of PfE it now has substantial weight in the planning balance. The timing of this application means that it has not been appropriate/necessary to fully consider the PfE policies in the report, however a high level assessment has been undertaken and it is not considered that the PfE policies would have any significant implications for this application.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20th July 2021. 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 and was updated on 5th April 2022. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

None.

APPLICANT'S SUBMISSION

Arboricultural Impact Assessment
Bat Survey
Carbon Budget Statement
Crime Impact Statement (CIS)
Design and Access Statement (DAS)
Drainage Strategy
Flood Risk Assessment (FRA)
Phase 1 Ground Investigation Report
Preliminary Ecological Appraisal (PEA)
Statement of Community Engagement
SuDS Pro-Forma
SuDS Sustainability Assessment
Transport Statement (TS)

CONSULTATIONS

Environmental Health (Contamination) – No objection subject to conditions regarding investigation and risk assessment, and a verification plan.

Environmental Health (Nuisance) – No objection subject to conditions regarding details of the mechanical ventilation heat recovery, air source heat pumps, and a construction and environment management plan (CEMP).

Greater Manchester Ecology Unit (GMEU) – No objection subject to conditions regarding soft felling of trees, nesting birds, and biodiversity net gain.

Lead Local Flood Authority (LLFA) – No objection subject to conditions regarding management and maintenance plan for drainage scheme.

Local Highway Authority (LHA) – No objection subject to conditions regarding a CEMP.

TBC Arboriculturist – No objection subject to conditions regarding tree protection fencing.

TBC Heritage Development Officer – No objection. Heritage Statement not required.

TBC Housing Strategy and Growth – Supportive.

TBC Waste – No objection.

REPRESENTATIONS

Letters of objection have been received from 45no. surrounding properties. A petition has also been submitted with 533 verified signatories. The petition states that:

'Whilst it is appreciated that such developments are needed, and the proposed residents in need of support, the proposed site is unsuitable.

Residents are concerned that the local infrastructure cannot accommodate such a development with parking already causing major issues within the locality. Residents already have to cope with parking from 2 schools, a football club, a sports field, a large park and many residents who do not have drives to park their cars on. Any further traffic and parking will add to the already dangerous and inflammatory situation.

The proposed site is to be placed on a car park that is regularly full of cars, due to events, football, and walkers. These cars will then park on the residential streets. Ambulances have already struggled to gain access to the streets when needed.'

The concerns/comments raised within the individual letters of representation are summarised as follows:

Principle of Development

- Will the temporary accommodation become permanent? What happens after the fixed term ends?
- Better, more suitable places, to build homes
- Social housing would become dominant in this area
- Creation of an unsafe environment and introduction of unsavoury characters into this area
- Urmston already overpopulated

Design / Character

- Poor aesthetic design
- Shawe View houses have historic value. Proposal will harm their significance.

Residential Amenity

- Loss of light to gardens and windows of Shawe View
- Loss of privacy to Shawe View
- Noise impact during construction works and impact on air quality
- Odour from bins to be placed near Shawe View on collection day and attraction of pests

Highways Impact

- Loss in parking at Pennybridge Lane car park which is well used.
- Overspill of parking onto surrounding roads, which could create safety issues for pedestrians
- Reduced access for emergency vehicles
- Trafford FC is an asset in the community and any parking overspill (owing to reduction in off-street car parking in the area) could lead to disputes with residents
- New residents may have access to own vehicles, increasing parking demands in the area
- One off transport survey does not accurately reflect parking demand in the area
- Damage to resurfaced Shawe Road

Other Matters Raised

- Consultation events poorly organised, poorly managed, and resident's views not properly heard.
- Loss of habitats within trees and hedgerows
- Exacerbation of existing drainage issues
- Drug use and anti-social behaviour within existing car park
- Reduction in property values
- Works required to ensure safe pressure levels and access to fire hydrant point
- No funding for CCTV/external lighting in remaining car park
- Local residents should have final say on this application
- Harm to wellbeing of residents through poorly managed consultation events and pre-application discussions, and harm to mental health of residents during this application
- Buildings, and residents, may not be looked after, which could cost tax-payers.
- Many neighbouring properties do not have access to internet to make representations
- Need to preserve integrity and viability of Trafford FC
- Site visit should be undertaken
- Loss of place for use by children when carpark is empty
- Reduction in opportunities for exercise (on carpark).
- Loss of accessibility to car park from Shawe View, including for those with additional needs.

Officer response: All representations received have been duly noted and considered. Please note that reductions in property value are not a material planning consideration. A number of site visits have been undertaken during the assessment of this planning application. It can be noted that the retained car park is not included within the site edged red, and opportunities for lighting and CCTV within this area is not proposed under this application. For other concerns raised, please see appraisal.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

The Decision-taking Framework

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up-to-date** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version. Whether a Core Strategy policy is considered to be up-to-date or out-of-date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process. Paragraph 11 (c) states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. The Council's current housing land supply figure is in the range 3.47 to 3.75 years and the most recent Housing Delivery Test figure (2021) is 79%. This housing supply and delivery position automatically triggers Paragraph 11d) but does not automatically render development plan policies out of date. It is for the decision maker to determine what weight to give to development plan policies and this can take into account the specific characteristics of the housing land supply position such as the extent of the shortfall and the steps being taken to remedy it.
5. As set out later in this report, there are no policies within the NPPF protecting areas or assets of particular importance which provide a clear reason for refusing the development proposed. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged.

6. Paragraph 11(d)(ii) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This exercise is set out within the 'Planning Balance and Conclusion' section of this report.

Suitability of the Site

7. This site is not specifically allocated for residential development in the Core Strategy, nor is the site identified on Trafford's Brownfield Land Register as a site considered suitable for residential development. The NPPF at paragraph 55 directs the planning system to focus development in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
8. Whilst the site resides on the edge of the settlement boundary, it is in close proximity to a number of bus services, Chassen Road railway station, areas of open space, and approximately 12 minute walking distance from Urmston's designated town centre. Retail units, leisure facilities, educational facilities and areas of public open space are located in the vicinity of the site. The site falls under Greater Manchester Accessibility Level 5 (with 8 being the highest). The location of this site is considered to be sustainable for housing development.

Proposed Residential Development

9. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 60 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
10. Policy L1 of the Core Strategy controls the number and distribution of new homes across the Borough. The latest housing land supply calculation suggests that the Council's supply is in the range of 3.47 to 3.75 years (which includes a 20% buffer for historic under delivery). Given the lack of five year housing land supply, and the age of this policy (including the need to use the more recent 'standard method' of calculating housing need), it is now out of date and should be given limited weight.
11. Policy L1 states that there is an indicative 80% target of new housing provision to use brownfield land and buildings. The NPPF also requires policies and decisions to support development that makes efficient use of land and states that planning decisions should "*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs*" (paragraph 120c). The

application site is previously developed land and would therefore contribute to the 80% target of new housing provision to use brownfield land.

12. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Policy L2 remains up to date in respect levels of affordable housing required and in terms of site specific requirements for development (L2.2). Full weight can be given to this part of the policy. Other parts of this policy, for example in relation to dwelling mix, are not up to date and should be given limited weight.
13. The Council cannot demonstrate a five year supply of deliverable housing sites. This site constitutes previously developed land in a sustainable location within a predominantly residential area, and therefore residential development on this site is acceptable in principle and would make a positive contribution to the Council's housing land supply.

Housing Type and Mix

14. The NPPF at paragraph 62 requires the size, type and tenure of housing for different groups in the community to be assessed and reflected in planning policies. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided. Policy L2 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 Needs Assessment. Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+beds) residential units. Policy L2 as a whole is generally consistent with the NPPF however references to housing numbers and housing land supply are out of date and less weight should be afforded to these aspects of Policy L2.5.
15. The proposed development would provide 12 new residential units; comprising entirely one-bedroom units. This equates to a 100% provision of small homes. It is noted that the Urmston housing propositions (2018/19 – 2022/23) identifies a requirement for 30no. one-bedroom affordable units, with 145no. such units required across the Trafford Borough. While the scheme doesn't fully reflect the target split of policy L2 it is considered appropriate for this location given that a small need does exist in Urmston for this size of affordable housing and that this housing provides for a specific housing need. Specifically, the application indicates that this development would be used solely as housing for homeless / rough sleepers. A planning condition is recommended to ensure that these units are used solely for this purpose.
16. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market:affordable housing. Policy L2.14 states that the

expected method of delivery for affordable housing will be on site. The application proposes 100% on site affordable housing provision.

17. The NPPF defines affordable housing as: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy).
18. The Homelessness Reduction Act 2017 significantly reformed England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing authorities to provide homelessness services to all those affected, not just those who have a priority need.
19. Homelessness is increasing year-on-year in Trafford, Greater Manchester and nationally. The Trafford Homeless Strategy (2019-2024) identifies a key priority (3) is the eradication of the use of Bed and Breakfasts (B&B) for accommodating homeless persons, and increase the provision of good quality accommodation for homeless people in Trafford. This Strategy identifies a clear upwards trend in those requiring temporary accommodation (doubling since 2013). The development would directly contribute to this key priority. The proposed scheme would also contribute to meeting key priorities 2 (Improve access to permanent affordable accommodation and supported homes, primarily through the increased supply of social housing), 4 (work towards ending rough sleeping in Trafford) and 6 (improve health and wellbeing for homeless people in Trafford). This carries substantial weight in favour of this application.
20. The Housing Strategy and Growth Manager is supportive of this application, advising that these 12 units will be a valuable resource to Housing Options Service Trafford (HOST) and that there is a shortage of supported accommodation in Trafford that meets the needs of homeless households. These units will enable HOST to secure accommodation for those people currently placed within the 'A Bed Every Night' provision as a pathway to secure permanent accommodation after a 2 year period.
21. The applicant has confirmed that those eligible for this accommodation would only be rough sleepers, or those with a history of rough sleeping currently in emergency accommodation, or those at risk of rough sleeping or homelessness. Those eligible will be Trafford residents with low level support needs who are already engaging with the relevant services to address any support needs that may be barriers for long term success in a tenancy. The applicant has confirmed that Trafford residents refer to those with a local connection to Trafford who have been accepted as homeless by Housing Options Service Trafford, in line with homelessness legislation. All referrals to this scheme would be made via HOST. The provision of this housing for those that meet this eligibility criteria only can be conditioned and this is part of the

recommendations of this report. It is on the basis of this proposed use that this application is assessed.

22. There is no requirement for First Homes to be provided as part of the proposal as this is a 100% affordable housing scheme.

Conclusion on the Principle of Development

23. It is considered that the proposals will make a much needed contribution to affordable and overall housing supply on a sustainable brownfield site within the settlement boundary. The proposed housing, which would be for those who are homeless / rough sleeping, is greatly needed within the Borough, as set out within the Trafford Homelessness Strategy and as confirmed by the Housing Strategy and Growth Manager. This specific housing type can be secured by way of condition to therefore meet an identified housing need. The proposed re-development of previously developed land for affordable housing would accord with Core Strategy Policies L1, L2 and the NPPF.

DESIGN AND APPEARANCE

24. Paragraph 126 of the NPPF states that 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.
25. The National Design Guide was published by the Government in October 2019 and sets out how well designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing.
26. The Core Strategy also attaches importance to the design and quality of the Borough's built environment. The text supporting Policy L7 advises that high quality design is a key factor in improving the quality of places and in delivering environmentally sustainable developments. Design solutions must: be appropriate to their context; and enhance the street scene by appropriately addressing scale, density, height, massing, layout, elevational treatment, materials, hard and soft landscaping, and boundary treatments, the policy is clear. Policy L7 is considered to be compliant with the NPPF as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
27. The latest plans have been significantly amended from those originally submitted. Officers have sought to improve the design of this scheme. Amendments received include removing the dog leg element, integral bin and cycle stores, significant

increases to both the amount and size of windows, provision of greater communal and private amenity space, architectural detailing, and greater landscaping.

Siting and Layout

28. The proposed development would be bound by the Pennybridge Lane car park (referred to as the car park) to the west and southern aspects, and the car park associated with the Shawe View Residential Home to the east. Shaw View terrace (nos.20-28) border the site to the north, approximately 7.2m to the site boundary. The proposed siting necessitates a loss of 35no. parking spaces within the Pennybridge Lane car park and a number of moderately sized trees which extend along its eastern boundary.
29. The development would comprise a terraced form, extending north to south. The form would abut the siting of the Shawe View terrace at a perpendicular angle. Historic mapping shows that the Shawe View terrace was constructed between 1937 and 1961. Whilst much of its façade has been altered including rendering and window replacements, the historic form is retained. The Council's Heritage Development Officer has assessed this building, and whilst it is noted as a characterful building, prominent in the public realm, it is not a non-designated heritage asset. The proposed development does follow the rectangular layout of the car park, and the terraced form does reflect the nearest building typology, however the scheme fails to reflect the orientation of the longstanding Shawe View terrace. The layout therefore does not reinforce the historic urban grain. This impact is offset slightly by the location of the modern T-Shaped Residential Home to the east and can be further offset through the establishment of tree planting to reduce the prominence of this development in the context of the Shawe View terrace.
30. The successful implementation of tree planting to the western and southern boundaries will be crucial in seeking to establish a residential setting to this site. Officers have negotiated extensive tree planting along the site boundaries, and secured 6.0m spacing to the proposed building to allow these trees sufficient space to grow. It is considered that, in time, a residential setting to this development will be properly established. However, in the interim, and during times when the trees are not in leaf, it is likely that the scheme would be read as an incongruous, rather contrived residential development sat within a car park. This is likely to appear as a relatively isolated form of development with this impact most pronounced from Pennybridge Lane.
31. For the above reasons, some conflict is demonstrated with policy L7 of the Core Strategy. In particular, the development does not make best use of opportunities to improve the character and quality of this area, nor is the development clearly appropriate in its context.
32. Within the site, the layout allows for a moderate amount of communal amenity space, and some private terraces to the ground floor units. Pathways are provided

around the development and sufficient space is retained to the site boundaries. It is understood that the eastern boundary would remain open fronted to create an active frontage to the street scene and a sense of arrival to this site. The applicant has shown willingness to ensure a strong landscape buffer to the rear and side boundaries of the site with the use of a brick boundary wall, dense hedge and tree planting. It is recommended that this is secured by way of planning condition.

Scale, Form and Massing

33. The proposed building would be 44m in width (including the single storey sections) and 9.8m wide. The ridge height would be 8.5m to a pitched tile roof. At two-storey, the development accords with surrounding building scales. The length of the terrace is not considered to be excessive with the adjacent care home extending approximately 44m in length and the terrace extending approximately 98m in length. Single storey sections comprising bin and cycle stores are attached to each gable end, which breaks down the massing at the site boundaries. This also prevents the need for separate structures within the site to accommodate bins and bicycles. These single storey elements are set back from the principal elevation to avoid appearing dominant, particularly given their blank facades. Bins and cycles would be accessed from the sides of the building, avoiding the use of closed and ventilated doors to the front elevation.
34. The roof pitch is relatively shallow, albeit not to an extent which would result in a poorly proportioned appearance. The use of larger windows to the east elevation, and clearly defined entrances, helps to define the principal elevation. Defensible space would be established around front elevation ground floor windows.
35. Notwithstanding the concerns regarding the siting of the development, the terraced form replicates the established building typologies within this area. The form and massing is relatively simple.

Appearance and Materials

36. The pitched roof terrace design would provide a traditional aesthetic, which would be enhanced by architectural details. Two string courses are proposed. The submitted Design and Access statement confirms that window cills would be stone. Arched brickwork would be used above entrances and a number of windows. The applicant has also confirmed that doors and windows would be revealed by 90mm. This level of architectural detail can be conditioned. Red brick would be used throughout the elevations of the building which would reflect the predominant building material in the local area. Grey concrete roof tiles – Marley Edgemere - is proposed, which is a relatively thin interlocking tile designed to create the appearance of slate.
37. Windows would be of a moderate size with suitable floor to ceiling proportions and similar styles in both the front and rear façade. The window to wall ratio to the principal elevation is 18%, whilst the rear elevation would achieve 41%. This is

owing to the rear patio doors and the Juliet balconies. It is noted that the Juliet balconies would be visible from Pennybridge Lane and would be viewed in the same context as the characterful terrace. Whilst the Juliet balconies would introduce a new architectural feature within the public realm, this should be balanced against the desire to enhance natural light and outlook for the occupiers of this residential development. These features would also facilitate greater passive surveillance of the car park, thereby reducing opportunities for crime.

38. The frequency of windows within the elevations allows for punctuation in the façade, particularly given that the applicant has committed to 90mm window/door reveals. Use of vertical rainwater goods can help to define bays within the façade, which can be conditioned. The design does, however, propose symmetry across the 44m elevation rather than the provision of repetitive bays. It is not considered that this symmetry would be immediately apparent in the wider public realm, and the lack of repeated bays to this terrace results in a slightly disorganised façade. This fails to reinforce the established rhythmic character of the Shaw View Terrace, which contributes to, and helps to set, the character of the area.
39. Officers have raised concerns regarding the high proportion of front doors (12no.) to the principal elevation. Amendments have been received including increasing the size and quantity of windows to lessen the prominence of these doors. However, it is still considered that the proposed doors are excessively numbered and reduces the transparency of the façade at ground level.
40. Meter boxes are proposed to the principal elevation. The applicant has suggested that these are standard and must be placed outside in an accessible location. It is considered that these are slightly excessive in design terms, and are a direct result of the large number of separate front doors proposed to this elevation. A condition can require exact details of these to be submitted to the LPA, including possible painting of these fixtures, with the aspiration of this condition to reduce their prominence.
41. Details of materials can be conditioned to ensure a satisfactory appearance to the development.

Design Conclusion

42. A number of concerns are raised with the design of this development. Namely, the siting and layout of this building would not respond to the historic urban grain, and its siting within a car park would result in a visually isolated and incongruous form of development. It is, however, noted that the visual impact of the development would be mitigated through an extensive landscape buffer consisting of trees and a continuous hedge to be planted along the boundary. Whilst significant amendments have been received in relation to the fenestration size and building form, key façade issues remain in relation to the concentration of front elevation doors, meter boxes and lack of rhythm within the façade. The applicant has sought to justify these

aspects in respect of cost, providing a front door to every unit, and to accommodate the internal layout.

43. Some conflict is identified with policy L7 of the Core Strategy and the Council's supplementary planning document (PG1: New Residential Development). Specifically, the siting of the proposed development within a car park is not considered to be an appropriate design approach, and until any tree planting is fully matured, the scheme would be read predominantly in this context. It is, however, considered that the proposed landscaping can be strictly conditioned and would reduce the visual impact of this development, helping to, in time, restore a landscaped setting to the car park. Whilst the terraced building typology is appropriate, the layout does contradict the historic urban grain through its orientation, and therefore causes some conflict with the area's established character. The design of the building, whilst significantly improved from the original plans is disappointing and does not accord with the aspirations set out in the Trafford Design Code (Consultation Draft 2023) and Government's drive to secure visually attractive and high quality buildings/places that are inspired by their surrounding context. However, conditions can be used to secure some of the positive design aspects negotiated by Officers including the landscaping, string courses, window reveals, stone cills, larger windows and details of external materials.

LANDSCAPING / GREEN INFRASTRUCTURE

44. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.
45. There are no protected trees within, or in the vicinity of, the site. A significant number of semi-mature trees along the eastern boundary of Pennybridge car park would be removed to accommodate the development. These trees are considered to be of moderate quality, with clear visibility from the southern end of Pennybridge Lane and the Shawe View terrace. The applicant has sought to mitigate their loss through the planting of medium sized trees along the western boundary of the application site, planted approximately 6.0m from the proposed building. Species to be planted include Field Maple, Bird Cherry, Common Whitebeam and Callery Pear, all heavy standard with a girth of 12-14cm and a height of 350-425cm. These are all native species that are considered suitable for the Borough and this particular setting. These trees have the ability to give structure in urban landscapes and can appear large at the human scale.
46. The loss of the existing trees is regrettable, particularly given their visibility in the public realm and their integral position within a line of moderate quality trees. This

would cause moderate harm to the landscaped character and appearance of this area. However, it is considered that the replacement planting would, in time, ensure the restoration of a landscaped setting to the Pennybridge car park which does offset some of this harm in the medium-long term. The Council's Arboriculturist has raised no objection provided that the landscaping plans are implemented. This can be conditioned alongside a maintenance plan to ensure their maintenance for the lifetime of the development.

47. Twelve trees would be planted, alongside native hedge mix which would be planted in a double, staggered row at a density of four plants per meter along the rear and side boundaries of the site. Shrubs would be planted within the defensible spaces to the principal elevation. This planting provision would exceed the requirements of SPD1 for on-site specific green infrastructure.
48. A tree protection plan has been submitted demonstrating that the existing trees south and north-east of the development site would be protected during construction works. This can be conditioned.
49. Limited information has been submitted with respect to hard landscaping. However, the indicative landscape layout does indicate that pathways and private terraces would be physically delineated through changes in surfacing. The submitted boundary treatment plan shows that a good quality boundary wall, and picket fencing would be delivered on the site. Details of hard landscaping (and full details of the boundary treatments) can be dealt with via conditions to ensure an appropriate and quality mix of materials to promote navigation within the site and to secure an attractive layout.
50. Subject to the aforementioned landscaping and tree protection conditions, the proposal would accord with both policies R3 and R5 of the Core Strategy and the NPPF.

RESIDENTIAL AMENITY

51. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of future occupants 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. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.
52. Supplementary Planning Guidance - PG1 (New Residential Development) sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines states that 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. PG1 states that 'Where three storey dwellings (houses or flats) are proposed, the minimum

distances are increased by 3 metres over the above figures and for four or more storeys, the figures as for three storeys apply. Distances to rear garden boundaries from main windows should be at least 10.5 for two storey flats. Situations where overshadowing is likely with a main elevation facing a two storey blank gable, a minimum distance of 15m should normally be provided.

Impact on Future Residents of the Development

53. All of the units would comply with the minimum gross internal floor area for a 1-bedroom/1-person unit, as set out in the nationally described space standards (NDSS). It is understood that all the units would be occupied as such.
54. The units themselves benefit from dual outlook and would receive natural light and sunlight from both eastern and western outlooks. The windows are appropriately sized to facilitate both internal light and ventilation, whilst providing an acceptable outlook from most areas of the rooms served.
55. Some overlooking from the Shawe View terrace would exist upon communal areas within the site. However, this communal area would be generally overlooked by each unit within the development. This is not considered to be significantly invasive and would provide benefits through natural surveillance of these external communal areas.
56. The terraces to each unit would provide some defensible space for the occupiers of the ground floor units. These would be physically defined through a modest picket fence. Whilst not significantly screened, this does create some limited private external amenity space for those residents. Juliet balconies are proposed to the units at 1st floor allowing enhanced outlook to the west, and greater ventilation.

Impact on Residents of Surrounding Properties

57. Outlook from the 1st floor windows of the development would afford slight sightlines towards Shawe View Terrace albeit this would be at a significantly oblique angle and with a separation of a minimum 15m. In addition, mature trees are proposed to be planted along the boundaries of the site which shall further reduce lines of sight towards Shawe View Terrace. It is also noted that the frontages of these properties, and associated front gardens, are clearly visible in the public realm owing to both the car park, and a private right of way which extends past the front of these properties linking Pennybridge Lane and Shawe Road. For these reasons, it is not considered that the privacy of Shawe View Terrace would be significantly prejudiced.
58. 15.0m would be retained between the blank two-storey gable end of the development and the front elevation of Shawe View Terrace. This would accord with guidance set out in PG1. Approximately 27.0m would be retained between the front elevation of the development and 1st floor habitable room windows directly opposite within the residential care home. The development is off-set from the

ground floor habitable room windows of the larger care home building, which would also be screened through retained trees in this location. The development would accord with PG1 guidance. Nevertheless, the impact has been assessed on-site and it is not considered that the development would appear significantly overbearing, nor would it significantly prejudice light within neighbouring properties/gardens.

59. Limited details of external lighting have been provided in respect of the impact on neighbouring properties. The submitted lighting plans demonstrate that the site can be adequately illuminated including the pathways around the site, but does not demonstrate the impact on the nearest residential properties. A condition can therefore be attached to any consent requiring full details of external lighting to be provided prior to their installation on site. This could ensure that any external lighting has an acceptable relationship in respects of both residential amenity and the appearance of the site.

Residential Amenity Conclusion

60. Subject to the aforementioned conditions regarding lighting, it is considered that the proposal would have an acceptable impact on residential amenity having regard to policy L7 of the Core Strategy and the NPPF.

HIGHWAYS IMPACT AND SERVICING

61. Policy L4 of the Core Strategy states 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”.

62. Paragraph 109 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy policy L4 should be considered to be out of date for the purposes of decision making.

Access

63. Pedestrian and cycle access only is proposed to this development. Two links would be created to Shawe View. Both would link to the pavement on Shawe View, in an area whereby vehicles could drop off/pick up residents in a safe manner with clear turning space available. Any residents that park within Pennybridge Car Park would be expected to walk along Shawe Road to the south and east to access the site.

Impact on the Car Park at Pennybirdge Lane

64. The car park located on Pennybridge Lane has been used for vehicle parking since at least May 2009, and this has been on an informal basis. Whilst the car-park has been demarcated with spaces, the land has not been formally designated as a public car park. This has been clarified by the Local Highway Authority. The LHA have raised no objection to the impact on the informal Pennybridge Lane car park. Nevertheless, it is noted that a significant number of spaces would be retained within this car park.
65. For information, the Transport Statement outlines that the present demarcated layout within the car park provides for 154 parking spaces. The proposal would result in the removal of 35 of these spaces. The applicant's Transport Consultant has demonstrated that the retained layout could accommodate up to 153 designated spaces within a revised, and more efficient, configuration. However, for the avoidance of doubt, this is not a designated car park, despite being used for this purpose. The scheme would therefore result in the loss of some land which is presently available for parking cars, rather than any designated parking within this area.
66. The parking survey submitted with the application outlined that the peak demand for the Pennybridge Lane car park was 102 vehicles parked, which was during a Trafford FC match on 17th September 2022. This resulted in a 66% parking stress level. The Transport Consultant concludes that this would result in a minimum of 52 spare car parking spaces at any given time. Whilst this figure would inevitably fluctuate, particularly during more popular Trafford FC matches, it is considered that the retained car park of at least 119 spaces would be sufficient to meet this demand despite the land not being a formal car park.

Car Parking and Motorcycle Parking

67. The car parking standards as detailed within Supplementary Planning Document 3 'Parking Standards and Design' (SPD3) state that for this location residential dwellings requires a maximum standard of one space per one bedroom.
68. No parking spaces or motorcycle spaces are proposed on-site. The Transport Statement suggest that as this is specialist accommodation, car and motorcycle ownership levels are likely to be very low, with any traffic generated from the site being from support workers who may visit on a daily basis, and visits to maintain the communal spaces. The tenants would receive support to assist them in maintaining their tenancies but the nature of this support will depend on the tenant. Whilst motor vehicle ownership of the tenants is likely to be zero initially, this may change over time given that accommodation provides two year temporary accommodation. It is, however, considered that the site resides in a broadly sustainable location within short walking distance of Urmston Town Centre, good access to bus routes, rail links and the site itself would provide dedicated cycle storage. There are genuine alternatives to use of the private cars or motorcycles. The Pennybridge Lane car

park would, nevertheless, offer some parking opportunities for residents and visitors. For these reasons, the proposed parking provision of no spaces is considered to be acceptable on this site in these circumstances.

69. It is noted that no accessible parking is proposed on site, nor is there any available in the immediate vicinity of the site. However, there is ample space directly outside the site (adjacent to the care home) available for drop-off / pick-up, including some temporary waiting.

Cycle parking

70. Twelve cycle spaces are proposed within two separate weatherproof cycle stores. Sheffield stands would be used to secure the frame within these stores, spaced at least 1m apart. The provision would accord with SPD3 guidance for one-bedroom dwellings. The implementation of the cycle parking can be conditioned.

Servicing

71. Secure bin stores are proposed to the northern and southern ends of the building of the site, providing easily accessible bin storage for residents leading directly out onto the existing access road. As the bin store is located away from the main apartment block, the residents will be required to take their household waste and recycling from the apartment to the bin store for collection. The bin store sizes have been assessed by the Councils Resources and Waste Manager who confirms that their size would meet the required bin allocations for a development of this size. On collection days, the building management company would bring the bins to two designated bin collection points within the site boundary, adjacent to the highway (Shawe View) for collection by a private waste management company. These would then be returned to the bin stores for residents to use. It is considered that this arrangement is practical and would not result in a significant occurrence of pests.

Conclusion

72. The proposal, when operational, is not considered to result in an unacceptable impact on highway safety, nor would the cumulative impacts on the road network be severe. The LHA has raised no objection to the development. Subject to the aforementioned conditions, the proposal is considered to accord with policy L4 and the NPPF.

FLOOD RISK / DRAINAGE

73. The NPPF outlines strict tests in order to protect people and property from flooding, through both sequential and exception tests. In summary, these tests are designed to ensure that if there are better sites in terms of flood risk, or if a proposed development cannot be made safe from the risks of flooding, then it should not be

permitted. A similar approach is embodied in Core Strategy Policy L5 and thus this aspect of Policy L5 is up-to-date for the purpose of decision-taking.

74. The application site is located within a Critical Drainage Area within Trafford Councils Strategic Flood Risk Assessment and is also located within Flood Zone 1 with regards Environment Agency Flood maps (lowest risk of flooding). A Flood Risk Assessment (FRA) and Drainage Strategy (DS) accompany this application.
75. Given that the site is located in Flood Zone 1, the sequential test as outlined in the NPPF is passed and the exception test is not required. The proposed use is classed as more vulnerable (as defined in Annex 3 of the NPPF) with the NPPG defining this use as appropriate in Flood Zone 1. Nevertheless, the scheme has been designed to remain functional during any flood event for the lifetime of the development, incorporating the use of surface SuDS and sub-surface SuDS. SuDS measures which can be incorporated on the site include Geocellular storage, and large diameter pipes, culverts or tanks. The applicant has confirmed that the above SuDS elements shall be used where appropriate and practical. The oversized pipe will be used to attenuate the water for storm up to an including the 1 in 100 year event, plus 45% climate change allowance. A HydroBrake flow control will be used to restrict the overall discharge to a maximum pass forward flow rate of 5l/s.
76. The submitted drainage documents state that the existing site is approximately 90% hardstanding, which all drains into the sewer system unrestricted. The proposed works would include approximately 45% hardstanding areas, which is a reduction of 50% compared to existing, with a controlled flow, providing a betterment to existing run off rates. The submitted SuDS suitability assessment and preliminary drainage plan can both be conditioned. The LLFA have raised no objection to the development, although request that a condition is attached to any planning permission requiring a management and maintenance plan for the lifetime of the development to be submitted to the LPA.
77. This development has been considered acceptable by the LLFA subject to the above conditions. Subject to these conditions, the proposal would accord with policy L5 of the Core Strategy and the NPPF.

CONTAMINATION

78. Policy L5 states that 'Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place'. In respect of contamination, Policy L5 can be considered up to date, as it is consistent with NPPF paragraphs 120 and 185. Specifically the NPPF directs planning policies and decisions to ensure that new development is appropriate for its location and to decontaminate land in the interests of health, living conditions and the natural environment.

79. The phase I contaminated land assessment reports that it is likely that potential pollution linkages will be relevant to the site which require further investigation and assessment. The assessment concludes that the site appears not to have been subject to large scale industrial usage previously, and very high to high levels of contamination are not presently anticipated. However, there is a risk of some contamination being present on site, which can be regarded as moderate, likely from car parking on site, and historic industrial activity nearby.
80. Environmental Health Officers recommended that conditions be attached which requires an investigation and risk assessment in relation to contamination on site, be undertaken prior to any development taking place (with the exception of tree felling and site clearance works). This could include a survey of the extent, scale and nature of any contamination, an assessment of risks, remediation strategy and verification plan. As recommended by Environmental Health, a verification report can be conditioned demonstrating completion of any works set out in an approved remediation strategy.
81. Subject to the above conditions, the proposal would accord with policy L5 of the Core Strategy and the National Planning Policy Framework.

ECOLOGY

82. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, paragraph 175 of the NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused". This policy is considered to be up to date in terms of the NPPF and so full weight can be afforded to it.
83. The applicant has submitted a Preliminary Ecology Assessment (PEA), including bat report, and biodiversity net gain (BNG) measures. The bat survey identified that the trees adjacent to the site have low bat roosting potential, with the surveyor recommending that the trees are felled using soft felling techniques. Soft felling involves removing limbs separately and lowering them to the ground, leaving for 24 hours before clearing. Any splits of knot holes identified must be left facing upwards to allow roosting bats to escape. This can be conditioned, which is recommended by the Greater Manchester Ecology Unit (GMEU).
84. Trees and shrubs will be lost as a result of the development which have the potential to accommodate bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition can state that no works to trees or shrubs shall occur during the bird nesting seasons (1st March to 31st August inclusive), unless a survey has been submitted to the Local Planning Authority confirming that no active bird nests are present within the vegetation to be removed.

85. The BNG assessment (section 4.3 of the submitted PEA) demonstrates that the proposal can create a minimum +10% uplift in habitat units across the site. This could be achieved through native species planting (which can be secured through a detailed landscaping scheme), four bat boxes (or bricks/tubes), six bird boxes including a sparrow terrace, bee bricks, and hedgehog homes. A net gain in biodiversity of at least 10% would accord with the NPPF and would comply with the 10% that is set out in The Environment Act 2021 which will become mandatory from November 2023. GMEU are satisfied that at least 10% can be achieved on site. It is recommended that a condition requires the submission of scheme for BNG in accordance with the aforementioned assessment.
86. GMEU have been consulted on the application and have raised no objection. Subject to the aforementioned conditions, the proposal would comply with policies R2 and R3 of the Core Strategy, the NPPF, and The Environmental Act 2021.

CLIMATE CHANGE

87. The need to mitigate and adapt to climate change is key to the delivery of sustainable development. Policy L5 of the Core Strategy requires new development to mitigate and reduce its impact on climate change factors and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation. It is considered that policies L5.1 to L5.11, which addresses the issue of carbon emissions, are out of date as they do not reflect NPPF guidance on climate change. Whilst policy L5 is out of date, this policy does require that development outside of 'low carbon growth areas' (LCGA) should achieve a 5% reduction in emissions of Carbon Dioxide (CO₂) below the 2013 Building Regulations. This site does not reside within an LCGA.
88. The Council has declared a Climate Emergency with a target to become a Carbon Neutral borough by 2038. As set out within the draft Places for Everyone, there is an expectation that all new development will be net zero carbon from 2028, with development having to be net zero carbon in operation from the adoption of the plan.
89. The development seeks to reduce the total carbon emissions through a fabric first approach, and the inclusions of air source heat pumps. The Carbon Budget Statement submitted concludes that these measures would secure a 60.46% reduction in carbon emissions and a 22.44% primary energy reduction when compared to Part L building regulation 2021. The 2021 regulations are also themselves a 31% improvement over the 2013 regulations upon which Policy L5 is based. In line with the NPPF, the development does identify suitable areas for renewable / low carbon energy sources and takes an opportunity to minimise carbon emissions and energy consumption. The renewable energy measures proposed in this report can be conditioned.

90. The proposed development and would be in accordance with Policy L5 of the Core Strategy and the NPPF.

AIR QUALITY

Context

91. Paragraph 181 of the NPPF advises that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones (CAZ), and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in AQMAs and CAZ is consistent with the local air quality action plan (AQAP).

92. The Greater Manchester Combined Authority (GMCA) has published a joint Air Quality Action Plan (AQAP) (2016-2021) which seeks to improve air quality across Greater Manchester and to embed low-emission behaviours into the culture of organisations and lifestyles by 2025, whilst supporting the UK Government in meeting thresholds for air pollutants at the earliest date to reduce ill-health in Greater Manchester. In managing new development the GMCA AQAP sets out a number of controls. Of relevance to this particular application are assessment of local air quality impacts from predominantly construction management. No parking is proposed for this development, and carbon saving measures such as biomass which can have an adverse air quality impact, have been discounted.

93. Policy L5 requires developers to adopt measures identified in the Greater Manchester Air Quality Action Plan, to ensure that their development would not have an adverse impact on the air quality. In this respect, L5 can be considered to be up to date for the purposes of decision making and full weight attributed to it.

94. The application site itself does not reside within an Air Quality Management Area. However, there are a number of AQMA in the wider area including to sections of Moorside Road (approximately 470m north) and within the designated Urmston Centre (approximately 880m east).

Operational Phase

95. No parking is proposed on site, and the building itself would be designed to be energy efficient with carbon emissions below that set out in the 2021 Building Regulations. It is not considered that this residential development would have a significant adverse impact on air quality in the surrounding or wider area.

Construction Phase

96. Without appropriate mitigation, dust emissions during construction works could have a significant adverse impact upon local air quality. A robust construction and

environment management plan (CEMP) is considered to be necessary to manage this impact on the environment. This could include strict measures to control the emission of dust and dirt. No fires shall be ignited on-site, and a scheme for recycling/disposing of waste shall be required. Subject to these measures, it is considered that the development would result in an acceptable residual impact upon local air quality.

Conclusion on Air Quality Impact

97. The construction of this development, subject to the implementation of a robust CEMP, is not considered to have a significant residual impact upon air quality. It is therefore considered that the proposal would accord with the aims of the Greater Manchester AQAP in protecting air quality, and would comply with policy R5 and the NPPF.

CRIME PREVENTION AND SECURITY MEASURES

98. The NPPF, at paragraphs 92 and 130 direct planning decisions to create safe and accessible places so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Policy L7 requires development to be designed in a way that reduces opportunities for crime. A Crime Impact Statement (CIS), undertaken by Greater Manchester Police, has been submitted with the application.

99. The submitted Crime Statement sets out a number of measures to reduce opportunities for crime including CCTV, alarms, external doors (compliant with security standards), security lighting, access controlled gates and a fenestration which facilitates good levels of natural surveillance. A condition can ensure that the development is constructed in accordance with this statement. Details regarding boundary treatments and soft landscaping shall be considered via separate conditions. It is, however, noted that the rear boundary is indicated as a 2.1m brick wall which in principle is acceptable, and would form a good crime prevention measure.

100. Subject to the aforementioned condition, the proposal would accord with both policy L7 of the Core Strategy and the NPPF.

EQUALITIES

101. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.

102. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to

eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and to foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.

103. New development should advance equality of opportunity for persons who share a relevant protected characteristic, having regard to the Equalities Act 2010 and specifically Section 149, the Public Sector Equality Duty (PSED).

104. Measures included within the development include level access into the ground floor units, and around the building including access to bin/cycle stores, areas of communal open space and to the wider community. Occupants will have suitable access to local amenities, and opportunities to interact with the wider community to avoid feelings of isolation. Details of lighting can be conditioned to ensure that external areas are adequately illuminated to assist those who may be partially sighted and pathways used to promote wayfinding around the site. Areas of open space around the site would benefit from varying degrees of sunlight/daylight at different times of the day, which can promote continual enjoyment of communal areas encouraging socialising between residents. It is considered that the units themselves could be used by a wide range of people. Whilst the type of accommodation is temporary (two years), the units are capable of being adapted internally to accommodate varying needs. It is noted that only six (50%) of the units are accessible via level access and that six of the units would be dis-benefited in terms of level access. The staircases would, however, be suitable for ambulant disabled persons.

105. In addition to the above, the proposed buildings would be required to comply with the provisions of the Building Regulations Approved Document Part M4 (2) – Access to and use of buildings.

106. The measures proposed to provide access to all, including those with a protected characteristic, are considered to be, on balance, an appropriate, practical and reasonable response to the equalities impacts of the scheme

DEVELOPER CONTRIBUTIONS

107. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of ‘apartment’ development within a moderate charging zone,

consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

108. No other planning obligations are required.

OTHER CONSIDERATIONS

Construction

109. A detailed construction and environmental management plans (CEMP) can be conditioned to ensure an acceptable impact on the local highway network, environment (including air quality) and surrounding residential amenity. Officers recommend that any CEMP should be approved by the Local Planning Authority prior to any on-site works commencing, and that any approved CEMP should be in place for the duration of the construction works on-site. This condition has been recommended by the Local Highway Authority.

110. Subject to the implementation of an acceptable CEMP, and the aforementioned conditions, the proposal would accord with policies L4 and L7 of the Core Strategy and the NPPF.

SUMMARY AND PLANNING BALANCE

111. Section 38(6) of the Planning and Compulsory Purchase 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

112. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process. As the Council does not have a five year supply of housing land, paragraph 11(d) of the NPPF is engaged. An assessment of the scheme against paragraph 11(d)(i) does not suggest that there is a clear reason for refusal of the application when considering the matters referred to in footnote 7, including in relation to habitat protection and designated heritage assets. The application therefore falls to be considered against Paragraph 11(d)(ii): granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Adverse Impacts

- Poor design quality, which would be visible in the surrounding public realm. The development fails to reflect the historic urban grain, and until any landscaping is fully established, it is likely to be perceived as an incongruous development within the setting of a car park. Substantial weight is attached to this harm.

- Loss of moderately sized trees established to the car park boundary, which are visible in the wider public realm. Replacement tree planting is proposed within the site which, if the trees are maintained and survive, will help to mitigate this harm. Moderate weight is attached to this harm.
- Loss of 35no. car parking spaces from Pennybridge Lane car park. Given the justification through the submitted Transport Statement, limited weight is attached to this harm.
- No accessible parking spaces are proposed within the site. Given the proposed occupants of the scheme, and the likelihood that vehicle ownership would be very low to none, limited weight is attached to this harm.

Scheme Benefits

- The delivery of 12 affordable homes, which exceeds the number required by policy and will help to meet the identified need for affordable housing in Urmston and the Borough. The affordable housing proposed would provide specialist fixed term accommodation for rough sleepers who are Trafford residents. The Housing Strategy and Growth Manager advises that these 12 units would be a valuable resource to the Housing Options Service Trafford and would help to address a shortage of supported accommodation in Trafford to meet the needs of homeless households. Substantial weight is afforded to this benefit.
- The delivery of 12 new homes which would contribute towards addressing the identified housing land supply shortfall. Substantial weight is given to this benefit.
- Biodiversity Net Gain of at least 10% which can be secured via condition. Moderate weight is afforded to this benefit.
- An energy efficient design, which would operate with 60% lower carbon emissions and 22% reduced energy usage than required by the latest building regulations. Moderate weight is afforded to this benefit.
- Economic benefits that will flow from construction and occupation. Additional expenditure into the local economy will support existing services in the area, limited weight is afforded to this benefit.

113. The main adverse impacts relate to the poor design quality of this development, and the loss of moderately sized trees along the boundary of the Pennybridge Lane car park which will harm the character of the area. Significant weight is attached to this harm. However the benefits arising from the scheme in the provision of 12 affordable housing units meeting a specialised need in supporting people out of

homelessness and rough sleeping is given very substantial weight. Moderate or limited weight is also afforded to the other benefits listed above.

114. Having carried out the weighted balancing exercise under Paragraph 11 (d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. Indeed the benefits of the scheme are considered to significantly outweigh the adverse impacts identified above. The application is therefore recommended for approval.

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

100 (rev.E) - Location Plan;
105 (rev.L) - Proposed Site Plan;
106 (rev.E) - Boundary Treatment Plan;
107 – Waste Management Plan
130 (rev.G) - Proposed Ground Floor Plan;
131 (rev.F) - Proposed First Floor Plan;
132 (rev.B) - Proposed Roof Plan;
133 (rev.K) - Proposed Elevations.

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

3. The residential units hereby permitted shall only be used for the purposes of providing affordable housing (as defined by the NPPF Annex 2, or any subsequent amendment thereof) to be occupied by households or individuals in housing need and shall not be offered for sale or rent on the open market.

The units shall comprise 12 x 1-bed units for social rent and shall be occupied in accordance with the submitted eligibility statement titled 'Shawe Road - Statement of Eligibility Criteria', received by the Local Planning Authority on 19th July 2023. For clarity, the occupiers of this development shall be rough sleepers, those with a history of rough sleeping currently in emergency accommodation or, those at risk of rough sleeping or homelessness. Any affordable housing units provided for social

rent shall only be occupied by individuals from within the boundaries of Trafford Borough in housing need and Trafford Borough Council shall be given 100% of the nomination rights. Provided that this planning condition shall not apply to the part of the property over which:

(i) a tenant has exercised the right to acquire, right to buy or any similar statutory provision and for the avoidance of doubt once such right to acquire or right to buy has been exercised, the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market;

Reason: To comply with Policies L1, L2 and L8 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 1: Planning Obligations and the National Planning Policy Framework.

4. Notwithstanding any description of materials in the application no works involving the use of any external facing materials 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.

5. No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the building has first been submitted to and approved in writing by the local planning authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:

- (i) All brickwork detailing and stone cills;
- (ii) all fenestration details and external reveals;
- (iii) all entrances into the buildings, and external reveals;
- (iv) the siting of any equipment on the roofs of the development;
- (v) the means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building;
- (vi) the siting of any external façade structures such as meter boxes which shall have a suitable painted finish.

Development shall proceed in accordance with the approved detailed façade schedule.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

6. All window and door openings shall be constructed with minimum 90mm deep external reveals.

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.

7. (a) The landscaping works shall be carried out in strict accordance with Drawing No. 6995.01 (rev.C) and shall be carried out within the next planting season following first occupation of the development hereby permitted.
(b) 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.

8. The development hereby approved shall not be occupied until a schedule of landscape maintenance for the lifetime of the development 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.

9. No part of the development shall be occupied or brought into use until details of the design and materials (including finish) to be used in the construction of boundaries, screens or retaining walls, as shown on Drawing No. 106 (rev.E), have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

10. 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.

11. 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.

12. No development shall take place, including any works of demolition, until such time as 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:
- a) parking arrangements for site operative and visitor vehicles;
 - b) the management of deliveries to including details of any proposed delivery booking system;
 - c) loading and unloading of plant and materials to include vehicle access and egress arrangements;
 - d) storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing (where appropriate);
 - f) wheel washing facilities and any other relevant measures for keeping the highway clean during the works;
 - g) measures to control the emission of dust and dirt;
 - h) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity and plant such as generators;
 - i) a scheme for recycling/disposing of waste resulting from the works;
 - j) days and hours of construction activity on site (in accordance with Trafford Council's recommended hours of operation for construction works), and
 - k) contact details for the site manager are to be advertised at the site in case of issues arising.

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 Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement and secure storage of bicycles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

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.

14. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to the phase I assessment provided) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place other than the excluded works listed above. The submitted report shall 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, ground waters 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.
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken
- v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the approved remediation strategy before the first occupation of the development hereby approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. The development hereby approved shall be carried out in strict accordance with the submitted SuDS Suitability Assessment (dated July 2023), and the Preliminary Drainage Plan ref. 23-B-13677-200 (rev.A).

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

17. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

18. 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.

19. The development hereby approved shall be carried out in strict accordance with the tree 'soft felling' measures within Section 4.1, and the lighting mitigation measures set out in Section 4.2, of the submitted Preliminary Bat Roost Assessment Report ref. CW20-1025 RPT 001 (dated June 2023).

Reason: In the interests of safeguarding protected species having regard to Policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

20. Prior to the first occupation of the development hereby approved, a scheme for the Biodiversity Enhancement Measures, as set out in section 4.3 of the Preliminary Ecological Appraisal Survey by bEk Enviro Limited dated November 2022 (ref: BEK-22134-1) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development and shall be retained thereafter.

Reason: In the interests of safeguarding protected species and to secure biodiversity enhancement on-site having regard to Policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

21. The development hereby approved shall be carried out in strict accordance with the physical security measures set out in Section 4 of the submitted Crime Impact Statement (ref: 2023/0113/CIS/01) with the exception of the boundary treatments, landscape details, and external lighting, set out in sections 4.5, 4.6 and 4.7 of the submitted report.

Reason: In the interest of security and reducing opportunities for crime having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

22. The development hereby approved shall be carried out in strict accordance with the submitted Carbon Budget Statement (ref. Z58179), dated 28th March 2023.

Reason: In the interests of protecting air quality, and reducing the environmental impact of the development having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

23. No external lighting shall be installed on the building or elsewhere on the site unless and until a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall only be lit in accordance with the approved scheme.

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

24. The noise rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall be selected and / or acoustically treated to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Noise measurements and assessments shall be carried out in accordance with the latest published edition of BS 4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound". Written validation shall be submitted to and approved in writing by the Local Planning Authority confirming that the criteria for fixed plant and machinery has been met prior to the first occupation of the development. Any mitigation measures required to achieve compliance with this requirement shall be retained thereafter in working order.

Reason: In the interest of amenity and in compliance with Policy L7 and the National Planning Policy Framework.

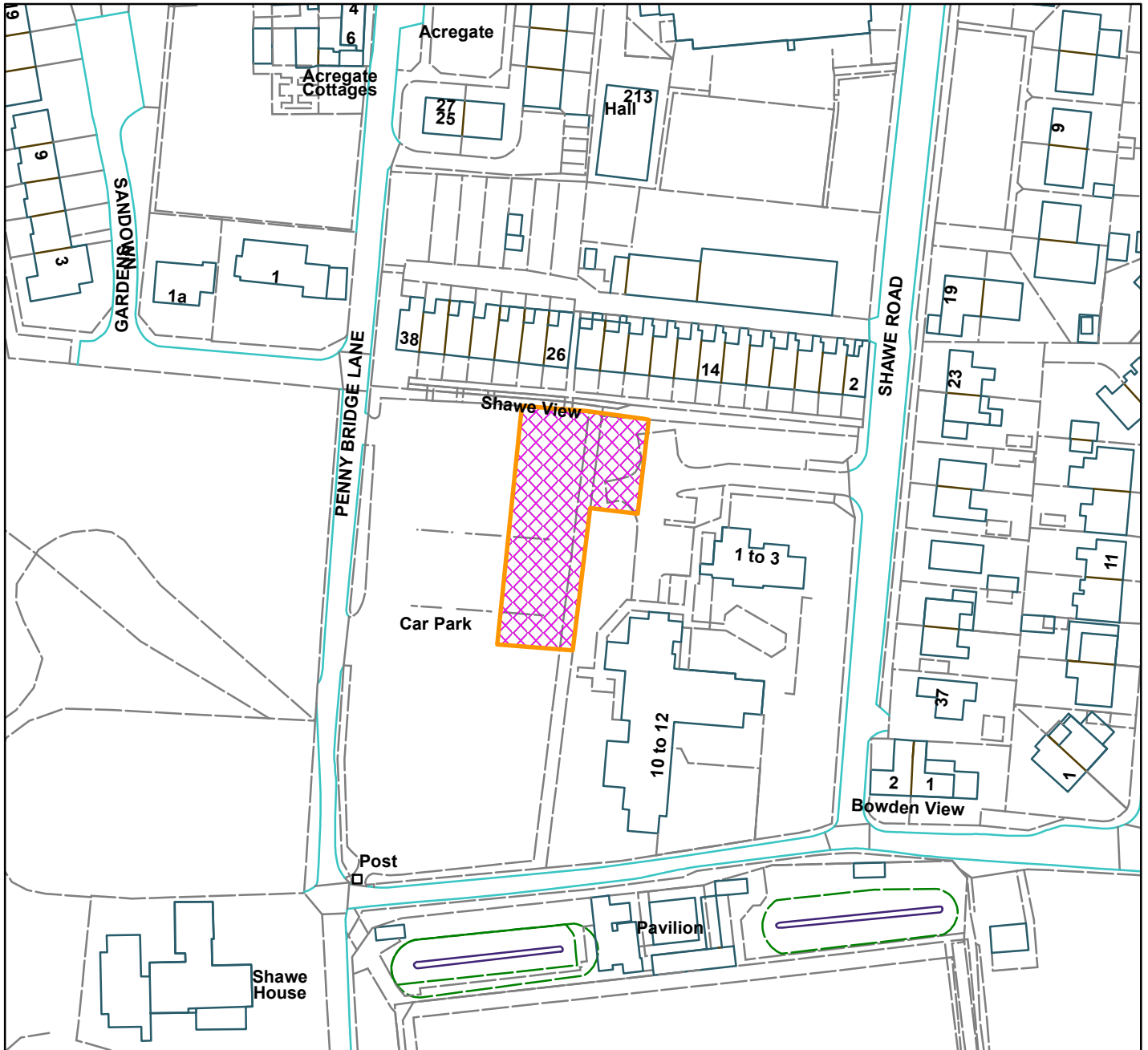
25. Prior to first occupation of the development, details of the Mechanical Ventilation with Heat Recovery (MVHR) system for the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. The MVHR system shall incorporate a summer bypass mode. The approved details shall be installed prior to the first occupation of the dwellings and maintained in good order for the lifetime of the development.

Reason: To secure an acceptable standard of amenity for occupiers of this development, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

RCR



Land off Shawe Road, Urmston M41 5DL (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/08/2023
Date	31/07/2023
MSA Number	AC0000809316 (2022)

Demolition of existing shed and erection of two storey side and rear extension.

62 Green Drive, Timperley, WA15 6JW

APPLICANT: Mr Gilbert

AGENT: Cube Design Solutions

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because the applicant is local councillor.

SITE

The development site is located in a residential area of Timperley, on the north side of Green Drive, with the rail line located along the rear boundary of the site.

The dwelling is a brick-built semi-detached property with a shared front outrigger with the adjoining property, which includes has a ground floor bay window. The application property has a front porch on main front elevation, set back from the front outrigger.

To the front of the dwelling there is a garden area with a hardsurfaced driveway, to the side there is a detached garage and access to the rear garden and to the rear there is a large garden area.

The pair of semi-detached dwellings opposite the application site are of the same original design, while the other dwellings in the surrounding area are predominantly semi-detached dwellings of a different design.

PROPOSAL

The application is seeking planning permission for the erection of a two storey side and rear extension, following the demolition of the detached garage.

The proposed two storey side element would project 2.9m from the side elevation of the dwelling and have a depth of 8m. Furthermore, it would form a new front outrigger that would be 1m deep and follow the building line of the existing front outrigger. The roof would be hipped, with the ridge level and eaves matching that of the main dwelling. The front outrigger would also be hipped, set down from the main dwelling's ridge with an apex height of 6.5m.

The proposed two storey rear element would project 2m from the dwelling's rear elevation and have a width of 6.1m, featuring bi-folding doors at ground floor and a Juliet balcony at first floor. The roof would be hipped with an apex height of 7.5m with the height of the eaves matching that of the main dwelling.

The proposed brickwork, roof tiles and window frames would match those of the original dwelling. The proposal would also feature rendering at the first floor and brick detailing to match the dwelling's original design.

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

In relation to paragraph 11 of the NPPF Policy L7 of the Core Strategy is considered up to date and full weight should be given to this policy.

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

- SPD3 - Parking Standards and Design
- SPD4 – A Guide for Designing House Extensions and Alterations

PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching

development plan, setting the policy framework for individual district Local Plans. The PfE Regulation 19 consultation concluded in Autumn 2021 and the Plan was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors have been appointed to undertake the Examination in Public of the PfE Submission Plan and the timetabled hearings have now been completed. Given the advanced stage of PfE it now has substantial weight in the planning balance. The timing of this application means that it has not been appropriate/necessary to fully consider the PfE policies in the report, however a high level assessment has been undertaken and it is not considered that the PfE policies would have any significant implications for this application.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

DLUHC published the latest version of the National Planning Policy Framework (NPPF) on 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 25th August 2022. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

No relevant planning history.

APPLICANT'S SUBMISSION

The agent submitted amended plans 25/07/2023 to correct the proposed floor plans, which originally included an error showing the dwelling without the existing porch.

CONSULTATIONS

None.

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours. No representations were received in response to this application.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal is for an extension to the existing property, within a residential area. Therefore, the proposed development must be assessed against the requirements and limitations of Policy 7 of the Core Strategy and SPD4.

2. Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas.

DESIGN AND VISUAL AMENITY

3. Paragraph 126 of NPPF states '*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*'
4. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
5. The proposal would project 2.9m from the side elevation of the dwelling and would leave 1m to the shared boundary, ensuring an appropriate level of separation to the adjacent dwelling is retained. As such, the proposal is not considered to erode the sense of spaciousness between dwellings within the residential area.
6. The proposal would be less than half the width of the main dwelling. Given the modest width of the proposal, and that the front outrigger would not project beyond the building line of 60 and 62 Green Drive, it is considered on balance that the proposal would appear proportionate to the existing dwelling.
7. In considering the proposal's visual impact in the context of the street scene, Green Drive features a range of two storey side extensions, with a range of widths and setbacks. As such, the proposal would not appear out of character within the street scene.
8. Most notably, the proposed two storey side extension would mirror that of 33 Green Drive, the dwelling opposite the host development site. It would feature the same front outrigger feature, lack a setback from the principal elevation and would not be set down from the ridge level of the main dwelling. It is acknowledged that 33 Green Drive's side extension was approved in 2011,

before the publication of current SPD4 guidelines. However, rather than seeking amendments to ensure the proposal more closely follows SPD4 guidelines, it is considered that the symmetry between the proposal and 33 Green's extension would provide a sense of consistency and balance to the street scene. It is therefore considered that the proposal would be appropriate in its context, following the massing and design opposite rather than introducing another variant of two-storey side extension to the street scene.

9. In addition, the matching design features including the rendering at the first floor and brick detailing are considered to weigh in favour of the proposal, as they work to harmonise the proposal with the original dwelling and respect the original character of the four semi-detached dwellings along Green Drive of this same design.
10. Where the proposal extends to the rear, it would not be visible from the street scene and there is a rail line to the rear beyond the northern boundary. As such it is not considered that this element of the proposal would result in any harmful visual impact.
11. As such, it is considered that the proposal would have no unacceptable impact on the visual amenity of the street scene and the surrounding area. Subject to conditions, the proposed development is considered acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

RESIDENTIAL AMENITY

12. Impact on the amenity of neighbouring residents and the occupiers of the application property has been considered in line with Policy L7 and guidance contained in SPD4.
13. SPD4 sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant section for this type of development (3.1). In terms of its impact on residential amenity the development will be assessed on the extent to which it causes a loss of privacy, extent to which it is overbearing on a boundary and the degree to which it causes a loss of light, to the neighbouring properties.

Impact on 60 Green Drive

14. Given the siting and scale of the two storey side extension, this is not considered to result in harm to the residential amenity of no. 60. In regards to the two storey rear extension, this would project 2m from the rear elevation of the dwelling, retaining a 3.9m distance from the shared boundary with no. 60. This projection would comply with SPD4, and the proposal is not considered to be unduly

overbearing, create an undue sense of enclosure or to cause harmful loss of light or overshadowing.

15. There are no windows proposed on the side of the rear extension above ground floor facing no. 60 which could cause overlooking from an elevated position and as such the proposal is not considered to result in a loss of privacy.

Impact on 64 Green Drive

16. There would be a 1m separation distance between the proposal's side elevation and the boundary shared with no. 64. The adjacent dwelling exhibits three glazed windows on the side elevation, although from planning records these serve non-habitable rooms and as such the proposed side extension is not considered to have an overbearing impact or result in an undue loss of light to any habitable room windows.
17. Where the proposed side extension forms the front outrigger, it projects 1m past the nearest elevation at no. 64. However there are no ground floor windows sited close to the boundary that would be affected by the projection and given the separation to the first floor front window, scale of the proposal and orientation of the site the proposal is not considered to result in a harmful loss of outlook or light.
18. The two storey rear extension would project 2m from the rear elevation and retain a 1m distance to the shared boundary with no. 64. As such, this projection would comply with SPD4. Furthermore, the adjacent dwelling features a two storey side and rear extension, with an additional single storey rear extension sited close to the shared boundary, reducing any impact on the neighbour's amenity. Therefore it is considered that the proposal would not result in any undue harm to the amenity of the adjacent dwelling.

Impact on dwellings to the rear

19. There is a rail line to the rear beyond the site's northern boundary and as such it is not considered the proposal would result in any harmful impact on neighbourhood amenity.

Impact on dwellings to the front

20. There would be a 25m distance maintained between the proposed first floor window within the front outrigger and the first floor window sited at 33 Green Drive's own front outrigger. This is compliant with SPD4 with respect to the required minimum privacy distances between opposite dwellings.

21. It is therefore considered that the proposed extension would not have an unacceptable impact on the residential amenity of any neighbouring properties and would comply with Policy L7 of the Core Strategy in this respect.

Parking and Highways

22. The proposal would increase the quantity of bedrooms from three to four. Given the location and number of bedrooms the maximum parking requirements as set out in SPD3 is for 3 parking spaces to be provided.

23. There is a detached shed to the side of the dwelling and as such there is no existing parking space to the side of the dwelling. The formation of the new front outrigger would require alterations to the existing parking arrangement. The proposed floor plans indicate that the front garden would be reduced slightly to retain two parking spaces to the front of the dwelling.

24. Whilst there is a shortfall on the maximum standard of 3 parking spaces, two off-street parking is considered acceptable for the scale of the property. Therefore it is considered that the proposal would not have a harmful impact on parking demand or highway safety within the area.

DEVELOPER CONTRIBUTIONS

25. This proposal is not subject to the Community Infrastructure Levy (CIL) as it would create less than 100m² and so it below the threshold for CIL.

26. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

27. The proposed development is considered to be acceptable in principle. It would not cause harm to the character and appearance of the dwelling and street scene by reason of its design, it is considered appropriate in its context. In addition, the proposed development will not result in an undue impact on residential amenity or parking demand in the area, it therefore meets the aims of the Core Strategy and the NPPF in this respect.

28. All relevant planning issues have been considered in concluding that the proposal comprises an appropriate form of development for the site. The application is therefore compliant with Policies L4 and L7 of the Trafford Core Strategy, SPD4 and national policy contained within the NPPF. The application is therefore recommended for approval.

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).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers: 1321-04, 1321-05 and 1321-07, uploaded on 30th May 2023 and 1321-03, uploaded on 25th July 2023.

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

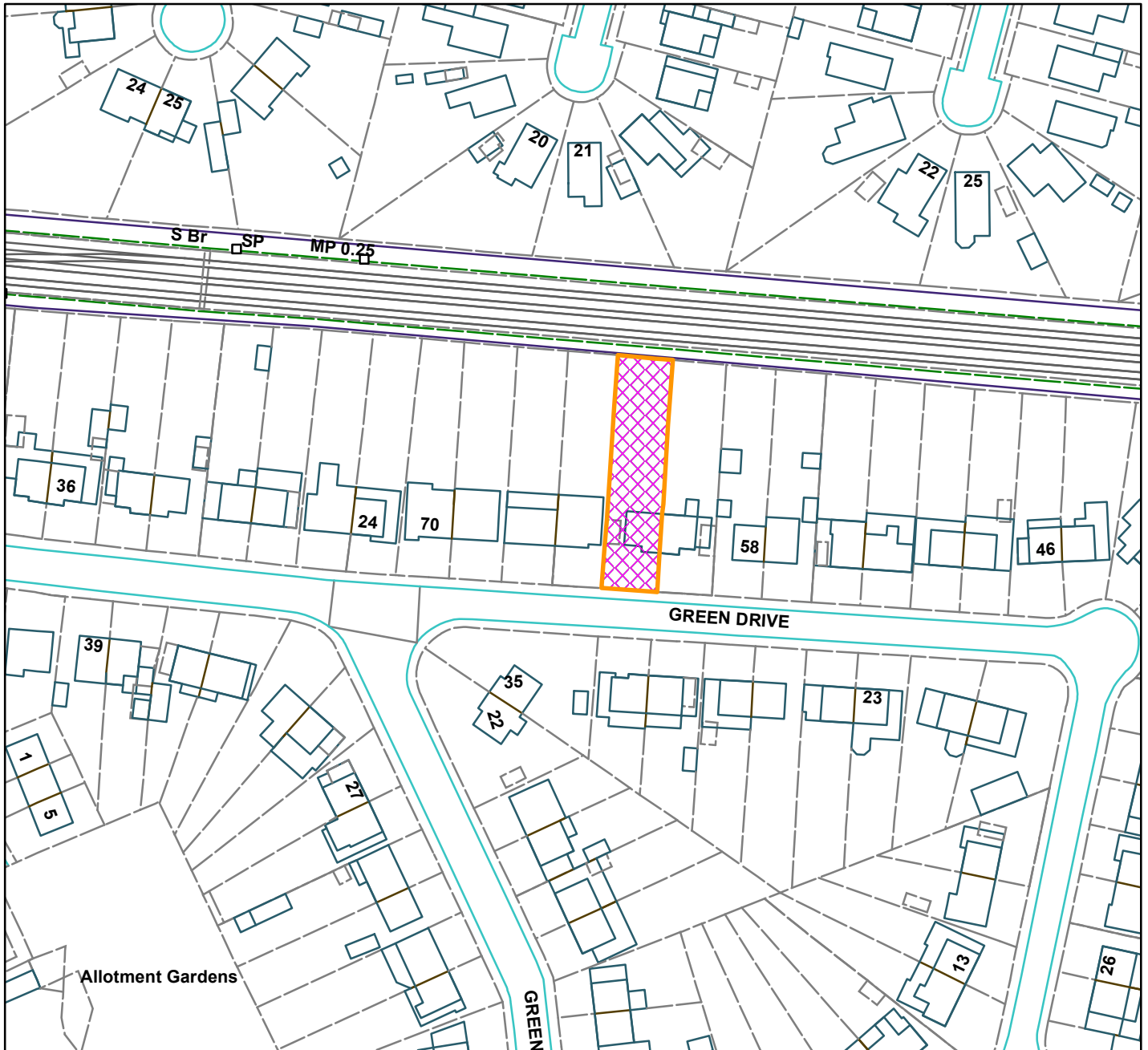
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the main dwelling.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

SE



62 Green Drive, Timperley WA15 (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/08/2023
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