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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 10 March 2022

Time: 6.30 pm

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford M32 0TH
(attendance via registration only)**

AGENDA

ITEM

7. URGENT BUSINESS

The Chair has agreed to allow the following matter as an item of Urgent Business.

- (a) Application 105847/FUL/21 - Hare and Hounds Hotel, Wood Lane, Timperley, WA15 7LX

To consider the attached report of the Head of Planning and Development. 7(a)

SARA TODD

Chief Executive

Membership of the Committee

Councillors A.J. Williams (Chair), B. Hartley (Vice-Chair), A. Akinola, D. Bunting, D.N. Chalkin, L. Dagnall, W. Hassan, S. Maitland, M. Minnis, D. Morgan, S. Thomas, M.J. Welton and B.G. Winstanley.

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

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WARD: Village

105847/FUL/21

DEPARTURE: No

Erection of 59 retirement living apartments and 9 retirement living cottages - including lodge managers office and reception, communal facilities, guest suite, car parking and landscaping following demolition of the existing public house.

Hare And Hounds Hotel, Wood Lane, Timperley, WA15 7LX

APPLICANT: Churchill Retirement Living

AGENT: Planning Issues Ltd

RECOMMENDATION: MINDED TO REFUSE (IN CONTESTING THE APPEAL)

Reason for committee

The applicant (now appellant) lodged an appeal against the Council's non-determination of this planning application just 19 days after the 13 week determination target following a 10 day notification period submitted the day after the determination target date. Whilst the submission of this type of appeal has removed the ability of this Council to determine the application, Committee still needs to consider how it would have determined the application had it been able to do so in order to define the Council's position on the appeal.

Executive summary

The application relates to the development of land at the Hare and Hounds Hotel, Timperley. The application site is currently occupied by a public house and garden (former bowling green) and car park. The Hare and Hounds Hotel is recognised as a non-designated heritage asset and the former bowling green is designated as protected open space.

Planning permission is sought for the demolition of the public house and the erection of 59 retirement living apartments within a building fronting Shaftesbury Avenue and Wood Lane of varying heights up to four storeys and 9 no. two storey retirement living cottages.

The application has received letters of objection from 16 different addresses. The main concerns relate to the loss of the public house, design and scale of the proposed development, highways and parking and amenity.

The proposal would result in the loss of the pub use which is considered to be unjustified as is the redevelopment of the site and the loss of the non-designated heritage asset. The scale and design of the proposal is considered harmful to the character of the area and the amenity space provided is considered to fall short of the level expected for future occupants.

The application also fails to provide justification and reasoning for a commuted sum for affordable housing and proposed contribution, resulting in a non-compliant affordable housing provision.

Other harms are identified within the report. Overall the proposal fails to comply with the Trafford's Core Strategy and local guidance for new residential and developer contributions and national policy and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and National Design Guidance. It is therefore recommended that Members resolve that they would have been minded to refuse the application, had they been able to determine it, for the reasons set out at the end of the report.

SITE

The application site, which extends to 0.5 hectares, comprises the Hare and Hounds Public House to the north west corner of the site, car parking along the east and south boundaries of the site and a bowling green to the south of the Public House.

The pub is positioned on an angle facing towards the corner junction with Shaftesbury Avenue (A560) and Wood Lane. To the east of the site facing Shaftesbury Avenue is a commercial parade of 5 two storey terrace properties with a mix of commercial uses at ground floor and residential at first floor and within the loft space. To the south of the commercial parade and running down the east boundary are two storey detached residential properties on Seymour Grove, with their rear gardens adjoining the eastern boundary of the application site. Immediately to the south of the site boundary is a pedestrian footpath providing access between Seymour Grove to the east and Wood Lane to the west, beyond the footpath are two storey detached properties facing Wood Lane and Seymour Grove. To the west of the site is Wood Lane and Timperley Sports Club, with a cricket pitch closest to the application site, although the site also includes, surface level car parking, a single storey club house and a range of other grassed and artificial sports pitches. To the north of the site is Shaftesbury Avenue and the junctions with Moss Lane, Wood Lane and Stockport Road, beyond this are two storey detached and semi-detached dwellings and apartment blocks on Stockport Road.

The pub is considered to be a non-designated Heritage asset. The closest designated heritage asset is The Old Hall, a Grade II listed building located to the west of the application site within the grounds of the golf course.

PROPOSAL

This report relates to an appeal against non-determination. The purpose of this report is to seek Members views on whether planning permission would have been refused for the proposed development and, if so, on what grounds.

This full planning application seeks permission for the demolition of the Hare and Hounds pub. The site would be redeveloped to deliver 59 retirement living apartments and nine retirement living cottages with communal facilities, parking and landscaping. Vehicular access to the development would be from Wood Lane, to the north of the existing access point.

The 59 proposed apartments would be delivered in a single 'L' shaped block ranging from three to four storeys in height fronting Shaftesbury Avenue and Wood Lane.

The nine cottages are proposed along the southern boundary of the site. Six cottages would face the internal car park, whilst the remaining three would front Wood Lane.

A small area of external amenity space and off road car parking is proposed to the rear of the site.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 - Land for new homes

L2 - Meeting housing needs

L3 - Regeneration and reducing inequalities

L4 – Sustainable transport and accessibility

L5 – Climate change

L6 - Waste

L7 – Design

L8 – Planning obligations

R1 – Historic environment

R2 – Natural environment

R3 – Green infrastructure

R5 – Open space, sport and recreation

PROPOSALS MAP NOTATION

Protected Open Space

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 – Protected Open Space

SUPPLEMENTARY PLANNING DOCUMENTS

PG1 – New Residential Development

PG24 – Crime and Security

Revised SPD1 - Planning Obligations

SPD 3 – Parking Standards and Design

PLACES FOR EVERYONE (PfE)

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 was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised 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)

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

NATIONAL DESIGN GUIDE AND NATIONAL MODEL DESIGN CODE

The National Design Guide was published by the Government in October 2019 to illustrate how well-designed places can be achieved in practice. The National Model Design Code was published in June 2021. Together, they form part of the Government's collection of planning practice guidance.

RELEVANT PLANNING HISTORY

H/65837 - Erection of single storey, timber extension to south elevation to provide additional seating area.

Approved with conditions 05.12.2006

H/34171 – Erection of boundary wall and railings in excess of 1.0m in height along Shaftesbury Avenue frontage.

Approved with conditions 18.10.1991

H/33323 – Demolition of existing food preparation and storage areas and staff and public toilet accommodation and erection of single storey extension to form kitchen, office, wine/spirit store, laundry and toilet accommodation. Construction of canopy over front entrance and erection of glazed timber framed porch to rear, linking with pergola and gate arrangement to car park. Erection of garage and re-organisation of parking facilities to provide 96 space.

Approved with conditions 20.05.1991

H29409 – Construction of new access to public house from Wood Lane. Construction of 10 car parking spaces and new service road.

Deemed consent 13.09.1989

H13849 – Erection of floodlights for bowling green

Refused 31.03.1981 and subsequently dismissed at appeal.

H10677 – Erection of extensions to form additional dining area, new kitchen, tenants office and private entrance.

Approved with conditions 08.11.1979

APPELLANT'S SUBMISSION

The appellant has submitted the following information in support of the application:

Acoustic Survey

Arboriculture assessment and method statement

Bat Survey

Design and Access Statement

Flood Risk Drainage Technical Note

Heritage Statement

Landscaping constraints and strategy

Planning Statement

Preliminary ecological Appraisal

Site Investigation Report

Statement of Community Involvement

Transport statement

Tree Protection Plan

CONSULTATIONS

Heritage Development Officer - Recommends refusal on heritage grounds. The application site comprises of late 18th/early 19th century coaching inn located on Stockport Road at the junction with Shaftesbury Avenue, Wood Lane & Moss Lane. The Pubic House has been identified in the Trafford Historic Landscape Characterisation project [HGM6921] dating from AD 18th Century to AD 19th Century - 1750 AD to 1838 AD. The Hare & Hounds Hotel has been identified by the LPA as a non-designated heritage asset in accordance with Annex 2 NPPF and is considered to have a degree of architectural and illustrative historic significance meriting consideration in planning decisions. The Hare & Hounds Hotel is a candidate for Trafford's List of Local Heritage Assets, currently out to public consultation, and has been funded by the DLUHC with support from Historic England.

A detailed heritage statement has been submitted by Ecus which provides a good description of the site, building phases and history. However, the analysis of the site does not go beyond the early 19th century; the HLC identifies the building could potentially be earlier. The document recognises the building as a NDHA but considers the significance is negligible. Whilst I agree that the building has undergone some alteration internally and externally, it is noted that the two pre 1838 phases of development and their historic plan form are recognisable. I do not consider this has been as diminished as suggested in the HS. Furthermore, the principal elevation of the original inn has undergone little alteration with the exception of replacement windows, erection of a canopy and decoration. The view across Timperley Cricket Club, towards the Hare and Hounds, has changed little during the 20th and early 21st century and this contributes to the setting of the building as does the early 20th century bowling green to the rear.

The building also illustrates the historic development of the settlement during the 18th and 19th centuries; occupies a prominent position on a former turnpike and is a local landmark. This is all the more significant taking in to account the change which has occurred to the east to create Shaftesbury Avenue during the mid-20th century.

The application proposes the demolition of all existing buildings and replacement with the erection of 59 Retirement Living Apartments and 9 Retirement Living cottages, Lodge Managers office and Reception, communal facilities, guest suite, car parking and landscaping. The proposed development will result in the total loss of significance of this non-designated heritage asset and the applicant has failed to address para 195; "to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal".

For the reasons above, I am unable to support the proposed demolition of the existing building and the replacement development. The development will result in the harm of this non-designated heritage asset and its total loss of significance. When weighing this application, this should be taken into account in the balanced judgement [203 NPPF]. The application is recommended for refusal on heritage grounds.

Greater Manchester Archaeological Service – Recommend refusal on heritage grounds

Trafford & Hulme branch of the Campaign for Real Ale (CAMRA) –

Object to the above on the basis that this is a valued and functioning public house and community facility, the loss of which would be contrary to Paragraph 93 of the NPPF. The nearest alternative, the Quarry Bank, is 0.5 miles away and there are no close-by alternatives for those residents living to the south and east of the Hare & Hounds.

Greater Manchester Ecology Unit – No objection, subject to informative/conditions

Greater Manchester Police – No objection, but recommend full crime impact assessment

Trafford Council Clinical Commissioning Group – No objection

Trafford Council Housing Strategy – No objection

Lead Local Flood Authority – No objection, subject to condition (to secure the implementation of the submitted drainage strategy, and to ensure its management and maintenance)

Local Highway Authority – No objection, subject to conditions (to request cycle parking, and to ensure the provision of a Construction Method Statement)

Pollution and Licencing (Air Quality) – No objection, subject to condition (to ensure further investigations and mitigation where necessary)

Pollution and Licencing (Contaminated Land) – No objection, subject to condition (to request a site investigation and remediation strategy where necessary, and a subsequent verification plan)

Pollution and Licencing (Nuisance) – No objection, subject to condition (to request a Construction Environmental Management Plan)

Tree Officer – No objection subject to replacement planting

Waste Management – No objection, subject to condition

Cadent – No objection

United Utilities – No objection, subject to condition

REPRESENTATIONS

Objections have been received from residents at 16 addresses, most of which are close to the site with their comments summarised:

Loss of the pub / building

- The loss of the Hare and Hounds would be a great loss to the community. The pub is a significant landmark for the area, with a notable history and is one of the oldest buildings in Timperley, parts of it dating back to the mid-1700s with its unique feature of the painted internal dome in the main ceiling. The pub is a major landmark in Timperley and has been a prominent part of the community over the years. The submitted application fails to see the value of the pub and understand its history.
- The pub is still operating and if the owners wish to sell they should give the opportunity to run the pub to someone else to operate as such.
- The proposal is contrary to paragraph 93 of the NPPF and should be protected as a community facility.
- The pub serves a vulnerable community. The clientele of the pub is the largely elderly population, who do not tend to frequent the other, much younger pubs in the area. It is very much a family pub where people bring their elderly parents. There is no other such pub in the vicinity. The application should therefore be refused on the grounds that it is contrary to national planning policy (section 93 of the NPPF).
- The knocking down of this pub will be severely detrimental to the local community, at a time when it sorely needs such venues. We have already recently seen the loss of another pub in Timperley - the Pelican
- The pub provides a community space where people can meet and talk, important to support mental health issues.
- Although the pub has suffered during the pandemic lockdown period, it will have received local and national government support for the purpose of keeping the business open over the longer term. A gradual build-up of trade is now expected and as one of the few remaining pubs in Timperley, should return to the hub of activity it has always been.
- Very important community asset and supports the needs of Timperley residents.
- A large family pub like the Hare and Hounds would be a much needed asset for the 2,500 plus houses currently being planned.
- Loss of bowling green

Design / scale of proposed buildings

- The proposed buildings will be four stories - significantly higher than surrounding properties, which together with the design means the development will be hugely out of character with the local area. Too close to the main road, it will be a significant sore thumb and a major eye sore. Standard height is 2 – 2.5 storeys

- Proposed development appears disproportionate in scale and density, for the existing area.
- On approach from Altrincham it will stand out and will be very imposing and not in keeping with other properties in the area.
- The new cottages are too close to the site boundaries
- Development would be overbearing to existing residents
- Proposed buildings are very close to the existing boundary.
- The erection of such a large complex will destroy the very pleasant aspect the current site holds.
- Loss of boundaries
- Very negative effect on such a lovely vibrant village.

Proposed use

- The site is less than ideal for retirement as there is very little within easy walking distance. Doctors, dentists, community centres, libraries etc. are too far to walk comfortably.
- Need variation in our surroundings otherwise it's going to be a sea of flats, houses and takeaways and we're going to be leading increasingly solitary lives. We need our pubs more than ever.
- There are several large retirement complexes in the area already

Services and infrastructure

- This proposal will put undue extra stress on local hospitals, GPs and dentists which are full or struggling to cope.
- Will the impact on sewage, water systems etc. be able to sustain this proposal?
- Refuse disposal, delivery vehicles will add to the problem.
- With the other large developments planned in the area, i.e. World of Water and the 2,500 homes planned for the Timperley/Hale border, the lack of suitable infrastructure

Highways and parking

- It is situated next to a busy road junction and will cause unnecessary delays to traffic as well as increased traffic. The environment and infrastructure will be severely affected. Currently the traffic at peak times is horrendous.
- Highway safety concerns given increase in occupants on site and from nearby developments
- Parking spaces on site and increase in demand off site – not enough spaces for occupants or visitors

Environment / Amenity

- Impact of pollution on new residents – will they be able to open their windows/sit outside without exposing themselves to pollution with traffic constantly stopping, idling engines and revving away at the traffic lights.

- The environment for the people in the development will be polluted, as well as for the residents such as myself who use the golf course footpaths to walk every day.
- The water table in Timperley is high, this site is at the bottom of higher Timperley and is naturally where water would collect. Detailed drainage considerations are required.
- Loss of hedges / ecology
- The size of the development and lack of green space next to the road also would add to pedestrian level pollution, this is a popular walking route for secondary school pupils.
- The congested junction leading to extra noise, disturbance and nuisance for existing residents. The location of the site is an extremely busy junction with three busy roads joining.
- Loss of daylight/sunlight
- Loss of view of cricket pitch

Other matters

- At pre-app with public we said that 4 stories were not in keeping for the area. So by submitting these plans it shows they haven't listened
- Plans do not accurately show neighbouring properties
- Plans different to ones shown to public at pre-app

Statement of Community Involvement (SCI)

An SCI has been submitted which states an online consultation was held in July 2021 with letters sent to approximately 90 nearby residents and businesses as well as local councillors and an advert placed in the Sale and Altrincham Messenger. The SCI states that a total of ten consultation responses were received with responses raising the following matters:

- Objection to the loss of the pub;
- Increase in traffic to Wood Lane and possible impact on road safety;
- Proposed height of 3 and 4 storey may be excessive.
- Loss of view to neighbouring cricket pitch;
- Query proposed building materials;
- Query parking provision;
- Support for building at front of site and parking to rear;
- Query proposed boundary treatment to rear of cottages;
- Proposed site layout and evolution represents the most appropriate option for the building;
- Request that during construction contractors do not park on Seymour Grove;

No elevations appear to have been provided during the consultation, only indicative views. From the layout however it appears that the only significant change made is the re-siting of some of the cottages to the Wood Lane frontage.

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 the starting point for decision making, and that where a planning application conflicts with an up-to-date 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.
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.
4. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11c explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11d advises that 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.

Paragraph 11(dii) (tilted balance) is also automatically triggered by the absence of a five year housing land supply. It is the relevant framework for decision making for this case.

5. Footnote 7 to paragraph 11d (i) explains that the policies of the NPPF referred to include those which relate to designated heritage assets. It is not triggered by an impact arising on non-designated heritage assets. Consequently, there are no

protected areas or assets affected by the proposals and therefore 11d (i) is not applicable to this case.

6. The weight to be attached to development plan policies that have a bearing in determining this application is identified within this report at the appropriate section.

Housing Land Supply:

7. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. Local planning authorities are required to support the Government's objectives 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.
8. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. However, as confirmed in more recent republications of the NPPF, this figure can no longer be relied upon given that the Core Strategy was prepared more than five years ago. The new housing requirement for Trafford, as formulated by the Government and calculated using the standard method for 'local housing need' (LHN), is a minimum annual figure of 1,652 new homes net (which includes an additional 20% buffer to address previous under-delivery). Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest calculation suggests that the Council's supply as of February 2022 is 4.24 years. Therefore, there exists a need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
9. The responsibility of local planning authorities in supporting the Government's ambitions include identifying and updating annually a supply of specific deliverable sites to provide five years' worth of housing against their housing requirement. This is in addition to a housing delivery test (HDT) which is intended to measure a local planning authority's performance in facilitating the delivery of – rather than merely planning for – new homes.
10. The Council has a much improved housing land supply figure of 4.24 years. This has come about as a result of comprehensive and assertive action by the Council over the last two years – for example by granting suitable planning permissions, bringing forward infrastructure, and intervening in the market to bring forward its own exemplar schemes through its investment programme. Delivery is also much improved with the Housing Delivery Test in 2021 being 79% (from 61% in 2020), and which moved the Council out of the HDT presumption in favour of development. A forward look at sites coming forward in the next 12 months also indicates a much improved, and improving position. The housing supply and delivery trajectory is

therefore strongly and clearly moving in an upwards direction and quickly towards a position whereby the Council will be able to demonstrate a five year housing land supply. The identified sites making up the supply are also primarily brownfield, and all within the urban area and / or well established development plan allocations.

11. In terms of the HDT, which is a percentage measurement of the number of actual homes delivered against the number of homes required, Trafford' s most recent measurement (from January 2022) is 79 per cent. Again, the current HDT figure is the most favourable since the HDT was introduced and is an improvement on the previous year (it stood at 61 per cent in January 2021). Given that housing delivery is now above 75 per cent mark, the 'presumption in favour' is no longer initiated as a consequence of the HDT result (although it remains in place anyway until such time as a five year housing land supply can be demonstrated).
12. Policy L2 (Meeting Housing Needs) of the Core Strategy is clear that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Therefore, the ability of this development to contribute to housing supply targets is important. This is amplified in the context of the absence of a five year supply of deliverable housing land. The provision of 68 units would make a moderate contribution which weighs in favour of the application.
13. Policy L1 of the Core Strategy controls the number and distribution of new homes across the Borough. 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.
14. That the proposed development site is a part brownfield/part greenfield site in a sustainable location and the Council does not have a five year rolling supply of housing land is acknowledged. However, the NPPF also makes it clear, at Paragraph 122 that the requirement to make efficient use of land must take into account, amongst other matters, the desirability of maintaining an area's prevailing character, and the importance of securing well-designed, attractive and healthy places. A shortfall in housing land supply does not equate to development at any cost. An assessment is made on these issues later in this report.

Meeting Housing Needs

15. The NPPF requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities (paragraphs 62 and 63). This is supported by Policy L2, which refers to the need to ensure that a range of house types, tenure and sizes are provided. Policy L2 of the Core Strategy relates to meeting housing needs and remains up to date in respect of the requirement for the amount of affordable housing and in terms of site specific requirements for development (L2.2). Full weight can be given to this part of the policy.

16. Another important component in contributing to the objectives of creating mixed and balanced communities, as required by the NPPF, is the provision of affordable housing. Paragraph 65 states that affordable homes should be sought within all new residential proposals for major development (ten units or more). At the local level, the requirement to secure an affordable housing contribution is covered by Policy L2. The policy is clear that – in respect of all qualifying development – appropriate affordable housing provision should be made.
17. The site falls within a ‘Hot’ market location for the purposes of applying Policy L2 and with the Borough now in ‘Good’ market conditions, this relates to a requirement for 45 per cent of the proposed residential units provided to be delivered on an affordable basis.
18. The Trafford Housing Needs Assessment (HNA) 2019 provides the latest available evidence to shape the future housing related strategies and policies in Trafford. This study complements the Greater Manchester (GM) Strategic Housing Market Assessment (SHMA) by providing detailed local information and supports the development of the new local plan for Trafford. Analysis suggests that across the borough there is a need for 1,402 more units of specialist older person (C3) dwellings such as extra care and retirement housing (which is part of the overall housing need); and an increase of around 485 units of C2 residential care dwellings. Annex 2 of the NPPF defines older people as *“people over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing can encompass accessible, adaptable general needs housing through to the full range of retirement and specialist housing for those with care and support needs.”* The study identifies a need for older person households in Altrincham and retirement apartments and cottages are therefore acceptable in this location in principle.

Principle of demolition:

19. The Hare and Hounds Hotel has been identified as a non-designated heritage asset. The proposed development would result in the total loss of the hotel building and in accordance with paragraph 203 of the NPPF “a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” This is considered in more detail in the heritage section of this report.

Loss of Local Community Facility:

20. The Hare and Hounds Hotel is still operational as a public house. Paragraph 93 of NPPF considers the social, recreational and cultural facilities and services the community needs. As well as planning positively for the provision and use of shared spaces, community facilities (including public houses), planning policies and decisions should guard against the unnecessary loss of valued facilities and

services. The proposal would result in the loss of a local facility which should be weighed in the planning balance.

21. The submitted Planning Statement states that “the presence of alternative availability of public houses within the vicinity of the site, ensures that there is no overall conflict with paragraph 93 of the NPPF, and residents of the area have suitable choice of an alternative provision.” The report provides a list of 6 public houses in the vicinity of the application site, ranging from 0.1 miles (Timperley Sports Club) to 0.7 miles as alternatives.
22. Notwithstanding this, the fact that the public house is still operating together with the number and nature of objections received identifies the public house as a valued community facility. Representations received distinguish the Hare and Hounds Hotel from other pubs as a family pub more suited to an older clientele and its loss would be of detriment to the community.
23. Notwithstanding the appellant’s claim that the area is well-served by other pubs, there is nevertheless an extensive residential population living close to the pub, and relatively few other pubs that could be considered as ‘local’ to residents living close to the site, particularly those residing in the areas to the south and east of the application site.
24. The appellant has not made any attempt to demonstrate that the existing public house is no longer viable and needs to close for financial reasons. Nor has the appellant sought to demonstrate that the pub has been marketed for any length of time as a business to see whether another operator may be interested in taking it on.
25. It is therefore considered that the loss of this community facility weighs strongly against the scheme in the planning balance. For clarification purposes, the application site is not listed as a formal ‘Asset of Community Value’.

Loss of open space

26. The beer garden within the application site is allocated as open space, owing to its historical use as a bowling green. In the Council document ‘Outdoor Sports Facilities Study – An Assessment of Need’ (March 2009) the bowling green is included as a sports facility.
27. Policy R5 is generally in compliance with the NPPF and is therefore up to date with the purposes for decision making. Policy R5 ‘Open Space, Sport and Recreation’ states that in order to remedy deficiencies in the provision of facilities in identified parts of the Borough and ensure that appropriate facilities are available to meet the needs of its residents across the whole of Trafford, the Council will secure the provision and maintenance of a range of sizes of good quality, accessible, play, sport, leisure, informal recreation and open space facilities. The Council will seek

to address key areas of deficiency in quality and quantity of open space and indoor/outdoor leisure provision by protecting existing and securing the provision of areas of open space and outdoor sports facilities.

28. Paragraph 99 of NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
29. With regard to Policy R5 of the Trafford Core Strategy, justification 25.17 states that “An unacceptable loss of open space, sport or recreation facilities is deemed to be that which leads to a loss in quantity which could not be replaced with an area of equivalent or better quality in a suitable location to meet present and predicted future demand.” In order to remedy deficiencies in the provision of facilities in identified parts of the Borough and ensure that appropriate facilities are available to meet the needs of its residents across the whole of Trafford, the Council will secure the provision and maintenance of a range of sizes of good quality, accessible, play, sport, leisure, informal recreation and open space facilities. The Council will seek to address key areas of deficiency in quality and quantity of open space and indoor/outdoor leisure provision by protecting existing and securing the provision of areas of open space and outdoor sports facilities.
30. The planning statement states that the bowling green has not been used as such for 20 years. The aerial photographs show how part of the green has been lost and is now used as a seating area for the pub garden.
31. A playing pitch strategy was carried out by Strategic Growth Services in October 2017 and the absence of any mention of this site is important in the assessment of this application against Policy R5; the discontinuation of its use as a bowling green is accepted. Additionally the report confirms that there is no shortage of bowling greens in Trafford and that provision is greatest in the south of the Borough. It goes on to state that future demand can be accommodated on existing greens, provided they can absorb any future demand (which would require upgrade in quality).
32. Notwithstanding the cessation of the use of the site as a bowling green, the proposal does result in the loss of protected open space that provides a public and communal function in the form of a pub garden. In line with Policies L8, R5 and SPD1 there is the need to provide either (i) some open space provision on site, to mitigate the impact of an increased population with any shortfall made up by a financial contribution to off-site provision or (ii) full replacement of the open space off-site and associated costs calculated at £11.97 per square metre.

Summary of principle of residential development

33. The Council cannot demonstrate a five year housing land supply and the presumption in favour of sustainable development applies. Paragraph 11d (i) is not relevant in this case since there is no clear reason for refusing the development proposed when having regard to the application of NPPF policies which seek to protect areas or assets of particular importance and the tilted balance is therefore engaged. The proposal would make a moderate contribution towards meeting the Council's housing land targets and an identified need for older persons housing. Whilst the principle of residential development on the site could be acceptable, as set out elsewhere in the report, the developer has failed to demonstrate that the scheme would be acceptable in relation to other matters including the loss of a valued local community facility and a non-designated heritage asset. Issues relating to heritage and design, highways impacts residential amenity, flooding and drainage, contamination and ecology still need to be considered and weighed in the balance. These issues are considered in more detail in the following sections of this report.

HERITAGE

IMPACT ON NON-DESIGNATED HERITAGE ASSET

34. The Council's Heritage Development Officer has been consulted on the application and their comments are reported in full in the consultations section of this report and are incorporated into this section of the report.
35. The importance of conserving and enhancing the historic environment is reflected in NPPF and supporting NPPG.
36. In relation to heritage assets, paragraph 194 of NPPF states that *"local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."*
37. Also of relevance to the determination of this application is paragraph 195 of the NPPF: *"local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*

38. Paragraph 197 indicates that when local planning authorities are determining planning applications, they should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
39. Significance is defined in the NPPF as 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.' Setting of a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'
40. Planning Practice Guidance (PPG) states that local planning authorities may identify non-designated heritage assets. The Hare and Hounds PH has been identified by the local planning authority as a non-designated heritage asset (NDHA) in accordance with Annex 2 of the NPPF and is considered as "having a degree of significance meriting consideration in planning decisions, because of its heritage interest". The buildings are entered on the Greater Manchester Historic Environment Record [HER 7269.1.0]. The Hare and Hounds Hotel has also been nominated as a candidate for Trafford's List of Local Heritage Assets, which has been funded by the DLUHC with support from Historic England.
41. Paragraph 203 of NPPF states *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*
42. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance, including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out-of-date and can be given limited weight.

Significance of the Non-Designated Heritage Asset

43. The application site comprises of late 18th century farmhouse, with possible earlier origins, shown on 1838 tithe map, with carthouse, barn, stable & shippon. and The building was later converted to a public house in the early 19th century. The Hare & Hounds has been identified in the Trafford Historic Landscape Characterisation project [HLC entry HGM6921] dated from AD 18th century to AD 19th century – 1750 AD to 1838 AD. The building is two storeys constructed from brick with stone plinth now rendered. The original farmhouse was modest in architectural style with simple classical detailing and comprised of two bays later extended to three. An external chimney stack is sited to the north gable, a ridge stack sited between the 2nd & 3rd bay. The roof is pitched laid with blue slate and blue clay ridge tile with dentilled eaves. The portico entrance is sited between the 1st and 2nd bays with stone pilasters now partially obscured by a canopy. Window openings on the west [principal elevation] incorporate painted stone surrounds and replacement timber windows. The east elevation includes an historic two storey extension obscured by later larger additions; a single storey extension projects from the south gable.
44. A heritage statement (HS) has been submitted as part of the application documentation and provides a good description of the site, building phases and history. However, the analysis of the site does not go beyond the early 19th century; the Historic Landscape Characterisation Project [HLC] identifies the building could potentially be earlier. The HS recognises the building as a NDHA but considers the significance is negligible. Whilst it is agreed that the building has undergone some alteration internally and externally, it is noted that the two pre 1838 phases of development and their historic plan form are recognisable. The building has not been as diminished to such an extent that its historic appearance cannot be easily understood. Furthermore, the principal elevation has undergone little alteration since its conversion to a public house with the exception of replacement windows and signage, erection of a canopy and decoration.
45. The view across Timperley Cricket Club, towards the Hare and Hounds, has changed little during the 20th and early 21st century and this contributes to the setting of the building as does the early 20th century crown bowling green to the rear (now the pub beer garden). The building also illustrates the historic development of the settlement during the 18th and 19th centuries and occupies a prominent position on a former turnpike road. Due to its location, appearance, age and use the Hare & Hounds is a well-known, local landmark. This is all the more significant taking in to account the change which has occurred to the east to create Shaftesbury Avenue during the mid-20th century. The building also has considerable communal interest; the Local Prize Band practised there in early 20th century and it was previously used as a meeting place for town's meetings.
46. In summary, the significance of the Hare & Hounds derives from its architectural value in particular its principal elevation with reserved classical detailing, traditional materials, plan form and local landmark quality emphasised by its wider, open setting. Furthermore, the building illustrates the historic development of Timperley during the 18th and 19th centuries; evidential value is found in the remaining

historic fabric indicating the development of the building and site from farm to public house. Lastly, the Hare & Hounds is significant for its communal value. The building contributes positively to the identity and distinctiveness of Timperley and has for nearly 200 years been used as a place for community use and social interaction.

Impact and Consideration of Harm

47. Considering first the impact of the proposal paragraph 195 of the NPPF is specifically relevant. As detailed above the local planning authority has identified and assessed the particular significance of the heritage asset affected by the proposal. The significance of the asset is considered to result from its architectural and historic value, including its communal value. The proposed development would result in the total loss of the heritage asset and its significance, however the documentation submitted in support fails to provide any alternatives or considered options of how the impact / loss of the heritage asset could be minimised or avoided. Furthermore, the new development makes no reference, either through use, appearance, scale or siting of the heritage asset removing not only significance but reference to this historic local landmark.
48. In respect of paragraph 197 of the NPPF it states that in determining applications, local planning authorities should take account of:
 - a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
49. With respect to the first bullet point, the Hare & Hounds has operated as a public house since the 19th century, its continued use as a public house would therefore be consistent with its conservation. The appellant has not satisfactorily demonstrated that this use would be unviable. The continued use of the Hare & Hounds as a public house would sustain its significance which could be enhanced where unsympathetic works have taken place.
50. With regard to the second bullet point, the communal value of the Hare & Hounds is identified in many of the submitted representations. It provides a facility for the local population, whilst contributing to the economic vitality of the area. It is therefore considered to make a positive contribution to the sustainability of the community.

51. Lastly the design of the replacement development with its undistinguished and nondescript appearance would not contribute to the distinctive character of this area when compared to the architectural and historic significance of the Hare & Hounds.
52. The proposed development would see the total demolition of the Hare and Hounds Hotel and the proposed would result in harm and total loss of significance of this non-designated heritage asset without any demonstrable justification which is considered contrary to paragraphs 195 and 197 of the NPPF.

Archaeology

53. Greater Manchester Archaeological Advisory Service (GMAAS) has been consulted on the application. GMAAS agree with the position of the Heritage Development Officer that the proposed development will lead to the total loss of the significance of the building and that the HS has failed to address certain aspects of the NPPF.
54. GMAAS considers the presence of farm buildings that could date back to the eighteenth century as being of some archaeological interest. It is accepted that any physical remains would be most unlikely to prove of sufficient importance to merit their physical retention and preservation, however, any remains of more local significance should be investigated and recorded prior to their loss. The HER record refers to the site in relation to local agricultural (farming) and industrial (weaving) practices in the 18th century prior to the farmhouse becoming an Inn. The reverse L-shaped range of buildings depicted on historic maps might well have provided for such activities, remains of which could inform research avenues within the North West Regional Research Framework for the Historic Environment. As it stands the below-ground archaeological potential of the site is unquantified and as such GMAAS have objected to the proposal. Notwithstanding this, it is considered that these issues could adequately be addressed through appropriately worded pre-commencement conditions in the event of an approval.

Conclusion on Heritage

55. The submitted heritage assessment recognises to a degree the historic role the building has played in the development of Timperley, but concludes that due to the alterations to the building and loss of historic layout and interior that the building is of negligible heritage significance and should not be an overarching constraint to development.
56. Contrary to this, Officers consider that the building is of sufficient architectural and historic significance that it should be retained and that the information put forward in support of the proposal fails to consider ways in which the harm/total loss could be minimised.

57. The proposal would result in the total loss of significance of the heritage asset, an asset which due to its architectural and historic, including its communal use, value is considered to be of sufficient architectural and historic significance.

58. Under paragraph 203 of the NPPF, a balanced judgement is required having regard to the scale of harm or loss to the non-designated heritage asset and its significance. In this instance, the loss of significance would be total. Officers consider the Hare & Hounds has sufficient significance in its local context that its removal is not justified, in the light of the information presented to date. As such the proposal is considered to be contrary to Policy R1 of the Trafford Core Strategy and the NPPF in this respect and this will be weighed against this scheme in the planning balance.

DESIGN AND APPEARANCE

Policy Background

59. The NPPF, PPG, the National Design Guide (NDG) and the National Model Design Code (NMDC) set out the Government's planning policies and guidance on matters of design. The current version of the NPPF (20 July 2021), highlights the increased importance given to the consideration of design by the Government – good design is an integral part of the NPPF.

60. Paragraph 8 of the NPPF outlines three objectives which are key to achieving sustainable development, one of which is a social objective. The delivery of a well-designed and safe built environment is part of achieving that strong social objective. The NPPF continues, at paragraph 124, that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 urges local planning authorities to refuse development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It continues, that, when determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help to raise the standards of design more generally in an area.

61. Great emphasis in PPG and the NDG is placed on the importance of context and identity. This is of course set against the need to support development that makes efficient use of land taking into account inter alia the desirability of maintaining an area's prevailing character and setting (NPPF 124).

62. Paragraph 130 of the NPPF says that planning policies and decisions should ensure that developments add to the overall quality of an area, are sympathetic to local character and history, including the surrounding built environment and landscape setting, establish or maintain a strong sense of place, using the arrangement of streets, spaces, buildings types. Paragraph 131 of the NPPF says trees make an important contribution to the character and quality of an area and

should ensure that new streets are tree lined and that opportunities are taken to incorporate trees elsewhere in developments.

63. 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.

The Proposed Development

64. The proposed development comprises 59 retirement living apartments within a single, three and four storey block of development and nine retirement living cottages with communal facilities, parking and landscaping. The development would be access off Wood Lane, to the north of the existing access point.

65. The application is supported by a Design and Access Statement, proposed plans and elevations. Amended plans have been received during the course of the application. Whilst there is no reduction in footprint, the revised plans show the following amendments:

- Reduction in the number of units proposed in the main block of development from 62 to 59;
- Western elevation (Wood Lane) amendment of roof form from gable to hip to centre of block and the introduction of a small dormer and rooflight within the northern end of the roof slope;
- North elevation (Shaftesbury Avenue) - reduction in the amount of four storey development fronting Shaftesbury Avenue from 45m to 28 m resulting in an increase in three storey element adjacent to shop parade from 7m to 14m;
- Southern elevation (internal elevation) - reduction in roof mass due to changes to Shaftesbury Avenue frontage and alterations to roof design;
- Generally across the site, the introduction of ridge finials.

66. The proposed development comprises one 'L' shaped block, with the elevations fronting Shaftesbury Avenue and Wood Lane being broken up through a series of projecting gables. From Shaftesbury Avenue and Wood Lane, the development would have the appearance of a pitched roof with projecting gables, although due to the depth of the proposed development there are a variety of roof forms throughout the development. Internally the elevations facing the garden/car parking area are broken up with flat roofed projecting blocks. The proposed material palette comprises red brick, white render, artificial stone, concrete roof tiles and metal balconies.

Existing site context

67. The existing building is a local landmark within the surrounding area. This is by virtue of its contribution as a non-designated heritage asset and does not mean that the site should be considered as a landmark site in development purposes.
68. The land on the opposite side of Wood Lane, due to its Green Belt designation, is open in nature with few elements of built development. The site opposite is occupied by Timperley Sports Club, which is a largely open site with the exception of a single storey club house building, located circa 110 metres from Wood Lane. To the south and east of the sports club is Altrincham Golf Course, Altrincham Rifle and Pistol Club and The Old Hall. These sites are generally open in nature bar The Old Hall (Grade II listed) and low level buildings ancillary to the sports uses.
69. To the north, east, south and south east of the site, the predominant form of development is low density, two storey, detached and semi-detached residential development, which is generally characteristic of mid-20th century development.
70. To the north east of the site, on Stockport Road there is a single storey petrol station and immediately adjacent to the site there is a two storey parade of five retail units.
71. The context of the site is overwhelmingly characterised by low density, two storey development in a fine, structured urban grain.
72. The existing site has a boundary fronting Shaftesbury Avenue of a low level stone wall with timber fencing on top and metal railings to the corner and Wood Lane boundary.
73. The submitted Design and Access Statement (DAS) includes a Context Analysis of the site at page 18. This acknowledges that in the main the context of the site comprises two storey dwellings although describes Shaftesbury Avenue as having an 'urban feel'. The visual analysis focuses on four of the largest, 2 ½ storey dwellings within the vicinity of the site on Wood Lane and Wellington Road. These dwellings are atypical of the site context in terms of their height, however they do reflect the urban grain of the wider area, i.e. low density development.
74. The DAS includes a comparison with other retirement complexes within Timperley, however these are not considered to be relevant comparisons due to the differing contexts in which they are located, i.e. within the centre of Timperley and in more built up locations and in the case of St. John's Lodge, a considerably more spacious setting. They do not form the context of this application site.
75. The application site sits on the suburban edge of the green belt where one would normally expect to see low rise development, and a general stepping down in building height.

Layout

76. The proposed apartment block comprises the construction of one block of development, with a frontage of 51.5 metres along Shaftesbury Avenue and 50.5 metres to Wood Lane. The development has a depth of circa 19 metres.
77. There is no development within the vicinity of this site which has a comparable footprint to the proposed development, which measures 1,525 sq m.
78. A separation distance of just 1 – 1.7 metres is proposed between the apartment block and the adjacent parade of shops. This level of separation is not considered to be acceptable and a greater break would be expected to distinguish the site from neighbouring plots, which is characteristic of the area
79. The apartment block is set back from Shaftesbury Avenue by between 7 and 9 metres. This building line is considered to be acceptable in itself and is consistent with the adjacent parade of shops.
80. The relationship of the proposed apartment block with the corner of Shaftesbury Avenue is however considered to be poor, with no attempt to incorporate an appropriate architectural response to the corner turn. The corner of the proposed block is 2 metres from the site boundary, given the scale of the building at 4 storeys in height, this relationship is considered to be overbearing and poor emphasising the cramped nature of the development..
81. The proposed block is set back from Wood Lane at between 2 and 4 metres (where there are setbacks) and is considered to be at odds with the building line of Wood Lane. Typically dwellings along Wood Lane are set back from the footway by 7 metres to 13 metres, with the immediate adjacent properties being set back by 16 to 25 metres. These immediately adjacent properties, comprise detached dwellings in large spacious plots with soft landscaped boundary treatments.
82. Three of the proposed cottages also follow the same building line as the proposed apartment block along Wood Lane and are located 2.3 metres from the southern site boundary. As noted with the apartment block, this proposed building line is considered to be at odds with the existing properties on Wood Lane.
83. It is considered that the proposed building line along Wood Lane would be detrimental to the wider streetscene.
84. The remaining six cottages are located within the south eastern corner of the site, backing onto the alley connecting Wood Lane and Seymour Grove. These properties are served by two alleys to the rear, allowing for bins to be stored to the rear of the properties and brought to the front when necessary. The cottages would

be served by appropriately sized private gardens. The layout and siting of the terrace of six cottages is considered to be acceptable.

85. Within the centre of the site, a car park and garden area is proposed to serve the residents in addition to the proposed car park. Six car parking spaces are proposed along the southern side of the access to serve the proposed cottages. This siting of these car parking spaces is considered to be poor, whilst the car park itself dominates the rear of the site and the outlook from the apartments at the rear of the building. Overall the proposed car park is dominated by hard landscaping with no planting proposed to break up the runs of car parking spaces. This is not considered to represent good design and will result in a bleak car dominated environment.

Scale and massing

86. The proposed development along both the western and northern elevations increases in height from three to four storeys towards the corner of Shaftesbury Avenue.

87. As previously noted the context of the site is characterised by surrounding two storey residential development and the open Green Belt. There are no developments within the immediate vicinity of the site which exceed this general height parameter. It is noted that there are some three storey buildings in the wider area, particularly along Wellington Road. However these are still smaller in scale and set back within their plots, and do not sit within such an open spacious context as the application site.

88. There are no breaks in the form of development proposed, which results in an incongruous solid block of development which is at odds with the local urban grain and character of the area.

89. The principle of siting a 'gateway' development on this site is not accepted as a logical form of development in this location. The re-development of this site should be sensitive to the open and low density context in which it is located.

90. The sense of openness and spaciousness that currently characterises the application site will be lost.

Accessibility/Access for All

91. The main entrance and communal Owners' Lounge are proposed to be accessed from the car parking area and three other doors are noted on the ground floorplan providing external access to Wood Lane, the car park access and the alley along the eastern elevation. The DAS advises that the development will provide step free access to apartments, communal spaces and parking areas and lift access to all floors.

92. The DAS advises that internal apartment layouts have been designed to meet residents' specific needs in terms of layout and ease of access in and around the apartments. All habitable spaces have been designed to have good size windows ensuring a good amount of natural light. Energy efficient, low carbon, economical heating would be provided.

93. The proposed development is considered to be acceptable in terms of accessibility.

Appearance

94. This proposed development seeks to deliver a 'gateway' building on the prominent junction of Shaftesbury Avenue and Wood Lane, taking design cues from local context. The Design and Access Statement specifically references street facing gables, some with flat-roofed dormers and the use of brick elevations with elements of render as informing the elevation treatment of the proposed development.

95. Whilst the proposed development integrates some of these characteristics into the external appearance of the proposed development, it is not considered to form a successful design approach to the site. Setting aside the strong concerns with the proposed scale and massing, the architectural treatment of the proposed development appears dated and poor quality. The dominance of render in the scheme and use of buff brick detailing is out of keeping with the surrounding area, whilst window reveals are considered to be insufficient. The overall appearance of the proposed development is considered to be undistinguished and nondescript.

96. Balcony details appear as a 'bolt on' afterthought and have not been designed as an integral part of the building.

97. In design terms, communal entrances should provide an opportunity to bring variation and interest to the building as well as a focal point. Entrances should be visible from the street and be clearly identified. The access to Wood Lane is not considered to be legible as an entrance.

Density

98. It is acknowledged that development of brownfield site should seek to increase density, however the NDG is clear that appropriate densities result from the context, accessibility, the proposed building types, form and character of the development [and not the other way around].

99. The site is located on the boundaries of GMAL (Greater Manchester Accessibility Levels) 4 and 5 and in this location PFE Policy JP-H 4 (Density of New Housing) advises that development within this area should achieve a minimum density of 35 dph. The proposed development would result in a density of 138 dph.

100. The density of the proposed development further confirms the concerns of the LPA that the proposal is vastly out of keeping with the character of the local area and represents overdevelopment of the site.

Conclusion on design and appearance

101. Good quality design is an integral part of sustainable development. The NPPF and PPG recognise that design quality matters and that the planning process should be used to drive up standards across all forms of development. The proposed development is considered to be in inappropriate design response to the context of the site for the reasons given above, and so the development is considered to be contrary to Policy L7, the NPPF and guidance within the NPPG, NDG and NMDC.

RESIDENTIAL AMENITY

102. In addition to ensuring that developments are designed to be visually attractive, the NPPF (paragraph 130) also advises that planning decisions should create places that provide a high standard of amenity for existing and future users.
103. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of 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.
104. Core Strategy Policy L5.13 states that development that has the 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 measure can be put in place.
105. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines 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. The SPG 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 3 storeys apply.
106. With regard to overshadowing, SPG1 states that "In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15m should normally be provided. The SPG states that "Distances to rear garden boundaries from main windows should be at least 10.5m for 2 storey houses and 13.5m for 2 storey flats or houses or flats with 3 or more storeys."

107. The application is considered in relation to impact on the amenity of existing neighbouring properties as well as the level of amenity provided for the future occupiers of the proposed development.

Neighbouring properties:

108. The above guidelines are applied when assessing the impact of the proposed development on the existing neighbouring properties.

109. The closest neighbouring properties are situated to the east and south of the site. Properties to the north of the application site on the opposite side of Shaftesbury Avenue are in excess of 55m from the site boundary and as a result there would be no impact resulting from the proposed building. There are no residential properties immediately to the west of the site on the opposite side of Wood Lane.

110. Adjacent to the north east corner of the site is 2 Shaftesbury Avenue, the end unit of a terrace of commercial properties with residential accommodation above. There is a window on the rear of the main building immediately adjacent to the application site and a window on the rear of the long two storey outrigger. The proposed building would project approximately 9.2m beyond the rear of the closest window at a distance of approximately 1.5m at the closest point. The portion of the proposed building adjacent to 2 Shaftesbury Avenue is 3 storey although the building at this part is only marginally higher than the adjacent shops. The closest window at first floor in 2 Shaftesbury Avenue is located adjacent to a door accessed from an external stairway and appears secondary in nature. The land immediately to the rear of the shop does not appear to provide any private garden space for the occupiers of the flat and appears to provide access and bin storage space only.

111. Whilst the proposed development would extend over 9m beyond the rear of the flat, taking into consideration the nature of the windows on the rear elevation and lack of garden space, it is considered that there would be no significant overshadowing to the detriment of the adjacent residents.

112. Windows are proposed in the side facing elevation of the development at ground, first and second floor. The apartments to the front of the site facing Shaftesbury Avenue would have a shower room at first and second floor facing the neighbouring property (with a refuse room at ground floor). The central corridor would also have windows at all storeys on the side elevation. The apartments to the rear of the building would have kitchen and living room windows facing at ground, first and second floor. Whilst it is considered that there would be no undue overlooking or loss of privacy when having regard to the accommodation adjacent to the site, it is considered that in the event that the application is approved, a condition should be attached to require obscure glazing to the corridor and lounge windows (these rooms are also served by windows on the rear elevation of the building) to prevent any perceived overlooking.

113. The proposed wing of the apartment block projecting along Wood Lane would be in excess of 34m from the eastern site boundary and the interfacing distance would be approximately 53m. The first floor window in the side elevation of the nearest cottage serves an ensuite bathroom. It would be considered reasonable and necessary for this to be conditioned to be fitted with obscure glazing if the scheme were to be approved to prevent close overlooking. There is not therefore considered to be any direct impact in terms of overlooking or loss of privacy to these neighbouring dwellings.
114. The proposed cottages would be sited to the southern boundary of the site and are two storey in height. The cottages within the site fronting the proposed car park would have rear gardens separating the new dwellings from the properties to the south, measuring between 10.4m and 10.6m in length. No. 3 Wood Lane to the south of the site is further separated by an existing access between the application site and Seymour Grove, measuring approximately 3.8m in width. The layout of the cottages is such that windows to bedroom 2 and a study are on the rear of the properties at first floor and living room windows at ground floor. The proposed site plan indicates a 1.8m timber boarded fence to form the boundary between the cottages and the access road replacing the existing palisade fence, thereby preventing any overlooking or loss of privacy from the ground floor windows or gardens.
115. The separation distance between the rear of the cottages and the front corner of 3 Wood Lane would be approximately 15m. The neighbouring property is at an angle to the site boundary with the rear of the gable elevation being positioned further away with a maximum of approximately 18.8m. There are 2 no. first floor windows and a dormer window at second floor level in the elevation facing the application site and the proposal therefore falls short of the privacy guidelines set out in PG1. The larger of the first floor windows to the facing side elevation of 3 Wood Lane appears to serve a room in an extension to the property that is also served by a window on the front elevation. The second window at first floor, by virtue of its size and position within the side elevation appears to serve a non-habitable room, although no planning records have been found to confirm this. By virtue of its height, comparatively small size and position within the roof slope. Taking into consideration the secondary nature of the windows, it is considered that a refusal on the grounds of loss of privacy to these windows could not be sustained at appeal. It is also noted that the letter of representation from the owner/occupier of this property does not raise the matter of loss of privacy as a concern.

Future residents:

116. PG1 seeks to ensure that new dwellings provide some private outdoor space and notes that this does not include front or side garden areas open to view from roads, nor space needed to comply with parking standards. This states that for flats,

approximately 18sqm of screened communal space per flat is generally sufficient, with balconies contributing to this provision.

117. Whilst it is acknowledged that the figures set out in PG1 are only intended as guidance, it is clear that the amount of outdoor amenity space to be provided for future residents is insufficient.

External Amenity Space

118. The proposal will provide private amenity spaces for the cottages and a mixture of private and communal space for the apartments.

119. The DAS outlines that all ground floor apartments will be served by private patios. It is not considered that these spaces can be considered as private spaces. The majority front either Wood Lane or Shaftesbury Avenue, with only low level planting to screen them from the street and each other. Those that face into the communal amenity spaces are also afforded little privacy with shrub planting between them. The level of space provided at 4 sq. m, is not considered to be usable with outward opening doors and the supporting structure of balconies above resulting in little usable space.

120. Twenty units (out of 43) are proposed to be served by balconies at first to third level. The balconies are small in size with an internal floor area of 3.25 sq. m. As with the ground floor patios the level of usable space is less than this, due to outward opening doors.

121. The patio and balcony spaces are not considered to be fit for purpose and do not provide sufficient space allow residents to place furniture outside to enjoy these outdoor spaces.

122. The remaining 23 units are served by Juliet balconies.

123. The communal area provides circa 360 sq. m of green space and 30 sq. m patio area outside the Owners Lounge. The submitted Landscape Strategy indicates a mixed planting palette of trees and shrubs across the site. Tree planting is proposed along the Shaftesbury Avenue frontage, however insufficient space is provided along the Wood Lane boundary to provide sufficient space for tree planting. Low evergreen hedging is proposed along this boundary behind 1.2m high metal railings.

124. The cottages are all served by private gardens, which are between 8.3 and 10.5 metres deep. These garden spaces are considered to be acceptable in size.

Noise

125. The acoustic assessment submitted with the application has been reviewed. The report centres around the noise impact from traffic surrounding the proposed development site and recommends a general indicative noise mitigation scheme which includes glazing and acoustic trickle ventilation. The report in section 5.5 refers to the need for the acoustic design of the façade system to be checked and updated post-planning. Whilst the requirement for an updated detailed design of an appropriate scheme for the site would normally be conditioned, there are a number of areas which would require further investigation in order for the Pollution Section to be satisfied that all noise sources relating to the proposed development have been fully considered and appropriately mitigated. Critical omissions in the report include:
- Noise from adjacent commercial uses/adjacent sports facility (service areas/deliveries/plant and equipment/hours of operation/activities);
 - Noise generated within the development itself including noise from any plant/equipment associated with the development (e.g. air conditioning/heat exchange/extraction/refrigeration units) and noise associated with any servicing of the application premises;
 - The noise impact from the substation on the nearest new and existing noise sensitive receptors;
 - Consideration of noise from the service area to the rear of the neighbouring shops on the proposed amenity area. It is recommended that an acoustic barrier is installed between the amenity areas and adjacent commercial areas;
 - LA_{max} levels in noise sensitive habitable rooms and existing residents in the vicinity;
 - More detailed proposed noise mitigation measures;
 - Reference to noise which may impact upon the amenity of neighbouring sensitive premises during the construction phase;
126. The appellant has therefore failed to demonstrate that the proposal has fully considered and can appropriately mitigate against the impact of external noise sources on the amenity of future occupiers of the development.
127. Given the above, the application is considered to be unacceptable in this respect, failing to comply with the Core Strategy requirement of not prejudicing the amenity of the future occupiers of the development, contrary to Policies L5 and L7, the NPPF requirement to deliver a high standard of amenity for future users (paragraph 127) and guidance contained within the Council's adopted PG1.
128. Nonetheless, although officers consider that an objection to the scheme must at present be raised on this basis, it is a matter which may be capable of resolution before the future planning inquiry opens.

HIGHWAYS AND PARKING

129. The NPPF (paragraph 104) explains that transport issues should be considered from the earliest stages of plan-making and development proposals. Significant development should be focussed on locations which are or which can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, paragraph 105 continues. However, development should only be prevented or refused on transport grounds if there would be an 'unacceptable impact on highway safety', or 'the residual cumulative impacts on the road network would be severe', it advises (paragraph 111).
130. Policy L4 of the Trafford 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."
131. Policy L4 also 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. The aim of the policy to deliver sustainable transport is considered to be consistent with the NPPF.
132. Paragraph 105 of the NPPF states "Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health."
133. Paragraph 111 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."
134. Policy L4 is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up to date in that it includes reference to a "significant adverse impact" threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a "severe impact." Nevertheless it is considered that Policy L4 can be afforded substantial weight.
135. 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.

136. The car parking standards as detailed within SPD3: Parking Standards and Design (SPD3) state that for this location a one-bedroom unit requires one parking space and a 'two-or-three-bedroom unit requires two parking spaces.
137. The development includes 38 one-bedroom and 30 two-bedroom units, which SPD 3 would require a maximum of 98 parking spaces. However, it is intended to provide just 35 car parking spaces, which will comprise 23 spaces for the proposed apartments, one space each for the cottages and three visitor parking spaces. In the event that planning permission is granted, a condition would be required to ensure the provision of electric vehicle charging points, and an appropriate figure will be reported in the Additional Information Report. A separate secure area is proposed to provide parking and charging points for mobility scooters.
138. The proposed number of spaces represents a significant shortfall in the required level of parking indicated by the maximum parking standards. Nevertheless, it is accepted that the development is located in a reasonably sustainable location with bus stops (Shaftesbury Avenue and Wood Lane) and cycling routes located a short distance away, and the Altrincham Transport Interchange (buses, trains and trams) circa a 20 minute walk.
139. In regard to accessibility parking, the standards shown in SPD3 Appendix A are minimum requirements. SPD3 states that for residential dwelling developments the provision of accessibility parking spaces should be negotiated on a case-by-case basis. The application submission has failed to consider accessibility parking and it is not proposed to provide any accessibility parking within the proposed development. Given the nature of the proposed development this approach is not supported by the LHA. For a development of this size and nature, a minimum of 3 accessibility parking bays would be expected. Whilst a condition for a revised parking layout to include disabled parking spaces is an acceptable approach to take, it must be acknowledged that the provision of 3 accessibility bays would either result in the loss of approximately 2 parking spaces within the current layout and/or the loss of some of the amenity space which as set out within other areas of this report, is already considered to represent an underprovision. It would not be possible to provide accessibility spaces for the cottages as set out in the current parking layout.
140. On the issue of cycle parking, the minimum cycle parking standards as detailed within SPD3 state one cycle parking space is required for a one-bedroom dwelling unit, and one communal or two allocated spaces are required for a two-bedroom dwelling unit. Whilst communal cycle parking is acceptable for the proposed apartments, the LHA would request two spaces per property are provided in a secure and covered arrangement for each of the proposed cottages. The Design and Access Statement (Appendix B) indicates cycle parking could be accommodated within the proposed scooter store; however no details have been

provided and there is no information for the proposed arrangements for the cottages. A relevant condition should therefore be included in the event of an approval to require the submission and approval of details.

141. With regards to the surrounding local roads, it is observed Wood Lane and A560 Stockport Road / Shaftesbury Avenue are protected by double yellow line parking restrictions. However, no such provision is provided for the adjacent Stockport Road service road or Seymour Grove. Mapping images suggest there is already an existing high demand for parking in these locations, with a number of local businesses sited along the service road. The LHA would therefore not wish to see an increase in demand for spaces generated by overflow parking from the proposed development. As such, should the LPA be minded to grant planning permission the LHA have requested a condition requiring the submission of a Parking Management Strategy. This would take place pre-construction and measures such as parking time restrictions could be required in the event that there is a concern.
142. Regarding the proposed access closure, the LHA has requested an informative in the event that the application is approved, for any subsequent decision notice advising that the footway is to be fully reinstated.
143. To prevent multiple bins being left on the footway on collection days it is also requested a bin collection storage area is provided within 10m of the proposed new vehicle access for the cottages. The Waste Management Team has been consulted and seek further information regarding the proposed bin storage and additional information is sought regarding the proposed coffee bar use. A condition requiring a waste strategy is therefore recommended in the event that planning permission is granted.
144. The LHA has suggested the developer may want to reconsider the proposed internal pedestrian provision for access/egress to Wood Lane, the apartment building, and the parking spaces, particularly when taking into consideration the nature of the development and the potential needs and limitations of future residents. Again, this could be dealt with via condition for a revised parking layout.
145. In summary, whilst there are no objections in principle on highway grounds to the proposals, the LHA seeks clarification from the developer for the proposed number of cycle spaces and secure storage arrangements and a revised parking layout is required to provide accessibility parking spaces.

TREES AND ECOLOGY

146. The proposed development would result in the demolition of the existing building and the clearance of the site including the loss of the existing pub garden (old Bowling Green), trees and shrubs. The principle of the loss of the bowling green is considered in other sections of this report.

147. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.
148. Paragraph 180 d) of the NPPF states "*opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*"
149. The NPPF is clear that the creation of well-designed places is also dependent on the incorporation of appropriate and effective landscaping (paragraph 139). This is reinforced by the NDG which recognises that good design involves careful attention being paid to the hard and soft landscape. The importance of quality landscape treatment in all new development proposals is further acknowledged by the Trafford Core Strategy. Policy L7 requires new development to enhance the street scene and character of an area, and this includes consideration of hard and soft landscaping, the policy states.
150. There is a further policy requirement within the Core Strategy regarding the provision of on-site planting in particular. This is covered by both Policy L8 (Planning Obligations) and Policy R3 (Green Infrastructure), and is complemented by SPD1: Planning Obligations. The general principles of Policy L8 are in accordance with NPPF and L8.1 is up to date. Policy R3 is considered to be compliant with NPPF and therefore up to date. Policy R3 explains that new development will be expected to contribute on an appropriate scale to the provision of 'green infrastructure'. The aim is for a multifunctional network of green spaces, delivering benefits for people, the economy and the environment, to be delivered across Trafford, it is continued. SPD1 differentiates between 'specific' and 'spatial' green infrastructure. Specific Green Infrastructure could include tree or hedgerow planting but could also cover green roofs, green walls or forms of sustainable drainage. The scale of provision should be tailored to the details of the proposal since the intention is that it would mitigate specific issues in that area. This could include the effects of urban heat or of air and water pollution, or to address local surface water management needs or ecological impacts, it is explained. Specific Green Infrastructure is required to be incorporated in almost all development proposals. A Landscaping Strategy has been submitted with the application but further planting detail would be required at condition stage should planning permission be granted. It is considered that the retained trees will be protected and impact minimised as long as the advice regarding their protection within the report is followed. A contribution to Spatial Green Infrastructure would be collected by way of a CIL contribution.
151. The site is not within a Conservation Area nor are there any Tree Preservation Orders covering it. The tree population is mostly confined to the eastern and

southern boundaries and also within the interior to demarcate the bowling green. Arboricultural value ranges from low to moderate and there are no 'stand out' tree features.

152. The appellant has submitted an Arboricultural Impact Assessment which states 5 individual trees and three groups of trees are to be removed to facilitate the development. The majority of these are of low value and can be replaced within a landscaping scheme. The only tree to be removed which has moderate value is tree T1 a silver birch on the Wood Lane boundary in the south western corner of the site. Its removal will not significantly impact upon the local visual amenity and the Council's Arboriculturist raises no objection to the removal of this and other trees and groups as long as they are adequately mitigated for within a landscaping scheme.
153. In recognition of the proposed demolition of the existing building, the application submission includes a Preliminary Ecological Appraisal and Bat Survey.
154. The developer's ecological consultant identified no significant ecological issues. Issues relating to bats, nesting birds and biodiversity enhancement measures can be resolved via condition and or informative.
155. The site currently has very low ecological value, primarily hard standing and buildings, with the old bowling green. The main features of ecological value are the trees and shrubs dotted around the site and the associated bird nesting habitat. The proposed layout has a similar balance of hardstanding and amenity areas, (probably a slight increase in soft landscaping). It is therefore considered that on-site mitigation can be achieved for the trees and shrubs that are to be removed and the associated bird nesting habitat. The indicative layout is satisfactory from an ecological perspective subject to a condition relating to the provision of bird boxes on the new build.
156. Overall, it is considered that the proposal would not result in material harm to biodiversity interests, subject to suitable safeguards to be achieved via recommended conditions and informatives.

FLOOD RISK, DRAINAGE AND CONTAMINATION

157. 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 measure can be put in place."*
158. The Council's Pollution and Licensing section have been consulted and reviewed the submitted contaminated land site investigation report. The results of the ground investigation have confirmed that there are pollutant linkages present on site relating to contamination which would adversely affect future site users and require remediation works to be undertaken. However, the ground investigation undertaken has mostly focused on locations around the perimeter of the site and

has not covered the footprint of the current building in place or the beer garden area. To fully investigate the presence of contamination across the site additional site works will be required to cover these areas. This requirement should not prevent development in the event that the application is approved, subject to appropriately worded conditions relating to supplementary site investigation and risk assessment, remediation strategy and verification report.

159. Policy L5 also states that “the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location.” NPPF paragraph 167 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.
160. A Flood Risk Assessment and Drainage Management Plan has been submitted with the application and reviewed by the Lead Local Flood Authority. It is considered that the proposed development will only be acceptable if conditioned to be carried out in accordance with the FRA as detailed within the full consultation comments received.

CRIME PREVENTION

161. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that development proposals create places that are safe, and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience. These objectives are supported by Policy L7 of the Core Strategy which requires applicants to demonstrate that a proposed development would help to create a safe environment and reduce the potential for crime. A supplementary planning document (PG24: Crime and Security) further develops these principles.
162. The submitted Design and Access Statement includes a section on safety, security and crime impact (section 6.3). This has not been prepared in conjunction with Greater Manchester Police as advised in the Council’s Validation Checklist and does not refer to specific Police approved products and standards. Nevertheless, it is considered that this detail could be agreed by way of an appropriately worded condition in the event that planning permission is granted.

OTHER MATTERS

Equalities:

163. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term ‘protected characteristics’, which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment,

marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

164. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The quality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:
 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
165. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.
166. The appellant has failed to provide a statement to demonstrate that this has been considered and matters of equality have been appropriately addressed. Of particular note is that although parking is provided for mobility scooters and the scheme has been designed with level access throughout, there is an absence of any accessible parking spaces within the proposed car park.

Engagement with the Local Planning Authority

167. Paragraph 38 of NPPPF advises that [Local Authorities] should "work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area." Pre-application enquiries were received and dealt with by the planning department in 2019 and 2020 for proposed care home developments on the site. These were not submitted by Churchill who have not engaged in any pre-application discussions with the Council.
168. Members are advised that there was no pre-application engagement with the Council prior to the submission of this application and whilst a number of issues have been raised with the appellant during the course of this application through consultation responses, case officer emails and officer meetings, the only revisions made relate to the reduction of 3 units as set out in the proposals section of this report.

Inaccurate Plans

169. Representations received state that the submitted plans are inaccurate in relation to surrounding sites and neighbouring properties. Notwithstanding this, site visits have been carried out and an assessment made against all existing relationships

DEVELOPER CONTRIBUTIONS

Affordable Housing

170. Core Strategy Policy L2, L8 and Revised SPD1 state that in respect of all qualifying development proposals, appropriate provision should be made to meeting the identified need for affordable housing. In order to take into account current issues relating to viability the Borough is split into 3 broad market locations with the application site falling into the “hot” market location. In hot market locations, and in good market conditions, there is a requirement for 45% affordable housing.
171. Policy L2 indicates that the expected delivery method for affordable housing is on site. The appellant has not sought to provide any affordable units on site, citing the service charge and achieving sustainable long-term management arrangements on site would make it unfeasible for Registered Providers to manage its proportion of units on site. Notwithstanding this, the appellant has failed to demonstrate that they have investigated options for providing on-site affordable housing and no evidence of discussions with registered providers has been submitted.
172. A “Report on Affordable Housing and Viability” dated September 2021 is submitted with the application. The document seeks to assess what the policy compliant commuted sum in-lieu of on-site provision of affordable housing should equate to. The conclusion of this document is the figure of £415,737.
173. The approach that has been followed by the appellant does not follow the Council’s adopted policy in the form of Core Strategy or the Planning Obligations SPD (2014) and is wrong on the following counts:
 - The appellant has considered a 40% affordable housing provision however under good market conditions in a hot market location, the policy compliant affordable housing requirement is 45%.
 - The appellant has failed to use the formula in SPD1 to calculate the equivalent commuted sum.
 -
174. Adopting the applicant’s assumptions and the methodology set out in the Planning Obligations SPD the commuted sum would equate to £4,447,018, thus there is a shortfall of £4,031,281 in the contribution offered.
175. In conclusion, the submitted Viability Appraisal is not robust and uses incorrect methodology resulting in a significant shortfall. Notwithstanding this, the Council’s consultants consider that the outcome of the appraisal based on a 40% provision shows that the scheme is eminently viable when delivering affordable housing on site.

176. In summary, the proposed off-site affordable housing contribution is not justified and even in the event that it were, the proposed commuted sum offered is insufficient.

Other Contributions:

177. The proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
178. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached.

PLANNING BALANCE AND CONCLUSION

179. Section 38(6) of the Planning and Compensation Act 1991 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
180. Section 38(6) of the Planning and Compensation Act 1991 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
181. This Council cannot demonstrate a five year housing land supply and the tilted planning balance applies. This means that planning permission should be granted unless either NPPF paragraph 11d(i) or NPPF paragraph 11d(ii) applies.
182. Paragraph 11d(i) is not relevant in this case since there is no clear reason for refusing the development proposed when having regard to the application of NPPF policies which seek to protect areas or assets of particular importance. An assessment of the proposal under paragraph 11dii is therefore required - the benefits of the proposal therefore need to be weighed against the adverse impacts.

Scheme benefits

183. It is accepted that the development would deliver some important benefits, principally the provision of 68 homes which is a moderate number but would nonetheless contribute in a meaningful and positive way to the Council's housing land supply shortfall. That being the case, Trafford's deliverable supply has considerably improved in recent months and is now much closer to the important

five year mark. The provision of retirement properties would also address a specific housing need, although the introduction of a non-age restricted development would have maximised its ability to address variations in housing needs. There is no affordable offer on site, although a commuted sum is proposed, however this has not been agreed in principle or in figure.

184. It is noted that within the applicant's submission they have sought to quantify the benefits of the proposal and assign weight to them. In addition to the social benefits (to which the appellant attaches substantial weight), economic benefits (to which the appellant attaches substantial weight) and environmental benefits (to which the appellant attaches moderate weight), the appellant has given significant weight to the provision of housing for older people, along with substantial weight for the provision of 68 market homes, freeing up under occupied local housing, development of previously developed land and development in a sustainable location, assigning moderate weight to efficient use of land.
185. The economic benefits are outlined as, savings to healthcare from improved living conditions, increased spending within the local economy, freeing up of property to provide further buoyance to the property market and delivery of some jobs during the construction phase, and could also support other construction-led posts through investment in local supply chains. The environmental benefits are detailed as making best use of a brownfield site, providing homes close to services, reducing the need to travel, providing shared facilities in one building making efficient use of materials and energy, reduced co2 emissions through use of solar panels (although these aren't shown on any of the submitted plans) and use of low energy fittings. Finally the social benefits are stated predominately as arising from the living standards provided by the development and the community that arises from retirement living complexes.
186. The benefits outlined assume the acceptability of the loss of the existing building and use, something officers consider to be unjustified in this case. Notwithstanding this matter it is accepted that substantial weight should be afforded to the provision of new housing and homes for older people given the Council do not currently have a 5 year housing land supply and local need for older persons' accommodation. Although there would be some benefit from the commuted sum offered towards affordable housing, this is limited given that the provision would not be policy compliant as it would a) be off site and b) the commuted sum would not equate to anywhere close to a policy compliant level of affordable housing.
187. Whilst the site is partially brownfield land the old bowling green remains as greenfield and therefore the weight afforded to previously development land is considered to be limited/moderate. Equally whilst the location is considered a sustainable location, it still has limited services/facilities nearby and as such this benefit is considered to be moderate. Furthermore given the conclusion of the

scale and design of the proposal, and the loss of the non-designated heritage asset, limited weight is afforded to efficient use of land.

188. In regards to release of local housing from people moving to the proposed development, this can only be given limited weight given that whilst there may be reasonable restrictions on age of occupants there is no existing geographical restrictions on those purchasing the proposed units. For the wider social benefits of older people living together on a complex and the social interactions this brings, considerable weight is afforded.
189. The environmental benefits are considered limited because as detailed above whilst the site is partially previously developed land, the proposal would build on the old bowling green and to a scale that is considered harmful. Furthermore no energy statement or details of the solar panels or energy efficiency of the scheme are provided. Whilst all units are independent and whilst there are some shared facilities, this is limited. Also as noted above whilst a sustainable location there are limited services and facilities within easy walking distance which means that occupants will still need to travel.
190. Overall the economic benefits are afforded moderate weight, because whilst substantial weight is given to the NHS savings identified there is limited weight afforded to job creation. Whilst a number of constructions jobs are identified, by their nature these jobs are temporary. The submitted planning statement states that the Hare & Hounds currently has 10 staff members, whilst the proposal would create 3.3 jobs on site, therefore resulting in a net loss. Furthermore it is disputed that this development of 68 units would result in 3.2 permanent jobs on the local high street from increased shopping demand, given that shopping offering in the immediate locality is limited, shopping is likely to take place in the centres of Timperley and Altrincham where the demand from the proposal would be absorbed.

Scheme Harms

191. There are six main harms stemming from the proposal: The loss of the existing public house; the total and irreversible loss of the non-designated heritage asset; the scale and design of the proposal; the inadequate level of external amenity space provided for future residents; the potential noise impacts on occupiers of the new development; the lack of a policy compliant level of affordable housing which the appellant has not demonstrated could be provided on site.
192. The existing public house is operational and there is no detail within the submission to indicate that the pub is no longer viable as a functioning community facility. The loss of this historic and functioning public house, which provides an important community facility is therefore considered unjustified and will result in severe harm, giving consideration to paragraph 93 of the NPPF.

193. The loss of the public house, which is considered a non-designated heritage asset would result in severe harm through the total loss of significance of the heritage asset to which substantial weight is attached.
194. The development, by virtue of its design, layout, scale, form, and appearance would appear cramped and out of character with the surrounding area. The development is contrary Policy L7, the NPPF and the NDG. Substantial weight is attached to this harm.
195. As a result of the lack of an appropriate level of external amenity space, the proposed development would not provide an appropriate standard of amenity for prospective occupiers - a consequence of the overdevelopment of the site. In this regard the proposal is contrary to Policy L7, PG1 and the NPPF. Substantial weight is attached to this harm.
196. The appellant has not provided a robust Financial Viability Appraisal to demonstrate that the scheme cannot support a policy compliant level of affordable housing, with no justification for an off-site commuted sum rather than on site provision. Substantial weight is attached to this harm.
197. Additional harm has been identified in respect of the loss of the protected open space on site and the failure of the applicant to identify suitable mitigation through an off-site contribution. Moderate weight is attached to this harm.
198. The proposed development does not provide a policy compliant level of on-site or off-site spatial green infrastructure (open space) or specific green infrastructure (tree planting). Moderate weight is attached to this harm.
199. The proposed development is not considered to provide an appropriate level of off-street car parking. Whilst the level of harm is not considered to be of an order that would initiate a highways reason for refusal (under the test at paragraph 111 and with reference to Policy L4), nonetheless the proposal is likely to exacerbate an existing highways problem, and this adds to the harms resulting from the proposed development.
200. The proposed development does not provide any disabled parking provision. Whilst it may be possible to revise the site layout to accommodate an appropriate level of provision – thereby not warranting a reason for refusal in itself - this is likely to further reduce the level of external amenity space within the site. Again, this adds to the harms resulting from the proposed development and is given moderate weight.
201. At present, with the information submitted with the application, officers also have significant concern about the noise levels experienced by occupants of the new development. This is a matter which may be able to be addressed before the inquiry opens, and it is hoped the appellant would be co-operative in this regard.

Nevertheless, as it stands, officers must maintain an objection and it forms a reason for refusal. Unaddressed, the noise issue carries moderate weight.

Conclusion

202. The harms that arise from the scheme generate a conflict with various development plan policies, as described in the report, and conflict with the development plan when taken as a whole. Other than in respect of housing, development plan policies are generally up to date, and where they are not the NPPF provides a robust framework for decision making along side them. This would indicate that the application should be refused.
203. The exercise under the tilted balance has also been carried out, and the several significant harms arising from the proposal significantly and demonstrably outweigh the benefits of the scheme, when tested against NPPF Paragraph 11(d)(ii), the tilted balance. This is even when giving substantial weight to the contribution the scheme would make to the Borough's housing land supply, in a situation where there is a shortfall below the 5 year requirement.
204. As such, it is recommended that Members resolve that they would have been minded to refuse the application, had they been able to determine it, for the reasons set out below.

RECOMMENDATION:

That Members would have been minded to **REFUSE** planning permission for the following reasons had they been able to determine the application:

1. The proposed development would lead to the total loss of a non-designated heritage asset which would have an adverse and irreversible impact on its significance. On balance, the benefits of the scheme would not outweigh the severe harm that would be caused to this non-designated heritage asset. As such the proposal is contrary to Policies L2 and R1 of the Trafford Core Strategy and the NPPF.
2. The proposed development would lead to the loss of a functioning public house as a local community facility, contrary to Paragraph 93 of the NPPF and the principles of sustainable development within it. In particular, the application fails to demonstrate that the existing public house is no longer viable.
3. The proposed development, by virtue of its design, scale, height, massing, siting and layout would result in a building which would be out of keeping with the character of the area. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy and the NPPF.

4. The proposed development fails to provide adequate private amenity space for the future occupiers. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy and the NPPF.
5. The proposed development would not provide a development plan policy compliant level of planning obligations in relation to affordable housing or open space provision. The appellant has failed to demonstrate that affordable housing cannot be provided on site or – if an off-site commuted sum is justified - that there is a robust viability case to demonstrate that the scheme could not offer a policy compliant level of affordable provision. The proposed development is therefore contrary to Policies L2 and L8 of the Trafford Core Strategy and the Council's adopted Revised Supplementary Planning Document 1 (SPD1) – Planning Obligations and the NPPF.
6. The appellant has failed to demonstrate that the proposal has fully considered and can appropriately mitigate the impact of external noise sources on the amenity of future occupiers of the development. As such the proposal is contrary to Policies L5 and L7 of the Trafford Core Strategy and the NPPF.

JE
