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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 19 January 2023

Time: 6.30 pm

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

AGENDA

ITEM

5. ADDITIONAL INFORMATION REPORT

To consider the attached report of the Head of Planning and Development, tabled at the meeting.

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SARA TODD

Chief Executive

Membership of the Committee

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

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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Agenda Item 5

AGENDA ITEM 5

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 19th JANUARY 2023

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

1.0 INTRODUCTION

1.1 This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

1.2 Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

2.0 ITEM 4 – APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

REVISED ORDER OF AGENDA (SPEAKERS)

Part 1 Applications for Planning Permission					
Application	Site Address/Location of Development	Ward	Page	Speakers	
				Against	For
106156	Land At Trafford Park Road Trafford Park	Gorse Hill	1	✓	✓
107877	The Bowdon Hotel, 5 Langham Road, Bowdon, WA14 2HT	Bowdon	27	✓ Cllr Whetton	✓ Cllr Boyes
108723	16 Bowness Drive, Sale, M33 6WH	Ashton on Mersey	111		

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106156/FUL/21: Land At Trafford Park Road, Trafford Park

SPEAKER(S) AGAINST: Samuel Oliver
(Neighbour)

FOR: Tom Benson
(Agent)

Erection of waste reception, workshop and office buildings to facilitate a waste transfer station with associated parking and infrastructure.

CONSULTATIONS

Greater Manchester Minerals and Waste Unit – No objections. The proposal is in an area designated as suitable for waste uses within the adopted Waste Plan. As the proposal is for a waste use in a wider area identified for economic development, the Council should be satisfied that impacts on existing uses can be adequately controlled. Any impacts can and should be governed by the conditions proposed.

OBSERVATIONS

The applicant has submitted an amended plan for the proposed office and workshop building in order to show the inclusion of accessible toilets and the proposed mezzanine floor above the office, which would be used for storage. This building would therefore provide appropriate accessible facilities for staff and visitors to the site.

The applicant has also submitted additional plans that show the proposed buildings within the full context of the site, including the proposed open storage areas for hard-core, aggregate and fuel tanks, which would comprise of walls of interlocking concrete panels to a maximum height of 4m. The design and appearance of the proposed buildings and structures within the site are considered acceptable and in keeping with the industrial character of Trafford Park. The walls of interlocking concrete panels would be set back from the front boundary by over 40m, with many views from outside of the site obscured by the office and workshop building and the 3m high brick wall proposed along the front boundary of the site.

RECOMMENDATION

The recommendation remains unchanged, however as the applicant has submitted amended and additional plans as discussed above, condition 2 is amended to include these plans: -

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 2980-004-02, 2980-004-04 Rev D, 2980-004-05, 2980-004-06 Rev B, 2980-004-07, 2980-004-09 Rev B and 2980-004-10.

Reason: To clarify the permission, having regard to Policies L4, L5, L6, L7, L8 and W1 of the Trafford Core Strategy and the National Planning Policy Framework.

SPEAKER(S)

**AGAINST: Nick Lucas
(Neighbour)
Councillor Whetton**

**FOR: Phil Garner & Cath Fairhurst
(Agent)
Councillor Boyes**

APPLICANT'S SUBMISSION

Revised plans and further information/responses have been submitted in response to a number of outstanding matters identified in the main report and in the formal response to Council's Heritage and Urban Design Manager's formal response (appended to this report).

CONSULTATIONS

LHA – The applicant's response and revised tracking on the amended plan is noted, which has improved the refuse vehicle access. The proposed condition relating to cycle parking is also noted and the LHA have nothing else to add.

Pollution and Housing (Nuisance) – Recommend a number of conditions as set out below.

REPRESENTATIONS

A statement of objection has been submitted which in summary reiterates concerns that have been raised in previously submitted representations in relation to the proposed care home and which are summarised and considered in the main report.

A response to a document prepared by the applicant (and which has recently been circulated to Members by the applicant) has also been received. In summary this response is critical of the consultation and engagement carried out by the applicant and states that some of the claims made in the document are disingenuous and misleading. It states that the ASC service, local residents and others have submitted objections to the proposals that have been ignored by the developer and reaffirms representations previously submitted on the application; that the proposed care home is likely to destabilise the social care market in Trafford and cause problems for vulnerable people, for Trafford Council, and for the people of Trafford generally. The response also states that the applicant has falsely portrayed other care homes in Trafford as being sub-standard and non-compliant and "at extreme risk of closure". As set out in the main report, this assertion has been refuted by the ASC service. Concern has also been raised regarding support for the scheme from Altrincham Grammar School for Boys.

OBSERVATIONS

PROPOSED CARE HOME

The final sentence of paragraph 37 of the report incorrectly states that assertions made by the applicant in the preceding paragraph regarding Trafford care homes alters the ASC service's view regarding the need for additional care home beds. This sentence should read as follows: "*In summary the assertions made by the applicant do not alter the ASC service's view that additional care home beds are not needed in Trafford at this time*".

IMPACT ON HERITAGE ASSETS

The full comments of the Council's Heritage & Urban Design Manager and Historic England are appended to the Additional Information Report for information.

Further justification has been provided with regards the proposed demolition of the historic extensions to the rear of the Hydro in order to satisfy paragraph 200 of the NPPF, which requires clear and convincing justification for any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting). The applicant has advised that the existing rear buildings are comprised of cellular accommodation constructed in loadbearing masonry and would therefore not be suitable for conversion to form the main communal and amenity space for the care home. As the care home is accessed off Marlborough Road, and is 3 storeys high, it states the floor levels in the rear extension to the Hydro would not be compatible with the care home floor levels and accessible transition between the two would be very difficult to achieve. The response also states that replacing the inferior rear extensions with the much lower element of the care home amenity block will allow more of the rear of the original Hydro building to be exposed, which is of a higher quality. This further justification, together with the applicant's 'Supplementary Statement of Heritage Significance', is considered convincing justification for the demolition of the historic extensions and their replacement.

As summarised at paragraph 80 of the report, a number of concerns regarding some of the proposed alterations to the semi-detached villas have been raised with the applicant, including the proposed bricking up of an existing door and the removal of existing windows. The applicant has submitted revised drawings in response which now include retention of the door on the front elevation (which would be blocked up internally), amendments to windows to the central section on the rear elevation, confirmation that existing windows will be retained, made good and decorated, and an enlarged refuse store and amended doors. The proposed alterations to the villas are now considered acceptable and minimise the harm to the non-designated heritage asset.

A 'typical existing building spec' for works to the existing buildings has also been provided relating to existing external walls and architectural detailing, existing

windows and doors, existing roof tiles and existing chimneys and which is considered to be acceptable.

Other matters raised by Officers in relation to materials, finishes and details of specific elements of the proposed alterations to the existing buildings can be addressed through the submission of samples and full specifications and an additional condition to this effect is recommended below. For the new build elements of the scheme, samples and full specifications of all external materials will be required by Conditions 3 and 4 as set out in the main report. The applicant has acknowledged the concern regarding the use of grey doors/windows and that an alternative traditional colour scheme could be considered at discharge of conditions stage.

Additional conditions (as pre-empted at Condition 5 in the main report) are set out below in order to secure a contract for demolition, a method statement for the partial demolition of the existing buildings including a scheme for supporting the buildings, and requiring full specifications of materials and methods of repair, restoration and rebuilding of any external part of the retained buildings. These conditions are necessary to ensure that both the Hydro and villas will be supported and consolidated during the partial demolition and sufficient information is provided and suitable materials are used in their repair and restoration.

The report sets out at paragraph 95 a number of concerns in relation to some of the proposed boundary treatments, including the inclusion of railings to some of the external boundaries and close boarded fences to divide the rear gardens of the proposed townhouses. The applicant has acknowledged these concerns and confirmed that alternatives will be considered, such as green mesh fencing could be utilised behind planted hedges and planting used to divide the gardens. An annotated landscape plan has been provided identifying those areas where an alternative form of boundary treatment is proposed. As a revised landscape strategy plan and boundary treatment plan have not been submitted at this stage to reflect these amendments, a condition is necessary requiring the submission and approval of boundary treatment details prior to the commencement of development.

In response to comments regarding areas where additional landscaping is required, including to better screen the proposed sub-station, bin stores and car parking and where tarmac could be replaced by block paving, the annotated landscape plan identifies a number of amendments to the originally submitted proposals. The information provided on this plan, in conjunction with the details required by Condition 6 set out in the main report (requiring full details of hard and soft landscaping works to be submitted and approved), is considered sufficient to secure an acceptable landscape scheme for the site.

In Paragraph 97 of the main report, reference is made to a negligible level of harm to Hale Station Conservation Area. For the avoidance of doubt this also equates to less than substantial harm in NPPF terms.

An updated Tree and Hedge Planting Plan has been submitted which confirms that 62 no. new trees are proposed (an uplift from the 53 no. trees as referred to in the report).

The 'Heritage balance and conclusion' section of the report references the relevant paragraphs of the NPPF that relate to the assessment of the application in terms of impact on designated heritage assets (the Bowdon and Hale Station Conservation Areas). In addition, as the Hydro and semi-detached villas are non-designated heritage assets the application must be assessed against the requirements of paragraph 203 of the NPPF, which requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application. Paragraph 203 states that 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. As set out in the report, minor harm to the significance of the Hydro has been identified as a result of the proposed demolition of the late 19th / early 20th century additions to the rear and as a result of the proximity and scale of the proposed care home. Minor harm has also been identified to the villas as a result of the proximity of the proposed townhouses to this building. It is considered that the proposed re-use and refurbishment of these historic buildings and the reinstatement of a gap between them would enhance the non-designated heritage assets and their setting, and these are benefits of the scheme that would outweigh the scale of harm summarised above.

IMPACT ON RESIDENTIAL AMENITY

Comments from the Council's Pollution and Housing (Nuisance) section have been received in response to the submitted Noise Impact Assessment in respect of the proposed nursery and the AVO (acoustics ventilation and overheating) Assessment in respect of the proposed residential development and care home. The following additional conditions are recommended to address noise concerns:

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- The noise mitigation measures contained in the submitted Noise Impact Assessment shall be fully implemented, including ventilation design; wall and glazing systems; external amenity area proposals; noise from mechanical services equipment; indoor ambient noise levels within the nursery and the impact of the nursery; and submission of a verification report prior to occupation.
- Opening times of nursery restricted to between the hours of 0730 and 1830 Mondays to Fridays and no opening on Saturdays, Sundays or Bank holidays.
- Capacity of nursery limited to 95 children.
- Noise Management Plan for the operation and management of the nursery, to include name(s) of site supervisor; control and use of outside areas for play/activities; control of noise break out from within the building;

access and egress to and from the property; recording of complaints and responses; deliveries and collections to and from the property; and review of the NMP and submit a revised NMP if necessary.

- The number of children playing outside at any one time within the curtilage of the nursery shall not exceed 20 children and outdoor play sessions shall be operated in accordance with the approved Noise Management Plan.
- Outdoor play sessions shall be restricted to between the hours of 09.00 and 11.00 and 12.30 and 15.30 on a daily basis.
- The noise barrier recommended in the submitted Noise Impact Assessment shall be fully installed and maintained in good working order.
- No music, speakers or noise making activities shall be permitted to any external areas of the nursery site.

For the avoidance of doubt the proposed development is not considered to adversely impact on Altrincham Grammar School for Boys in terms of overshadowing, overlooking or in any other way that would affect the operation of the school.

HIGHWAY MATTERS

The report sets out at paragraph 156 concerns with the location of accessible parking spaces for the proposed care home and that a further accessible space for the proposed day nursery should be provided to meet the standards. In response the applicant has advised that there are three spaces next to each other for both the care home and the day nursery. This is confirmed on the latest site layout plan.

The report at paragraphs 157-159 sets out that clarification and/or amendment of the proposed cycle parking arrangements is required. In response the applicant has advised that this can be dealt with by condition rather than sought to clarify these details at this stage. Condition 13 as recommended in the report will require submission and approval of a scheme for secure cycle storage prior to occupation of any building and this can ensure that the cycle parking for each part of the development is in accordance with the standards set out in SPD3 and provided in an appropriate location. The LHA note the proposed condition and have nothing else to add. It is also recommended that Condition 13 is amended to include a requirement for motorcycle parking to be provided. It is considered there is sufficient space available within the site to accommodate both cycle and motorcycle parking in accordance with the Council's standards.

The report sets out at paragraph 162 concerns with the proposed servicing arrangements, including that the swept path analysis is extremely tight and a revised refuse strategy should be considered. Paragraph 217 of the report also advises that the Waste Management Team had concerns over the bin store arrangements for the proposed apartments. In response the applicant has amended one of the parking spaces to allow a large refuse vehicle more space. The LHA accept the revised tracking on the amended plan, which has improved the refuse vehicle access. No further comments have been received from the

Waste Management Team and given their original comments as set out in the main report and to ensure that the proposed collection arrangements for all elements of the scheme operate effectively, a condition is recommended requiring the submission and approval of a Waste Management Strategy and which should include full details of all bin stores and the arrangements for collection.

PROTECTED SPECIES

Paragraph 181 of the main report indicates that a Bat Mitigation Licence will need to be issued by Natural England before works that might affect bats can be undertaken on site.

A Licence cannot be issued under the terms of the Habitats Regulations unless Natural England are satisfied that –

1. There is no feasible alternative solution that would be less damaging or avoid damage to the site.
2. The proposal needs to be carried out for imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

These are known as the three derogation tests, and must be applied to the proposed development. Attaching a condition requiring the developer to forward a licence to the LPA is not sufficient to engage with the Habitats Directive.

In relation to the tests, it is considered that the proposed works will have to be undertaken to the roofs of the main hotel buildings in order to allow for their upkeep, repair, alteration and conversion to their new uses. It is set out in the Planning Balance section of the main report that the scheme will deliver a number of public benefits including bringing the site and buildings back into a viable use, delivering new housing, creating new jobs, and providing new tree planting. It is considered that these benefits constitute the imperative reasons of overriding public interest required in the second test. GMEU have made it clear that the submitted Bat Mitigation Strategy is acceptable and that provided the mitigation measures are followed in full, the favourable conservation status of bats would be maintained at this site.

It is therefore concluded that the three tests can be met and that there is no reason why Natural England should not conclude likewise and therefore issue an appropriate licence.

RECOMMENDATION

Amended conditions

Condition 2 updated to include the following amended drawings: -

- 3002 | 04 Rev B – Tree & Hedge Planting Plan
- LRB-CWA-BB-XX-DR-A-0300 Rev P5 – Block B – GA – Proposed LG – 2nd Floor Plans
- LRB-CWA-BB-XX-DR-A-0302 Rev P4 – Block B – GA – Proposed Elevations

Condition 13 amended as follows to include a requirement for details of motorcycle parking to be submitted and approved, in addition to cycle parking: -

No building hereby approved shall be occupied unless and until a scheme for secure cycle and motorcycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle and motorcycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

Additional conditions

1. No demolition or other works of site preparation shall take place (either inside or outside the buildings) unless and until a sub-contractor has been appointed for the works for the rebuilding and restoration of the buildings. The sub-contractor(s) shall be suitably qualified and experienced in the restoration of heritage assets, and approved by the Local Planning Authority (in consultation with Historic England, if necessary). No less than fourteen days before any demolition or site preparation works take place on site the Local Planning Authority shall be supplied with details of the sub-contractor(s) in writing. Should the approved firm be at any time be unable to complete the works, then an alternative shall first be agreed in writing by the Local Planning Authority.

Reason: To ensure provision is in place for the replacement building to be erected prior to the existing building being demolished, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

2. No development shall take place until a method statement and drawings for the partial demolition of the existing buildings has been submitted to and approved in writing by the Local Planning Authority. This should include the phasing, timeframe and method of demolition (whether by hand or mechanical demolition); a schedule of, and the tagging and storage of all salvaged materials to be re-used in the repair of the retained heritage assets on the Site and a scheme detailing adequate support and shelter to ensure the safety and stability of the building fabric identified to be retained throughout the phases of demolition and reconstruction. Such details shall include structural engineering drawings and/or a method statement as well as the consolidation of the exposed building walls and roof of the retained heritage assets on the Site (along with an appropriate timeframe for the completion of the works). The scheme for supporting the remaining buildings and retained for the duration of works as required and detailed within the agreed timeframe. The work shall be implemented fully in accordance with the approved method statement and engineering drawings.

Reason: To prevent total or partial collapse of walls in the interest of protecting the architectural and historic interest of the buildings, having regard to Policy R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework.

3. Notwithstanding the submitted information, no above-ground construction works shall take place unless and until samples and full specifications of materials and methods of the repair, restoration and rebuilding of any external part of the retained buildings and structures (including boundary walls) on the Site, hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials and shall be accompanied by either 1:5, 1:10 or 1:20 drawings where appropriate to demonstrate all detailing to be incorporated. All replacement windows and doors shall be confined to those incapable of repair. The samples shall include all window and door materials (including cills and thresholds), constructed panels of all proposed brickwork and stonework illustrating the type of joint, the type of bond and the colour of the mortar to be used, together with cast iron rainwater goods (including method of support, design and surface finish), conservation rooflights, ridges, eaves and verges, roof covering, which shall be natural slate and include coursing and method of affixment, insulation, roof structure, any associated leadwork to BS code, fenestration and brickwork recesses, all other architectural detailing including chimneystacks, cappings and pots and a colour scheme for all joinery on the buildings. All new windows and doors shall be constructed from solid timber and set back from the face of the building within a reveal by a minimum 100mm. The mouldings, timber sections, method of opening and associated furniture shall be of a traditional design and profile. Sample panels shall be available on site for inspection and shall be retained on

site for the duration of the build programme. Development shall be carried out in accordance with the approved details.

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

4. Notwithstanding the submitted plans, full details of all extractor vents, heater flues, soil and vent pipes, the position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt this includes communications and information technology servicing) to be installed on any external part of the retained buildings, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. No development shall take place until details of the type, siting, design and materials to be used in the construction of all boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the approved boundary treatments have been erected in accordance with the approved details. The submitted details shall have regard to the design intent expressed on the annotated landscape strategy drawing no. 3002-01 Rev A, received on 18 January 2023. The boundary treatments shall thereafter be retained.

Reason: To ensure that the boundary treatments are appropriate to their context and in order to ensure a satisfactory appearance in the interests of amenity having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No part of the development hereby approved shall be occupied or brought into use unless and until a Waste Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall include full details of all the bin storage areas and detail how the refuse and recycling bins shall be made available for collection on bin day and then how they will be returned to their approved storage area thereafter. The approved strategy shall be implemented and adhered to for the lifetime of the development.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities and in the interest of highway safety and

residential amenity, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

7. The proposed noise mitigation measures contained in the submitted report 'Noise impact assessment of a proposed development comprising residential dwellings, care home, and day nursery', report reference: 211211-R001A, dated 19 January 2022 prepared by ACA Acoustics Limited and subsequent noise reports relating to the site shall be fully implemented prior to the buildings being occupied. These shall include:
 - a. Ventilation design (as updated by the report 'AVO assessment of a proposed development comprising residential dwellings and a care home', report reference: 211211-R003 dated 07 November 2022, prepared by ACA Acoustics Limited)
 - b. Proposed wall and glazing systems
 - c. External amenity area proposals
 - d. Noise from the various mechanical services equipment (to ensure compliance with BS4142 condition forming part of this permission)
 - e. Indoor ambient noise levels within the nursery and the impact of the proposed nursery (as updated by the 'Noise impact assessment of a proposed nursery', report reference: 211211-R002 dated 07 November 2022, prepared by ACA Acoustics Limited).

Prior to the first occupation or bringing into use of any part of the development, a verification report shall be submitted for approval providing sufficient detailed information to demonstrate how the requirements of the mitigation measures referred to in this condition have been complied with. All mitigation measures required to comply with this condition shall be retained in good working order for the lifetime of the development.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

8. The children's day care nursery hereby approved shall not be open other than between the hours of 0730 and 1830 Mondays to Fridays, and not at all on Saturdays, Sundays or Bank or Public Holidays.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

9. The children's day care nursery hereby approved shall be limited to a capacity of 95 children at any one time.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

10. Prior to the children's day care nursery hereby approved being first brought into use, a Noise Management Plan for the operation and management of the nursery shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to the following:

- The name(s) of a site supervisor responsible for the site;
- The control and use of any outside areas for play/activities;
- The control of noise break out from within the building (e.g. music, parties, discos, dance classes, etc.);
- Access and egress to and from the property by children and parents;
- Recording of complaints and response to those complaints;
- Deliveries and collections to and from the property;
- The review of the approved Noise Management Plan and, if necessary, the submission and approval of a revised Noise Management Plan;
- Any other matters that are reasonably required by the Local Planning Authority.

Thereafter the children's day care nursery shall only operate in accordance with the approved Noise Management Plan.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

11. The number of children playing outside within the curtilage of the children's day care nursery hereby approved shall not exceed 20 children at any one time and outdoor play sessions shall be operated at all times in accordance with the approved Noise Management Plan.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

12. Outdoor play sessions at the children's day care nursery hereby approved shall be restricted so as they only take place between the hours of 09.00 and 11.00 and 12.30 to 15.30 on a daily basis.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

13. The noise barrier recommended in the submitted report 'Noise impact assessment of a proposed nursery', report reference: 211211-R002 dated 07 November 2022 prepared by ACA Acoustics Limited, shall be fully installed prior to the children's day care nursery hereby approved being

first brought into use and shall be maintained in good working order for the lifetime of the development.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

14. No amplified music shall be played on any external part of the children's day care nursery site hereby approved.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

Full consultation response from the Heritage and Urban Design Manager

Thank you for consulting me on the above application. I commented on proposals at pre-application stage and I have also discussed the proposals with the applicant during the course of this application. The main body of this response has also been included in the Committee Report. For completeness I have provided a formal response below. I also refer to the addendums received from Beardmore Urban on 22nd December 2022 & 4th January 2023. Where more information or additional plans are required this is highlighted in bold.

Significance of the affected heritage asset(s)

The large application site lies within Character Zone C 'early Victorian expansion' of the Bowdon Conservation Area. A section of the western boundary of Hale Station Conservation Area adjoins the northern part of the application site.

Bowdon Conservation Area is generally a residential area characterised by a variety of dwellings predominately dating from 19th century with smaller numbers of houses from 17th century or earlier and 20th century. These houses vary in architectural style and have been developed during various periods and this variety reflects the development of the area over time. The most characteristic material for large dwellings is cream brick however red brick is common on smaller properties with some examples of render and half timbering. There is a high level of architectural integrity and detail. It is the contribution of individual buildings as well as the space around them that defines the unique quality of the Conservation Area as a whole. Houses are set in spacious gardens, which are characterised by a variety of mature trees and shrubs. Boundaries are often defined by low sandstone walls with native hedging above which gives the area some unity. The plots are smaller closer to the historic core area with larger plots elsewhere. Because of the large front and/or back garden sizes of even the smaller house types, there is throughout a substantial impression in the street scene of trees and planting.

Character Zone C is defined as a large character zone and encompasses a variety of dwellings in terms of their size and style. The scale and massing within this character zone is larger than that of Character Zone B. The plot sizes are

larger and the height of the structures is greater, because of the 2 or 3 storeys and also the average height of the individual storeys. The historic character of Langham Road is defined by large Victorian villas sited in substantial and often sloping gardens. Several villas are designed in the Italianate style and constructed from 'white' Bowdon brick, blue slate, stone dressings and a high level of architectural detailing.

The significance of Hale Station Conservation Area derives from the rapid expansion of the village to an affluent suburb in the late 19th & early 20th centuries following the arrival of the railway in 1862. The station buildings provide a focus for the Conservation Area with a densely developed retail area along Ashley Road leading to a wealth of Victorian & Edwardian suburban villas designed in the Arts & Crafts style.

The predominate building material in the Conservation Area is Cheshire common brick often with sandstone, red brick or contrasting polychromatic detailing, roofs are pitched, clad with blue slate. Windows are painted timber and buildings are typically between two to three storeys in height.

Hale Station Conservation Area is subdivided into five character zones. Character Zone D- Urban Villas West encompasses the western end of Ashley Road and junction with Marlborough Road. Grafton House and Beaufort are sited on Marlborough Road adjacent to the application site and are identified as a positive contributor in SPD5.11 for the following reasons;

These two semi-detached villas are typical of the substantial houses seen elsewhere on the edges of the Conservation Area. They are built of brown brick with buff brick detailing and feature elevations articulated with canted bay windows and gables.

The Bowdon Hotel comprises of a number of buildings all of which are identified as positive contributors in SPD5.9a for the following reasons;

This dates from 1871 as Malvern House and was later known as the Hydro or Bowdon Hydropathic Establishment. It has a landmark quality and illustrates the historic development of the area despite the inappropriate modern extensions.

The application site occupies a prominent location in the Conservation Area, adjacent to the junction of Langham Road & Marlborough Road with key views along the former as the road gently curves to the west. Due to the sloping topography of the site towards the junction and also to Marlborough Road, the existing buildings are 3/4 storeys to the rear and visible from Hale Station Conservation Area. There are views of Grafton House and Beaufort, a pair of Cheshire interlocking semis [positive contributors], from Langham Road across the Site. Views out of Hale Station Conservation Area are possible from the junction with Ashley Road and Marlborough Road and also along the eastern boundary of the site taking in Langham Lea and Hawthorn Lea.

The Bowdon Hotel comprises of two heritage assets; former Bowdon Hydro (Malvern House) built in 1871 and a pair of typical Bowdon white brick semi-detached villas (Langham Lea and Hawthorn Lea) built in 1873. A large capped well exists to the rear, however the location is unknown. The Hydro was converted to Bowdon Hotel in the 1960s, bought by Noel White and Peter Swales, directors of Altrincham Football Club. In the 1970s the glazed veranda to the former hydro was replaced with extensions to the side and rear. The buildings were linked in the early 1990s and a health club established adjacent to Langham Road. Despite some alteration, both buildings retain their form and architectural detailing and contribute positively to the Bowdon Conservation Area and setting of Hale Station Conservation Area. A number of extensions to the rear of the Hydro date from the late 19th & early 20th centuries. Extensions added in the 1970s and 1990s are considered to be of no significance. The northern and western areas of the Site incorporate a large area of hardstanding which has been utilised as a surface car park to serve the Hotel. Notwithstanding the appearance of the car park, the spaciousness this provides contributes positively to the character of the Site.

A low brick wall with shaped stone coping which runs into a low coursed sandstone wall with hedging forms the western boundary of the site on Langham Road. Mature hedging and a grass verge with intermittent trees form the eastern boundary to the site. An area of green space with mature trees lies outside the application site and forms the junction with Langham Road and Marlborough Road. The open space provides an attractive setting to the Site and features prominently in views from the junction.

The former Hydro, Langham Lea & Hawthorn Lea are significant in terms of their aesthetic and historical illustrative value. The Hydro has greater significance due to its former use and establishment by Samuel Kenworthy who became a renowned hydropathist. There is potential to replace the existing 20th century extensions with more sympathetic additions which seek to improve the appearance of these buildings and their settings. There is also scope for some additional small scale development to replace the surface car park to the north. The proposed development should seek to introduce some soft landscaping and re-establish fragmented boundary treatment. Furthermore, the appearance of the Conservation Area derives from different, often revival styles using a limited palette of materials and this should be reflected in any proposed development here.

The application is accompanied by a Heritage Statement & Supplementary Statements undertaken by Beardmore Urban. The assessment provides a description of the Bowdon Hotel, wider Site and Bowdon Conservation Area. Several requests were made to the applicant to provide additional assessments in order to sufficiently address paras 194 & 195 NPPF. An addendum was provided on 22nd December 2022 assessing the significance and impact of the development on Hale Station Conservation Area & a further addendum assessing the contribution of the historic extensions to the Hydro on 4th January 2023. The applicant has concluded; *“The one claim that the late Victorian/Edwardian extensions of the Hydro have to significance in heritage terms is that they*

represent the continuation of that use into the twentieth century. Architecturally they are of (at best) modest design quality with nothing of note in terms of materials or detailing... they clearly detract from the appearance and architectural quality of the original by devaluing its balance and overall form, dominating it and visually threatening to overwhelm it. ...there is no obvious positive contribution from these later additions to the conservation area in terms of appearance since there is no obvious connection between the Hydro building facing Langham Road and the later elements that can only really be seen from Marlborough Road. Only anyone with anyone possessing prior knowledge that these structures were associated with the original”.

I disagree with the applicant in terms of their assessment and consider the historic extensions contribute to the aesthetic and historic significance of the positive contributor illustrating the expansion of the Hydro and Bowdon in the late 19th century and early 20th century. As defined in SPD 5.9, the unique quality of the Conservation Area as a whole is characterised by buildings which “vary in architectural style and have been developed during various periods and this variety reflects the development of the area over time”. Whilst it is acknowledged the extensions have been the subject of some alteration; the form, scale, proportions, architectural detailing and materiality is not uncommon in the Conservation Area. Furthermore, and for the aforementioned reasons, the extensions contribute to the significance of this building as a non-designated heritage asset. **The proposed demolition of these extensions should be adequately justified. Additionally, information will be required regarding the phasing of demolition and the proposed structural support and consolidation of the remaining historic buildings during the course of the development.**

Impact of the proposed development

The application seeks permission for a mixed use development including retention and extension of Hydro building to provide a 95 place children's day care nursery (Block D); erection of 51 bedroom care home (Block C); retention and conversion of 2 villas into 6 apartments (Blocks B&D); erection of 6 townhouses (Blocks A1 & A2 Plots 1-6); demolition of all other buildings and structures on site and provision of car parking, landscaping and associated works. Amended plans were received on 9th December 2022.

The redevelopment of Bowdon Hotel provides an opportunity to enhance the contribution the historic buildings and wider Site make to Bowdon and Hale Station Conservation Areas. The retention of the former Hydro building and also pair of semi- detached villas is welcomed. **More information will be required regarding the consolidation and restoration of these buildings including structural surveys.**

The demolition of the late 20th century extension which sits between the two heritage assets will greatly improve their settings and reinstate some of the historic urban grain. The removal of the 1970s extension and health club is also welcomed. The removal of the historic extensions rather than incorporating them into the redevelopment of the wider Site is considered harmful to the significance

of the positive contributor and this harm unjustified [para 200 NPPF]. The replacement development is considered in more detail below. The demolition of the historic extensions is also harmful to the significance of the NDHA [para 203 NPPF].

The proposed site plan (entrance level) divides the development into Plots 1-3; 4-6 & Blocks B-D. Each of these elements are discussed below in turn;

Plots 1-6

There is no objection in principle to the development of the northern area of the Site. Nevertheless, the increase in built form and reduction in spaciousness is a concern. In particular the size, scale, massing and siting of the town houses. The two blocks are positioned too close to one another and also Plots 4-6 leaves little visual separation to Block B. The impact of this, in conjunction with the massing and size of the blocks and reduction of spaciousness will result in harm to the setting of the positive contributor and the wider Conservation Area. Kinetic views along the curve of Langham Road will be potentially harmed as the siting of the blocks will result in the appearance of one unbroken line of development with no visual separation. Furthermore, existing views of Hale Station CA, including the positive contributor, will be restricted from Langham Road and the development will appear prominent in views from the junction looking southwards along Marlborough Road.

Amenity space is proposed at a lower level however this will incorporate retaining walls and staircases. **Further details should be sought regarding the appearance & layout of this space to ensure it is dominated by landscaping and that this sufficiently contributes to the street scene but also obscures any potential views to the car park and substation beyond.**

Discussion has taken place with the applicant to improve the appearance and style of the proposed townhouses. In particular the appearance of elevations has been improved with architectural detailing and incorporates a palette of traditional materials. The design has been revised and reflects the articulation and quality of the historic villas. However, I am not yet convinced by the terraces & balustrades to the rear elevation of Plots 4-6 which could result in a large and dominating addition to the rear elevation and more prominent at a higher level due to the sloping topography. **More details are required of these structures.**

The agreement of materials will be critical and should incorporate a traditional palette including natural stone, good quality brick for walling and chimneys, aluminium or cast iron rainwater goods, natural blue slate, decorative ridge tiles, moulded fascias, painted timber windows and doors, traditional eaves and verges, chimney pots and lead flashings. All joinery should have a painted rather than natural finish. An alternative colour scheme to grey would be welcomed such as black or green. The chimney design on the proposed elevations is preferable to the raised capping shown on the design intent drawings.

The introduction of 1.8m high fencing to separate the plots, retaining walls and railings on top of walls are not acceptable [policies 22 & 27 SPD 5.9a]. **The boundary treatment plan therefore needs revising.** Low brick walls or green screens would be more suitable to form the property boundaries. The introduction of railings on the northern, western and eastern boundaries are not acceptable.

Block B

The retention of Langham Lea & Hawthorn Lea is welcomed. As stated above, **details are required regarding the repair and restoration of historic fabric, this includes any proposed re-roofing, repair of architectural features etc. the works should be undertaken in accordance with SPD 5.9a policies 8-14.** The existing solid timber panelled door should be retained to the west elevation and not bricked up which appears an unsympathetic intervention on the proposed elevation. Existing windows should be repaired and retained and painted cream rather than white as should all external joinery and rainwater goods. Incorporating some landscaping to obscure the existing light wells and railing would be an improvement.

The removal of existing windows on the east elevation and replacement with a stair window is a concern and this should be revised to keep existing openings. Doors should be painted timber not aluminium and the canopy proposed in stone. The proposed boundary treatment to the car park to the rear is unclear.

Block C

It is acknowledged the removal of the late 19th & early 20th century extensions would reinstate the original plan form of the original Hydro building. Notwithstanding this proposed demolition, the application seeks permission to replace all extensions to the former Hydro with a 51 bedroom care home. The replacement of later 20th century additions in principle is welcomed. Nevertheless, the proposed building will result in a significant addition to the rear of the positive contributor & NDHA and a substantial development on the Site. The proposed care home is considerably larger than the historic extensions to the Hydro. The footprint, scale, siting, massing and height of the proposed development will impact on the appearance of the heritage assets and the wider character of the Conservation Area. The large footprint and linking to Block D does not reflect the fine urban grain of the existing historic villas, spaciousness of the Site or surrounding context. The height and massing of the proposed care home will result in the building dominating views along Marlborough Road and also looking westwards towards Langham Road. There is also concern regarding the visual impact of the proposal in between the two heritage assets and how this could harm the significant benefit of reinstating the space between the former Hydro and villas. Block C is considered to harm the significance of the positive contributor and wider Conservation Areas.

The applicant has made significant improvement in improving the detailing and palette of materials to the proposed care home. The use of painted timber windows would be preferable to aluminium; the incorporation of natural stone and slate is welcomed. There are still concerns regarding the continuous and

unrelenting eastern elevation and the impact this has on the massing of the building. The use of floor to ceiling glazing, glazed balconies and top opening windows also diminishes the appearance. **Samples of materials will be required along with details of the interface with the former Hydro and services such as the lift over run, ventilation and eaves and verges etc.**

Block D

The retention of the former Hydro and removal of late 20th century extensions is also welcomed. As stated above the proposed demolition of late 19th/early 20th century additions is a concern and considered harmful to the significance of the positive contributor & NDHA. **More information is required regarding the repair and restoration of the heritage asset, as per Block B, and how the structure will be supported and consolidated during the partial demolition. The submitted elevations provide little detail regarding the retention of existing windows and doors to the historic building.** There are no objections to the proposed nursery to the south elevation which will replace the existing health club. **Further details are required regarding the outdoor play space, any proposed balustrades and access ramp to the west elevation. Windows should be timber to complement the rest of the traditional palette of materials. The siting and appearance of any EV charging points needs careful thought.**

Boundary treatments, car parking, vehicular entrances, retaining walls & landscaping.

As discussed above there are concerns regarding proposed boundary treatments & retaining walls in particular the use of fences and railings. The substation will be prominent in views from Marlborough Road. Elevations are required of the structure and also the bin stores. The existing Site incorporates a significant area of parking along the western boundary and the northern area. The proposed arrangement improves the parking layout and incorporates a greater amount of landscaping. **A large area of parked cars will still be visible from Langham Road and Marlborough Road. A good quality palette of hard surface materials rather than tarmac will improve the appearance further as well as screening from hedging.**

Legislation, policy & guidance

In determining this application you should bear in mind the statutory duty of section 72 (1) of the Planning (Listed Building & Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

In addition the requirements of paragraphs 194, 195, 197, 199-200, 202 & 203 of the National Planning Policy Framework 2021; revised Historic Environment PPG and policies R1 & L7 of the Trafford Core Strategy 2012 apply.

The Planning (Listed Buildings & Conservation Areas) Act 1990 refers to the “preservation” or “enhancement” of the special architectural or historic interest of the heritage asset or its character and appearance. The NPPF sets out in Chapter 16 of the document decision-making policies using different terminology,

referring in particular to “conservation of significance”. It is important to note that “conservation” and “preservation” are concerned with the management of change in a way that sustains a heritage asset’s special interest or significance. However, “conservation” has the added dimension of taking opportunities to enhance significance where opportunities arise and where appropriate.

The particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) should be taken 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’ (Para 195).

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be’) (Para 199).

‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’ (Para 200).

Para 203. ‘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’.

Para 206. ‘Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably’.

Para 207. ‘Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole’.

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’ (Para 202).

Bowdon Conservation Area –Conservation area appraisal & managements plan
SPD 5.9&9a adopted July 2016

Guidance is also provided by;
Historic England GPA2 Managing Significance in Decision Taking in the Historic Environment
Historic England GPA3 The setting of Heritage Assets – (2nd edition 2017)

Position

Taking into account the heritage benefits of the scheme and the impact caused by the proposed development, it is considered the overall level of harm to the positive contributor, heritage assets and wider Bowdon Conservation is minor and therefore less than substantial. The harm to the setting of Hale Station Conservation Area is considered to be negligible.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199: NPPF). The applicant has not provided a clear and convincing justification for this harm as required by paragraph 200: NPPF. LPAs are also required to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal (para 195:NPPF). Where there is less than substantial harm this should be weighed against the public benefits of the proposal in accordance with 202:NPPF. The balancing exercise should be undertaken bearing in mind the statutory duty of Section 72 (1) of the Planning (Listed Building & Conservation Areas) Act 1990. 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 (para 203 NPPF).

Full consultation response from Historic England

Thank you for your letter of 23 November 2022 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Significance

The site is located within the Bowdon Conservation Area, a leafy suburban area which is characterised by its verdant nature, and by large, striking buildings. These are constructed in high quality materials and exhibit considerable architectural interest. Its character is also defined by the surviving legibility of its

historic evolution, charting its growth from a medieval village, through to its considerable expansion in the nineteenth century - spurred by the arrival of the railway network.

There are many fine individual residences across the conservation area, providing examples of a variety of architectural styles, some by well-respected Architects of the period. Red brick and white or buff brick with render and pebble dash are common materials across the area. Other housing is made up of a combination of large terraced houses, semi-detached and detached dwellings in large gardens behind low garden walls and often featuring mature trees and exotic planting.

The application site contains two attractive historic buildings which are of important visual and architectural interest and contribute positively to the understanding and appreciation of the areas evolution. The two buildings are of buff brick with red brick detailing under large articulated slate roofs. One building is a semi-detached villa comprising historically of two houses; the other building is a Victorian Hydro Building.

The historic buildings have unfortunately been linked by the introduction of a modern building and further extensions as part of the sites conversion to a hotel. As part of this conversion most of the rest of the site has been given over to hardstanding and car parking which has reduced the positive contribution the site makes to the significance of the conservation area.

Impact

The proposed redevelopment of the site seeks to demolish the link between the historic buildings and allow them to be read once more as separate entities. This would have a positive impact on their contribution to the conservation areas significance.

However, the site is proposed to be subject to a large amount of new development in the form of a new care home to the rear/east side of the site and a further two new units to the northern section of the site. The two units to the north have been modelled to read as two town houses of similar proportions as the Villa building. Though they will be subdivided to form a number of residential units. Since our previous comments which cited concern over the design of these buildings, amendments have been made to introduce some finer level details such as string bands and brick detailing.

The care home element continues to read as a large building, despite efforts to break it up with glazed links. Contemporary in appearance though respecting historic forms in terms of roof scape and general proportions. It does however, lack finer level detail and articulation which could help break up the mass and dominance further.

As stated previously, we consider that the designs of the new buildings lack the subtle and varied detailing of the historic buildings of the site and wider area. This

lack of detail is exacerbated by the scale of the buildings, in particular the care home element.

Policy

National policy relating to the conservation and enhancement of the historic environment is articulated in section 16 of the National Planning Policy Framework. These policies state that assets should be conserved in a manner appropriate to their significance (NPPF, 189) and that when considering the impact of a proposed development, great weight should be given to the asset's conservation (NPPF, 199).

Position

The redevelopment of the site could bring about improvements to the character and appearance of this section of the conservation area, principally through the removal of modern infill buildings, poor quality extensions and returning the two historic buildings to two separate buildings.

We note that some design amendments have been made to the two new town house elements which introduce some fine level architectural detailing. We consider that the care home element still presents itself as a very large building with limited detailing and articulation, which is made more apparent given its size leading to a very simplistic looking building which does not reflect the architectural quality of the wider conservation. Whilst some improvements have been made to the proposals, we consider the scheme as presented would lead to a low level of harm to the significance of the overall conservation area.

We advise that the Local Authority continues to negotiate on the above points. However, if minded to approve the scheme the Authority should ensure that they are satisfied that sufficient clear and convincing justification has been put forward and that the scheme secures sufficient public benefits to outweigh this harm.

Recommendation

Historic England has some concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs [insert para. numbers] of the NPPF.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there

are any material changes to the proposals, or you would like further advice, please contact us.

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108723/HHA/22: 16 Bowness Drive, Sale

OBSERVATIONS

It is noted that there is an error in the report in that the adjoining property is No. 14 Bowness Drive rather than No. 15. Therefore paragraphs 13 and 14 in the Residential Amenity section should refer to No. 14 rather than No. 15, although the assessment of impact remains exactly the same and, for the avoidance of doubt, the proposal would not result in any unacceptable impact on the residential amenity of No. 14 Bowness Drive.

RECOMMENDATION

The recommendation to Grant remains unchanged.

AGENDA ITEM 7 – ARTICLE 18 CONSULTATION FROM CHESHIRE EAST COUNCIL IN RELATION TO 22/0872M

REPRESENTATIONS

Bowdon Conservation Group has submitted an objection to Cheshire East Council (and which has been copied to Trafford Council) raising a number of concerns with the applicant's assessment of the retail impact and refuting a number of its assertions and conclusions. Bowdon Conservation Group request that their comments are taken into account by Cheshire East Council when assessing the application.

Councillor Jerrome has submitted the following comments on the proposal: -

The AA Route planner calculates the distance between Bowdon Roundabout and Altrincham Market as 2.2 miles and as a car journey that would take as little as 5 minutes. This shows just how close this proposal is to our local town centres and local conurbation. The Tatton Services website for the proposal clearly shows that this is a 'destination' as much as a service station and says it will bring: "local benefits to local people". The other Westmorland service stations at Tebay and Gloucester both sit some distance from local town centres and are situated in more isolated spots. Therefore, the Tatton Services is more likely to impact on our local town centres.

The cost of living crisis is hurting businesses as well as people generally. In the last few weeks Altrincham has seen a number of restaurants close as austerity, inflation and energy prices bite. There may be little resilience in our local economy, even a small difference could impact. Through our own town centre

regeneration and revitalisation the Council has worked hard to make Altrincham a 'destination' that people want to visit and return to. This has boosted the town and encouraged new businesses especially local independent traders. This proposal talks of hosting goods from '130 local suppliers within 30 miles and a further 70 regional suppliers within the North West region'. The proposal also highlights Gloucester as a case study which has 4 million visitors a year and the most visited tourist information site. It's hard not to conclude that this proposal will form a new destination that pulls visitors away from both Altrincham and a Hale town centre that is undergoing its own masterplan review.

This proposal states there will only be a 1% impact on local centres. It is difficult to gauge at where this figure comes from and how it relates to this proposal. The Retail Assessment by Tatton gets info from the Trafford Retail Study 2019, which is of course is pre-covid and arguably already out of date. Even so, it is very difficult to argue on grounds of impact on existing shopping centres. The impact will always be seen as relatively small, although at this particular time even a small impact could be significantly harmful. It might be worth mentioning that, according to the ONS, "Sales volumes fell by 2.4% in the three months to October 2022 when compared with the previous three months and that this continues the downward trend seen since summer 2021". Given rates of inflation, sales volume will be a more reliable measure of retail performance than sales value, and these figures indicate how fragile the retail sector is at the moment. Competition from the new MSA will not help local Trafford shopping centres.

The planning committee should really be asking whether this proposal should receive 'no objection' from Trafford Council in its consultation response. The evidence provided does not seem solid enough and local economy is facing a difficult few years. It seems wrong to not disaggregate the components of the Tatton Services proposal. This isn't just a conventional service station and is just as much a Farm Shop and Food Hall as well as a visitor destination and could pose harm to local town and village centres in Altrincham, Hale and Bowdon.

OBSERVATIONS

The main report concludes that the impact of the proposal on existing centres within Trafford would not be of a 'significant adverse' magnitude and that the proposal accords with the NPPF impact test.

The report recommends a condition to restrict the retail and leisure floorspace to ensure that the proposed development trades in practice in the broad manner suggested by the applicant in its submission. This should reflect the amount of retail and leisure floorspace in the applicant's submission and which is the basis on which Officers have assessed the proposal and concluded that the impact on town and other centres in Trafford would be acceptable. This floorspace is specified as 998 sq. m retail floorspace and 1,712 sq. m dining and servery floorspace and it is recommended that this is specified in the condition.

Following further discussion with the consultants advising the Council on the retail impact of the scheme, it is also considered that the condition should specify what is considered an appropriate proportion of retail floorspace that may be dedicated to convenience goods and comparison goods. This is in order to reflect the applicant's submission which suggests that the retail element comprises a farmshop and kitchen i.e. with a focus on food / convenience goods, whilst the sale of comparison goods would largely be an incidental part of the overall offer. This is the basis on which Officers have assessed the proposal and concluded that the impact on town and other centres in Trafford would be acceptable. As such it is considered it would be justified to limit the proportion of retail floorspace dedicated to comparison goods. This is in order to ensure a different type of retail offer is not subsequently provided which wouldn't necessarily comply with the guidance in the NPPF and DoT Circular 02/13 which states the primary function of roadside facilities should be to support the safety and welfare of the road user, and furthermore which hasn't been tested in terms of potential harm to existing centres in Trafford.

The application indicates that 998 sq. m of retail floorspace is to be provided but doesn't specify any proposed split between convenience and comparison goods. The applicant's Retail Policy Response does however, suggest that the turnover of the proposed comparison goods floorspace will be circa £1.0m by trading year 3 and that the convenience goods turnover will be £9.6m by trading year 3. Assuming similar comparison goods and convenience goods sales densities, this suggests that around 9% of the floorspace of the proposed farmshop will be dedicated to comparison goods. It is considered that up to 15% of the floorspace being dedicated to comparison goods would be an appropriate limit given this is close to how the scheme has been presented and would allow the applicant some degree of flexibility over its business model.

In response to the above the applicant's agent has advised that the proposal is not considered to be a destination in its own right and due to the nature of the detailed application, which sets out the floorspace, restrictions relating to retail floorspace are not considered to be necessary. For the reasons set out in the main report and above, Officers are satisfied that the condition recommended below is fully justified and would satisfy the 6 tests set out in national guidance. Ultimately it will be a matter for Cheshire East Council to decide whether or not to attach such a condition, should planning permission be granted.

RECOMMENDATION

Additional text to go with the recommended condition restricting the retail and leisure floorspace as follows:

Condition to restrict the retail and leisure floorspace to ensure that the proposed development trades in practice in the broad manner suggested by the applicant in its submission. Retail floorspace not to exceed 998 sq. m and dining and servery floorspace not to exceed 1,712 sq. m. In addition no more than 15% of the retail floorspace shall be dedicated to the sale of comparison goods.

AGENDA ITEM 8 – CIVIC QUARTER AREA ACTION PLAN – APPROVAL AND ADOPTION

This Additional Information Report regarding the CQAAP has been drafted to clarify paragraph 6.3 of the original officer report on the matter of legal challenge.

The Council's decision to adopt the CQAAP will be open to legal challenge, which is an unavoidable part of the plan-making process. There is nothing at this stage to indicate that adoption would be questioned via legal proceedings. The Council took all possible steps to minimise the risk of legal challenge, and the Inspector has concluded that the Council has complied with all legal and procedural requirements. Nonetheless, there will remain a six week period for legal challenge post the CQAAP's adoption.

RICHARD ROE, CORPORATE DIRECTOR, PLACE

FOR FURTHER INFORMATION PLEASE CONTACT:

Rebecca Coley, Head of Planning and Development, 1st Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH. Telephone 0161 912 3149