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TRAFFORD COUNCIL

AGENDA PAPERS MARKED 'TO FOLLOW' **PLANNING DEVELOPMENT CONTROL COMMITTEE**

Date: Thursday, 10 October 2013

Time: 6.30 pm

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

A G E N D A

PART I

ITEM

5. **APPLICATION FOR PLANNING PERMISSION 81258/FULL/2013 -
YOURLIFE MANAGEMENT SERVICES LTD - 44, 44A, 46 AND 48
CROFTS BANK ROAD, URMSTON M41 0UH**

To consider the attached report of the Head of Planning.

5

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors Mrs. V. Ward (Chairman), D. Bunting (Vice-Chairman), R. Chilton,
T. Fishwick, P. Gratrix, E.H. Malik, D. O'Sullivan, B. Sharp, B. Shaw, J. Smith, L. Walsh,
K. Weston and M. Whetton

Further Information

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Agenda Item 5

WARD: Urmston

81258/FULL/2013

DEPARTURE: No

DEMOLITION OF EXISTING DWELLINGHOUSES AND ERECTION OF FOUR STOREY BLOCK CONTAINING 51 UNITS OF EXTRA CARE ACCOMMODATION FOR THE ELDERLY, TOGETHER WITH ASSOCIATED LANDSCAPING, CAR PARKING PROVISION AND ALTERATIONS TO VEHICULAR ACCESS ONTO CROFTS BANK ROAD.

44, 44a, 46 and 48 Crofts Bank Road, Urmston, M41 0UH

APPLICANT: YourLife Management Services Ltd

AGENT: The Planning Bureau Ltd

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

SITE

The site consists of 4 residential plots, where two residential properties have already been demolished (46 and 48 Crofts Bank Road) and two existing properties are proposed for demolition (44 and 44a).

The site is immediately opposite Urmston town centre and Urmston police station and is located on the eastern side of Crofts Bank Road.

The site is surrounded by residential properties to the north, south and west.

PROPOSAL

This application has been submitted following a number of amendments undertaken to overcome previous concerns on planning application 80352/FULL/2013 (which was withdrawn on the 13th June 2013) which proposed a similar scheme of 51 units of extra care accommodation for the elderly and was recommended for refusal (reasons for refusal outline under the Planning History section of this report).

The changes undertaken by the applicant include as follows:-

Reason for refusal No.1 – The applicant has reduced the width of the front elevation by approximately 1.5m from 65.5m to 64m; the scheme also proposes the introduction of two glazed links from ground floor upwards to provide an identifiable break between the three distinct sections of building.

Reason for refusal No.2 – The applicant has moved the footprint of the building 1m from the boundary with 42 Crofts Bank Rd; provided a reduction in the width of the southern elevation facing 42 Crofts Bank Rd by 1m from 20m to 19m, which includes reducing the section which projects beyond the rear elevation of No.42 by 2m (now a 4m projection was previously 6m beyond the rear elevation of the outrigger at No.42) and introducing a hipped roof to reduce the bulk at the upper level from the previous half-hipped roof design.

Reason for refusal No.3 – The applicant has omitted the proposal to charge residents of the new development for parking permits to park on site.

This new application is submitted by YourLife Management Services Ltd – a management agent and care operator for McCarthy and Stone.

The proposed development is described as an extra care scheme providing 51 units where the care and support is provided through YourLife Management Services. The proposal is described as extra care housing providing purpose built, small units of accommodation for local elderly people.

The development comprises a 4 storey building accommodating 33 x one bedroom and 18 two bedroom units. The applicant's planning statement states that entry age for occupiers of the accommodation would be set at 70.

The development will have communal facilities including;

- Managers office
- Staff accommodation to allow for 24 hour assistance
- Residents lounge
- Restaurant
- Laundry
- Electric buggy battery charging store

DEVELOPMENT PLAN

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.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26th April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for new homes

L2 – Meeting Housing Needs

L4 – Sustainable Transport and Accessibility

L7 – Design
L8 – Planning Obligations

PROPOSALS MAP NOTATION

None

Site is opposite boundary to Urmston Town Centre.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None relevant

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

80352/FULL/2013 – Demolition of existing dwelling houses and erection of 4 storey block containing 51 units of extra care accommodation for the elderly, together with associated landscaping & car parking provision. – Application was recommended for refusal and withdrawn 20/06/2013 – Recommended reasons for refusal were as follows:-

1. The proposed development, by reason of its size, scale, height, depth and massing (and in particular the length of the front elevation to Crofts Bank Road) as well as the overall level of built development / hardstanding across the site, is considered to be out of character with the residential scale of the surrounding area and would not take the opportunities available to improve the character and quality of the area in this prominent location on the approach to the centre of Urmston. The proposed development would therefore have a detrimental impact on the visual appearance and character of the streetscene and the surrounding area. As such, the proposed development would be contrary to policy L7 of the Trafford Core Strategy as well as guidance contained within the Council's adopted Planning Guidelines, New Residential Development. Furthermore it is considered that the proposal would not be a sustainable form of development and would conflict with guidance contained in the NPPF.
2. The proposed development, by reason of its size, scale, height, depth and massing and its proximity to the boundary with the adjacent property No. 42 Crofts Bank Road, would result in an unacceptable over dominant and overbearing impact to that dwelling to the detriment of the amenity that the occupiers of that property could reasonably expect to enjoy. As such, the proposed development would be contrary to policy L7 of the Trafford Core Strategy and guidance contained within the Council's adopted Planning Guidelines, New Residential Development.

3. The proposed parking arrangements are considered to be unacceptable due to the proposed implementation of a resident's permit scheme which would lead to a likelihood of staff and visitors parking on neighbouring streets to the detriment of residential amenity. The proposed parking arrangements are therefore considered to be unacceptable and contrary to policies L4 and L7 of the Trafford Core Strategy.

H/66468 46-48 Crofts Bank Road

Demolition of two existing Victorian buildings and redevelopment of site to provide two no. four storey apartment blocks (providing total of 16 no. apartments) with associated car parking and landscaping. Creation of new vehicular access from Crofts Bank Road.

Refused on 11/05/2007 for the following reasons;

1. The proposed development by reason of its design, projection, scale, height and massing in close proximity to the common boundary with the adjoining properties, would result in a loss of privacy, appear intrusive and be unduly overbearing to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to the Council's Planning Guidelines: New Residential Development and to Proposals D1 and D3 of the Adopted Revised Trafford Unitary Development Plan.
2. The development by virtue of its poor design and external appearance would detract from the streetscene and character of the area. The proposal is therefore contrary to Proposals D1 and D3 of the Adopted Revised Trafford Unitary Development Plan and the Council's Approved Planning Guidelines: New Residential Development.
3. The proposed development by virtue of its siting, scale, mass, design and proposed boundary treatment would have a cramped appearance detracting from the character and appearance of the area generally. The proposed development is therefore contrary to Proposals D1 and D3 of the Adopted Revised Trafford Unitary Development Plan and the Council's Approved Planning Guidelines: New Residential Development
4. The design of the proposed access and car parking areas is unsatisfactory and would creating difficult manoeuvres within the site and prejudice the free and safe movement of traffic on the surrounding roads. As such the proposal is contrary to Policy D1 of the Adopted Revised Unitary Development Plan.

H/69616 46-48 Crofts Bank Road

Demolition of two existing Victorian buildings and redevelopment of site to provide one no. part three, part four storey apartment block (providing a total of 16 no. apartments) with associated car parking and landscaping. Creation of new vehicular access from Crofts Bank Road.

Refused on 24/09/2008 for the following reasons;

1. The proposed development by reason of its design, depth, height, and relationship to the common boundary and adjoining properties, would result in a loss of privacy and appear overbearing and intrusive to the detriment of the amenity that the adjoining occupants of Rose Leigh and 44a Crofts Bank Road could reasonably expect to enjoy. As such the proposal is contrary to the Council's Planning

Guidelines: New Residential Development and to Proposals D1 and D3 of the Revised Trafford Unitary Development Plan.

2. The proposed development, by reason of its layout, design and height would have a significantly overbearing impact on and result in serious overshadowing for future occupants within the development. As such the proposal is contrary to the Council's Planning Guidelines: New Residential Development and to Proposals D1 and D3 of the Revised Trafford Unitary Development Plan
3. The proposed development, due to an insufficient provision of car parking within the site and inadequate access arrangements would create difficult vehicular manoeuvres within the site and prejudice the free and safe movement of traffic on the surrounding highway. As such the proposal is contrary to Policy D1 of the Revised Unitary Development Plan.

APPLICANT'S SUBMISSION

A key issue for the determination of the application is the Use Class of the proposed accommodation and whether this falls within Use Class C2 – residential institutions or Use Class C3 – dwelling houses.

The applicant has included at Appendix One of the Planning Statement a statement regarding the extra care accommodation. This details that extra care accommodation is a form of accommodation that offers care and support to aged and frail people within their own home. The model of extra care facilities typically incorporates the extra facilities including restaurant, kitchen, lounge, and laundry and staff accommodation all under one roof with the most effective extra care schemes being for over 50 units in order to sustain the range of services. Extra Care Housing is stated to be a form of accommodation where individuals or couples have a self contained home, but where facilities are shared, such as lounges and restaurants and where care services and support are easily accessible.

In terms of the difference between extra care schemes and retirement schemes, the extra care schemes have larger units of accommodation in order to meet mobility requirements, communal facilities are more extensive and have a higher ratio of communal space per unit of accommodation.

The service charge for extra care schemes is set significantly higher than retirement schemes. Category II retirement housing service charge on average is stated to be approx. £30 - £40 per week for 1 and 2 bed flats, whilst the weekly charge for 1 and 2 bed units in extra care schemes is £95 - £115. The higher service charge covers 24 hour staffing, on site catering 365 days a year, separate dining room as well as lounge, domestic assistance, personal care support, on site storage for mobility scooters, maintenance and replacement of communal facilities and lifts.

The entry age is also stated as being higher for extra care accommodation compared to retirement housing and residents of extra care accommodation must meet the 'qualifying person criteria'.

The applicant refers to the CLG National Housing Strategy for an Ageing Society which encourages local authorities to consider the housing needs of older people as well as providing choice. The applicant states that extra care accommodation offers a housing choice to older people who are owner occupiers and states that for many it is the only viable alternative to institutional residential care.

The Planning Statement states that Assisted Living Extra Care Accommodation, in providing both 'care' and 'accommodation' is within the definition of Class C2 use in the Use Classes Order 'use for the provision of accommodation and care to people in need of care'. Accordingly an affordable housing contribution is not a requirement that arises from such a use and the applicant is willing to accept an appropriate condition to restrict the use to Class C2.

The applicant has submitted Counsel's opinion on this matter from a site in Portishead in relation to the C2 use class of extra care accommodation. The content of the Counsel's opinion is discussed in the observations section of the report.

In terms of the need for this type of accommodation, the applicant points to population trends which predict that by 2033, 23% of the population will be aged 65 and over. The applicant refers to information from the Office of National Statistics and states that in 2008 1.3 million people in the UK were 85 and over.

In relation to the local area, the applicant refers to the 2011 census which shows that for the Urmston Ward 17.23% of the total population of Urmston were of pensionable age and 9.31% of the Urmston population were aged 75 or over. The applicant states that both of these figures are higher than the average for England or Trafford. The applicant therefore considers that the provision of Extra Care Accommodation for the elderly will widen the housing choices for older persons from the Urmston area and will allow them to remain property owners.

The applicant points to the Trafford Housing Strategy 2009 – 2012 which recognises that there is a sustained need to deliver Extra Care Housing to meet the specific needs of those residents whose needs can no longer be met through their existing accommodation. The applicant refers to policy L2 of the Core Strategy which requires developers to demonstrate how proposals will be capable of meeting the long term needs of the boroughs older residents and which states that the Council will allow 4% of the overall housing land target to be developed as new housing for older persons households, suitable for a range of household circumstances, including 'extra care housing'.

CONSULTATIONS

Local Highway Authority - The provision of 17 car parking spaces for residents/visitors would be required in addition to resident staff parking and 3 disabled parking spaces. In addition 3 cycle parking spaces and 2 motorcycle parking spaces are required.

The cycle and motorcycle spaces should be provided in a secure arrangement that is useable for long stay and short stay visitors. The application states that two motorcycle spaces and an external bicycle stand are provided. From the plans submitted the LHA has been unable to ascertain where these spaces are located. These need to be increased to 3 spaces or an additional cycle parking stand provided within the car park area in addition to motorcycle parking with secure lockable points. These are essential as staff or visitors may choose to travel by these modes in addition to residents. It is noted that there is an internal scooter store with bicycle parking, however, this seems very small and it is unlikely that there is adequate space to store bicycles without blocking access to the store.

In terms of the car parking numbers and layout, the proposals includes 20 car parking spaces. The applicant has submitted a Transport Statement that states that that car park surveys have been undertaken at sites run by the developer.

The applicant states that travel packs are circulated to residents to encourage them to travel sustainably. In this application the applicant has removed the reference to 'sell parking permits' to residents, parking should be free to residents and visitors within the site car park otherwise this will cause parking on neighbouring streets to the detriment of residential disamenity. It is appreciated that visitors to the site may choose to park in the Sainsburys car park on the opposite side of Crofts Bank Road, however staff and residents will be restricted by the 3 hour limited waiting and therefore will choose to park on neighbouring residential roads if inadequate car parking is provided within the site.

The proposed access is realigned as part of the proposals and there is no objection to this. The applicants attention is drawn to the need to gain further approval from Trafford Councils Streetworks Section for the construction, removal or amendment of a pavement crossing under the provision of section 184 of the Highways Act 1980.

Further to the site layout there is no footway proposed into the car park and the landscaping plan does not make it clear how drivers will access their cars on foot from the building.

Limited details in regards to servicing and waste collection have been submitted with the application and therefore the LHA requests that this is clarified.

The applicant must also ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

Subject to adequate conditions for the provision of car parking, cycle parking, motorcycle parking, the removal of surplus dropped kerbs, servicing and prohibiting car parking spaces being sold within the site then there would be no objections on highways grounds.

Note:- The applicant has been advised of the LHA's comments and any amendments will be reported on the additional information report to committee.

Greater Manchester Ecology Unit – A phase 1 habitat survey, bat survey and reptile survey were supplied as part of the planning application. No significant ecological constraints were identified that could not be resolved via condition.

Phase 1 Survey – The phase 1 survey identified potential bird nesting habitat within the site. The following condition to be applied to any grant of planning permission:-

No vegetation clearance will occur between the 31st March and 31st August in any year unless agreed in writing by the LPA.

Reptile Survey - No evidence of reptiles was found. No further action required.

Bat Survey – The trees on site were assessed as low risk. The two remaining properties required emergence surveys. These found no evidence of bats utilising these buildings and identified only low levels of common pipistrelle in the vicinity. The properties have therefore been assessed as low risk and no further information is required. The recommendations of the bat survey to be conditioned and include provision of bat and bird boxes within the site and on the building; suitable planting/landscaping scheme to include native species; retain as many trees along the eastern boundary to maintain a dark corridor for commuting and foraging bats and provision of suitable lighting scheme to prevent light pollution into the garden areas.

United Utilities – No objection in principle, surface water should not be allowed to discharge to foul/combined sewer. Appropriate condition to be attached to that affect.

Electricity North West Ltd – No objection in principle – Advisory information provided for the applicant with regards health and safety around electricity infrastructure, this will be included as informative on any planning approval decision notice.

Pollution and Licensing – No comments at time of report preparation – Comments to be reported on the additional information sheet

REPRESENTATIONS

Cllr Procter has requested to speak against the application on behalf of local residents

Neighbours – Six letters of objection received regarding the proposal, points raised as follows:-

- Proposed scheme is too large and will overwhelm surrounding properties – previous concerns about size not taken into account.
- Traffic and pollution will increase
- Lack of parking spaces
- Developments proximity to traffic lights will cause chaos
- Will restrict light and cause overshadowing (occupants of 42 Crofts Bank Rd)
- Demolition of two attractive houses is a shame
- Emergency vehicles may not be able to access the site due to oversubscribed car-parking
- The sub-station within the site should be located nearer to the road and away from residencies
- Foxes which are pests may be forced from the site into neighbouring gardens
- Will result in overlooking and be overbearing (occupants of 7 Ellaston Drive)
- Security lighting will cause light pollution to garden (occupants of 7 Ellaston Drive)
- Site is being overdeveloped.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The site includes two vacant plots where former detached properties have now been demolished and cleared; the site also encompasses two existing detached properties and garden areas to the rear. As such, the site is part brownfield and part greenfield land in terms of the garden areas which it is considered are excluded from the definition of previously developed land. The principle of residential development on the site is considered consistent with previous uses of the site and with the surrounding area as the site lies opposite the boundary of Urmston Town Centre.
2. In terms of the redevelopment of the brownfield part of the site, this would potentially deliver accommodation which could contribute towards the housing land supply and would be in conformity with Policy L1 of the Core Strategy albeit specialist form of accommodation.

3. In relation to the part of the site which is garden land and classified as greenfield land this needs to be considered against policy L1.7 and L1.10. In terms of releasing sustainable greenfield land, policy L1.7 advises that this will be released in order of priority which in the case of the application site would be the third priority where land can be shown to benefit the achievement of the wider Plan objectives set out in the Core Strategy under Strategic Objectives and Place objectives.
4. The applicant has put forward evidence to support the classification of the accommodation within Use Class C2 – residential institutions rather than Use Class C3 – dwelling houses. This is discussed in the following section of the report. Policy L2.18 – Meeting Housing Needs, states that with specific reference to the ‘frail elderly’ of the Borough, the Council will seek to meet their needs through allowing 4% (approximately 500 units) of the overall housing land target to be developed as new housing for older person households, suitable for a range of household circumstances (tenure and type), including ‘extra care’ housing.
5. Therefore it is considered that the proposed development on the greenfield part of the site would be in accordance with policy L1.7 and policy L2.18 and development of the greenfield part of the site is integral to the redevelopment of the wider site and bringing redevelopment forward at least of the vacant part of the site. The acceptability of the proposal will therefore come down to detailed considerations regarding the development proposals.

THE USE CLASS OF THE PROPOSED “EXTRA CARE” ACCOMMODATION

6. On the matter of the use class of the proposed development, the applicant has provided a copy of Counsel’s opinion and officer reports from other LPA’s regarding other McCarthy and Stone applications. The applicant considers that the units would fall under Use Class C2 (residential institutions) of the Town and Country Planning Use Classes Order rather than C3 (dwelling houses). This is relevant to the Council’s consideration of whether affordable housing provision is required as well as spatial green infrastructure and education contributions for such a development.
7. Counsel’s opinion is provided on the matter from Paul Tucker QC in relation to an application in Portishead regarding the C2 use class of extra care accommodation. It is noted in the advice from Paul Tucker that the definition of use class C2 from the Use Classes Order includes a recognition that care can be provided within a C3 dwelling house and thus the provision of care itself is not decisive. The Counsel’s advice also notes that paragraph 73 of circular 03/05 states that sheltered housing developments will usually fall within the C3 Use Class. Para 63 of the circular notes that the characteristics of C2 use that sets them apart from C1 uses (hotel) and C3 (dwelling houses) are in the case of C1, the provision of personal care and treatment and in the case of C3, that the residents and staff do not form a single household.
8. It is noted that Article 2 of the Use Classes Order states that ‘care’ means personal care for people in need of such care by reason of old age, disablement.....’
9. The Counsel’s opinion goes on to state that the level of care which is provided must be more than de minimis for a use to be within class C2 and must accord with the definition of care in article 2 of the Use Classes Order.

10. The Portishead proposal which Paul Tucker QC's advice relates to included significant communal facilities (upwards of 25% of the floorspace) such that it was expected that much of the resident's day to day experience would be a communally lived life. Furthermore in the Portishead scheme, a minimal level of care would be provided to each resident and additional costs would be associated with the minimal level of care.
11. The applicant has provided a copy of a planning obligation for a similar development which requires that the development is managed by a domiciliary care provider (registered with Care Quality Commission) and at least one employee of the care provider is present at the site at all times, and an obligation to require higher than average service charges to cover the provision of care and the applicant is prepared to enter into such an obligation as part of the application at Crofts Bank Road.
12. The Portishead case to which the above Counsel's opinion relates was refused by North Somerset Council in Feb 2011 due to the issue of whether the application proposal fell within Use Class C2 or C3 and whether affordable housing was required. The appeal was allowed and the Inspector concluded in the decision letter dated October 2012 that the proposed use was a C2 use – residential institution. The Inspector concluded that the primary purpose of the building as a whole was to provide residential accommodation and care to people in need of care, as the care element is the reason people choose to live there, and is an integral part of everyday life. The Inspector went on to state that the whole of the building is used for residential accommodation with care to people in need of care, and thus falls within Class C2. It is considered that this is relevant to the consideration of the Crofts Bank Road proposals. Discussions are currently ongoing with the applicant with regards the similarity of the Portishead scheme with this particular proposal and whether it is reasonable to conclude that the proposed extra care accommodation at Crofts Bank Road would also constitute a C2 use and as such would not be required to provide affordable housing or contributions towards spatial green infrastructure, sports and recreation or education provision.

LAYOUT, SCALE OF DEVELOPMENT AND VISUAL AMENITY

13. Previous applications for 3 and 4 storey apartment developments on the site of 46 and 48 Crofts Bank Road have been refused for reasons of impact to residential amenity, impact on the character of the area and unsatisfactory access and parking arrangements as well as design considerations.
14. The development site now includes No's 44a and 44 Crofts Bank Road which are proposed to be demolished. No.44a is a more recent infill development to Crofts Bank Road circa 1960's and not of the same age and character as the other detached properties along Crofts Bank Road and it is not considered that it contributes to the character of the area significantly other than in a providing a sense of spaciousness. No. 44 however is an attractive late Edwardian property and although it does not benefit from any degree of protection to resist the loss of this property, it is considered that development on the site would need to take opportunities to improve the character and quality of the area in accordance with the NPPF, having regard to the positive contribution to the character of the area that No. 44 provides.
15. Although it is accepted in the previous section of the report that the proposal would constitute a C2 use, it is considered that guidance on new residential development set out in the Planning Guidelines for New Residential Development SPG is

relevant to the consideration of this application in terms of design, layout and scale. The SPG seeks to enhance the character and amenity of established residential areas. Para 2.4 discusses infilling development and advises this type of development will not be accepted at the expense of the amenity of the surrounding properties or the character of the surrounding area and goes on to advise that the resulting plot sizes and frontages should be sympathetic to the character of the area as well as being satisfactorily related to each other and the streetscene.

16. It is considered that an important design characteristic for the Crofts Bank Road site incorporating all 4 plots would be the provision of breaks within the streetscene to reflect the existing pattern of detached buildings. The applicant has attempted to break up the 64m frontage introducing two glazed links between the three distinct sections of building. These links are set approx. 9m back from the front elevation and extend from first floor upwards including a glazed roof, the ridge of which is set 1m below the ridge line of the main building ridge line. The glazed links are approx. 4.8m wide providing an acceptable degree of separation between the three main building blocks, on the previous scheme they measured approx. 2.5m wide. It is now considered that the greater separation distance provided between the three sections of building has contributed to reducing the massing of the building (which was a previous concern) to an acceptable level.
17. In relation to the design of the proposed development, the main elevation facing Crofts Bank Road is proposed to be constructed mainly in facing brickwork with contrasting plinth detail to ground floor. Gable features are proposed to each element of the block and three first and second floor rendered features beneath three of the gable features. The fenestration includes details such as French windows with balcony features, hanging bays and dormer window. This general approach is considered acceptable, however there a number of minor amendments which are still being discussed with the applicant and further information will be provided on the additional information report. The building has a staggered formation, but broadly follows the existing building line along this side of Crofts Bank Rd.

IMPACT TO RESIDENTIAL AMENITY

18. The proposed building steps down at the rear to 2 storey in the rear leg of the block closest to the boundary with residential properties on Ellaston Drive and only secondary windows are proposed in this elevation. The 2 storey part of the building would be 14.5m from the boundary with 6 and 7 Ellaston Drive at the closest point. This separation distance is considered to comply with the minimum separation distances recommended in the New Residential Development SPG which recommends a distance of 27m between habitable elevations across rear gardens.
19. Objections have been received on the basis of impact to the amenity of properties on Ellaston Drive as a result of the 4 storey building, however it is considered that the separation distance between the 4 storey block and these boundaries is sufficient to mitigate against an undue sense of enclosure and overbearing impact from the scale of development. The main 4 storey element of the scheme is at least 28m away from residential boundaries with properties on Dovedale Avenue and Ellaston Drive.
20. In terms of the relationship to Rose Leigh (apartments) to the north, the proposed development is separated by the provision of the access road and has a similar alignment to the front block of 1 to 12 Rose Leigh and is orientated away from the

rear elevation of 14 to 19 Rose Leigh. There are windows within the first and second floors of the side elevation of 1 to 12 Rose Leigh facing the northern elevation of the proposed development. The New Residential Development SPG recommends a separation of 15m for main elevations facing two storey gables plus 3m for additional storeys. The proposed scheme has a staggered footprint facing this building with distances of 12m (at the nearest point), 13.6m and 17m being retained between both buildings. Whilst the distance between both buildings does not fully meet the 15m guideline, the distances retained are considered acceptable in this particular context given the close proximity of 1 to 12 Rose Leigh to the shared boundary (retains 4.5m at the nearest point). The previous dwelling house at 44 Crofts Bank Road, although a two storey dwelling, it retained a distance of approximately 8.5m between buildings, this scheme would improve the distance between buildings. 1 – 12 Rose Leigh is a similar height to the proposed development, measuring approx. 13m in height.

21. On the northern elevation of the proposed building facing Rose-Leigh is a secondary lounge window to the lounge area of apartment 25 at first floor and apartment 38 at second floor, both these windows to be obscured glazed, at third floor is a faux-dormer with no windows (the kitchen area at third floor to apartment 49 is served by a rooflight).
22. No 42 Crofts Bank Road will be the closest residential property adjoining the southern boundary with the 4 storey block. There is habitable accommodation within the first floor and the roofspace of the two storey rear leg of the building which include windows directly facing the boundary with the garden of No. 42 Crofts Bank Road. However this part of the development is some 17m from the boundary with No. 42 and therefore it is considered that this meets the recommended distances within the Residential Development SPG and would therefore mitigate any loss of privacy.
23. The distance between the nearest part of south elevation of the building and the boundary with 42 Crofts Bank Rd has been increased by an additional 1m to now retain a distance of 3.4m. In terms of the 4 storey part of the main building adjacent to the boundary with No. 42 this projects back some 4m (previously 6m) past the closest part of the rear of No. 42, however the proposed development is set away from the boundary with No. 42 by some 5.4m (previously 4.6m). In addition the roof design now incorporates a fully hipped roof to reduce the bulk at the upper level. As such it is considered that the scale and proximity to the boundary with No. 42 is now acceptable with the increase in distance from the boundary and reduction in the section projecting beyond the rear elevation of No.42. A number of kitchen windows are proposed on the southern elevation facing towards No.42 and would not retain 10.5m to the shared boundary. These windows can be obscured glazed by condition as they are secondary windows forming part of an all through kitchen/lounge layout.
24. The car parking arrangements include just 2 spaces within close proximity to the boundary of 6 Ellaston Drive the comings and goings associated with these 2 spaces that are approx 2m away from this boundary (and include a landscape buffer zone) are not considered likely to result in an unacceptable level of disturbance to the garden area of No. 6 Ellaston Drive.
25. The parking arrangements include the access road and 6 parking spaces along the boundary with Rose Leigh to the north. There is a brick boundary wall along the boundary with Rose Leigh and 2 trees are proposed for retention. It is not

considered that the comings and goings associated with this access will result in significant levels of disturbance to the occupiers of Rose Leigh.

LANDSCAPING

26. There are considered to be few trees of merit within the curtilages of the properties forming the application site. However the Silver Birch tree identified as T17 on the tree survey, to the rear of No. 44a Crofts Bank Road is considered to be in good health although it is fully mature and considered to be reaching the end of its life within the next ten years and furthermore the stress of development is likely to have an adverse effect on this tree even if tree protection measures were in place. Therefore there are no objections to the removal of this tree subject to an appropriate replacement as part of the landscaping scheme.
27. Other trees of any amenity value are considered to be off site either on the highway or notably within the garden of Rose Leigh (T2, Lime and T3, Sycamore). The proposals will require removal of all woody vegetation within the site and therefore it is considered that the landscaping scheme would be required to be secured by condition. The application is submitted with a tree survey however it is considered that an Arboricultural Method Statement would be required should the scheme be acceptable detailing the construction of the proposed parking areas within the root protection areas of T2 and T3 (offsite).

HIGHWAYS

28. Based on the accommodation falling within Use Class C2 (residential institution) the proposals can meet the maximum parking provision recommended in the Core Strategy Parking Standards for 17 car parking spaces and 3 disabled bays. Therefore the maximum parking requirement of 20 spaces is provided within the scheme although it is considered that one of the parking spaces should be marked out as a third disabled bay.
29. Cycle parking standards for C2 uses require 1 space per 20 beds, and therefore 3 spaces plus 2 motorcycle spaces should be provided within the site. These standards cater for staff and visitors and it is considered that this matter could be dealt with by condition.

DEVELOPER CONTRIBUTIONS

30. On the basis that the proposed development would fall under Use Class C2, then The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below:

TDC category.	Gross required TDC for proposed development.	Contribution to be offset for existing building/use.	Net TDC required for proposed development.
Affordable Housing	0		0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£10,302.00	£310	£9,992.00

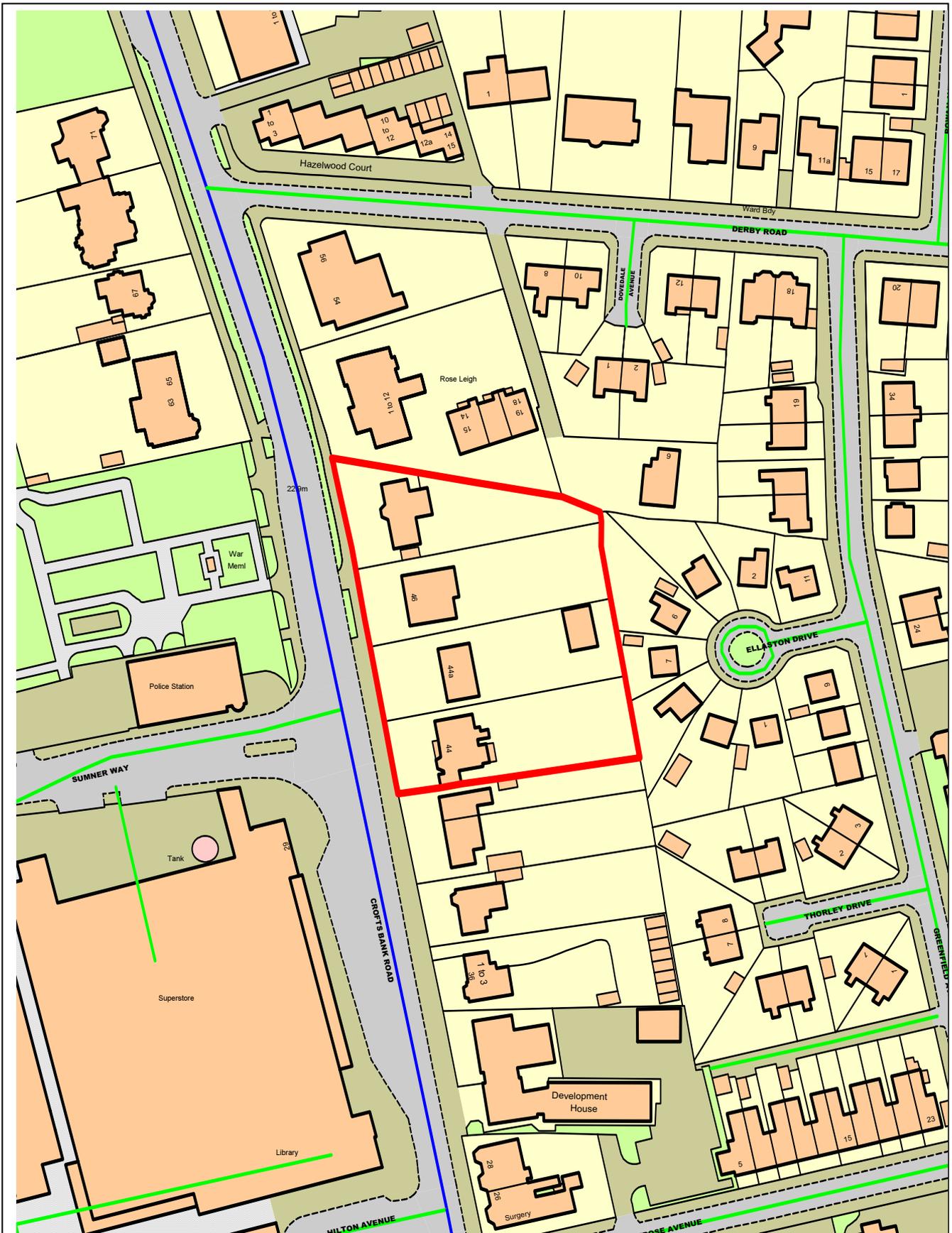
Public transport schemes (including bus, tram and rail, schemes)	£35,445.00	£614.00	£34,831.00
Specific Green Infrastructure (including tree planting) less £310 for each tree planted on site as part of an approved landscaping scheme	£50,530.00	£1,860.00	£48,670.00
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	0	£6,906.75	0
Education facilities.	0	£22,456.00	0
Total contribution required.			£93,493.00

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

- (A) (i) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £93,493.00 split between: £9,992.00 towards Highway and Active Travel infrastructure; £34,831.00 towards Public Transport Schemes; £48,670.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); and
- (ii) To secure agreement that the development is managed by a domiciliary care provider (registered by the Care Quality Commission)
- (B) In the circumstances where the S106 Agreement has not been completed within 3 months of the resolution to grant planning permission or the 8 week target date whichever timescale comes first, the final determination of the application shall be delegated to the Head of Planning; and
- (C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
1. Standard
 2. Approved Plans
 3. The development hereby permitted shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order.
 4. Submission of materials
 5. Landscaping
 6. Landscaping maintenance
 7. Tree Protection

8. Arboricultural Method statement regarding works to form car-park
9. Details of secure cycle and motor cycle parking
10. Details of bin storage
11. Details of scheme to reduce surface water run off
12. Wheel wash facilities
13. Provision & Retention of parking
14. Obscure glazing to south facing upper floor windows to Apt 18, 19, 31, 32, 42, 43 and to north facing upper floor windows to Apt. 25 and 38.
15. Details of external lighting plan
16. No vegetation clearance between 31st March and 31st August during any colander year
17. Details of bat and bird boxes
18. Details of permeable surfacing for car-park.

CM



LOCATION PLAN FOR APPLICATION No: - 81258/FULL/2013

Scale 1:1250 for identification purposes only.

Chief Planning Officer

PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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