



TRAFFORD
COUNCIL

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

Date: Thursday, 11 August 2016

Time: 6.30 pm

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

AGENDA	ITEM
1. ATTENDANCES	
To note attendances, including Officers and any apologies for absence.	
2. MINUTES	
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 14 th July, 2016.	2
3. ADDITIONAL INFORMATION REPORT	
To consider a report of the Head of Planning and Development, to be tabled at the meeting.	
4. APPLICATIONS FOR PERMISSION TO DEVELOP ETC	
To consider the attached reports of the Head of Planning and Development.	4
5. URGENT BUSINESS (IF ANY)	
Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.	

THERESA GRANT
Chief Executive

Planning and Development Management Committee - Thursday, 11 August 2016

Membership of the Committee

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

Further Information

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

Michelle Cody, Democratic & Scrutiny Officer

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This agenda was issued on **Tuesday 2nd August, 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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Agenda Item 2

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

14th JULY, 2016

PRESENT:

Councillor Mrs. Ward (In the Chair),
Councillors Dr. Barclay, Bunting, N. Evans, Hopps, Malik, O'Sullivan, Sharp, Smith,
Stennett MBE (Substitute), Walsh and Wright.

In attendance: Head of Planning and Development (Mrs. R. Coley),
Planning and Development Manager – South Area (Mrs. S. Lowes),
Senior Planning and Development Officer (Mrs. R. Wyllie),
Principal Highways & Traffic Engineer (Amey) (Mrs. C. Hollingsworth),
Solicitor (Mrs. C. Kefford),
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors S.B. Anstee, S.K. Anstee, Bennett, Boyes, Butt,
Mrs. Dixon MBE, Freeman and J.R. Reilly.

APOLOGIES

Apologies for absence were received from Councillors Fishwick and Gratrix.

9. MINUTES

RESOLVED: That the Minutes of the meeting held on 9th June, 2016, be approved as a correct record and signed by the Chairman.

10. ADDITIONAL INFORMATION REPORT

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

RESOLVED: That the report be received and noted.

11. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.

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

Application No., Name of Applicant, Address or Site

Description

87933/FUL/16 – Merepark Project Management LLP – Land to the rear of 247 Hale Road, Hale Barns.

Erection of a two storey dwelling with associated works to include landscaping.

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88092/FUL/16 – Domino's Pizza Group Limited – 1a Sinderland Road, Altrincham.

Change of use from Class A1 (Shops) to Class A5 (Hot Food Takeaway) and external alterations; including the installation of extraction and ventilation equipment.

88172/HHA/16 – Mr. Stanway – 24 Hillington Road, Sale.

Erection of a first floor rear extension.

88319/HHA/16 – Mr. Richard Wong – 1 Craddock Road, Sale.

Erection of a single storey rear extension.

12. APPLICATION FOR PLANNING PERMISSION 86620/FUL/15 – MR. FRANKLAND – LAND ADJACENT TO 74 RIDGEWAY ROAD, TIMPERLEY

[Note: Councillor Sharp declared a Personal Interest in Application 86620/FUL/15 due to his knowledge of the area and of the proposed scheme, he confirmed he had no involvement with the Application.]

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of 2x detached dwelling houses with new vehicular accesses and associated development thereto.

RESOLVED –

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

- (i) Covenants with the Council not to commence development on the application site until the pitch has been transferred to the Rugby Club for the purpose of sport by the Rugby Club, Local Community Groups and Local Schools; and
- (ii) Following commencement of development not to use the pitch for any purpose other than for sport by the Rugby Club, Local Community Groups and Local Schools.

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

13. APPLICATION FOR PLANNING PERMISSION 86625/OUT/15 – BOWDON RUGBY CLUB – CLAY LANE SPORTS CLUB, CLAY LANE, TIMPERLEY

The Head of Planning and Development submitted a report concerning a hybrid planning application comprising:- 1) Application for outline planning permission for the erection of front and rear extensions to the existing clubhouse to provide a new entrance lobby, additional changing rooms, showers and toilets and a physio room, (consent sought for access, landscaping, layout and scale with all other matters reserved); 2) Application for full planning permission for the erection of new floodlighting to the first team pitch and training pitch together with alteration and resurfacing to provide improved coach and car

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parking area and associated development thereto.

RESOLVED –

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

(i) The applicant covenants with the Council to enter into a Community Use Agreement in relation to arrangements for local schools and community groups' use of pitches and facilities owned by Bowdon Rugby Union Football Club Limited.

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

14. APPLICATION FOR PLANNING PERMISSION 87339/FUL/15 – KIRKLAND DEVELOPMENTS LIMITED – LAND ENCOMPASSING 26A MARSLAND ROAD, WARRENER STREET CAR PARK AND IMO CAR WASH SITE, SALE

The Head of Planning and Development submitted a report concerning an application for mixed-use development comprising the erection of a retail foodstore with maximum of 1140sq.m sales area (Use Class A1) and two semi-detached residential properties (Use Class C3) together with associated vehicular access, car parking, servicing area and hard and soft landscaping. Vehicular access to foodstore from Northenden Road. Demolition of existing IMO car wash structures and 26a Marsland Road. Provision of temporary car park during construction works.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

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

15. APPLICATION FOR PLANNING PERMISSION 87811/FUL/16 – BREANDAN FLYNN INVESTMENTS LTD – 11/13 RAGLAN ROAD, SALE

The Head of Planning and Development submitted a report concerning an application for the erection of a new block of four, 2 bedroom apartments (revision of 87042/FUL/15) with associated parking and landscaping. External alterations to existing apartments rear elevation.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

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

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16. APPLICATION FOR PLANNING PERMISSION 88279/FUL/16 – PHD1 LTD – SITE OF FORMER MKM HOUSE, WARWICK ROAD, STRETFORD

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a 12 storey building with basement car parking (44 spaces), comprising a total of 89 residential apartments (Class C3), plus cycle parking facilities, associated landscaping, means of enclosure, with vehicular access from Warwick Road.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a maximum financial contribution of £51,381 towards improvements to Gorse Hill Park comprising £22,202 towards Local Open Space and £29,179 towards play provision.
- (B) In the circumstances where the S106 Agreement has not been completed within three months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

17. AFFORDABLE HOUSING PROVISION: CASE LAW UPDATE

The Head of Planning and Development submitted a report informing Members of recent case law in respect of affordable housing contributions and the implications for planning decisions and the Council.

RESOLVED: That the contents of the report be noted.

The meeting commenced at 6.30pm and concluded at 9.30pm

Agenda Item 3

AGENDA ITEM 3

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 11th August 2016

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 Chairman.

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 RECOMMENDATION	For REC.
69278	Former Boat Yard, Edge Lane, Stretford	Longford	1		
85237	Evangelical Church, Darley Street, Sale	Priory	23		
85566	Yew Tree Farm, 240 Davyhulme Road, Flixton	Davyhulme West	37		
88382	3 Derbyshire Road South, Sale	Brooklands	55		✓
88511	Homestead, 121 Park Road, Timperley	Timperley	68		
88589	Land East Of Viaduct Road, Altrincham	Broadheath	76		

RECOMMENDATION

Condition 9 amended as follows:

9. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:

- Human health,
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- Adjoining land,
- Groundwaters and surface waters,
- Ecological systems,
- Archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any risks are mitigated before any works commence at the site.

SPEAKER(S)

AGAINST:

FOR:

**Michael Gilbert
(For Applicant)**

APPLICANT'S SUBMISSION

In response to comments made by local residents, the applicant for this application has advised that dropping-off children at the existing nursery generally takes around 60 seconds and picking-up around 90 seconds.

The agent has also advised that it is proposed to extend the same boundary treatment to 3 Derbyshire Road South as is currently in place at no 5 Derbyshire Road South. This is due to the requirement from Ofsted that the nursery have railings to the front in order to ensure that should any child manage to get out to the front of the building they cannot climb over the wall into the road. Elevations of this boundary treatment will be necessary and the condition already included in the Officer's report requiring the submission of boundary treatments will cover this point.

The agent has also advised the following with regard to the canopy at the rear of No 5 Derbyshire Road South:

"The client has proceeded to obtain a quotation for the conversion of the canopy to a cantilevered solution rather than complete removal. This is due to concerns of solar gain to the existing building should the canopy be removed".

The condition requiring the removal of the existing canopy will remain in place in order to ensure the parking spaces beneath this can be used as intended. An additional condition will be added requiring the submission of full details of any replacement canopy that is installed, as well as requiring this to allow full access to the parking spaces below.

The agent has also submitted a letter from the Parliamentary Under Secretary of State for Women, Equalities and Early Years which explains the wider Government strategy to expand the free childcare offer, and the need to ensure there is adequate capacity to deliver this.

REPRESENTATIONS

One additional letter of support has been received. The comments made in this are summarised as follows:

- Consent for this application would facilitate additional parental choice
- Sale and the surrounding areas of Altrincham, Bowden and Hale are in equally short supply of suitable D1 space
- The applicant and his wife are very experienced providers of high quality childcare
- Additional disturbance is likely to be notional

These comments do not affect the Officer's recommendation.

CONDITIONS

The following additional condition is to be inserted:

13. No replacement canopy shall be installed at the rear of No 5 Derbyshire Road South until details of this canopy have been submitted to and approved in writing by the local planning authority. Any replacement canopy shall be designed to allow for the unobstructed use of all car parking spaces within the site boundary during drop-off and pick-up times.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policy L4, SPD3: Parking Standards and Design and the National Planning Policy Framework.

Page 68 88511/FUL/16: Homestead, 121 Park Road, Timperley

RESIDENTIAL AMENITY

Lighting

The proposed external lighting as detailed in submitted drawing ME01 Rev A by virtue of its position on the north and south elevations of the proposed building would be sited close to the site boundaries with no.125 Park Road and properties on Acresfield Road. The light spillage from this is likely to be harmful to the amenity of adjacent residents to the north and east of the site. The adjacent property to the west of the site is the Doctors Surgery at 119 Park Road and therefore any light spillage to this side would not impact on residential amenity.

It is considered that a condition would be necessary requiring an amended lighting scheme to be submitted to and approved by the local planning authority to ensure that there would be no adverse impact on residential amenity from light spillage.

RECOMMENDATION

Replace **Condition 2** with:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A(90)01, A(90)02, A(90)03 and 287 15 01 Rev S-2.

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

The following **additional** condition to be added:

7. Notwithstanding the information submitted to date, prior to the building hereby approved being brought into first use, a scheme detailing the proposed external

lighting (including details of light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details.

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

Page 76 88589/FUL/16: Land East Of Viaduct Road, Altrincham

REPRESENTATIONS

Two additional objections have been received. Issues raised are summarised below:-

- The bridge will not keep the cyclists off the A56 as they will not make the diversion down Viaduct Road.
- The plans for the Altrincham Town Centre Cycle Link should be submitted in their entirety and not on a piecemeal basis. It is beyond comprehension that the cycle route from the bridge to Altrincham Town Centre is outside the scope of the current application. On this basis the only means by which cyclists will be able to reach Altrincham Town Centre will be by a route of greater length than is followed at present.
- The bridge will impact on privacy to the rear bedrooms of adjacent properties
- Youths will access the towpath on the south bank causing problems for residents.
- The plans make reference to the path on the south bank of the canal as a towpath. It is a public footpath not a towpath – the towpath is on the north bank of the canal.
- The plans do not indicate the gradient of the incline of the ramps to the bridge. They would need to be 1:20 or less to comply with DDA requirements

OBSERVATIONS

It is considered that the issues of the impact on privacy and potential for anti-social behaviour are dealt with under the 'Impact on Residential Amenity' section of the report.

With regard to the comments relating to the application being part of a piecemeal scheme for the Altrincham Town Centre Cycle Link and the comments regarding cyclists use of the A56, the acceptability of the planning application must be considered in the form submitted. It is noted the application has been submitted following consultation with the Trafford Cycle Forum and the Design and Access Statement states that their comments have confirmed the viability of the overall scheme from a user perspective.

Dictionaries generally define a 'towpath' as '*a path that goes along the side of a river or canal, used by people or by horses for towing boats*'. It is not therefore considered that the notation on the plans is misleading.

The Design and Access Statement confirms that the ramp gradients will be 1:20.

RECOMMENDATION

Replace **condition 10** with:

No development or works of site preparation shall take place until a scheme detailing means of protection of features of wildlife value at the site has been submitted to and approved in writing by the Local Planning Authority. The scheme should set out measures to protect the following features of wildlife value:

- All retained trees with specific reference to be made to the weeping willow (*Salix x sepulcralis*) at grid reference SJ9770892
- The canal waters edge including the canal wall
- The southern boundary of the wetland at Balfour Road (SBI)

The agreed protection measures shall thereafter be implemented in full prior to any works taking place and retained throughout the period of construction.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to protect the specified features of wildlife value which may be affected by site preparation and construction works in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

Replace **condition 11** with:

Within 3 months of construction works first taking place, a scheme detailing a package of biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority with reference to the recommendations set out in para 4.2 of the Ecology and Biodiversity Statement dated May 2016. The approved measures shall thereafter be implemented in accordance with the approved scheme within 1 month of the completion of the construction work and maintained thereafter.

Reason: To maintain and improve the biodiversity of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

**HELEN JONES, DEPUTY CHIEF EXECUTIVE AND CORPORATE DIRECTOR,
ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE
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**



PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 11th AUGUST 2016

REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT

APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

PURPOSE

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

RECOMMENDATIONS

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

FINANCIAL IMPLICATIONS

None unless specified in an individual report.

STAFFING IMPLICATIONS

None unless specified in an individual report.

PROPERTY IMPLICATIONS

None unless specified in an individual report.

Further information from: Planning Services

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

Background Papers:

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

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

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

TRAFFORD METROPOLITAN BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 11th August
2016**

Report of the Head of Planning and Development

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

Applications for Planning Permission				
Application	Site Address/Location of Development	Ward	Page	Recommendation
<u>69278</u>	Former Boat Yard, Edge Lane, Stretford	Longford	1	Grant
<u>85237</u>	Evangelical Church, Darley Street, Sale	Priory	23	Grant
<u>85566</u>	Yew Tree Farm, 240 Davyhulme Road, Flixton	Davyhulme West	37	Minded to Grant
<u>88382</u>	3 Derbyshire Road South, Sale	Brooklands	55	Grant
<u>88511</u>	Homestead, 121 Park Road, Timperley	Timperley	68	Grant
<u>88589</u>	Land East Of Viaduct Road, Altrincham	Broadheath	76	Grant

WARD: Longford

H/69278

DEPARTURE: No

Erection of one four storey building and one part three, part two storey building with undercroft car parking to provide 28 no. dwellings, comprising 5 no. one bedroom apartments and 23 no. two bedroom apartments with vehicular access from adjacent car park and pedestrian access from adjacent access road and Edge Lane. Associated hard and soft landscaping and boundary treatment works.

Former Boat Yard, Edge Lane, Stretford.

APPLICANT: Peel Ports Limited

AGENT: Peel Holdings (Land And Property) Ltd

RECOMMENDATION: GRANT

SITE

The site is a long thin site located adjacent to the Bridgewater Canal and Edge Lane (A5145) close to the junction with Chester Road (A56). To the east of the site is the Stretford Metrolink Station that forms part of the Altrincham to Manchester Metrolink and its associated car park and access road. Vehicular and pedestrian access to the site is from the existing access road off Edge Lane, which is elevated at this point as it bridges over the Metrolink and canal. The site measures between approximately 180m and 96m in length, the latter length relating to the majority of the site, and widens from 4m in width at its northern end to 14.5m in width at its southern end adjacent to Edge Lane. There are no existing structures on the site as it was historically in use as a boat yard. Extensive areas of hardstanding remain and areas of vegetation have started to appear naturally.

To the west of the site, on the opposite side of the Canal is a pedestrian public tow path, known as the Bridgewater Way. On the same side, west of the Bridgewater Canal, is the Essoldo Building. The building is a Grade II listed building and was originally a cinema, which was subsequently converted into a bingo hall. The building dates back to 1936, designed by architect Henry Elder. The northern elevation of the building faces towards Trafford Grove, the eastern elevation of the building faces towards the Bridgewater Canal and the application site.

To the south of the application site is Edge Lane (A5145) and beyond this a vacant piece of land also immediately adjacent the canal, known as the 'Royal Canal Works'. Edge Lane is elevated at this point as it bridges over the Metrolink and canal.

The areas to the east and north of the site are predominantly characterised by residential housing. On the opposite side of the Metrolink line to the east, the area is

generally residential, characterised by inter-war semi-detached properties. To the north are more modern residential two storey houses.

The site is in close proximity to Stretford Town Centre and is designated to be included in the town centre boundary within the emerging Trafford Land Allocations Consultation Draft (January 2014). It is also designated within the Stretford Town Centre Masterplan (January 2014) as a potential development opportunity site in a gateway position to the borough.

PROPOSAL

It is proposed to erect one four storey building and one part three, part two storey building to provide 28 no. residential apartments. It is proposed to provide 5 no. one bedroom apartments and 23 no. two bedroom apartments. All apartments would be for the open market.

The proposed development would be constructed of red brick predominantly with some render to each of the elevations and would consist of two separate buildings, including a 4 storey building to the south of the site, closest to Edge Lane, and a part 2 and 3 storey building located to the northern end of the site. Both buildings would incorporate a flat roof with recessed glass balustrade balconies together with simple linear fenestration proposed to the elevations.

Undercroft car parking with 26 car parking spaces would be provided at ground floor level and vehicular access to the site is proposed from the existing access road off Edge Lane that runs parallel with the site. This access would be located towards the northern end of the site, adjacent to an existing Stretford Metrolink car park. A total of 27 x secure long stay parking spaces for bicycles are proposed.

Refuse bins for the apartment buildings would be stored within internal enclosures accessed from the undercroft car parking area at ground floor level.

Pedestrian access to the development is proposed from the adjacent access road and also Edge Lane via a spiral staircase.

At the northern end of the site, landscaping is proposed to be introduced adjacent to the Bridgewater Canal providing communal amenity space. Private amenity space in the form of balconies would benefit 19 of the proposed apartments. Associated hard and soft landscaping is proposed around the proposed buildings, together with boundary treatment works.

The increase in floor space of the proposed development would be 16,715 m².

VALUE ADDED

The proposal has been amended since initially submitted and the scheme has evolved from an initial scheme that proposed 44 apartments in a single building of seven storeys

in height. The amendments, mainly consisting of the reduction in height of the proposed buildings, are as a result of negotiations between the applicant and the Council due to initial concern over the proposed scale and massing of the buildings.

The latest amended plans received have been the subject of public re-consultation carried out in April 2016.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L3 – Regeneration and Reducing Inequalities
L4 – Sustainable Transport and Accessibility
L7 – Design
L8 – Planning Obligations

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

Policy ENV10 – Wildlife Corridor

OTHER MATERIAL CONSIDERATIONS

Trafford Local Plan: Land Allocations Consultation Draft – January 2014
Stretford Town Centre Masterplan – January 2014

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

There is no planning history for the subject site.

Royal Canal Works, Edge Lane, Stretford

H/OUT/71775 - Outline planning application (including details of access) for redevelopment of site to provide up to 31 no. residential units with associated access alterations, landscaping, car parking and other associated works with all other matters reserved for subsequent consideration. Approved 4th July 2014.

APPLICANT'S SUBMISSION

Since initial submission and receipt of the application and given the length of time passed, effectively a new development plan has emerged. Therefore relevant supporting documentation to this application has been revisited by the applicant to address the new planning regime in Trafford including the:

- Revocation of Regional Spatial Strategy
- Introduction of the National Planning Policy Framework
- Adoption of the Trafford Core Strategy
- Introduction of the Community Infrastructure Levy

The application is accompanied by the following original and updated supporting statements:

Design and Access Statement
Transport Statement
Meeting Housing Needs and Affordable Housing Statement
Community Infrastructure Levy Forms
Revision to Acoustic Report
Community Infrastructure Levy Application Form
Air Quality Assessment
Noise Assessment

The information provided within these documents is discussed where relevant within the Observations section of this report.

CONSULTATIONS

Local Highway Authority: No objections, the main points of which are discussed in the observations section of this report.

Pollution and Licensing (Contaminated Land): No objection subject to a condition requiring site investigation report to be submitted.

Pollution and Licensing (Nuisance): No objections subject to a condition requiring a validation report to demonstrate that the mitigation measures described within the acoustic report have been incorporated and the noise criteria has been met.

Transport for Greater Manchester: No objections, subject to the imposition of conditions to ensure that there will not be adverse impacts on the operation of the Metrolink in this area following the development. Conditions include requirement for a Construction Management Plan to be submitted and for the works to be carried out in accordance with guidance contained within TfGM's Document titled '*Working Safely Near to Metrolink.*'

Strategic Planning: No objections. The main points of which are discussed in the observations section of this report.

Lead Local Flood Authority: No objections subject to a condition requiring a Sustainable Urban Drainage System (SUDs) to be submitted.

Electricity North West: No objections. There are Electricity NW underground HV cables at the border of the site and Edge Lane. A safe working distance must be maintained from these. Applicant is advised to contact Electricity North West should there be a requirement to divert apparatus because of the proposed works.

Greater Manchester Police Design for Security: Require a condition to be imposed requiring details of crime prevention measures. Redevelopment of the site to residential is supported and the scale of the building, the number of apartments and the proposed main entrances to each block are considered to be appropriate from a crime perspective. Also the provision of a resident's only, mostly sheltered, car park is considered to be a positive aspect of the scheme. However further details such as car park security, lighting, boundary fencing and landscaping are required.

Greater Manchester Ecology Unit: No objections, subject to a condition requiring the preparation and implementation of a Site Remediation and Construction Method Statement, which should include details of measures to be taken to prevent any possibility of polluting the Canal waters and protecting the integrity of the retaining walls of the Canal during works.

REPRESENTATIONS

A total of 16 objections have been received in relation to the proposed redevelopment of the site. Since the application was received by the Council in 2008, numerous public consultations have been undertaken, first in 2008, then 2015 and lastly in 2016. The majority of the objections were received following a public consultation in March 2015. The latest consultation was undertaken in April 2016. One letter of objection was received as a result of the latest public consultation and the amended proposal. However this reiterated comments already submitted previously. Nevertheless, issues raised in objections received historically on the application are summarised as follows:

- Proposal too high and out of scale/character with area. Failure to enhance the Bridgewater Canal
- Will block sunlight/daylight
- Will result in further congestion on Edge Lane. Insufficient parking provided and access road to site too narrow
- Conflicts between vehicles entering and leaving the undercroft and pedestrians/cyclists/manoeuvring cars will be dangerous.
- Swept paths indicate clearly the inability of vehicles to manoeuvre into and out of many of the spaces without great difficulty and danger.
- Pollution increase from cars
- Proposal poses no benefit for the local community being 100% market housing
- Waterside should be redesigned to benefit all residents
- Anti-social behaviour would occur as result of development
- No imagination has been invested by the developer to create a better designed scheme
- Lack of up to date submitted information from applicant to assess scheme properly
- Viability appraisal should be submitted with application showing other options for the site
- Little comparison to Royal Canal Works site approved opposite, as claimed by applicant
- Cumulative impact of proposal with Royal Canal Works opposite has not been considered
- Proposal doesn't comply with the Core Strategy or the National Planning Policy Framework

One letter of support has been received. The points raised in this are summarised as follows:

- The proposal will bring a viable development to a redundant piece of land.
- The proposal will improve housing choices in the area and retain higher income earners into Stretford
- Provide natural surveillance across the canal and the metro system
- Bring life and active use back to the site

OBSERVATIONS

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
3. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.
4. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the site is identified in the Council's SHLAA (Strategic Housing Land Availability Assessment), the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 28 apartments in a sustainable location. The site was historically in use as a boat yard and there are extensive areas of hardstanding. It is therefore considered to be sustainable urban brownfield land and the proposal would assist in meeting the Council's target of locating 80% of new housing provision on previously developed brownfield land.
5. In terms of the housing mix proposed, Policy L2.7 states that 1 bedroom, general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. It goes on to state that in all circumstances, the delivery of such accommodation will need to be specifically justified in terms of a clearly identified need. In this case the site is located close to Stretford Town Centre and in close proximity to public transport links and land uses that will generate a demand for 1 bed apartments. Therefore it is considered that the proposal which includes 5 x 1 bedroom

apartments is acceptable in this respect as it would make a positive contribution to the Council's Housing Supply.

6. The scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The principle of the development is therefore considered to be acceptable.

RESIDENTIAL AMENITY

7. Residential properties are located to the north of the site on Stephenson Road. To the east of the site, beyond the Metrolink tracks, the closest residential properties are located on Hapton Avenue and Kings Road. To the south of the site on the other side of Edge Lane there is a vacant area of land, known as Royal Canal Works. However this is subject to an extant outline planning permission for 31 apartments with associated parking and landscaping (ref: H/OUT/71775). To the west of the site, on the opposite side of the Bridgewater Canal, the closest residential properties are located on Trafford Grove.
8. Trafford Planning Guidelines: New Residential Development states that for new dwellings of three or more storeys, in cases where special provisions for creating internal and external privacy are not employed, the minimum distance between dwellings which have major facing windows is 24m across public highways and 30m across private gardens. The guidelines further state that where privacy and visual amenity is achieved by permanent screening, such as walls or fences, or by window design and location, these distances may be reduced. The guidelines also acknowledge that a rigid adherence to spacing standards can stifle creativity in design and result in uniformity of development. It states that the Council is looking to encourage imaginative design solutions and in doing so accepts the need for a flexible approach to privacy distances between buildings within a development site, where good design or the particular circumstances of the site allow this.
9. To the north, the closest residential properties to the development would be located on Stephenson Road. Due to the position of these properties and the orientation of the proposed apartment buildings, the gable elevation of the northern apartment building would face the gable elevation of No. 72 Stephenson Road, the closest property, with a separation distance of 50m. Given the apartment building is two storeys only at this point and due to the substantial separation distance proposed the proposal is not considered to result in harm to the residential amenities of occupants in properties located north of the site.
10. The nearest residential properties located to the east of the application site would be two storey houses located on Kings Road and Hapton Avenue. These properties are positioned east of the site and the existing Metrolink line and there would be over 60m retained between the side elevation of the proposed

apartment buildings and these properties. This separation distance would comfortably exceed that required in the Trafford Planning Guidelines: New Residential Development. Furthermore there are established trees and foliage located between these properties and the existing Metrolink and these would also help to reduce the visual impact of the proposed development.

11. As mentioned above, to the south of the site across Edge Lane is presently a vacant plot of land adjacent to the Bridgewater Canal not dissimilar to the subject site. This site is known as the 'Royal Canal Works' and it is subject to an extant outline planning permission for 31 no. residential units with associated access alterations, landscaping, car parking and other associated works (ref: H/OUT/71775). Between the proposed southern elevation of the subject apartment building and the northern boundary of the Royal Canal Works site there is over 30m. The indicative approved drawings submitted with the above mentioned outline planning permission show a building set back from the Edge Lane frontage. Therefore it is considered there would be satisfactory separation distance maintained of over 30m across Edge Lane.
12. Lastly, to the west of the site is a mixture of residential and commercial property. To the southern end of the site the proposed development would be located opposite the blank flank elevation of a parade of mixed use premises fronting on to Edge Lane, nos. 19/21 - 39/41. The upper floor levels of these buildings are in use as residential apartments. Over 30m would be retained across the canal and between the subject building and the side elevation of 39/41 Edge Lane. Given the latter features only a blank elevation to the east side elevation, there would be no detrimental impact to the occupants of this property. While these residential apartments feature windows in their rear elevations facing north, towards the Essoldo building, due to the orientation of the proposed building only oblique views would be afforded from these existing residences to the proposed apartments. It is not considered there would be a detrimental impact upon the occupants of these existing residential apartments.
13. Similarly, located to the west on the opposite side of the Bridgewater Canal is the blank rear elevation of the Essoldo building. The proposed apartment building would be positioned between 38-40m from the rear blank elevation of the Essoldo building. To the north of the Essoldo building are residential properties on Trafford Grove. The rear elevations of these properties overlook the site and there would be a separation distance of 48m between these properties and the proposed apartment buildings. The next closest property to the west of the site would be 11 Radnor Street. The flank elevation of 11 Radnor Street would face the development site. This features two side elevation windows, however these are secondary windows and there would be 28m between No.11 and the apartment building across the canal.
14. It is therefore considered that, given the above detailed separation distances, the proposed development would not result in an undue loss of privacy or have an

overbearing impact on neighbouring residential properties. It is also considered that the proposed development would have an acceptable level of amenity for the future occupants.

IMPACT ON HERITAGE ASSETS

15. When assessing the impact of the development on the setting of the adjacent listed buildings, due regard must be given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving its setting.
16. With regards to the historic environment the NPPF states that local planning authorities should take account of:
 - a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131).
17. Policy 132 of the NPPF states the more significant the heritage asset the greater the presumption in favour of its conservation.

Impact on setting of Listed buildings

18. To the west of the application site, across the Bridgewater Canal is the Essoldo Building. This is a Grade II listed building and was originally a cinema, which was subsequently converted into a bingo hall. The building dates back to 1936, designed by architect Henry Elder. The building has two feature elevations with two entrances of art deco style facing Chester Road and Edge Lane (between contemporary buildings No's 17 and 19 Edge Lane). It is constructed from narrow red brick with faience tiled façade. The faience has now been concealed with blue paint. Records indicate that this work has not been granted listed building consent.
19. The Chester Road entrance was designed to resemble a cash register, with stepped convex surfaces curving upwards and backwards, and an attached but advanced rib rising with less curvature designed to carry the vertically-displayed name of the cinema.
20. The side entrance on Edge Lane with tall convex brick wall above a semi-circular canopy, the two components forming a circular entrance area above which rises a substantial tall, grooved concrete column.

21. The listing description describes that the Essoldo was amongst the first, and is the only survivor of Elder's cinemas, a building in which the striking and explicit frontage motifs are held to represent his belief that the film industry of the day was primarily concerned with money and sex. The design represents a dramatic departure from theatre influenced cinema planning, and acknowledged the different spatial and technical requirements of wide screen cinematography.
22. The northern elevation of the building faces towards Trafford Grove, the eastern elevation of the building faces towards the Bridgewater Canal, Stretford Metrolink station and the subject application site, the southern towards Edge Lane and the western towards Chester Road. A canal towpath runs immediately alongside the eastern boundary of the site. The canal is a non-designated heritage asset.
23. It is considered much of the significance of the listed building is mainly in the front and side elevations to Chester Road and Edge Lane respectively together with the internal layout and fabric. It is acknowledged that the eastern elevation of the listed building does not possess the architectural statements of the southern and western elevations. It is mostly plain brick construction with a degree of symmetry. It is noted that all elevations of the Essoldo are bold, stark and uncompromising and this very much reflects the architectural spirit of the building. Paragraph 134 indicates that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. In this case it is considered the proposal would result in less than substantial harm to the listed Essoldo building. The development would be located over 38m from the rear eastern elevation of the Essoldo building. Views towards this elevation would be afforded still from the Edge Lane Bridge and the canal towpath. Furthermore the proposed building would be of comparable height with the Essoldo building. Development has been constructed around the Essoldo building with No.s 19/21 - 39/41 Edge Lane being in very close proximity to the building and its original forecourt and surrounding buildings were lost when the A56 was widened in the twentieth century. Therefore it is considered the setting of the listed building has already been significantly compromised.
24. To the north of the site on the western side of the canal stands St Ann's Church, a Grade II listed Roman Catholic church constructed between 1862-67 and positioned on the east side of the A56 Chester Road. The Church is constructed of rock faced stone with a slate roof and together with detailed external elevations featuring different elements of interest, the interior of the building is in good condition with an elaborately painted vault being one of the main features. Distant views of St Anne's Church can be seen from the site and particularly from the bridge of Edge Lane. The setting of St Anne's Church has already been compromised particularly as a result of the widening of the A56 in the past and the Church is located at a distance from the subject site.

Impact on non-designated heritage assets

25. In addition to the above mentioned listed building, the Bridgewater Canal is considered to be a non-designated heritage asset in itself. The canal is a historical waterway and has been identified as the first arterial canal in Great Britain. It has been an important industrial and commercial thoroughfare, historically used as such for years. In recent years, works have been undertaken to upgrade the towpath which runs alongside the Bridgewater Canal.
26. Policy 135 of the NPPF states "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."
27. The proposal is not considered to result in harm to the Bridgewater Canal. The proposal would result in the redevelopment of a site that has remained vacant and un-kept to a certain extent and the development is considered to result in positive impacts to the canal.

Benefits of the scheme

28. Paragraph 132 of the NPPF states 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'
29. Paragraph 134 indicates that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.
30. It is considered the positive impacts of the development, namely the provision of 28 residential dwellings in a sustainable location, would result in positive impacts in accordance with the NPPF and its presumption in favour of sustainable development. It is considered that these benefits outweigh the less than substantial harm to the setting of the listed buildings. The development complies with Paragraph 134 of the NPPF. In reaching this decision due regard has been given to S66 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

DESIGN

31. National planning policy as set out in the NPPF states that the Government attaches great importance to the design of the built environment and how good design is a key aspect of sustainable development (Section 7 of the NPPF). NPPF requires developments to add to the overall quality of the area; respond to local character and history and reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Amongst the core planning principles the NPPF states that planning should: “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” “take account of the different roles and character of different areas, promoting the vitality of our main urban areas...” (Set out in paragraph 17).
32. The proposed apartment buildings would be linear in design, reflecting the size and proportions of the canal side plot. Each would feature a flat roof and have recessed walkways and balconies with glass balustrading. On Edge Lane Bridge the proposed four storey building would be positioned between 2-5m from the boundary with the bridge. Two and a half storeys would be visible when standing on Edge Lane. This would be comparable with the nearest Edge Lane building to the west of the site, No.s 19/21 - 39/41 Edge Lane. It is considered the proposed four storey building would respect the scale and form of the surrounding environment. The part three, part two storey apartment building located to the north of the site would ensure the development respects the existing land levels of the adjacent access road, stepping down in scale and height.
33. The architectural style of the building is simple and robust with windows arranged to help provide a vertical emphasis. A red brick is the predominant material to be utilised together with limited render to the projecting features. Balconies would overlook the Bridgewater Canal adding articulation to the western elevation of the building.
34. Soft landscaping is proposed to the edges of the site and will help to soften and screen the appearance of the hard landscape, including the undercover car park, from nearby properties, surrounding highways and the Bridgewater Canal.

ECOLOGICAL IMPACT

35. The western side of the Bridgewater Canal, opposite the subject site, is designated a Wildlife corridor in the Revised Trafford Unitary Development Plan. This designation extends along the full length of the west side of the Bridgewater Canal. Proposal ENV10 ‘Wildlife Corridors’ seeks to ensure that proposals contribute to their effectiveness whenever possible through appropriate siting, design of buildings and landscaping measures.

36. In this case the proposed development would not encroach on the Wildlife Corridor given the proposed development would be solely located on the eastern side of the Bridgewater Canal. Furthermore the development would be set back from the canal bank by approximately 2-4m. Greater Manchester Ecology Unit has commented on the proposal and states the sandstone retaining walls of the Canal can, in places, support important plant communities. Therefore they recommend a condition requiring the preparation and implementation of a Site Remediation and Construction Method Statement, which should include details of measures to be taken to prevent any possibility of polluting the Canal waters and protecting the integrity of the retaining walls of the Canal during works. Therefore subject to conditions the proposal is considered to be acceptable.

ARBORICULTURAL ISSUES

37. At present the site is vacant. Patches of vegetation have established naturally through the hardstanding however none of this is protected. Hard and soft landscaping is shown on the submitted plans, with trees planted to the north of the site. A condition is recommended requiring details of a landscaping plan to be submitted to the Council.

HIGHWAY SAFETY AND PARKING PROVISION

38. SPD3 Parking Standards and Design for Trafford states that in this area, two car parking spaces are required for a two bedroom dwelling and one car parking space for a one bedroom dwelling. This equates to 51 spaces. The proposals include the provision of 26 spaces, only 50% of the number required.

39. The Local Highway Authority is concerned that although the development is sustainably located the lack of parking provision within the site for residents and visitors combined, together with the close proximity to the Metrolink park and ride facility, will encourage residents and visitors to park in the Metrolink car park or on residential roads surrounding the site. Transport for Greater Manchester has confirmed that they intend to vigorously monitor the Metrolink car park.

40. The council's view as stated in SPD3 is that *'It is recognised that although proximity to non-car modes and local facilities does have an effect on the level of car use from residential developments, the effect on car ownership is usually significantly less pronounced for the majority of locations.'*

41. In this case, therefore the Local Highway Authority accepts that this is an ideal location for residential development in terms of its accessibility to local facilities and public transport. However it does not accept, especially in view of the lack of any evidence supplied by the applicant, that the development will result in significantly lower than expected levels of car ownership and therefore of residential car parking demand.

42. The standard method of determining car ownership at developments as outlined in the Institution of Highways and Transportation technical note on residential parking of 2012 is to use local census based car ownership data, together with Temprow based forecasts of local growth rates in car ownership to provide an indication of likely parking demands. The applicant has not provided this information in this case, but supporting evidence submitted previously for a site adjacent to the Old Trafford Metrolink station suggests an average rate of car ownership in the local area of 0.98 per household based on 2011 census figures, increasing to approximately 1.05 per household by 2020. On this basis, a development of 28 residential apartments is likely to generate car parking demand of 30 spaces, with additional visitor parking increasing the overall demand up to 35 spaces as a worst case scenario. Therefore although this represents a shortfall, the proposed provision of 26 vehicle parking spaces is considered to be accepted by the Local Highway Authority in this case and the shortfall in car parking spaces would not exacerbate existing parking problems in the surrounding area to a level that would justify the refusal of the application.
43. Access to the site is currently from the existing Stretford Metrolink Station car park and it is proposed to retain this arrangement. The car park is reached by an unadopted access road from Edge Lane and TfGM have confirmed that the developer will have a right to use this road to access the development, but not to park on it. Plans provided by the applicant indicate that the visibility splay at the junction with Edge Lane is 43m in each direction. This is considered to be acceptable to the Local Highway Authority.
44. Cycle parking facilities are required; either one communal space per apartment, (= 28 spaces), or one allocated space per one bed apartment and two allocated spaces per two bed apartment, (= 51 spaces). The proposals include the provision of 27 No. secure cycle parking spaces. A condition is recommended for details of cycle parking to be submitted.

CRIME AND SECURITY

45. Greater Manchester Police Design for Security has assessed the proposal and consider redevelopment of the site for residential purposes, if well designed and suitably secure, could make a positive contribution to feelings of safety of Metrolink station users and discourage crime and anti-social behavior affecting the immediate environment around the site. GMP considers the scale of the building, the number of apartments and the proposed main entrances to each block to be appropriate from a crime perspective.
46. GMP considers details such as the provision of a lighting scheme, boundary treatment, landscaping and car park security system to be important in terms of security. It is considered a condition be imposed requiring details of crime prevention measures to be submitted to the Council. Furthermore conditions are

recommended requiring details of boundary treatment, external lighting and landscaping to be submitted.

FLOOD RISK AND DRAINAGE

47. The site is identified as being located mainly within Flood Zone 1 (low risk) of the Environment Agency Flood Zones. Based on the available information the probability of the site flooding from surface water is low and the risk of flooding from other sources is also low. It is recommended any approval includes conditions relating to submissions of schemes to limit the surface water run-off generated by the proposed development and to manage the risk of flooding from overland flow of surface water.
48. The proposal is considered acceptable in terms of flood risk and drainage, subject to conditions.

DEVELOPER CONTRIBUTIONS

49. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Consequently private market apartments would be liable to a CIL charge rate of £0 per square metre.
50. The contribution for Specific Green Infrastructure is based upon the requirement to provide 28 trees. The applicant has indicated that they wish to provide trees within the site. However due to the location and proximity of the site adjacent to the canal, landscaping will need to be carefully considered. A condition is recommended requiring a landscaping scheme to be submitted.
51. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Stretford area is identified as a "moderate" market location where the affordable housing contribution set out in Policy L2 is 10% due to 'cold market conditions.' This equates to a requirement for 3 of the 28 dwellings to be affordable.
52. The applicant has submitted a viability appraisal which concludes the provision of affordable housing would negatively impact on the scheme's viability. The appraisal identifies the site is not typical, being tight with a retaining wall to the east, bridge supports to the south and the Canal to the west which would incur higher build costs. The Council's Estates Team (Amey) has assessed the appraisal and accepts in this case the applicants have proven the scheme as submitted does not allow the provision of any affordable housing.

CONCLUSION

53. Considerable importance and weight has been given to the desirability of preserving the designated heritage assets. Although there would be 'less than substantial' harm to the setting of the heritage assets, given the degree to which their setting has already been compromised, this harm would be minimal and would be outweighed by the substantial public benefits of the release of a brownfield site for new housing. The proposed development would not unduly impact upon the residential amenity of existing or future occupants in the vicinity. The scale, massing, siting and design of the proposal pays due regard to its surrounding and the development is considered to be in line with all relevant policies set out in the Trafford Core Strategy, and the SPG: New Residential Development and policies in the NPPF. In such circumstances, Paragraph 14 of the NPPF indicates that planning applications should be approved.

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, numbers SS1; SS2; FP02 Rev C; FP01 Rev B and 01 Rev C.

Reason: To clarify the permission, having regard to Policies L1, L2, L3, L4, L7 and L8 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

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

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

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works

have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

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

5. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in

writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

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

6. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

7. The car parking, servicing and vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be provided and made fully available for use prior to any part of the development being first occupied and shall be retained thereafter for their intended purpose.

Reason: In the interests of amenity and in compliance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

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

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

9. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

10. No above ground development shall take place unless and until a scheme for secure cycle and motor cycle storage has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include either one communal space per apartment or one allocated space per one bed apartment and two allocated spaces per two bed apartment. Cycle parking infrastructure and its layout should meet the requirements of SPD3 Parking Standards and Design for Trafford. The approved scheme shall be implemented before the development is brought into use and maintained at all times thereafter for its intended use.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

11. No development shall take place unless and until full details of a Construction Management Plan have been submitted to and approved in writing by the Local Planning Authority. This shall include details of how works to be carried out would be in accordance with guidance contained within Transport for Greater Manchester document titled Working Safely Near to Metrolink. The measures identified shall thereafter be fully implemented.

Reason: In the interest of highway safety and to protect Metrolink infrastructure it is essential that appropriate measures are implemented prior to the commencement of development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

12. The residential units hereby permitted shall not be occupied until a scheme for external lighting has been submitted to and approved by the Local Planning Authority. The details submitted shall include the external lighting for the site (including its siting, height, design, illumination and hours of use). The lighting shall be installed in accordance with the approved details and thereafter retained and kept in working order at all times in accordance with the approved scheme.

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

13. Prior to the occupation of the residential units hereby permitted, a scheme for crime prevention measures, including car park security, shall be implemented in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

14. The development hereby approved shall be carried out in accordance with the proposed mitigation measures set out in the Acoustic Report by RPS Dated: 21 MARCH 2016 Ref: NW7233/ENV/P1 Rev A. The residential units hereby permitted shall not be occupied until a validation report to demonstrate that the mitigation measures described within the report have been incorporated and the noise criteria met, has been submitted to and approved by the Local Planning Authority.

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

15. No development shall take place until details of a scheme to ensure the protection of the adjacent canal during construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of measures to be taken to prevent any possibility of polluting the Canal waters and protecting the integrity of the retaining walls of the Canal during works. The development shall only be carried out in accordance with the approved details and the approved measures shall be retained until the development is completed and first occupied.

Reason: To safeguard the canal during the construction phase and any protected species which may live within the canal and which could be harmed at the outset of development works commencing on site in accordance with Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

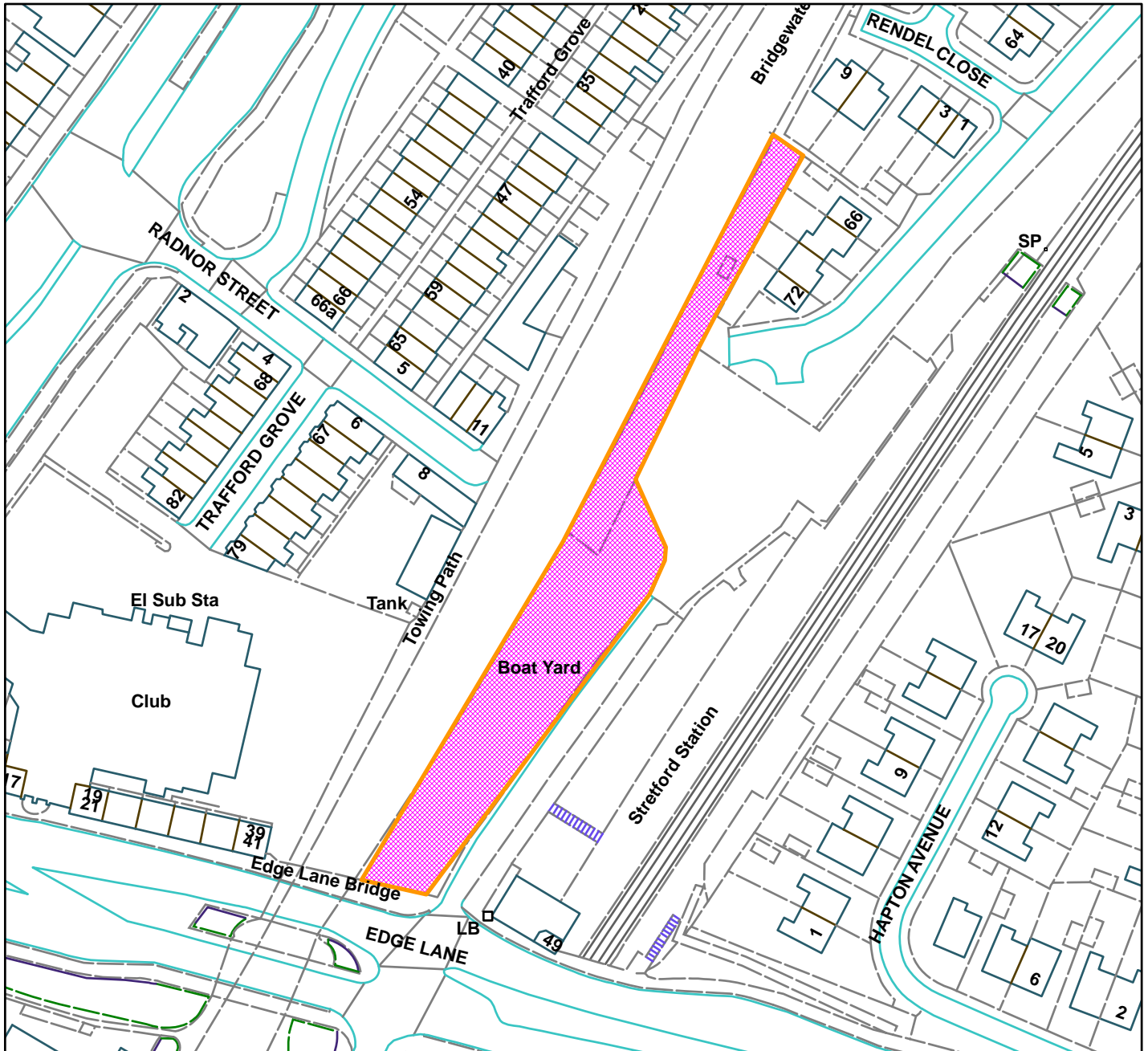
16. No development shall take place unless and until full details of an air quality assessment to determine exposure levels to existing air pollutants (for future occupants of this development), and also to determine the impact of the development itself upon local air quality, has been submitted to and approved in writing by the Local Planning Authority. The assessment should take account of all current guidance and detail all steps deemed necessary to minimise the generation and exposure to air pollution. The approved scheme must be completed prior to occupation of the development and shall be permanently maintained thereafter.

Reason: In the interest of residential amenity for future occupants, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the final scheme.

LB



Former Boat Yard, Edge Lane, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/08/2016
Date	01/08/2016
MSA Number	100023172 (2012)

WARD: Priory

85237/FUL/15

DEPARTURE: No

Demolition of the existing Sale Evangelical Church and the erection of a three storey building to provide 8no. residential apartments (Use Class C3) and associated car parking.

Evangelical Church, Darley Street, Sale, M33 7TB

APPLICANT: Trustees of Sale Evangelical Church

AGENT: How Planning LLP

RECOMMENDATION: GRANT

The application was originally called in by Councillor Brotherton for the reasons set out in the 'Representations' section of this report.

UPDATE AND BACKGROUND

This application was previously brought before the Committee on 10 September 2015 and Members resolved that they were minded to grant the application subject to a legal agreement being completed to secure affordable housing provision.

However, the legal agreement did not complete before the recent Court of Appeal Judgment (*Secretary of State for Communities and Local Government vs. West Berkshire District Council Reading Borough Council*) was passed down on 11 May 2016. The consequence of this judgment was that the government reinstated the part of the NPPG that states that for planning proposals of ten units or fewer (and where the floorspace does not exceed 1000sqm) Councils should no longer seek affordable housing contributions. As this is a scheme for fewer than 10 dwellings, the guidance now applies and the recommendation has been revised accordingly. No other changes are proposed to the scheme.

SITE

The site is situated at the junction of Kelsall Street, Darley Street and Hyde Grove and the existing building is known as Sale Evangelical Church, in D1 (non-residential institutions) use. The site is located within walking distance of Sale Town Centre where there are ample shopping facilities, schools and transport links.

The existing building is one and half storeys high, featuring render and brick and a red tile roof. No on-site parking is provided and access to the existing site is from Darley Street through a pedestrian gate.

The site is surrounded by two storey traditional residential terraced houses and is close to the Bridgewater Canal.

PROPOSAL

It is proposed to demolish the existing building to construct a new, three storey building to provide 8no. residential flats.

At ground floor level it is proposed to accommodate 2 x 2 bedroom flats.

At first floor level it is proposed to accommodate 4 x 2 bedroom flats.

At second floor level, within the roof level, it is proposed to accommodate 2 x 2 bedroom flats.

Undercroft car parking for 9 vehicles is proposed at ground floor level alongside cycle parking and bins storage.

To the Kelsall Street, Darley Street and Hyde Grove elevations a small area of landscaping will be provided in front of the proposed building.

The increase in floor space of the proposed development would be 421 m² (taking into account the existing 184m² floorspace at the existing Church).

VALUE ADDED

Amended plans received detail a revised roof pitch and form and the building has been set back from Darley Street and Hyde Grove and Kelsall Street, to better reflect the existing building lines and provide defensible landscaping in front of the building. The proposed dormer windows have also been reduced in width and brick piers added to the Darley Street elevation at ground floor level. Additional information regarding distances from existing neighbouring properties and impact upon these properties in terms of sunlight and daylight has also been submitted by the applicant in support of their proposal.

DEVELOPMENT PLAN

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

- The **Trafford Core Strategy** adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were

saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 - Meeting Housing Market Needs
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Planning Guidelines New Residential Development
SPD3 – Parking Standards and Design

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

H/19084 - Erection of kitchen extension. Approved 1984

APPLICANT'S SUBMISSION

The application is accompanied by the following detailed supporting statements:

Design and Access Statement
Supporting Planning Statement
Community Infrastructure Levy Application Form
Ecological & Biodiversity Assessment
Crime Impact Statement prepared by Greater Manchester Police

Daylight Study
Building Distances Plans

The information provided within these documents is discussed where relevant within the Observations section of this report.

CONSULTATIONS

Electricity North West: The development could have an impact to Electricity NW infrastructure. The development is adjacent to affecting Electricity NW operational land or electricity distribution assets. Applicant advised great care should be taken at all times to protect both electrical apparatus and any personnel working in its vicinity.

Drainage: No objections, subject to condition to constrain the peak discharge rate of storm water from the development in accordance with Guidance Document to Manchester City, Salford City and Trafford Councils Level 2 Hybrid Strategic Flood Risk Assessment.

LHA: No objection. Extensive parking restrictions and controls on the roads fronting and in the vicinity of the site will reduce the likelihood that the proposed development could cause on road parking to the detriment of existing residents. Residents of the proposed development would not be eligible to apply for residents' permits in the existing on street parking zone.

Pollution and Licensing (Contaminated Land): No objection, subject to condition.

United Utilities: No objection, subject to a condition requiring details of a scheme for the disposal of foul or surface water.

Greater Manchester Ecology: No objections, providing no trees are removed from the site between 1st March and 31st July any year unless a detailed bird nest survey has been carried out and scheme of landscaping submitted for approval to the Council. Also a condition requiring the roof tiles to the existing building (proposed to be demolished) are removed carefully by hand, with the presence of bats borne in mind.

REPRESENTATIONS

Seven letters of objection have been received from residents of neighbouring residential properties. The concerns raised are summarised below:-

- Access to the rear parking spaces - access is currently restricted by a Transport Regulation Order (TRO) and the area/passageway is used for bin storage, pedestrians and alley access. The proposal will require an amendment to the extant TRO.
- Inter-visibility between pedestrians and emerging vehicles from the rear access alley will result in a highway safety matter and could be dangerous.

- Parking - access/egress to the proposed spaces will be difficult and possibly impossible with a larger vehicle such as a 4x4.
- Parking provision proposed is insufficient and will worsen the existing on street parking demand.
- Massing - the building is not set back from the road and is out of keeping with the existing neighbouring residential terraces.
- The building fails to reflect the existing character of the area.
- The proposal will result in a detrimental impact to privacy, especially to properties opposite in Darley Street.
- The proposal will have a detrimental impact upon the daylight and late evening sunlight reaching properties in Hyde Grove.
- Impact on property values..
- There will be a detrimental increase in pollution resulting from the increase in residents in the area residing in the proposed dwellings and the increase in associated household rubbish.

A request to call in the application has been received from a ward councillor. The reasons for this include a concern the development represents overdevelopment, insufficient parking provision and the fact that the proposed access would utilise an existing alley which was never intended for such use and this would result in a nuisance to adjacent residents.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
3. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance

between housing demand and supply, Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the site is identified in the Council's SHLAA (Strategic Housing Land Availability Assessment), and the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 8 new 2 bedroom dwellings in a sustainable location. The site is currently developed accommodating the existing church and it is therefore considered to be sustainable urban brownfield land. The scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The principle of the development is therefore considered to be acceptable.

DEMOLITION OF SALE EVANGELICAL CHURCH

4. It is proposed to demolish the church building to enable the redevelopment of the site. The existing structure is a modest traditional building with some architectural merit but it is not considered to be a heritage asset and its demolition is acceptable in principle.

DESIGN AND STREETSCENE

5. Policy L7 of the Core Strategy requires new development to be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
6. The proposed building would reflect the general height of neighbouring terrace properties and would be approximately the same height. The eaves of the proposed roof would match those of adjacent terraces, in particular Kelsall Street and Hyde Grove. Fenestration detailing and bays provide a vertical emphasis to the building, as is traditional of the character of the neighbouring terrace properties. Brick piers have also been introduced to the Darley Street elevation at ground floor level in the entrances to the parking areas to complement the design of the building to ensure it fits with the wider character of the neighbouring streets.
7. The proposed building would be set back from Darley Street, Hyde Grove and Kelsall Street providing a small front yard area between the dwellings and the public highway. This is reflective of the traditional terraces surrounding the site. The building is to be constructed of traditional red brick and the roof clad in concrete finished tiles. A condition is recommended requiring details of the proposed materials to be submitted to the council prior to commencement of the above ground works. It is considered the proposal would result in a quality

redevelopment that would complement the character and appearance of the area.

RESIDENTIAL AMENITY

8. Policy L7 of the adopted Core Strategy requires new development to not prejudice the amenity of occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion or noise and disturbance. The Council's Guidelines for new residential development recommend that where there would be facing principal main habitable room windows, two storey dwellings should retain a minimum distance of 21m across public highways and 27 metres between rear elevations and three storey dwellings should retain a minimum distance of 24m across public highways. Where there is a main principal elevation facing a two storey blank gable a minimum distance of 15m should normally be provided.
9. The principal aspects of the proposed apartment building are to the south west, across Darley Street and to the south east across Hyde Grove. The view across Kelsall Street to the north is also a principal aspect. The Council's SPG: New Residential Development recommends a privacy separation of 21m for developments of two storeys and 24m for three-storeys and above. The separation distance between the proposed building and the properties opposite on Darley Street would be 14.9m at first floor level. This represents a reduction in the recommended standards however in this case it is considered acceptable given the separation distance would reflect the separation distances between existing residential properties on the surrounding streets (i.e. Kelsall Street and Hyde Grove).
10. At second floor level accommodation would be located within the roof space of the building and only rooflight openings would be provided for the habitable rooms. Given the rooflights would be positioned 1.25m above floor level, set back approximately 2.3m into the roof from the eaves, together with the pitch of the roof it is considered occupants would have to stand right at the rooflights to view directly out and even then any overlooking would not be significantly greater than that afforded at first floor level. Furthermore the applicant has submitted information to demonstrate the outlook from these rooms to properties opposite in Darley Street would be limited only and there would be no unacceptable detrimental impact on existing privacy levels. Consequently it is not considered the development would result in an unacceptable level of overlooking to the occupiers of residential properties in Darley Street or a detrimental impact upon residential amenity overall. This relationship is not considered uncharacteristic of interface distances that are present within the surrounding area of residential terraced streets within Sale.
11. In terms of the building and the distance south east across Hyde Grove, 16.5m would be provided to the gable elevation of 1 Darley Street, on the junction with

Hyde Grove. This would exceed the separation distance of 15m to a gable elevation outlined in the Council's SPG: New Residential Development. While the side elevation of No. 1 is not blank, it features only secondary windows or non-habitable room windows. The amenity space of this property is already overlooked to a degree from the immediate adjoining property of No. 3 Darley Street and it is not considered the proposal would result in a detrimental loss of residential amenity over and above the existing levels to warrant a refusal on these grounds. The Council's guidance SPD4: A Guide for Designing House Extensions and Alterations (February 2012), while not directly applicable to new residential developments, nonetheless advises 10.5m distance between extensions and rear boundaries to amenity space. Consequently the proposal retaining 16.5m separation distance to the boundary of the amenity space of 1 Hyde Grove is considered to be acceptable.

12. To the north, views across Kelsall Street would be afforded from the proposed dwellings with windows in this elevation. These views would be directed towards the public park opposite. The closest residential property located opposite, albeit at an oblique angle, would be 18 Goodier Street. Given the orientation of the proposed building in relation to No.18, it is not considered the proposal would have a detrimental impact upon the residential amenity of this property.
13. At the rear of the proposed building, facing north east, no habitable room windows would be located in the rear elevation. The only openings would be high level windows serving a corridor to the first floor and roof lights to entrance lobbies of the apartments at second floor level. Kitchen windows are proposed on the rear side elevations, facing towards the central rear staircase at first floor level. These would be positioned approximately 18m from the rear elevations of the closest properties on Hyde Grove and Kelsall Street and to ensure there would be no loss of overlooking a condition is recommended requiring these two windows to be obscurely glazed up to 1.7m above floor level. The proposed building would be no higher than the neighbouring residential properties and it is considered that given that the existing building causes a degree of overshadowing, the additional impact of the proposed development would not be so significant as to justify refusal of the application. Overall it is considered the proposal would have a limited impact in terms of residential amenity.
14. The separation distances referenced above are considered to be sufficient to prevent the proposed apartment building from having an unreasonably overbearing or visually intrusive impact on existing neighbouring properties, and should ensure that the development does not unduly overshadow them either.
15. Communal refuse bins associated with the apartments are set to be accommodated within a brick enclosure within the ground floor level undercroft car park. It is considered that a suitably designed brick enclosure would be sufficient to prevent future occupants of the proposed dwellings from suffering any undue odour disturbance. A condition is recommended requiring details of

this enclosure to be submitted to the Council prior to commencement of above ground development.

16. Soft landscaping would be introduced to the front of the proposed building. Limited amenity space would be provided at ground floor level for the two ground floor apartments however the above ground units would not benefit from private amenity space. Nevertheless given the location of the site immediately opposite a public park accessed off Kelsall Street, it is considered, on balance, that the proposed development would be acceptable in this respect.
17. In terms of the proposed parking at the site, this would be accessed from the front and rear of the site. It is acknowledged there would be some amenity impacts from vehicles manoeuvring, but no windows directly face onto the access road at the rear and the noise associated with the parking to the front of the site would not be over and above that experienced by existing properties on Darley Street given the proximity to the existing road and on street parking.

ACCESS AND PARKING

18. The proposed development provides 8 x 2 bedroom dwellings. Under the Council's Parking Standards a scheme of this size generates a requirement for a maximum of 16 car parking spaces. SPD3 states that for residential development, car parking below the maximum standard will only be allowed where there will be no adverse impact on on-street parking arising from the development.
19. The Local Highway Authority was consulted on the initial submitted scheme. They commented that the site is very tight with only 9 car parking spaces for 8 two-bed apartments. They go on to state 'accessing the spaces at the rear using the narrow passageway is also very tight, although physically possible. Parking in the area is in high demand and as a result there are extensive parking restrictions and controls on the roads fronting and in the vicinity of the site, but this significantly reduces the likelihood that the proposed development could cause on-road parking to the detriment of existing residents because residents of the proposed development would not be eligible to apply for residents' permits in the existing on-street parking zone.' Furthermore the LHA states, 'although the development fits tightly on the site and the dedicated car and cycle parking on site falls well below the Council's maximum parking standards, it is considered that the development would not cause significant parking problems or parking disamenity to existing residents. However residents of the proposed development and their visitors will be heavily restricted by the provision on site and the surrounding on-street restrictions.'
20. Secure cycle parking is proposed within the site car park at ground floor level. A condition is recommended requiring details of the cycle parking to be submitted to the Council.

21. On balance, and in light of the comments received from the LHA, the proposal is considered to be acceptable in terms of parking provision and impact upon the highway.

PLANNING CONTRIBUTIONS

22. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Apartments located in the 'moderate zone' are liable to a CIL charge rate of £0 per square metre.

23. Due to a recent Court of Appeal Judgment (*Secretary of State for Communities and Local Government vs. West Berkshire District Council Reading Borough Council, issued 11/05/2016*), the Government reinstated NPPG guidance that states for planning proposals of ten units or fewer (and where the floorspace does not exceed 1000sqm) councils can no longer seek affordable housing contributions. The subject planning application falls into this category, therefore affordable housing contributions are not sought in this case.

CONCLUSION

24. In conclusion, the proposed development would result in the creation of 8 new units of residential housing and would not unduly impact upon the residential amenity of existing or future occupants in the vicinity. The scale, massing, siting and design of the proposal pays due regard to its surroundings and the development is considered to be in-line with all relevant policies set out in the Trafford Core Strategy, and the SPG: New Residential Development. No affordable housing contribution is now required. In accordance with Paragraph 14 of the NPPF, where an application for planning permission complies with the development plan, it should be approved without delay.

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15015 (PL) 100D; (SU) 001; (PL) 400C; (PL) 200 C; (PL) 300A; (PL) 510; (PL) 511 and (PL) 450..

Reason: To clarify the permission, having regard to Policies L1, L2, L4, L5 and L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

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

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

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

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

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

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

5. The development hereby permitted shall be carried out in accordance with the details contained in the Bat Assessment Report, TEP ref: 5021.002 June 2015 version 4 section 6.1-6.3.

Reason: In order to protect any bats that may be present on the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Before any of the residential units hereby approved are first occupied, 9 off-road car parking spaces shall be laid out in accordance with the submitted plan, drawing number 15015 (PL) 100 D and all necessary steps taken to ensure that they are lawfully

accessible. The approved parking spaces shall not thereafter be used for any purpose other than the parking of vehicles.

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

7. No development approved by this permission shall take place unless and until a Sustainable Urban Drainage Scheme to reduce surface water run-off from the site to meet the objectives of the Level 2/Hybrid Strategic Flood Risk Assessment objectives and Trafford Core Strategy Policy L5 has first been submitted to and approved in writing by the Local Planning Authority and none of the development shall be brought into use until such details as approved are implemented in full.

Reason: To reduce the risk of flooding, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the design of the development.

8. No above ground construction works shall take place unless and until a scheme for cycle 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 for its intended purpose.

Reason: To comply with Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 3: Parking Standards and Design February 2012 and the National Planning Policy Framework.

9. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,

- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with [Council's policies] and the National Planning Policy Framework.

10. No above ground construction works shall take place until details of the bin store, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted and approved in writing by the Local Planning Authority. The approved bin store shall be completed prior to the first occupation of the apartments and shall be retained thereafter.

Reason: To ensure satisfactory arrangements are in place for the disposal of refuse (including recyclables) in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Upon first installation the kitchen windows in the rear side elevations at first floor level shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

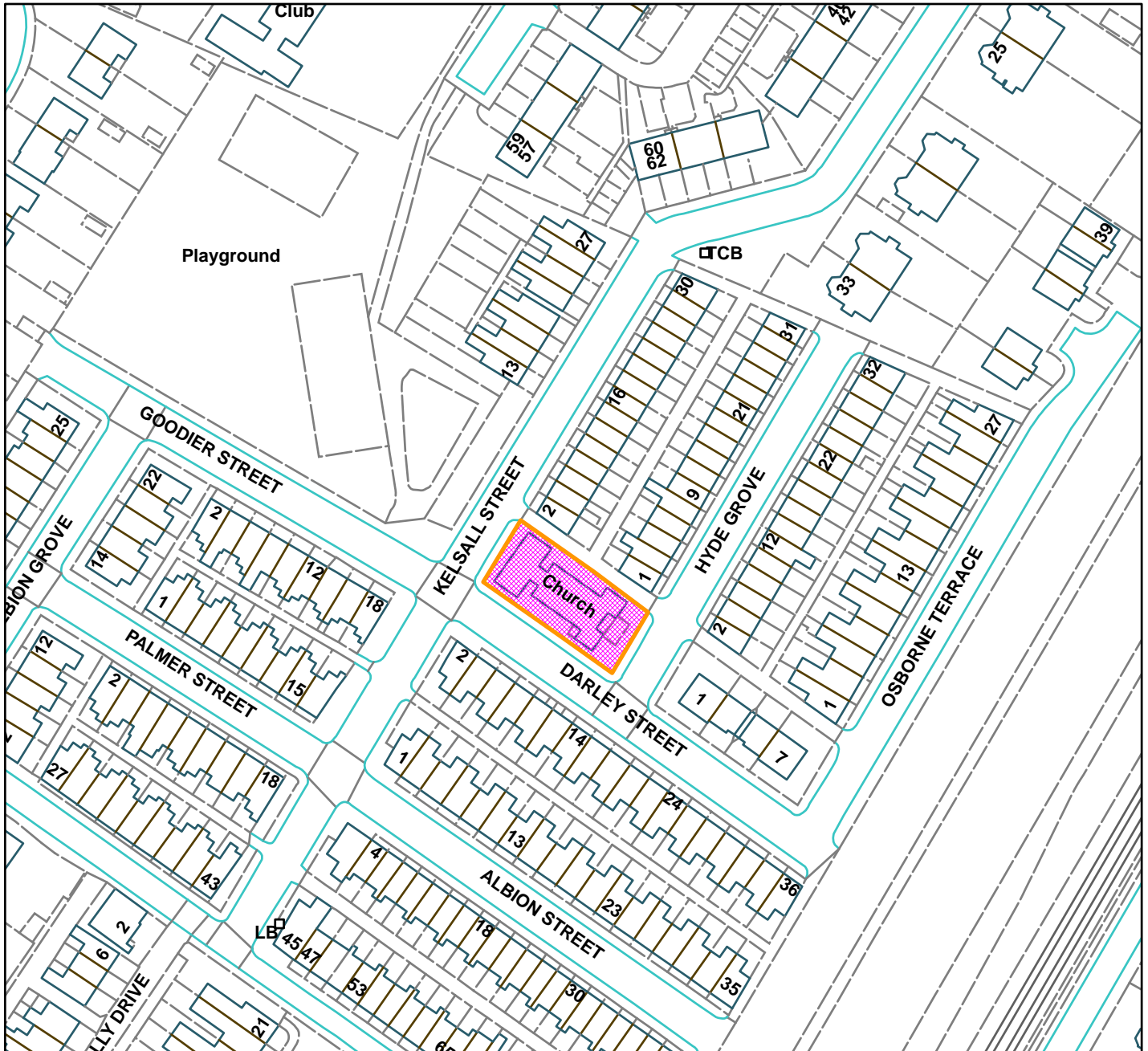
12. Upon first installation the lobby windows in the rear elevation at first floor level shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

LB



Evangelical Church, Darley Street, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/08/2016
Date	01/08/2016
MSA Number	100023172 (2012)

Erection of 8 no. two-storey detached dwellinghouses together with associated car parking; landscaping; creation of vehicular access off Davyhulme Road and demolition of existing outbuildings at the site.

Yew Tree Farm, 240 Davyhulme Road, Flixton, M41 8QH

APPLICANT: Branley Homes Ltd

AGENT: Ludlam Associates

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

BACKGROUND AND UPDATE

This application was previously brought before the Committee on 10 March 2016 and Members resolved that they were minded to grant the application subject to a legal agreement.

However before the legal agreement has been completed the applicants have proposed changes to the scheme. These changes include minor amendments to the design of Plots H1, H2, H3, H4, H6, H7, H8 including provision of 4 x rooflights to rear roofslope, provision of accommodation at roof level, fenestration changes at rear ground floor level and changes to the internal layout of the houses. Amendments to garage roof design for Plots H1, H4, H6 and H8 only are also proposed together with relocation of chimney to Plots H2, H3 and H7 only. Lastly, the blue line drawn around other land owned by the applicant adjoining the site, but not forming part of the application site, has been amended.

As a consequence the report has been updated and the proposed changes are discussed where relevant. A neighbour re-consultation was undertaken in July 2016. All other elements of the scheme and the officer recommendation remain unchanged.

SITE

The application relates to greenfield land situated on the northern side of Davyhulme Road. The application site previously lay within the curtilage of 240 Davyhulme Road, which bounds the site to the west. 240 Davyhulme Road consists of a farmhouse and former stable, both of which are grade II listed buildings. The farmhouse is dated 1713 and is constructed from rendered brick with a graduated stone slate roof. The property is two storeys, orientated to face Davyhulme Road. The stable is located to the east of the farmhouse and set back from the road. This structure is in a derelict condition and dates from the early eighteenth century. Formerly two storeys, the first floor of the stables have been demolished. The

building is constructed in brick with stone quoins. Adjacent to the northern elevation is a single storey twentieth century structure, although there is no record of planning permission being granted for this structure.

A public footpath, Bent Lanes, bounds the site to the east. Residential bungalows on Woodhouse Road are situated to the east and north-east of the site. Residential bungalows on Ryeburn Walk are also situated to the west of the site. Davyhulme Park Golf Course is situated opposite the site on the southern side of Davyhulme Road.

The application site contains mature trees along the eastern boundary and dense shrubbery along the northern boundary. A low level fence lies along the southern front boundary of the site and a timber post fence lies along the western boundary of the site.

PROPOSAL

The application proposes the erection of eight detached dwellinghouses, each with associated off road car parking and/or attached garage and landscaping. Plots 2, 3 and 7 would be the same style of dwellinghouse, and would have a ridge height of 9.2m. Plots 1, 4, 6 and 8 would be of the similar design with a ridge height also of 9.2m. Plot 5 would be individual in design with a ridge height of 7.2m. Plot 5 would contain 4 bedrooms and all the other dwellings would contain 5 bedrooms.

The proposal also includes the creation of a vehicular access off Davyhulme Road, with associated landscaping and fencing.

The increase in floor space of the proposed development would be 1,916 m².

VALUE ADDED

Following detailed discussions between the Local Planning Authority and the applicants, the proposal has been amended. The design and layout of the properties have been amended alongside the access road and streetscene drawings having been submitted. The development maintains a set back from Davyhulme Road and Plot 5 closest to Woodhouse Road has been amended in design to ensure it would sit comfortably with the existing neighbouring properties. The amended proposals are discussed in detail in this report.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
 L2 – Meeting Housing Needs
 L3 – Regeneration and Reducing Inequalities
 L4 – Sustainable Transport and Accessibility
 L7 – Design
 L8 – Planning Obligations
 R1 – Historic Environment
 R2 – Natural Environment

PROPOSALS MAP NOTATION

Unallocated

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Planning Guidelines: New Residential Development
 SPD1: Planning Obligations
 SPD3: Parking Standards and Design

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

In relation to the NPPF, of particular relevance to this development is Chapter 12 - Conserving and Enhancing the Historic Environment, and corresponding guidance within the NPPG.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

76607/FULL/2011 - Erection of 5 no. two-storey detached dwellinghouses with associated car parking / detached garages and landscaping and creation of vehicular access off Davyhulme Road on a parcel of land that included part of the application site. Approved with Conditions 4th July 2014

APPLICANT'S SUBMISSION

The applicant has submitted a Design and Access Statement, including a heritage statement relating to the impact of the proposal on the adjacent Listed Buildings. Also an Arboricultural Survey, Bat Survey and Flood Risk Assessment have been submitted. Information provided is referred to where relevant in the Observations section of this report.

CONSULTATIONS

Local Highway Authority – No objections in principle. Further comments are discussed in detail in the Observations section of the report.

Pollution & Licensing (Contaminated Land) – No objections. A contaminated land condition is recommended.

Lead Local Flood Authority – No objections, subject to a drainage condition.

Greater Manchester Archaeological Advisory Service (GMAAS) – Satisfied that the proposals do not pose a threat to any known or suspected archaeological interest.

United Utilities – No objections, subject to drainage conditions.

Electricity North West – No objections.

Greater Manchester Ecology Unit (GMEU) - No objections.

Greater Manchester Police - No objections.

REPRESENTATIONS

Seven letters of objection were received in regards to the original planning application drawings (prior to the submitted amendments), which were from properties on Yew Tree Drive, Woodhouse Road and Davyhulme Road. These letters raised the following concerns: -

- Land ownership to the northern boundary questioned. Branley Homes confirmed they own this land; nevertheless land ownership is not a material planning consideration.
- Due to the land levels, the proposed houses at Plots 4 and 5 will tower above any nearby properties. Bungalows at 143, 145, 147 and 149 will find themselves looking up at houses that are fully 2 storeys high.
- It is impossible to form an impression of the impact of these houses as the only plans available have no dimensions shown.
- There is no mention of fences and how high these are going to be.
- One resident has no objection subject to privacy distances being acceptable.
- There are very few areas of local historic farmland. At present the site affords clear views to the far countryside from Davyhulme Road and these will be destroyed by the proposal. When using the Bents Lane path the buildings will impact upon the rural historic nature of the old lane.

- The land is inhabited by a diverse mixture of wildlife and the land is of immense value to local residents
- Loss of more green space.

Two further letters of objection have been received in regards to the amended plans following re-consultation in February 2016 with the following additional comments:-

- The proposal would affect their human rights under the Human Rights Act of 1998
- The proposal would result in a loss of light contrary to the Prescription Act of 1832 and the 'right to light' that shall be deemed absolute and indefeasible
- Due to the above, Trafford Council should refuse planning permission.
- Permitted development rights should be removed from the houses by condition, in particular for Plots 4 and 5.
- Fence heights to the boundaries should be 2m.
- Landscaping should include evergreen species on the boundaries of Plots 4 and 5.
- Branley Homes do not own all the land edged in blue. Traffic is a nightmare at weekends with the Meadowside F.C nearby and dangerous parking blocking access roads and cycle paths.

One further letter of objection has been received in regards to the latest amended plans following re-consultation in July 2016. This raised objection to the roof level accommodation in the proposed houses as this would cause the bungalows in Ryeburn Place to be overlooked and the proposal would affect the value of properties in the area.

OBSERVATIONS

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
3. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better

balance between housing demand and supply, Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the site is identified in the Council's SHLAA (Strategic Housing Land Availability Assessment), and the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 8 new family houses in a sustainable location. Most of the site is currently undeveloped, albeit some agricultural buildings and it is therefore considered to be sustainable urban greenfield land. Whilst the Council is also currently failing to meet its target of locating 80% of new housing provision on previously developed brownfield land, the scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The principle of the development is therefore considered to be acceptable.

RESIDENTIAL AMENITY

4. Residential properties (including bungalows) on Woodhouse Road are situated to the north and east of the site. A footpath, Bent Lanes, and highway known as Woodhouse Road, lie between the application site and these properties. Residential bungalows on Ryeburn Walk are situated to the west of the site and residential properties on Davyhulme Road are also situated to the east and west of the site.
5. Trafford Planning Guidelines: New Residential Development states that for new two storey dwellings in cases where special provisions for creating internal and external privacy are not employed, the minimum distance between dwellings which have major facing windows is 21m across public highways and 27m across private gardens. Where three storey dwellings are proposed the minimum distances are increased by 3 metres. The guidelines further state that where privacy and visual amenity is achieved by permanent screening, such as walls or fences, or by window design and location, these distances may be reduced. The guidelines also acknowledge that a rigid adherence to spacing standards can stifle creativity in design and result in uniformity of development. It states that the Council is looking to encourage imaginative design solutions and in doing so accepts the need for a flexible approach to privacy distances between buildings within a development site, where good design or the particular circumstances of the site allow this.
6. The proposed dwelling situated closest to No.143 and 145 Woodhouse Road would be Plot 5. A minimum distance of 26m, increasing to 30m would remain between this proposed dwelling and these neighbouring bungalow properties. It is recognised that Plot 5 would be situated at a higher ground level than the neighbouring properties (the ground floor level would be situated approximately 2.5m higher than the ground level at the No.143 & 145). However, this distance would be across a public highway and would be looking towards the front elevations of Nos. 143 and 145, not private garden areas. The applicants also propose to provide additional planting along the

northern boundary of the site to provide a buffer between the properties and to create an additional form of screening to reduce the impression of overlooking. A landscaping condition is recommended to ensure that this is provided and to ensure species where planting is proposed help soften the impact of the proposed development on neighbouring properties. A minimum distance of 28m would lie between this property and the front corner of No.147. This distance would also be across a vehicular highway.

7. The proposed dwellings situated closest to No.155 Woodhouse Road are Plots 4 and 5. Plot 4 would be situated facing east and west. Only part of the rear elevation of Plot 4 would face the side elevation of No. 155 and a minimum distance of 21m would lie between the rear elevation of Plot 4 and the closest corner of No.155. A minimum distance of 28m would lie between the side elevation of 155 and the side elevation of Plot 5. While the proposal would include a master bedroom within the roof level, only rooflights are proposed at this level. These would be high level rooflights positioned 1.7m above floor level and, set back approximately 3.5m from the eaves. This together with the pitch of the roof would result in occupants having to stand right at the rooflights to view directly and even then any overlooking would not be significantly greater than that afforded at first floor level. It is recognised that these distances are also across a public footpath, Bent Lanes, and that the proposed dwellings sit at a higher level than No. 155. Existing mature planting lies along the eastern boundary of the application site, which is proposed to be retained. Dense mature evergreen planting also lies along a significant proportion of the front boundary of No.155, which collectively would screen many views of the proposed development from No.155. Concerns about 'right to light' other than overlooking and overshadowing (material planning considerations) are civil matters and if neighbours have specific concerns, there are civil remedies available. However, given the distance and the orientation of Plots 4 and 5 together with the dense planting along the boundary of the site and that of 155, it is not considered the proposal would result in a detrimental impact in terms of overlooking or overshadowing. Nevertheless a condition restricting permitted development rights for dormer roof extensions at Plot 4 is recommended. This is because a dormer extension with windows, other than rooflights, could result in three storey development with windows that fail to meet the minimum separation distance as outlined in SPG Trafford Planning Guidelines: New Residential Development. This would result in a material change that has the potential to be detrimental to the relationship with No. 155 Woodhouse Road and the amenity enjoyed by the occupants of this neighbouring property.
8. The neighbouring property No.232 Davyhulme Road is situated to the east of the site and benefits from 50.8m long rear garden. Plot 1 is situated closest to No.232 and would be set back from No.232 and positioned at an angle facing towards the lower rear garden of No.232. A minimum distance of 26m would lie between this proposed dwelling and the rear elevation of No.232. The rear elevations of Plots 2 and 3 would also face the lower rear garden of No.232 and a minimum distance of between 16.8m and 17.5m would remain between the proposed dwellings and the boundary of this neighbouring garden. Mature planting along the eastern boundary of the application site and along

the western boundary of No.232 would also partially screen views of the proposed development from No.232.

9. The proposed dwelling on Plot 5 would be situated adjacent to No.17 Ryeburn Walk. The proposed dwelling would project forward of the front elevation of No.17 in a stepped formation by between approximately 0.8m-1m. A minimum distance of 5m would lie between the proposed dwelling and the side elevation of No.17. The part of the dwelling closest to No.17 would project 0.8m beyond the front of No.17. This relationship is considered to be acceptable and it is also recognised that the proposed dwelling as viewed from Ryeburn Walk would have the appearance of a bungalow, which has a ridge height that would be approximately 0.9m higher than No.17.
10. The proposed dwelling situated closest to Nos. 15 and 17 Ryeburn Walk to the south would be Plot 6. The flank elevation of this dwelling would be positioned between 15-19m from the front elevations of Nos. 15 and 17 Ryeburn Walk, in accordance with the Council's Planning Guidelines: New Residential Development.
11. Plots 6, 7 and 8 would be positioned in closest proximity to the Listed Buildings, 240 Davyhulme Road and the adjacent stable. Between 16m - 22m would be retained between the side elevation of the derelict stable and the rear elevations of Plots 6, 7 and 8. This would be in accordance with the Council's Planning Guidelines: New Residential Development for two storey dwellings. However as discussed above when referring to Plot 4, the proposed roof level accommodation would feature high level rooflights positioned 1.7m above floor level and be set back approximately 3.5m from the eaves. This together with the pitch of the roof would result in occupants having to stand right at the rooflights to view directly and even then any overlooking would not be significantly greater than that afforded at first floor level. Furthermore, between 37m to 42m would be retained between the rear elevations of the new houses and the side elevation of 240 Davyhulme Road. Therefore it is not considered the proposal would result in a detrimental impact in terms of overlooking or overshadowing.
12. The proposed dwellings within the site would be separated by a minimum distance of 21m across the proposed new access road. This would ensure sufficient privacy distances between the new dwellings for the future occupants.
13. It is therefore considered that, given the above detailed separation distances, the proposed development would not result in an undue loss of privacy or have an overbearing impact on neighbouring residential properties. It is also considered that the proposed development would have an acceptable level of amenity for the future occupants.

IMPACT ON HERITAGE ASSETS

14. When assessing the impact of the development on the setting of the adjacent listed buildings, due regard must be given to Section 66 of the Planning

(Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving its setting.

15. With regards to the historic environment the NPPF states that local planning authorities should take account of:
 - a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131).
16. Policy 132 of the NPPF states the more significant the heritage asset the greater the presumption in favour of its conservation.

Impact on Listed buildings

17. The application site lies within the setting of a largely urban landscape and two designated heritage assets, both Grade II listed, namely the farmhouse and stable situated at No.240 Davyhulme Road. These heritage assets are individually listed in their own right. The stable is in a state of disrepair and has been for a number of years. Only the walls remain at ground floor level, with the roof and first floor level walls no longer existing.
18. The Council are aware that the applicants have made an application to Historic England to de-list the Grade II listed stable due to its dilapidated condition. At the time of writing this report it is understood that a decision on this application is pending. Nevertheless for the purposes of consideration of this application, the current state of the stable building is not considered to lessen its significance when assessing the impact of the proposed development on its setting.
19. It is considered the significance of both listed buildings is mainly in their fabric and construction. The listing for the Grade II listed stable discusses the early C18. Flemish bond brick and other materials used in its construction. The listing for the Grade II listed farmhouse also makes reference to materials and particular details including interior beams. Having considered this and the existing setting of both listed buildings, it is considered that the setting of both has already been compromised to a large extent by the construction of existing adjacent residential development, namely at Ryeburn Place. Residential bungalows on Ryeburn Place surround the site to the north and the west, with a single storey bungalow located immediately adjacent to the Grade II listed farmhouse.
20. It is considered the important historical relationship in terms of function between the Farmhouse and the stable structure surrounded by a spacious historic agricultural setting and these non-designated heritage assets has

already been compromised, with much of the original curtilage farmland having been sold off and developed for housing.

Impact on non-designated heritage assets

21. In addition to the above mentioned listed buildings, the site is considered to be adjacent to a number of non-designated heritage assets. These include the property at No. 232 Davyhulme Road and Bents Lane footpath, located to the east, both of which are present on the 1888 Ordnance Survey map. Additionally No. 273 Davyhulme Road located to the south of the site across the road is considered to be a non-designated heritage asset.
22. Policy 135 of the NPPF states "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Benefits of the scheme

23. Policy 134 of the NPPF states "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."
24. It is acknowledged that the proposal would result in a degree of harm to the setting of the heritage assets, being located on part of the traditional agricultural land associated with the listed farmhouse and stable. However, while this open space makes a positive contribution to the character and appearance of the area and setting of the listed buildings when viewed from Davyhulme Road, this must be weighed against the positive impacts of the development, in accordance with the NPPF.
25. It is considered the proposal would result in less than substantial harm and it is recognised there are public benefits to the scheme. The land and structure at 240 Davyhulme Road has remained un-kept and in a state of disrepair for a number of years and this proposal would result in a development that would improve the visual appearance of the site and provide public benefit in the form of the provision of 8 additional family sized dwellings (3 additional dwellings on top of the previous permitted scheme at the site) to this part of the borough in a sustainable location. As discussed previously, much of the original curtilage of the farmhouse has previously been sold off for housing development and the setting of the heritage assets has already been compromised. Consequently it is considered the public benefit of additional family sized residential dwellings outweighs the less than substantial harm caused to the setting of the listed buildings and the non-designated heritage assets in this case.

26. The development complies with Paragraph 134 of the NPPF. In reaching this decision due regard has been given to S66 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

DESIGN

27. National planning policy as set out in the NPPF states that the Government attaches great importance to the design of the built environment and how good design is a key aspect of sustainable development (Section 7 of the NPPF). NPPF requires developments to add to the overall quality of the area; respond to local character and history and reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Amongst the core planning principles the NPPF states that planning should: “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” “take account of the different roles and character of different areas, promoting the vitality of our main urban areas...” (Set out in paragraph 17).
28. The proposed dwellings would be situated in a relatively informal layout and the dwellings closest to the listed buildings (Plots 6 - 8) would be slightly staggered to ensure that the development would not form a solid linear backdrop to the listed buildings when viewed eastwards along Davyhulme Road. Planting along the boundary with the listed buildings and the proposed dwellings would also serve to buffer the proposed development and help soften the appearance of the development in the context of the listed buildings.
29. The proposed dwellings have been designed with modest features together with traditional materials. It is considered the dwellings would sit quietly in their setting and their detailed design would complement the traditional rural setting of the site. Rooflights are proposed only to the rear roof slope only so as not to impact the traditional modest appearance of the new dwellings. At the southern end of the site, closest to Davyhulme Road, the proposed development would be set back and a substantial area of open space with landscaping would be retained. The proposed dwellings at Plots 1 and 8 would be set back between 15-21.5m from Davyhulme Road. It is considered that through retaining this area undeveloped, this would allow views across to the two listed buildings and also to non-designated heritage asset No. 232 Davyhulme Road. Landscaping within this area will ensure the proposed development would not appear over prominent within the existing streetscene and would serve as a reminder of the original farmland setting of the site.

ACCESS, HIGHWAYS AND PARKING

30. The proposed development would comprise of four and five bedroom dwellinghouses and as such three off road car parking spaces are required for each of the dwellings to comply with the Council’s car parking standards.

31. The application includes the provision of at least three car parking spaces for each dwelling, in the form of off road car parking spaces and a garage per property, which are proposed in an acceptable form. It is therefore considered that the proposed development would not result in on-street car parking demand in the surrounding area. The Local Highways Authority (LHA) has no objections to the scheme, given amended plans have overcome initial concerns. While the latest amendments have resulted in utility space being accommodated within the garages to the dwellings, these continue to comply with the requirements set out within the Council's Parking Standards and Design SPD3. The application includes the creation of a new vehicular access road off Davyhulme Road to serve the proposed development. The creation of a new vehicular access in this location is considered acceptable and the width of the access and proposed footway are also considered acceptable. The access road has been amended since initial submission to be more direct with a shallower bend to improve visibility for vehicles entering and exiting the site and driveway layouts have been amended to ensure parking is safe and there would be no necessity for on street parking. The proposal is considered to comply with Policies L4 and L7 of the Core Strategy.

FLOOD RISK AND DRAINAGE

32. A Flood Risk Assessment has been submitted with the application and notes that the site is identified as being located mainly within Flood Zone 1 (low risk) of the Environment Agency Flood Zones with the northern tip of the site infringing on a Flood Zone 2. Based on the available information the probability of the site flooding from surface water is low and the risk of flooding from other sources is also low. It is recommended any approval includes conditions relating to submissions of schemes to limit the surface water run-off generated by the proposed development and to manage the risk of flooding from overland flow of surface water.
33. The proposal is considered acceptable in terms of flood risk and drainage, subject to conditions.

DEVELOPER CONTRIBUTIONS

34. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Consequently private market houses would be liable to a CIL charge rate of £40 per square metre.
35. The contribution for Specific Green Infrastructure is based upon the requirement to provide 24 trees. The applicant has indicated that they wish to provide these trees within the site and a landscaping plan has been submitted. This indicates over 24 trees would be provided at the site. A condition is recommended requiring compliance with the landscaping scheme.
36. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Urmston area is identified as a "moderate" market

location where the affordable housing contribution set out in Policy L2 is 10% due to 'cold market conditions.' This equates to a requirement for 1 of the 8 dwellings to be affordable.

37. Since this application was last heard at Planning Applications Committee Thursday 10th March this year, there has been a recent Court of Appeal Judgment (*Secretary of State for Communities and Local Government vs. West Berkshire District Council Reading Borough Council, issued 11/05/2016*). As a result of this judgment the Government reinstated NPPG guidance that states for planning proposals of ten units or less (and where the floorspace does not exceed 1000sqm) Councils can no longer seek affordable housing contributions. However given the subject planning application would result in over 1000sqm of floorspace this proposal is still required to provide affordable housing.
38. The applicant has submitted a viability appraisal in terms of affordable housing provision. Following assessment of the submitted viability appraisal the Council's Estates Section (Amey) concluded it is viable for the development to provide affordable housing in the form of a commuted sum towards the provision of off-site affordable housing provision. Consequently a commuted sum of £22,500 (payable on occupation of the 4th dwelling) was agreed between the parties to deliver new affordable homes, and will be secured via a S106 Agreement.

OTHER ISSUES

39. Concerns raised by neighbouring residents are noted, including concerns relating to their human rights. It is considered that the proposed development would not deprive any individual of their home or private and family life and therefore would not result in a breach of human rights.
40. Neighbours have disputed the applicant's ownership of land within the blue edged plan. Land ownership issues are not material to the determination of planning applications and the land within the blue edge is not required to make any element of the development acceptable.

RECOMMENDATION

MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT:-

(A) That the application will propose a satisfactory development for the site upon completion of a legal agreement which will secure affordable housing provision, in accordance with Policy L2 of the Core Strategy.

(B) In the circumstances where the S106 Agreement has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development; and

(C) That upon satisfactory completion of the above legal agreement / undertaking, planning permission be **GRANTED subject to the following conditions: -**

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 4020/101 REV M, 4020/110 REV N, 4020/111 REV E, 4020/133 REV C, 4020/002 REV B and 4020/132 REV B.

Reason: To clarify the permission, having regard to Policies L1, L2, L3, L4, L7, L8, R1 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

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

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

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

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

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies L7 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any risks are mitigated before any works commence at the site.

7. No part of the development shall be occupied until details of the type, siting, design, colour and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

8. The car parking, servicing and vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be provided and made fully available for use prior to any part of the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: To provide adequate parking provision within the development and in the interest of highway safety and the free flow of traffic and in accordance with Policies L4 and L7 of the Trafford Core Strategy, the National Planning Policy Framework and the Council's adopted Supplementary Planning Document 3: Parking Standards and Design.

9. Notwithstanding the details shown on the submitted plans and the requirements of Condition 2 of this permission, and prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing or a scheme directing run-off water from that hard standing to a permeable or porous area or surface, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: To prevent localised flooding in accordance with Policies L7, R3 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: To prevent localised flooding in accordance with Policies L7 and L5 of the Trafford Core Strategy and relevant guidance in the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the final scheme.

11. The site shall be drained via separate systems for the disposal of foul and surface water.

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

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

(i) no dormer windows shall be added to the rear elevation of the dwelling titled 'House 4' on drawing number 4020/101 Rev M,

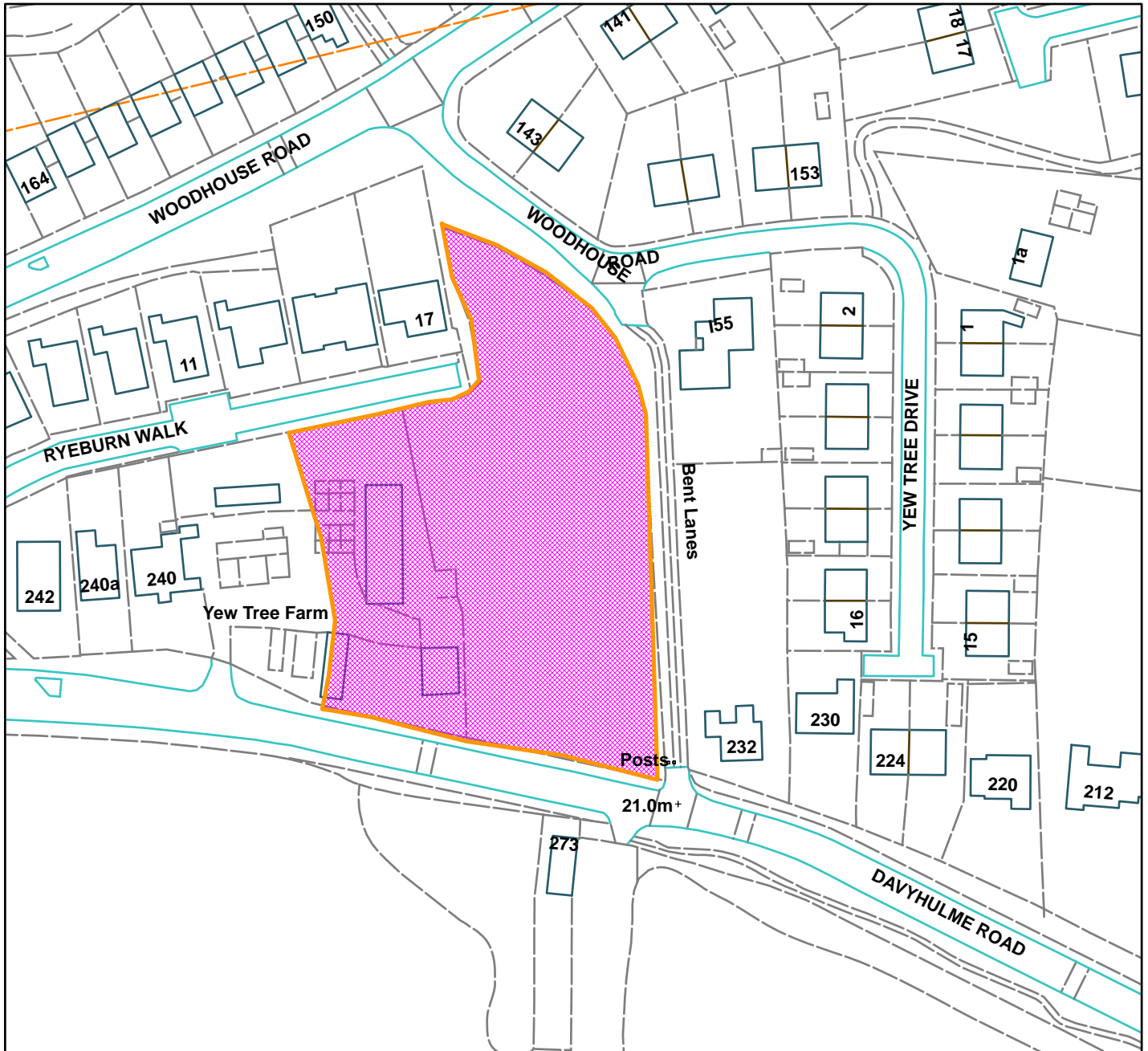
unless planning permission for such development has been granted by the Local Planning Authority.

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

LB



Yew Tree Farm, 240 Davyhulme Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/08/2016
Date	01/08/2016
MSA Number	100023172 (2012)

WARD: Brooklands

88382/FUL/16

DEPARTURE: No

Change of use from existing B1 (business) to a D1 (non-residential institution) as a day care nursery for a maximum of 40 children. Proposal includes associated external works to car parking and landscaping and upgraded DDA compliant access to the building.

3 Derbyshire Road South, Sale, M33 3JN

APPLICANT: Mr Michael Porter

AGENT: Mr Scott Bearman, Pozzoni

RECOMMENDATION: GRANT

The application has been reported to Committee due to the number of objections received exceeding six.

SITE

The application relates to a detached part-two storey part-three storey building situated on the north-eastern side of Derbyshire Road in Sale. This is a brick-built property with a slate roof and currently has a lawful B1(a) office use. There is vehicular access to the rear of the site at the south side of the main building which leads to a parking area at the rear of the building. There is also car parking space for approximately three vehicles to the front of the building.

Land to the north-west is occupied by a three storey apartment building containing 18 apartments and that to the east is occupied by a row of terraced dwellings beyond an alleyway. To the south-east is No 5 Derbyshire Road which is currently in use as a D1 day nursery.

PROPOSAL

Planning permission is sought for the change of use of the property to a day care nursery falling within the D1 use class. This is intended to accommodate up to 40 children and the proposed plans also indicate associated works to the car parking area, landscaping, the addition of fencing and the creation of a rear access ramp.

The proposed use would be operated in conjunction with the adjacent day nursery use (which is subject to a condition limiting the maximum number of children to 36 with a one way system for vehicles during drop off and pick up periods, utilising the existing vehicular access to the south of 5 Derbyshire Road as the exit.

As the proposal does not involve the creation of any new floorspace, there is no requirement for a CIL contribution.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility
L7 – Design
L8 – Planning Obligations
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

SUPPLEMENTARY PLANNING DOCUMENTS

Revised SPD1 – Planning Obligations
SPD3 – Parking Standards & Design
PG5 – Day Nurseries and Playgroups

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

No. 3 Derbyshire Road South:

H/47572: Change of use from guest house to offices – Approved with conditions 29/07/1999.

H37833: Change of use from dwellinghouse to dwellinghouse and bed & breakfast accommodation (3 bedrooms) – Approved with conditions 19/01/1994.

No. 5 Derbyshire Road South:

H44229: Erection of second floor extension to form additional living accommodation – Approved with conditions 22/10/1997.

H41647: Change of use of 1st floor from residential to day nursery & variation of condition 3 of planning permission H/33086 to increase the number of children from 36 to 40 – Refused 22/05/1996.

H38365: Erection of rear conservatory and formation of vehicular access to extended car park at rear – Approved with conditions 02/03/1994.

H37842: Erection of rear conservatory – Refused 25/10/1993.

H33086: Change of use of basement and ground floor from dwelling house to day nursery for a maximum of 36 children. Retention of upper floor – Approved with conditions 03/07/1991.

APPLICANT'S SUBMISSION

The applicant has submitted a Planning Statement dated April 2016 in support of the application whilst a site Management Plan was provided via email on 8th July 2016. The applicant has also submitted details from the Trafford Council website advising of the additional free childcare available for 3- and 4-year-olds from September 2017. This also advises of the Council's intention to submit a bid for a share of capital funding available to assist in the delivery of this additional childcare provision.

CONSULTATIONS

Trafford Council – Drainage: Drainage details to be submitted.

Trafford Council – Traffic & Transportation: The LHA accept this (parking) provision. The LHA has concerns regarding parking layout, suggests that the applicant considers whether amendments to the layout could be made.

Revised parking layout received – LHA confirms this is acceptable.

Trafford Council – Pollution & Licensing (Nuisance): Management plan required – this has subsequently been provided by the applicant and deemed acceptable by Pollution & Licensing. Deliveries and waste collections should be made between the hours of 07.00 and 19.00.

REPRESENTATIONS

Following the initial consultation period, letters of objection from nine local residents and letters of support from five local residents have been received. Following receipt of plans showing a revised parking layout, local residents were consulted for a further ten days. As a result of this consultation period, two further letters of objection and four letters of support have been received. The letters of objection raise the following concerns:

- Development will result in increased traffic in an already very busy area
- More noise which can already be very disturbing
- Disturbance from works being carried out
- Hulme Road and Parkside Road are already being used for parking by the nursery – the amount of parking proposed will not deal with this
- Concerned that applicant will carry out further work not authorised by this permission (if approved)
- Area marked on documentation as a car park is currently marked as a play area
- Additional ten employees will put pressure on existing neighbourhood parking facilities
- Opening and closing times will put additional pressure on local road traffic
- Concerns for the future of trees in the rear of the property
- Overlooking from existing nursery
- On-street parking is causing an obstruction to bus passengers waiting at bus stops
- Additional parking wouldn't be safe for children or pedestrians
- Parking makes it difficult for residents to put bins out for collection
- Area shown as parking could be used as a play area instead

The letters of support make the following comments:

- Sale requires additional nursery places
- Current nursery provides outstanding provision so additional provision will be an asset to the community
- Many existing nurseries have no availability and long waiting lists
- Nursery will provide job opportunities
- The location is ideal for a nursery

OBSERVATIONS

The key issues for consideration in this application are the principle of the development, its design and appearance, its impact on residential amenity and highways matters.

PRINCIPLE OF DEVELOPMENT

1. The application site is within the urban area and the proposal would make use of an existing building in what is considered to be a sustainable location. The property is adjacent to an existing nursery use and there would not be any loss of employment land or other allocated land as a result of the change of use.
2. Furthermore, the Council's adopted document PG5: Day Nurseries and Playgroups states that "*locations in residential areas are appropriate*" when considering suitable sites for a use of this type.
3. Given the above, there is not considered to be any policy objection to the proposed change of use in this location.

DESIGN AND APPEARANCE

4. Paragraph 58 of the NPPF states that "*The Government attaches great importance to the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*". Paragraph 64 states that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*".
5. Policy L7 of the Trafford Core Strategy states that "*In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan*".
6. The extent of external alterations proposed is not significant with only changes to the parking area, the addition of fencing within the site and the creation of a rear access ramp proposed. The site plan also shows that the existing boundary wall to the north and east of the site would be raised to a uniform height of 1.8m. These alterations do not raise any concerns in terms of their design and appearance and a condition can be imposed requiring the submission of the materials used for these elements of the scheme. On this basis, the development is considered to be acceptable in this respect, according with the above planning policies.

RESIDENTIAL AMENITY

7. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and Not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way”*.
8. No extensions to the existing building are proposed and as such, there would not be any additional impact on residential amenity through overlooking or overshadowing.
9. The Council’s adopted document PG5 gives a number of criteria which a building and a site as a whole should comply with in order to be deemed acceptable for a day nursery use from a residential amenity perspective. These criteria are as follows:

The building should be:

- *Detached*
- *Set well back from the road*

The site should be:

- *Sizeable in area*
- *With a long road frontage*
- *Well screened with boundary landscaping*
- *With a large garden...so that outdoor play need not be unduly close to neighbours*
- *With clear lines of sight on either side of the egress*

10. The proposed building and site are considered to comply with all of the above criteria. It is noted that the areas highlighted for outdoor play would not be immediately adjacent to any private residential garden area, with an alleyway separating it from properties to the east and land to the north-west being used as parking space within the curtilage of an apartment building. This situation helps to minimise any impact relating to noise from the proposed nursery.
11. Whilst the site and property are deemed to comply with the above criteria, PG5 goes on to say that *“properties will not necessarily have to have all these characteristics to be acceptable, although the larger day nurseries will certainly need most of them”*. This provides further policy support for the proposed use in this location.

12. The Council's Pollution and Licensing Department (Nuisance) has been consulted and requested additional information from the applicant regarding the management of the nursery and how play times would be organised, for example in order to minimise disruption to neighbours through noise and other disturbances. The applicant has subsequently provided a management plan which notes (amongst other points) that outdoor play will be limited to three hours per day. This is considered acceptable by Pollution and Licensing, including in terms of the cumulative noise impact from this and the existing nursery at No 5 which can currently operate lawfully without any restriction on outdoor play times. As such, a condition will be attached to any consent issued relating to the implementation of this management plan. A condition will also be necessary to limit the total number of children at the property at any one time to that proposed (40 children).
13. Given the above, the application is considered to be acceptable in terms of its impact on residential amenity and would comply with Policy L7 of the Trafford Core Strategy, PG5: Day Nurseries and Playgroups and the NPPF.

HIGHWAY MATTERS

14. Policy L4 of the Trafford Core Strategy states that *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way”*.
15. The proposed development will result in an increase in the maximum number of children attending the two nurseries (at Nos 3 and 5) at any one time to 72. The Council's adopted SPD3: Parking Standards and Design states that for Use Class D1, the total amount of car parking on site including staff and drop-off is assessed as 13 spaces for 70 children.
16. The application notes that during drop-off and pick-up periods, a one-way access route through the curtilages of Nos. 3 and 5 with egress on to Hulme Road will be in operation. Outside of these times, it is proposed that access and egress to No 3 will be via Derbyshire Road South and there will be no vehicular access to No 5; this is to allow more room for outdoor play space during the day.
17. The local highway authority (LHA) has been consulted on this application and has accepted the proposed level of parking, noting that the site is located on a bus route and unrestricted on-street parking is available. Concerns were originally raised regarding the proposed parking layout, in particular the ability for vehicles to manoeuvre within the site and exit in forward gear. The plans have subsequently been amended to address these concerns and the LHA has confirmed that they have no highway objections to the application.

18. Local residents have commented that the area shown within the curtilage of No 5 as being used as parking spaces during pick-up and drop-off times is not in reality being used for this purpose. The statement submitted with the application notes that a temporary fence would be in place during the day which would be removed to enable parking in this area during pick-up and drop-off periods. It may be the case that this area is not currently used for parking, however a condition can be attached to any consent issued requiring these spaces to be made available for use during these periods and on this basis, this aspect of the scheme is considered acceptable, constituting an improvement to the existing situation.
19. A number of concerns raised by local residents relate to the development exacerbating issues caused by on-street parking associated with the existing nursery, including obstruction of bus stops and a lack of space for leaving refuse bins out. It is noted that there are no parking restrictions in place on roads in the immediate vicinity of the site. PG5 specifically states that the type of road on which a nursery would suit being located should be *“without ‘no waiting’ restrictions because on-street parking would be likely to occur and cause problems”*. As noted in this guidance, on-street parking is an acknowledged characteristic of day nurseries and the proposal would accord with this guidance, being situated on a road without any such restrictions. Notwithstanding this, the creation of a route through the site for dropping off and picking up children is considered to result in an overall improvement to the existing situation, given that no such system is currently in place.
20. PG5 lists a number of other characteristics which a road should have if it is to be considered suitable for a nursery. The proposal is deemed to accord with each of these points, with Derbyshire Road South not being ‘very quiet’, not a cul-de-sac and would not be considered a ‘principal road’ or ‘very congested’.
21. A further concern highlighted in a neighbour consultation response relates to the proposed opening times putting pressure on parking in the area. The nursery at No 3 would not have longer opening hours (08.00 – 18.00 Monday to Friday) than the existing nursery at No 5, hours which are not considered to be excessive for a use of this type. On this basis, there is not considered to be any additional harm caused by the intended hours of use.
22. Overall, the proposed development is considered to accord with Policy L4 of the Trafford Core Strategy and the NPPF, as well as the Council’s adopted SPD3: Parking Standards and Design and PG5: Day Nurseries and Playgroups. As such, the development is considered to be acceptable in this respect.

OTHER MATTERS

23. Core Strategy Policies R2 and R3 seeks to ensure that all development provide some contribution to green infrastructure. As such, an appropriate contribution to green infrastructure within the site will be required via a landscaping condition.
24. Neighbour consultation responses raise concerns that the trees to the rear of No 5 would be lost as a result of the proposed development. These trees are not protected, however a condition will be attached to any consent requiring these to be retained in the interests of amenity and requiring appropriate tree protection measures to be put in place.
25. Another concern refers to overlooking from the existing nursery. This is not a material consideration in the current application as it relates to a development which has already been lawfully carried out.
26. Other objections relate to disturbance caused whilst works are carried out. Again, this is not a consideration that would carry any significant weight in the determination of the application with some level of disturbance expected as part of any development. Notwithstanding this, the proposal largely relates to the conversion of an existing building so any such disturbance is likely to be minimal.
27. One final point raised in letters of objection notes that further work not authorised by this permission could subsequently be carried out by the owner of the nursery. Any such works requiring planning permission would need to be considered on their own merits and are not a matter for consideration at this stage.

DEVELOPER CONTRIBUTIONS

28. As the proposal does not involve the creation of any new floorspace, there is no requirement for a CIL contribution.

CONCLUSION

29. The comments of local residents have been taken into consideration in the assessment of the application, however the development accords with the development plan, national planning policy and relevant supplementary planning documents. As such, the application is recommended for approval subject to the conditions listed below.

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P4529_001, P4529_201 (Rev C), P4529_210 and P4529_310 and retained as such thereafter.

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

3. No above ground development shall take place until details of the materials to be used in the construction of the access ramp, details of all new boundary treatments and details of surfacing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy.

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

Reason: To reduce the risk of flooding having regard to Policy L5 and L7 of the Trafford Core Strategy. The condition requires the submission of details prior to the commencement of development as these will need to be incorporated into the design of the development.

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

following final occupation of the development hereby permitted, whichever is the sooner.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies L7, L8, R2, R3 and R5 of the Trafford Core Strategy and to comply with SPD1: Planning Obligations and the National Planning Policy Framework.

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Trafford Core Strategy Policies L7, R2 and R3 and the National Planning Policy Framework. The condition requires the submission of details prior to the commencement of development as the tree protection measures will need to be put in place prior to the commencement of development.

7. The use hereby permitted shall not take place unless and until the car parking, cycle parking, motorcycle parking and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted (including those at No. 5 Derbyshire Road South) have been made fully available for use and the existing garage and canopy at No. 5 Derbyshire Road South have been removed. The car parking, cycle parking, motorcycle parking and other vehicle access arrangements shown on the approved plans shall be retained thereafter for their intended purpose. All car parking spaces, including those numbered 1-6 within the curtilage of No 5 Derbyshire Road South on the approved site plan as well as the one-way system through the site shall be made available for use during drop-off and pick-up periods at all times when No. 3 Derbyshire Road South is in use as a day nursery.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policy L4, SPD3: Parking Standards and Design and the National Planning Policy Framework.

8. The Management Plan set out in the email from Michael Porter dated 08/07/2016 shall be implemented at all times when No. 3 Derbyshire Road South is in use as a day nursery.

Reason: In the interest of residential amenity in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

9. The total number of children accommodated in the day nursery facility at No 3 Derbyshire Road South at any one time shall be limited to a maximum of forty.

Reason: In the interest of residential amenity in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The day nursery hereby approved shall not be open for business outside the hours of:

08.00 - 18.00 Monday to Friday

nor at any time on Saturdays, Sundays or Bank Holidays.

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

11. Waste collections and deliveries to or from the premises shall not take place outside the following hours:

Mon-Sat: 07.00 - 19.00

Waste collections and deliveries shall not take place at any time on Sundays or Bank Holidays.

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

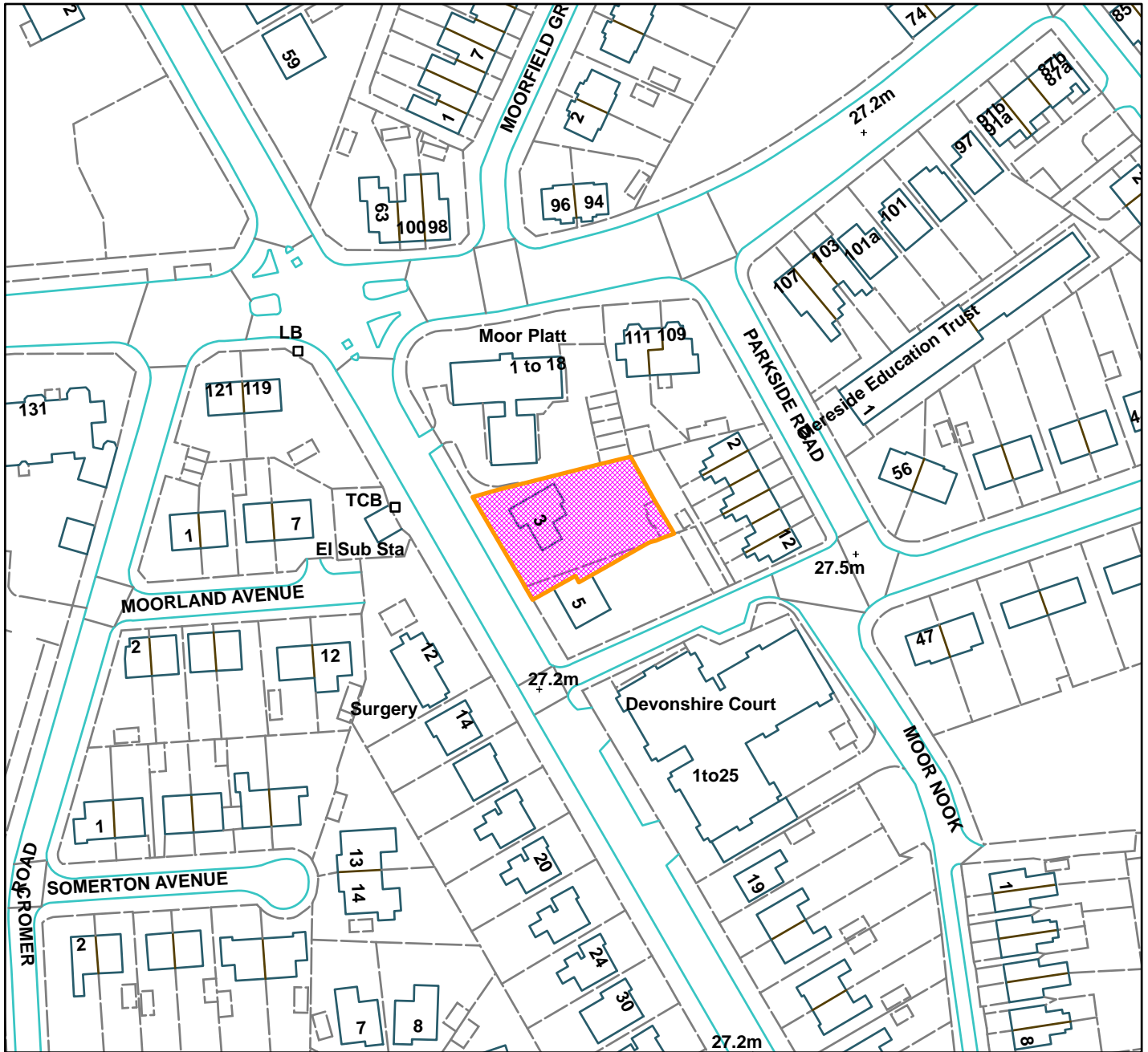
12. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a day nursery and for no other purposes within Class D1 of the above Order.

Reason: In the interests of amenity, highway safety and the free flow of traffic in compliance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

JD



3 Derbyshire Road South, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/08/2016
Date	01/08/2016
MSA Number	100023172 (2012)

WARD: Timperley

88511/FUL/16

DEPARTURE: No

Installation of a prefabricated building to the rear of Riddings Community Centre to serve as a temporary library.

Homestead, 121 Park Road, Timperley, Altrincham, WA15 6QQ

APPLICANT: Trafford Council

AGENT: Amey Consulting

RECOMMENDATION: GRANT

This application is reported to Planning and Development Management Committee as the Council is the applicant and objections have been received.

SITE

The application site relates to land to the rear of Riddings Community Centre which is situated on the north side of Park Road. The area currently comprises an existing car parking area.

The surrounding area is predominantly residential in character however the adjacent property at 119 Park Road is occupied by a doctor's surgery.

The Riddings Community Centre is closed with notice issued to user groups.

PROPOSAL

The proposal seeks permission for a temporary library building to be situated adjacent to the rear of the Riddings Community Centre. The proposed new temporary library building would have a floor area of approximately 200 sq. m., measuring approximately 21.3m in length and 9.7m in depth. The building would have a flat roof with a maximum height of approximately 3.5m and would be coloured dark grey. The building would be sat against the eastern boundary of the site with ramped accesses to both the north and south elevation of the building. Amended plans have been received which have removed the windows facing the eastern elevation.

An application is being processed simultaneously to replace the existing library at 405 Stockport Road, Timperley (ref 88503/FUL/16). Should planning permission be granted for that development, the temporary library subject of this application would accommodate a library service for Timperley during construction works whilst the existing site is redeveloped. Given the requirement to gain planning permission and, if successful, the likely length of construction works at the existing library site, a temporary permission until 1 December 2018 is requested.

For the avoidance of doubt, the merits of the proposal to redevelop the existing Timperley Library site are not relevant to the consideration of this application. Additionally, if Members are minded to grant the proposals subject of this application, that does not prejudice or influence the determination of application ref. 88503/FUL/16. That application remains under consideration and will be brought before the Committee in due course.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

This site

H/18389 – Use of community centre for operation of children's play group
Approved with conditions 11th August 1983

H/17169 – Change of use from library to community centre
Approved with conditions 26th October 1982

405 Stockport Road – Existing library site

88503/FUL/16 – Proposed demolition of existing library building and construction of a ground floor medical practice and retail unit, a first floor library with community rooms and additional expansion space on the third floor. To the rear of the site a reconfiguration of the car park to allow construction of a block of 24 no. apartments with first floor deck parking with hard and soft landscape works.
Currently under consideration

APPLICANT'S SUBMISSION

A Design and Access Statement has been submitted with the application. This shall be referred to in the main observations section of this report where relevant.

CONSULTATIONS

LHA – No objection raised subject to condition requiring details for secure motorcycle and cycle parking spaces to be agreed.

REPRESENTATIONS

4 no. letters of objection have been received. The main points raised are summarised below:

- Loss of privacy;
- Impact on hedges and trees on boundary;
- Increased traffic and parking adding to the congestion on Park Road;
- Timperley village would be a more appropriate location;
- Bat survey would be required prior to the clearing of any trees on site;
- Increased noise;
- Impact on security of neighbouring properties

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal is for the erection of a temporary building to house a community facility (library) during the course of development of a new library within Timperley centre. The proposed development would allow the continued provision of a public library for the community of Timperley whilst an improved facility is being constructed and as such has wider community benefits. The main considerations are therefore design and appearance together with impact on the residential amenity and highways and parking. The former use of the site was as a library with a change of use to a community centre in the early 1980s. Both fall within D2 of the Use Classes Order and as such there will be no change of use to the land as a result of this application.

DESIGN AND APPEARANCE

2. In relation to design quality, Policy L7 of the Core Strategy states development must be appropriate in its context; make best use of opportunities to improve the character and quality of an area and enhance the street scene or character of an area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
3. Whilst a temporary building of this nature does not reflect the character of the area, the temporary nature of the development along with the community benefit it brings are considered to outweigh any harm to the visual amenity of the local area.

RESIDENTIAL AMENITY

4. In relation to residential amenity, Policy L7 of the Core Strategy states development must not prejudice the amenity of occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking or visual intrusion.
5. The application form suggests opening hours of between 10am and 7pm Monday to Friday, 10am and 4pm Saturday and at no time on Sundays and Bank Holidays. These hours are considered to be reasonable to prevent any undue impact on the residential amenity and quiet nature of the surrounding area and as such a condition to reflect these is recommended.

Impact on 125 Park Road

6. The building is to be sited adjacent to the rear/side garden boundary of number 125 Park Road which is the residential bungalow to the east of the site. This property has a long rear garden measuring more than 40 metres in depth from the rear of the site. Amended plans have been submitted which have removed the windows from the rear elevation of the building which would have faced into the rear garden of no.125. Given that the property would have approximately 17 metres of garden space before the beginning of the building and taking into consideration the temporary nature of the building, it is considered that there would remain sufficient privacy amenity space for there to be no detrimental impact on the occupiers and the proposed building would result in any undue visual intrusion.

Impact on nos. 36, 38, 40 and 42 Acresfield Road

7. The rear boundary to the north of the site is screened by tall conifers. As such there would be no overlooking or loss of privacy from the proposed development to these properties on Acresfield Road to the north.

HIGHWAYS & PARKING

8. Pedestrian access to the site is from Park Road and is to be shared with vehicles. A sleeping policeman is proposed to be formed along the access road and a 5MPH sign introduced to help reduce vehicle speed.
9. Based on Table L4 within Appendix 3 of the Core Strategy this proposal generates a requirement for 10 parking spaces. The proposed development provides 11 no. spaces including 2 no. accessible spaces. 2 no. motorcycle spaces and 5 no. cycle parking spaces are also included within the proposed site plan.
10. The site is in an accessible location with the nearest bus stop 100 metres from the site on Park Road. It is therefore considered that the proposal incorporates sufficient parking provision for there to be no adverse impact in terms of highway or pedestrian safety.

DEVELOPER CONTRIBUTIONS

11. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'leisure' development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
12. No other planning obligations are required.

OTHER MATTERS

13. Whilst representations received question the choice of the site given the distance from Timperley village and the existing library, this application is to be considered on its own merits in terms of impact on the character and amenity of the locality and neighbouring residential properties. This has been assessed above in the main section of the report.
14. The site currently occupies a building that was until very recently in use as a public building with parking to the rear. There is nothing to suggest that the current proposal would result in any increased impact on security of neighbouring properties.
15. The Design and Access Statement advises that the site is already extensively landscaped to the front and rear along the perimeter and all of these trees will be retained. The only exception would be overgrowth which will need to be cleared to upgrade the car parking area, these work are considered acceptable and would only seek to enhance the application site.

CONCLUSION

16. The proposed building by virtue of its design, siting, proposed hours of opening and temporary nature is considered to be acceptable with no adverse impact on the amenity of neighbouring residents and parking/highways and any harm to the character of the area is outweighed by the benefits to the community. Approval is therefore recommended subject to the conditions set out below.

RECOMMENDATION

GRANT subject to the following conditions:-

1. This planning permission is granted for a limited period expiring on 1st December 2018; all buildings, works, uses of land or other developments hereby permitted shall be removed or discontinued (as the case may be) and the land reinstated to its former condition in accordance with a scheme of work submitted to and approved by the Local Planning Authority, at or before the expiration of the period specified in this condition.

Reason: In the interests of the visual amenities of the area generally having regard to the temporary nature of the materials used in the construction of the building hereby approved, and having regard to Policy L7 of the Trafford Core Strategy.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A(90)01, A(90)02, A(90)03, ME01 Rev A and 287 15 01 Rev S-2.

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

3. The premises shall only be open to the public between the hours of:

10:00 to 19:00 Monday to Friday
10:00 to 16:00 Saturday
and at no time on Sundays and Bank Holidays

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

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a library and for no other purpose within Class D1 of the above Order.

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

5. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

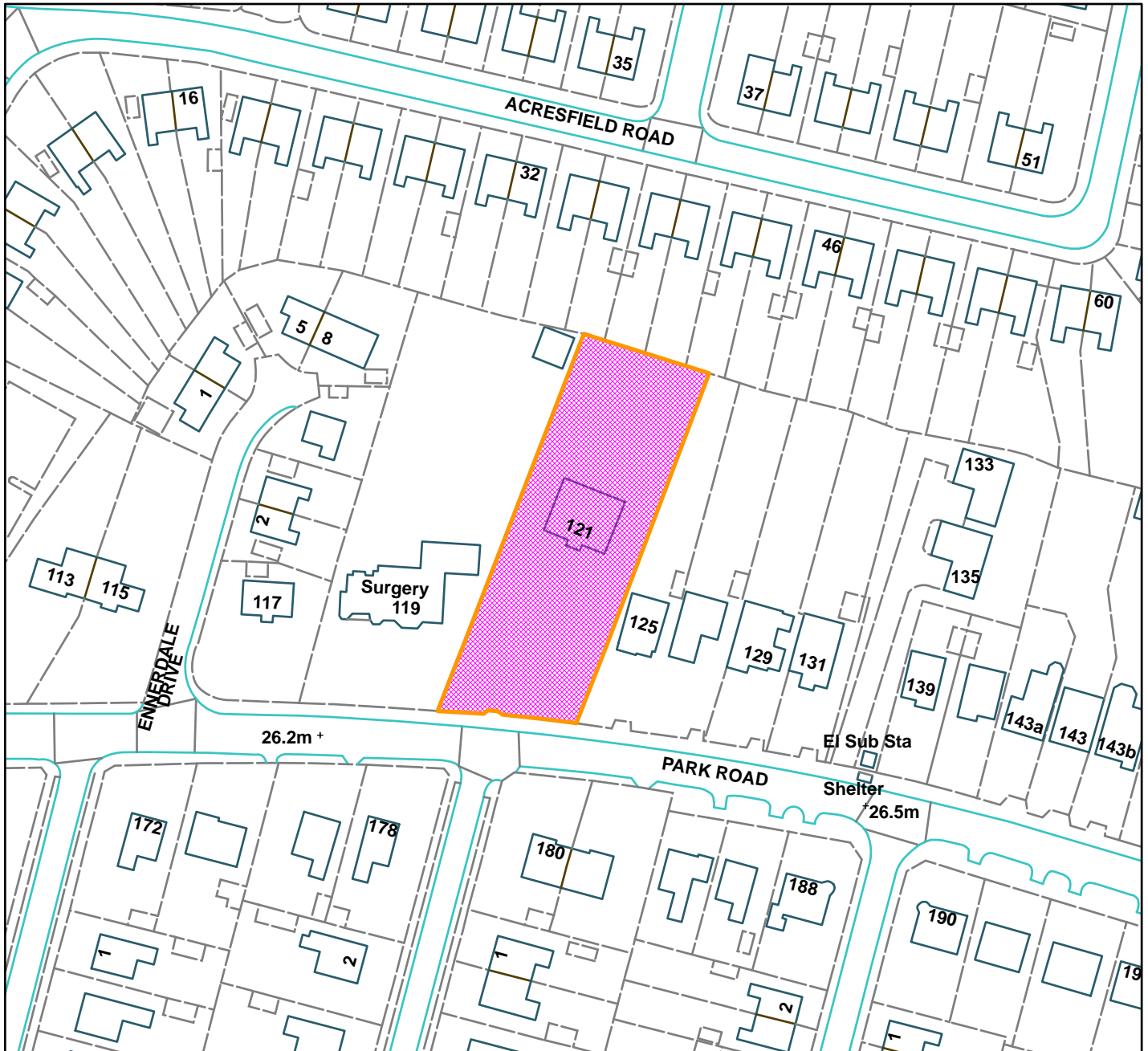
6. The development hereby approved shall not be brought into use unless and until a scheme for secure motorcycle and cycle parking has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To comply with Policies L4 and L7 of the Trafford Core Strategy.

JE



Homestead, 121 Park Road, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/08/2016
Date	01/08/2016
MSA Number	100023172 (2012)

WARD: Broadheath

88589/FUL/16

DEPARTURE: No

Construction of new pedestrian and cycle bridge, with ramps, crossing the Bridgewater Canal to the east of Viaduct Road along with the formation of a new canal towpath, approximately 250m long, along the south side of the canal from the new bridge to Wharf Road.

Land East of Viaduct Road, Altrincham

APPLICANT: Amey

AGENT:

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

SITE

The application relates to a section of the Bridgewater Canal in Broadheath between Deansgate Lane and the Bridgewater Embankment and associated land to the north and south. The bridge would be sited approximately at the location of the former Broadheath Canal Railway Bridge (Viaduct) to the east of Viaduct Road and the canal is approximately 11 metres wide at this point.

The site of the new towpath along the south side of the canal is currently a strip of land covered in mature vegetation and trees. To the south of this are residential properties on Lampton Close, Granford Close and Emery Close. There are commercial properties at the Wharf Road end of the proposed towpath extension. There are 4 storey residential flats to the east of the site of the proposed bridge.

To the north of the site are playing fields at Timperley Recreation Ground. There are various footpaths and vehicular access tracks across this area linking to Balfour Road and Beaconsfield Road.

There are dense areas of trees and shrubs on both sides of the canal at the site of the proposed bridge and towpath.

The Bridgewater Canal is designated as a Site of Biological Importance (SBI) as is the wetland area near Balfour Road, which is a roughly triangular area to the northeast of the application site between the line of the dismantled railway and Timperley Recreation Ground.

PROPOSAL

Planning permission is sought for the construction of a new shared use pedestrian and cycle bridge with ramps over the Bridgewater canal and towpath extension as part of the Altrincham Town Centre Cycle Link (ATCCL). The purpose of the ATCCL is to provide an improved cycle route from the southern termination of Phase 5 of the Bridgewater Way in Broadheath to Altrincham Town Centre. Phase 5 will provide a link into Altrincham from the current southern termination of the route at Marsland Road in Sale. The proposed bridge and towpath extension would provide access for cyclists and pedestrians through to the south of Wharf Road towards Altrincham Town Centre.

The superstructure of the bridge comprises a prefabricated steel Vierendeel truss with parapets a minimum height of 1.4 metres above deck level and a minimum width of 3 metres between handrails. The truss would be supported on reinforced concrete cantilever retaining wall abutments faced with brick cladding. The bridge would be finished in a non-slip surface and painted a neutral colour (brown or green) to fit in with the natural surroundings.

The access ramps would be 3 metres wide between handrails with gradients of 1:20 with one 180 degree turn approximately halfway down each ramp. The ramps would be constructed of gabion rock baskets and fill and recovered / reusable fill from the site would be placed in landscaped slopes along the outside faces of the gabion baskets with maximum slope gradient of 1:2 and then seeded.

A new shared use towpath with a minimum useable width of 3 metres is proposed along the south bank of the canal between the proposed bridge and Wharf Road for a distance of approximately 250m. The proposed new towpath would be surfaced with bitumen tarmac with a golden scattercoat gravel finish to match the existing Bridgewater Way. The proposal also includes the extension of an existing section of canal railing adjacent to the north ramp approach.

In order to facilitate the construction of the bridge and towpath significant areas of dense semi-mature trees would be removed from the site of the bridge to the north and south of the canal and also along the redundant railway embankment leading from Deansgate Lane. A section of mature alder trees between the bridge and the properties on Lampton Close and a line of mature Lime trees parallel to Viaduct Road would be retained.

A Sustainable Urban Drainage Solution (SUDS) is proposed in the form of a swale to compensate for additional runoff generated by the scheme. The swale would be a broad shallow channel formed at the base of the north ramp, planted with reeds and grasses.

The proposed site compound would be located at the edge of Timperley Recreation Ground but would not affect the playing field areas and the construction accesses would be from Deansgate Lane to the south side of the canal and from Balfour Road to the north side of the canal. The construction access from Deansgate Lane would involve

the removal of the brick wall between the railway embankment and Deansgate Lane to allow access for construction vehicles.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 - Design

L8 – Planning Obligations

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

Woodland Planting / Improvement

Area of Nature Conservation Value / Tree and Hedgerow Protection/Special Landscape Features

Wildlife Corridors

Protected Open Space

River Valley Floodplains

Main Industrial Areas

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV9 - Sites of Importance for Nature Conservation

ENV10 – Wildlife Corridors

ENV13 – River Valley Flood Risk

ENV16 – Tree Planting

OSR5 – Protection of Open Space

E7 – Main Industrial Areas

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

H/40392 - Demolition of existing disused railway bridge and regrading of embankment including erection of 1.8m high chain link fence – Approved 1995

APPLICANT'S SUBMISSION

The following reports have been submitted with the application and are referred to in the Observations section of this report where necessary: -

- Design and Access Statement
- Flood Risk Mitigation Statement
- Green Infrastructure Statement
- Open Space Assessment
- Ecological and Biodiversity Statement
- Tree Report

CONSULTATIONS

LHA – The proposals are a key part of the Altrincham Town Centre Cycle Link (ATCCL). The proposed bridge and new towpaths along the south side of the canal to Wharf Road will provide a suitable route for cyclists to travel from the Bridgewater Way across the canal and to the south of Wharf Road towards Altrincham Town Centre.

The construction access to the north of the site is to be via a track from Balfour Road through Timperley Recreation Ground which extends to meet the Bridgewater Way. Construction access to the south of the site is to be via Deansgate Lane along the top of the redundant railway embankment. The proposed construction access arrangements are supported by the LHA and there are no objections to the proposals on highway grounds.

Bridges and Structures – No objections to the principle of diversion as shown, however it is long, particularly for pedestrians. The presence of an informal walked route near the site is highlighted. It runs through a woodland area between the end of Viaduct Road and the proposed bridge. A shorter diversion route would be more convenient to

the public. Has this informal path been considered and its safety assessed as a shorter controlled temporary diversion? However if this route is not assessed as viable or safe, measures should be taken to prevent public use of this path together with any other shortcuts during the construction period.

Lead Local Flood Authority – No objection.

Pollution and Licensing (Contaminated Land) – This site is close to potentially contaminating sources, and as such a condition is recommended requiring a contaminated land Phase 1 report, and submission and approval of subsequent investigations, risk assessment and remediation as necessary.

United Utilities – Comment that a public sewer and water main/trunk main crosses the site.

Environment Agency – The north side of the proposed bridge adjoins the Timperley Brook flood storage basin. However, referring to the drawings submitted the proposal should not impact on the basin embankments and as such, the EA have no objection to the proposals.

GM Ecology Unit – The Ecology & Biodiversity Statement appears to have used reasonable effort to evaluate the habitats on site and to make an assessment of the likelihood of protected species being present or utilising these features on an irregular basis. Whilst the plantation tree cover and regenerated scrub and trees have some wildlife value it is not of substantive nature conservation importance. It is the GMEU's opinion that the proposal can be forwarded to determination in respect of biodiversity. However, a number of items will require further detail to be provided via conditions to ensure that the proposal can be implemented without inadvertent infringement of wildlife legislation and to accord with planning guidance and policy.

The suggested conditions and informatives relate to the protection of features of wildlife value, including a mature tree with bat roost potential and badgers, agreements of location of works compound and storage of materials, restrictions on the timing of vegetation clearance, details of the SUDS scheme and details of landscaping and biodiversity enhancements.

GM Cycling – No comments received at the time of writing. Any comments will be included in the Additional Information Report.

GM Police (Design for Security) - The success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to provide a security management plan which includes measures to deal with the following:

- Regular litter and graffiti removal (if applicable)
- Vegetation management

- Frequent inspection and prompt repair of security features (e.g. lighting, signage, barriers, fencing and rails).
- It is recommended that a feature at the entrances to the bridge should be included to deter motorcycles/mini motor-cycle use.

In summary, the application is supported subject to further consideration of the above matters.

TfGM – No objections

GM Pedestrian Society - No comments received at the time of writing. Any comments will be included in the Additional Information Report.

Open Spaces Society – No comments received at the time of writing. Any comments will be included in the Additional Information Report.

Ramblers Association – No comments received at the time of writing. Any comments will be included in the Additional Information Report.

Bridgewater Canal Company – No comments received at the time of writing. Any comments will be included in the Additional Information Report.

REPRESENTATIONS

Neighbours: - 7 objections received in relation to the proposals as follows:

- Increased public traffic passing residential properties and their private garden areas
- The proposal will result in easy access for burglars and will result in an increase in criminal acts
- The proposal will result in an increase in anti-social behaviour, particularly in terms of an increase in the use of motorbikes / mini motorbikes crossing the bridge and resulting in an increase in noise
- There are already 2 bridges within walking distance, this is not needed, a waste of money and leads nowhere.
- Loss of / alteration of views in the area due to construction of bridge.
- The proposal will make the area busier
- The proposal would result in the loss of a number of trees and wildlife habitats.
- There should be definitive replacement of biodiversity features.
- Removal of trees would leave residential properties exposed

3 letters / e-mails of support received in relation to the proposals as follows:-

- The proposals will provide a useful link for walkers and cyclists
- The canal has been crying out for a bridge to link across towpaths

- The nearby apartments are adequately secure as they are separated off with metal barriers and secure locked gate

Altrincham Neighbourhood Business Plan (ANBP) Forum (Design Group) – Whilst the application is outside Altrincham Town Centre the proposal is most welcome as it contributes strongly to the ANBP Illustrative Network of Green Walkways / Cycleways feeding into Altrincham Town Centre. Also wish to highlight that the proposal has been discussed at the Trafford Cycle Forum and members trialled possible routes from the proposed bridge to Altrincham Town Centre. This proposal also relates to the proposed shared street proposals for Altrincham Town Centre aiming to make Altrincham more walkable and cycle friendly. The ANBP also requested clarification on two queries as follows:

- Could a shared user pathway linking the new bridge to Newton Rd be incorporated into the scheme to allow direct connection between Timperley Rec Ground and Navigation Rd Rec ground and a good direct green route into Altrincham Town centre
- Could the south bank towpath be extended to link the bridge to Deansgate Lane?

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The application proposes a new shared use pedestrian and cycle bridge with ramps over the Bridgewater Canal and towpath extension, which feeds into the ATCCL. The purpose of the ATCCL is to provide an improved cycle route from the southern termination of Phase 5 of the Bridgewater Way in Broadheath to Altrincham Town Centre.
2. Para 7 of the NPPF states that *‘There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

3. The proposal is considered to be in compliance with Core Strategy, Strategic Objectives:-

SO6 'Reduce the need to travel – promote significant levels of development in the most sustainable locations in the borough and make less sustainable locations accessible by improving transport links, particularly public transport.'

SAO17 'To maximise the role of the Bridgewater Canal to provide new recreational and biodiversity opportunities.'

4. In addition it is also supported by a number of Core Strategy Place Objectives including:-

ALO21 'To manage the high levels of congestion and improve the quality of public transport provision, particularly along the A56, the A560 and the A538'

ALO24 'To tackle the barrier that the A56 creates to pedestrian movement between residential and commercial areas'

MVO13: 'Secure improvements for pedestrians and cyclists along the Bridgewater Canal'

5. Part of the site edged red is within an area allocated as 'Protected Open Space' on the revised Trafford Unitary Development Plan.
6. Policy R5.2 of the Trafford Core Strategy states that *the Council will seek to address key areas of deficiency in quality and quantity of open space by.....Protecting existing and securing the provision of areas of open space and outdoor sports facilities*

R5.3 also states that 'Accordingly developers will be required as appropriate to demonstrate how their development will protect, and encourage the use of Trafford's open space and sports/recreation facilities.'

7. A supporting statement dealing with the impact of the proposal on open space provision has been submitted. This confirms that the proposed scheme would not directly affect useable open space at Timperley Recreation Ground as the footprint of the bridge and ramps is sited on land that is currently densely vegetated. It would however be on land within that allocation and the impact must be considered. The scheme would have significant benefits in promoting accessibility to the open spaces by creating improved links to Timperley Recreation Ground to the north and Navigation Road Recreation Ground to the south and in turn this would encourage the use of these areas. Policy R5.2 also states that the Council will seek to *'Secure a network of high quality play spaces and activity areas that are easily accessible to children and young people close to where they live'*. Consequently it is considered

that benefits in terms of improved accessibility offsets the small area of open space to be lost.

8. During the construction phase an area at the edge of Timperley Recreation Ground would be fenced off as a site compound and construction access route however this would be temporary in nature and would not affect the use of the playing fields. A condition is recommended requiring that these areas are returned to open space and landscaped appropriately following the completion of the works.
9. Although some of the red edge would be within an area allocated as a 'Main Industrial Area' on the Revised Trafford Unitary Development Plan this area is now housing and therefore the associated Proposal (E7) is no longer relevant.
10. As the canal is allocated as a Wildlife Corridor and Area of Nature Conservation Value, the impact of the proposed development on protected species and trees are considered in more detail below. The development also needs to be considered in terms of the impacts on residential and visual amenity, non-designated heritage assets, transport and flooding as set out below.

DESIGN, IMPACT ON VISUAL AMENITY AND NON-DESIGNATED HERITAGE ASSETS

11. Para 135 of the NPPF states that '*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*'
12. Policy L7 states that 'In relation to matters of design, development must:
 - Be appropriate in its context;
 - Make best use of opportunities to improve the character and quality of an area;
 - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment;
13. Policy R1 states that:-

All new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets.
14. The Bridgewater Canal is considered to be a non-designated heritage asset. The canal is a historical waterway and has been identified as the first arterial canal in

Great Britain. It has been an important industrial and commercial thoroughfare, historically used as such for years. In addition the brickwork of the redundant railway viaduct adjacent to the canal towpath at the end of Viaduct Road is also considered to be a non-designated heritage asset as a result of its age and historical relevance as a remnant of the former railway line through the area. For clarification, it is not considered that the brick wall between the railway embankment and Deansgate Lane is a non-designated heritage asset as it is much altered and contains patched areas and a large section of more recent brickwork. However it is considered that a condition should be attached requiring details of the treatment of the junction of the embankment and Deansgate Lane when construction work is completed to ensure an appropriate impact on the streetscene.

15. The height of the proposed bridge is dictated by the Canal Company's vertical clearance requirements (to allow boats and rowers below) combined with an allowance for construction margins and water level variations. The design of the Superstructure is a prefabricated steel Vierendeel truss with parapets a minimum height of 1.4 metres above deck level and this would be painted a neutral colour to be agreed by the Local Planning Authority.
16. The reinforced concrete cantilever retaining wall abutments would be faced with brick cladding to reflect the brickwork of the redundant railway viaduct. This design approach is considered appropriate to the setting of the bridge.
17. The ramps would be constructed of gabion rock baskets and fill and recovered / reusable fill from the site would be placed in landscaped slopes along the outside faces of the gabion baskets and then seeded.
18. The proposed new towpath would be surfaced with bitumen tarmac with a golden scattercoat gravel finish and this would match the existing Bridgewater Way towpath.
19. The new bridge would be visible from the surrounding area however the considerations given to the design in terms of the use of brickwork cladding, neutral paint colours and landscaped slopes over the gabion baskets would result in a scheme which would assimilate appropriately into the landscape of this part of the canal. The proposal is not considered to result in harm to the Bridgewater Canal or the railway viaduct brickwork adjacent to the towpath which is to be retained. In weighing up the impacts of the scheme it is considered that the positive impacts, namely increased investment in sustainable transport, which will improve safety for cyclists and pedestrians and result in increased use of the canal area by walkers and cyclists and lead to improved connectivity to local recreation areas, workplaces and the town centre outweigh any impact on the non-designated heritage assets identified. It is therefore considered that the proposal is compliant with the design section of Policy L7, Policy R1 of the Core Strategy and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

20. Policy L7 states that 'In relation to matters of amenity protection, development must:

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

21. There are a variety of boundary treatments along the rear gardens of houses backing onto the proposed towpath. There are brick walls, fencing and railings all of which are generally to a height of approximately 1.8 metres. It is considered that this would provide privacy for occupiers from users of the towpath.

22. It is noted that the landing area of the bridge on the southern side of the canal would be in relatively close proximity to the boundaries of residential properties at the northeastern end of Lampton Close (7 metres at the closest point). The landing would be 3 metres above existing ground level at this point which could result in some views into adjacent gardens. However there are existing mature Alder trees adjacent to these boundaries which are to be retained and this combined with existing boundary treatments should screen views from the landing adequately although it is considered that additional planting could be added to augment this if required as part of the landscaping scheme.

23. There is no right to a particular view and it is considered that the proposal is compatible with the canal side area. The bridge would not be overbearing or result in visual intrusion or overshadowing in relation to neighbouring properties due to its height and siting.

24. In relation to matters of security, Policy L7 states that development must:

- Demonstrate that it is designed in a way that reduces opportunities for crime; and
- Not have an adverse impact on public safety.

25. Concerns have been raised by objectors regarding the potential impacts the bridge and towpath would have in terms of anti-social behaviour and crime. Connected to this are concerns about noise and disturbance from users of the bridge and towpath in closer proximity to their homes than at the present time.

26. The Police (Design for Security) have commented that the success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to provide a security management plan to cover a number of matters to include litter and graffiti removal, vegetation management, frequent inspection and prompt repair of security features and that a feature at the entrances to the bridge should be included to deter motorcycles/mini motor-cycle use. Subject to these matters being addressed, they raise no objection to the scheme.

27. There is already an unofficial path between the properties on Lampton Close, Granford Close and Emery Close and the proposed towpath. This path runs from the flats to the west of Deansgate Lane to Wharf Road. The applicant considers the path has been formed by trespassers walking on Trafford Council and Canal Company property. The proposed towpath would formalise this route and encourage increased flow of pedestrians and cyclists to the area. The vast majority of users of these areas would do so for legitimate purposes and it is hoped that through this natural surveillance this would discourage vandalism and antisocial behaviour in the area as a result of increased visibility. There are many examples across the Borough of residential properties backing onto canal towpaths and it is considered that conditions in accordance with the Police recommendations would adequately deal with anti-social behaviour and crime concerns and would also address noise issues raised by some residents regarding the potential for increased use of motorcycles in the area as a result of the bridge. Subject to appropriate conditions as set out above it is considered that the proposal would be compliant with Policy L7 in relation to residential amenity.

TRANSPORT AND SUSTAINABILITY

28. Policy L4 (Sustainable Transport and Accessibility) of the Core Strategy states the following:

L4.1 To facilitate the Delivery Strategy, the Council will promote the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel to all sectors of the local community and visitors to the Borough by managing traffic movement along the main arterial route of the A56 to improve road safety and reduce congestion and its adverse impact on the environment.

Pedestrian and Cycling Network

L4.2 The Council will work with partners and developers to promote active travel through walking and cycling.

L4.3 In particular, the Council will seek to develop a network of pedestrian and cycle routes and associated facilities to provide safe, secure, convenient and attractive cycling and footpath access linking residential areas to schools, workplaces, tourist and leisure facilities, including promoting the integration of cycling and walking at public transport interchanges, as part of longer journeys.

29. It is evident that the proposals would support these aims and will promote cycling and walking and link residential areas to workplaces, leisure facilities and the town centre. These are also significant safety benefits to be gained by providing cyclists and pedestrians with a safe route where they would be completely separated from vehicular traffic on this section of the A56.

30. A Public right of way will be maintained during the construction period but along a diverted route to protect the public during construction works. The proposed diversion would divert the public off the towpath at Viaduct Road around Beaconsfield Road onto a temporarily widened pathway through Timperley Recreation ground and would re-join the towpath near Timperley Brook. With regards to the comments made by the Council's Bridges and Structures section the informal path and its safety have not yet been considered as a temporary diversion, but can be considered and may be viable. However, it might still be necessary to use the longer proposed diversion route for certain portions of the construction phase. If the informal path is not deemed viable/safe as a diversion route, it can be fenced off to prevent public access.
31. The LHA have commented that the scheme is a key part of the ATCCCL and have not raised any objections to the proposals. As such the application is considered to be in compliance with and supported by Policy L4 of the Trafford Core Strategy.

ECOLOGY AND TREES

32. Policy R2 (Natural Environment) states that *'To ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate through a supporting statement how their proposal will:*

- *Protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and*
- *Protect the natural environment throughout the construction process.*

Where the council considers it necessary, in order to protect the natural environment, developers will be required to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the development proposal. All planning applications submitted for development within, or in close proximity to, any of the Borough's assets, must be supported by such a report.

33. An Ecology Survey has been submitted in support of the application and the Greater Manchester Ecology Unit has commented that the tree cover and regenerated scrub has some wildlife value but is not of substantive nature conservation importance. The proposal is therefore considered acceptable subject to a number of conditions.
34. All retained trees, the canal water's edge including the canal wall due to it being a substrate for rare wetland moss - *Tortula freibergii* and the southern boundary of Wetland at Balfour Road (at temporary footpath 'tie-in') will all need to be temporarily fenced for protection with high visibility materials for the duration of the construction prior to any works commencing, this would be secured by way of condition.

35. One mature tree identified as having bat roost potential should be specifically identified to all site construction supervisors and tree fellers both on plan and on the ground. In the event this tree requires removal or remedial tree pruning it should first be inspected by a licensed bat ecologist with aerial inspection/activity survey if necessary. The bat worker's advice/felling methodology should be implemented in full and in the unlikely event that the tree supports a bat roost a Natural England EPS Licence will be required prior to the works being undertaken, again this would be secured by way of planning condition.
36. The location of the works compound and storage of materials would be agreed prior to any works commencing through a planning condition, and should be sited off the existing towpath and a minimum of 15m from the canal's edge, the Wetland at Balfour Road Site of Biological Interest, and outside the root protection zones of retained trees. This would prevent the accidental spillage of spoil or stored materials into the SBIs and damage to trees from compaction, vehicle movement and rutting. It is also considered that the condition should require the compound areas to be returned to their former use within 3 months of completion of the scheme in accordance with details to be submitted and agreed.
37. The GMEU also stipulate that all vegetation removal should occur outside the bird breeding season unless the area has first been inspected by a suitably qualified individual. Also that full details of the proposed SUDs scheme should be agreed in writing with the LPA prior to construction and if at all possible should be designed to be enlarged so that they can retain wet/damp bases under normal conditions to supplement the wetland habitats of the adjacent SBI.
38. With regard to landscaping it is recommended that the number, location and species for the tree replacement should be agreed prior to construction but post vegetation clearance and trees to be used should be locally native and of known provenance. Scrub and tree regeneration is a management issue at the Wetland near Balfour Road SBI and tree planting should not occur within the boundaries of this SBI. In addition the landscaping scheme should include the details and specification for the planting within the SUDs basins and grass seeding of the covered gabions, towpath edges and other bare ground. These should be wildflower rich with native species. It is suggested that a mix of annual species along with appropriate perennial grassland wildflowers could be used in this location to provide cover and colour within the first season.
39. In addition to the swale and native planting referred to above the NPPF indicates that a development should move from a position of net loss of biodiversity to one of net gain. Section 4.2 of the Ecology Report provides details of potential activities, including the installation of bat and bird boxes, which could enhance the area and adjacent SBI. It is recommended that a number of these measures are agreed and implemented.

40. An informative to identify the protected status of badgers and their setts is also recommended as the disturbance of setts and an area within 30m could constitute an offence under the Badger Protection Act 1991.

41. With regard to Green Infrastructure Core Strategy Policy R3.1 states that the Council working with local communities, developers and partners, will develop an integrated network of high quality and multi-functional green infrastructure (GI) that will (amongst other things)

- *Contribute to the diversification of the local economy and tourist development through the enhancement of existing, and provision of new facilities;*
- *Improve health and well being*
- *Protect and provide appropriate natural space to connect landscapes and allow wildlife to move through them to adapt to climate change;*

R.3.2 'At a strategic level this network will include public rights of way including cycle-ways, footpaths and bridleways and other recreational routes and corridors and linear features including hedgerows, ditches, disused railways and verges;'

Policy R.3.4 requires an appropriate statement to be submitted to enable the Council to properly assess and determine the contribution made by the development to Green Infrastructure.

42. A Green Infrastructure statement and a Tree Survey have been submitted by the applicant.

43. The Green Infrastructure Statement sets out a number of benefits of the scheme including provision of facilities which will enhance the use of greenspace by all sectors of the community. This in turn would improve health and wellbeing and the proposed biodiversity enhancements and swale will support biodiversity and sustainability.

44. The tree survey has identified two areas of trees affected by the proposal - Area 1 to the south of the canal and area 2 to the north. It states that Area 1 contains a mixture of Oak, Field Maple Birch and Hazel densely planted approximately 20 years ago. No tree management has taken place since. Due to the lack of tree management very few of these trees will mature into healthy specimens due to the competition for light and space. Area 2 contains a mix of Birch, Alder and Sycamore, again planted approximately 20 years ago. No tree management has taken place here either however a small group of mature Alder to the rear of properties on Bridgewater Road should be retained if possible.

45. It is evident that significant areas of the dense semi-mature trees and shrubs to the north and south of the canal will need to be removed to enable construction of both ramp approaches and the bridge. As indicated above a small section of mature alder trees to the back of the properties along Bridgewater Road will remain in place and

be protected during construction, as will a line of mature lime trees running parallel to Viaduct Road.

46. The Council's Senior Arboricultural Planner has assessed the proposals and notes that the scheme would result in the loss of a percentage of trees within Areas 1 and 2. In addition there will be tree losses on the track bed of the dismantled railway to allow construction access although the specific level of tree removal required is not known at this stage. It is noted that the trees are not protected by any Tree Preservation Orders however they do contribute to the visual amenity and ecology of the area. On this basis it is recommended that more detailed information regarding tree removals and retention is required at the site and this could be achieved through a condition to require a full Arboricultural Method Statement which would include the area required for construction accesses. In addition it is considered that a landscaping condition is required to offset the loss of trees as a result of the development.

OTHER MATTERS

47. Policy L5 requires that '*New development should mitigate and reduce its impact on climate change factors, such as pollution and flooding*'.
48. A Sustainable Urban Drainage Solution (SUDS) is proposed as flood risk mitigation in the form of a swale planted appropriately with reeds and grasses to be installed at the base of the north ramp. The details and design of this will depend on the results of the ground investigation. The Lead Local Flood Authority has been consulted on the application and has raised no objections on this basis. The applicant has been made aware of United Utilities comments regarding the public sewer and water main/trunk main that cross the site. A condition requiring full details of the swale is recommended and the use of this sustainable urban drainage solution would be compliant with Policy L5.
49. With regard to the queries raised by the ANBP the applicant has commented that a shared user pathway linking the new bridge to Newton Road was the original route they identified from the bridge south towards Altrincham town centre, but unfortunately the land between Newton Road and the proposed bridge is not available. The applicant has pursued this at length, but has not been able to reach any satisfactory agreement with the landowner. Extending the south bank towpath to link the bridge to Deansgate Lane has not been considered and was not identified in Trafford Cycle Forum meetings discussing this scheme as being a route which cyclists would choose for accessing Altrincham Town Centre. However, it could be extended in future as part of a separate scheme by others.

CONCLUSION

50. The application proposes a new shared use pedestrian and cycle bridge with ramps over the Bridgewater Canal and a towpath extension to link the bridge to Wharf

Road. This is in accordance with the general aims of the NPPF and numerous local plan policies. While there would be some impact on the Wildlife Corridor through loss of trees it is considered that these impacts could be suitably mitigated through the inclusion of a native tree, shrub and wildflower planting, the creation of a swale, and the introduction of bat and bird boxes. The proposal would also result in the loss of a small (currently unusable) area of protected open space on the north side of the canal. However it is considered that the proposal is justified on the basis that this is a sustainable transport scheme which will improve safety for cyclists and pedestrians and lead to improved connectivity to local recreation areas, workplaces and the town centre. The overall benefits of the scheme are therefore considered to outweigh the negative impacts identified.

DEVELOPER CONTRIBUTIONS

Not applicable

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, ref:-
CO00201016-AME-S-P-010 Rev A
CO00201016-AME-S-P-020 Rev A
CO00201016-AME-S-P-022 Rev A
CO00201016-AME-S-P-040 Rev A

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

3. Notwithstanding the details submitted, no development other than site clearance shall take place until samples of the materials to be used in the construction of the bridge and associated structures hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: It is necessary for this information to be submitted and agreed prior to commencement to ensure a satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

4. a) Notwithstanding the details shown on the approved plans, no development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any boundary treatments, banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules to include mitigation tree planting (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
 - (b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.
 - (c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: It is necessary for this information to be submitted and agreed prior to commencement to ensure that tree losses are satisfactorily mitigated and that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

5. No development or works of site preparation shall take place until a tree protection scheme incorporating a full Arboricultural Method Statement for the site and to include the areas within the site edged red required for construction access have been submitted to and approved in writing by the Local Planning Authority. All trees that are to be retained within or adjacent to the site shall be enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations' prior to any construction works taking place on site. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No trees, shrubs, or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed unless the Local Planning Authority, prior to works taking place, agrees a scheme for such works in writing; any trees, shrubs or hedges removed without such consent or dying or being severely damaged or becoming seriously

diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and having regard to Policies L7, R1 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No development shall take place unless and until full details of the proposed swale have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained thereafter.

Reason: To prevent localised flooding in accordance with Policies L7 and L5 of the Trafford Core Strategy and relevant guidance in the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the final scheme.

8. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

Reason: It is necessary for this information to be submitted and agreed prior to commencement, so as to incorporate any amendments into the final design and given the need to install remediation measures at the start of the construction works, to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy L7 of the Core Strategy and the National Planning Policy Framework.

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

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to prevent any habitat disturbance to nesting birds in accordance with Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

10. No development or works of site preparation shall take place until a scheme detailing means of protection of features of wildlife value at the site has been submitted for the prior written approval of the Local Planning Authority. The scheme should set out measures to protect the following features of wildlife value:
- All retained trees with specific reference to be made to the weeping willow (*Salix x sepulcralis*) at grid reference SJ9770892
 - The canal waters edge including the canal wall
 - The southern boundary of the wetland at Balfour Road (SBI)

The agreed protection measures shall thereafter be implemented in full prior to any works commencing and retained throughout the period of construction.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to protect the specified features of wildlife value which may be affected by site preparation and construction works in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Prior to construction work commencing, a scheme detailing a package of biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority with reference to the recommendations set out in para 4.2 of the Ecology and Biodiversity Statement dated May 2016. The approved measures shall thereafter be implemented in accordance with the approved scheme within 1 month of the completion of the construction work and maintained thereafter.

Reason: To maintain and improve the biodiversity of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

12. No development or works of site preparation shall take place until a scheme detailing the siting and design of the site compounds for the period of the construction works have been submitted to and approved in writing by the Local

Planning Authority, Within 3 months of the completion of the construction works these areas shall be returned to their former use / condition.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to ensure that the compounds have an acceptable impact on the SBI and retained trees and in the interests of visual amenity and for the long term protection of the area of protected open space having regard to Policies L7, R2 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

13. Within 3 months of construction works first taking place a Security Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out measures to deal with the following:

- Regular litter and graffiti removal
- Vegetation management
- Security features and measures for their frequent inspection and maintenance
- The provision of a feature at the entrances to the bridge to deter motorcycles / mini motorcycles using the bridge.

The approved measures shall thereafter be implemented within 1 month of the completion of the construction work and maintained thereafter.

Reason: To ensure a safe and secure environment for users in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. Within 3 months of construction works first taking place full details of the treatment of the boundary between the disused railway embankment and Deansgate Lane, following the completion of the approved scheme and including a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority, The approved scheme shall thereafter be implemented in accordance with the approved details / timescales and retained as such thereafter.

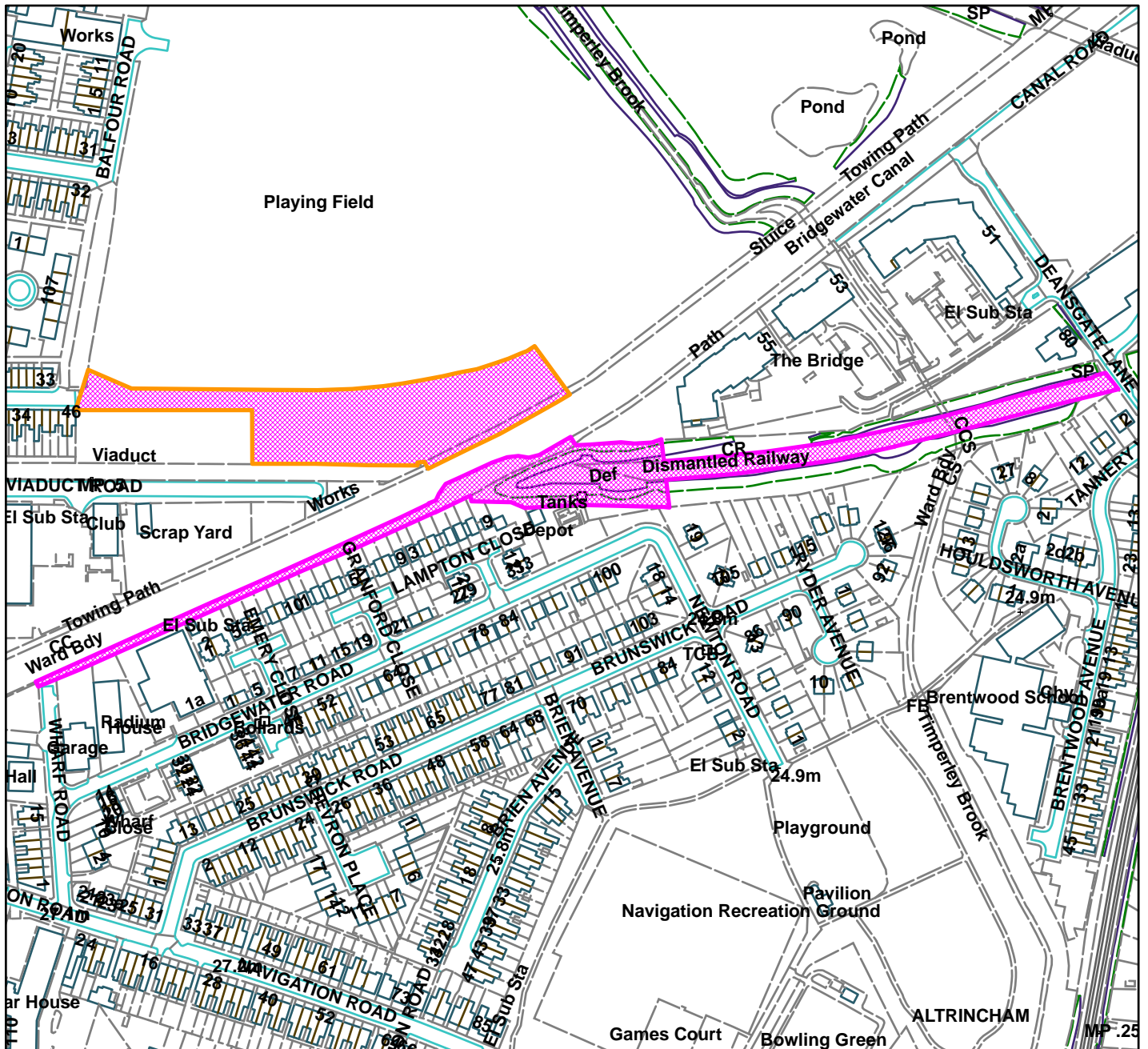
Reason: To ensure a satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Informative - Badgers and their setts are protected and in the unlikely event that large mammal holes are encountered all works should cease until advice has been sought and implemented from a suitably qualified individual. The disturbance of setts and an area within 30 metres could constitute an offence under the Badger Protection Act 1991 and any works within this area may require a licence.

JJ



Land East of Viaduct Road, Altrincham (site hatched on plan)



Scale: 1:3,000

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