



**TRAFFORD  
COUNCIL**

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

**Date: Thursday, 8 December 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 10<sup>th</sup> November, 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, 8 December 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:

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This agenda was issued on **29<sup>th</sup> November, 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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Please contact the Democratic Services Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

## PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

10<sup>th</sup> NOVEMBER, 2016

### PRESENT:

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

In attendance: Head of Planning and Development (Mrs. R. Coley),  
Planning and Development Manager – West Area (Mrs. S. Lowes),  
Planning and Development Officer (Mr. B. Bechka),  
Principal Highways & Traffic Engineer (Amey) (Mr. J. Morley),  
Solicitor (Ms. J. Cobern),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors Chilton, Duffield, Freeman, J.R. Reilly and Mrs. Young.

### 34. MINUTES

RESOLVED: That the Minutes of the meetings held on 13<sup>th</sup> and 20<sup>th</sup> October, 2016, be approved as a correct record and signed by the Chairman.

### 35. 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.

### 36. 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

<u>Application No., Name of Applicant, Address or Site</u>	<u>Description</u>
88646/HHA/16 – Dr. Amin – 3 Winmarith Drive, Hale Barns.	Remodelling of existing dwelling to include part single, part two storey front side and rear extensions including increase in roof height by 450mm. Proposed partial rendering and timber cladding of external elevations.
89210/LBC/16 – EE UK Ltd & H3G UK Ltd – Essoldo Buildings, 1123 Chester Road, Stretford.	Listed Building Consent for upgrade of existing telecommunications installation at main roof level and associated works (resubmission of 88423/LBC/16).

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89303/FUL/16 – Trafford Council – Proposed Extension, Altrincham Crematorium, Whitehouse Lane, Dunham Massey.

Change of use from agriculture to allow for an extension to the existing cemetery along with increased visitor parking, changes to boundary treatment and associated landscaping.

89448/HHA/16 – Mrs. Kimmitt – 35 Bamber Avenue, Sale.

Erection of single storey side and rear extension with other external alterations.

[Note: Councillors Gratrix and Hopps each declared a Personal Interest in Application 89448/HHA/16 as the Applicant was known to them.]

(b) Permission refused for the reasons now determined

Application No., Name of Applicant, Address or Site

Description

88965/HHA/16 – Mr. Chae – Bollindale, South Road, Hale Barns.

Retention of existing gateway and access.

**37. APPLICATION FOR PLANNING PERMISSION 88540/FUL/16 – MR. AHMED – 1A CATTERICK AVENUE, SALE**

This item was withdrawn from consideration at this Committee meeting.

**38. APPLICATION FOR OUTLINE PLANNING PERMISSION 88899/OUT/16 – SIMPSON READY FOODS LTD – SIMPSON READY FOODS LTD, STRETFORD ROAD, URMSTON**

The Head of Planning and Development submitted a report concerning an application for outline planning permission for the demolition of existing factory buildings followed by erection of two to three storey residential development (up to 58 units) with access onto Stretford Road and the provision of a turning area on Link Avenue. Approval sought for access with all other matters reserved.

RESOLVED –

- (A) That the application will propose a satisfactory development for the site upon the 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.
- (C) That upon the satisfactory completion of the above Legal Agreement/Undertaking, planning permission be granted subject to the conditions now determined.

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**39. APPLICATION FOR PLANNING PERMISSION 89194/FUL/16 – GRATRIX LANE HOMES LTD – LAND AT CORNER OF NORTHENDEN ROAD AND GRATRIX LANE, SALE MOOR**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of 19no. dwellings including 4no. apartments & 15no. houses, access road and associated external works.

RESOLVED –

- (A) That the application will propose a satisfactory development for the site upon the 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.
- (C) That upon the satisfactory completion of the above Legal Agreement/Undertaking, planning permission be granted subject to the conditions now determined.

**40. APPLICATION FOR PLANNING PERMISSION 89209/FUL/16 – EE & HUTCHINSON 3G UK LTD – ESSOLDO BUILDINGS, 1123 CHESTER ROAD, STRETFORD**

The Head of Planning and Development submitted a report concerning an application for planning permission for the upgrade of existing telecommunications installation at main roof level and associated works (resubmission of 88422/FUL/16).

RESOLVED: That planning permission be granted subject to the conditions now determined and to the following additional condition:-

The development hereby permitted shall not be constructed or maintained outside the hours of 8am to 6pm Monday to Friday.

Reason: To protect the amenity of nearby residents, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

**41. SECTION 106 AND CIL UPDATE: APRIL 2016 – SEPTEMBER 2016**

The Head of Planning and Development submitted a report informing Members about the latest set of monitoring data for S106 Agreements and CIL Notices.

RESOLVED: That the contents of the report be noted.

**42. PROPOSED STOPPING UP OF HIGHWAY AT MERCURY WAY, TRAFFORD PARK**

The Director of Growth and Regulatory Services submitted a report advising Members of an application made to the Secretary of State for Transport under S247 of the Town & Country Planning Act 1990 to stop up an area of highway in Trafford Park to enable

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development to be carried out in accordance with planning permission applied for under reference 82046/FULL/2013.

RESOLVED: That no objection be raised to the application.

The meeting commenced at 6.30pm and concluded at 8.13pm.



## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 8<sup>th</sup> DECEMBER 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, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, Manchester M32 0TH.

**TRAFFORD BOROUGH COUNCIL**

**PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 8th December 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**

<b>Applications for Planning Permission</b>				
<b>Application</b>	<b>Site Address/Location of Development</b>	<b>Ward</b>	<b>Page</b>	<b>Recommendation</b>
<a href="#"><u>88540</u></a>	1A Catterick Avenue, Sale, M33 4GQ	St Marys	1	Grant
<a href="#"><u>88956</u></a>	28 Crescent Road, Hale, WA15 9NA	Hale Central	12	Grant
<a href="#"><u>89045</u></a>	Land adjacent to Nags Head Public House, Lostock Road, Davyhulme, M41 0SU	Davyhulme East	19	Minded to Grant
<a href="#"><u>89222</u></a>	Chesham House, 101 Church Road, Urmston, M41 9FJ	Urmston	46	Grant
<a href="#"><u>89483</u></a>	64 Westbourne Road, Urmston, M41 0XQ	Davyhulme East	56	Grant



**WARD:** St Marys

**88540/FUL/16**

**DEPARTURE:** No

**Erection of extension to the eastern side elevation to provide a new shop unit (Use Class A1) at ground floor level with a residential apartment above incorporating rooflights to front and rear elevation and dormer to side elevation.**

1A Catterick Avenue, Sale, M33 4GQ

**APPLICANT:** Mr Ahmed

**AGENT:** Holborow & Ormesher

**RECOMMENDATION: GRANT**

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**This application has been called in by Councillor Chilton on the grounds of the proposal being out of keeping with the street scene and having a detrimental impact on residential amenity.**

### **SITE**

The application site is located on the north west side of Catterick Avenue and comprises a freestanding shop building with residential accommodation above and associated car parking to the south west of the building. The south west corner of the site is grassed and the site is open fronting Firs Way and Catterick Avenue to the front of the building. There is a low fence adjacent to the street to the rear of the building although parts of this are missing.

The character of the area is predominantly residential with flats to the north west of the site and housing to the south and east and on the opposite side of Catterick Avenue and to the north of the site.

### **PROPOSAL**

Permission is sought to erect a two storey extension to the existing building to the east elevation to provide a new shop unit (Use Class A1) at ground floor with a 2 bedroom apartment above. The ridge to the roof of the existing building is to continue across to the extension with 2 no. additional rooflights to each of the front and rear elevations and a dormer is proposed to the side elevation.

**Value Added:-** The plans have been amended to incorporate a dormer window in the side facing elevation. This creates an improved standard of accommodation to the residential dwelling at first floor level.

The CIL form submitted with the application suggests that the increase in floor space of the proposed development would be approximately 165m<sup>2</sup>.

## **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**

L1 – Land for New Homes

L2 – Meeting Housing Needs

L7 – Design

W2 – Town Centre and Retail

## **PROPOSALS MAP NOTATION**

None

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None relevant

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF 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**

79282/FULL/2012 – Installation of shop front and roller shutters to side and front elevations and access ramp to side elevation (amendment to approved plans 78468/FULL/2012). Approved with conditions 20<sup>th</sup> November 2012

78468/FULL/2012 – Change of use of part of ground floor to hot food takeaway (Use Class A5). Installation of extract flue and associated external alterations.  
Approved with conditions 22<sup>nd</sup> June 2012

H/04679 – Erection of public house with car park.  
Approved with conditions 1976

### **APPLICANT'S SUBMISSION**

A Design and Access Statement has been submitted as part of the planning application.

### **CONSULTATIONS**

**LHA** – The proposals have no highway implications; the LHA has no objections to this application on highway grounds.

**Drainage** – Condition regarding Sustainable Urban Drainage (SUDs) scheme required.

### **REPRESENTATIONS**

1 Councillor and 4 neighbours have made representations raising the following issues:

- The shop is an eyesore and attracts litter and speeding cars;
- Existing parking on the pavement has damaged the kerbs;
- Further impact on damaged road surface;
- Catterick Avenue is currently a safe area for small children to play and the increase in traffic would impact on this;

A letter of support has also been received.

### **OBSERVATIONS**

#### **PRINCIPLE OF DEVELOPMENT**

1. The application site is currently located outside of an adopted town centre. Policy W2.12 of the Core Strategy states that “outside of the identified centres there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance.” Current Government Guidance, the NPPF (paragraph 24), states that “Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.”
2. A sequential test has not been submitted with the application and, as set out above, this would ordinarily be required. However, it is considered that in this specific case to insist on a sequential test being carried out would be unreasonable. NPPF sets out in paragraph 26 that “When assessing applications for retail, leisure and office

development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). The proposed development is less than 2,500 sq m and therefore no impact assessment is required in this case.

3. There is already an established retail use at this location and the proposal would be an extension of this. It is therefore considered that an additional retail unit would not be harmful to the vitality and viability of Sale Town Centre or Coppice Avenue Local Centre. The development is small scale and is likely to meet local need, serving the local population rather than being a destination in its own right which would draw trade away from other centres. In addition the demolition of the Sale West Local Centre has led to a loss of local services in this area which this application would help to address. Sale West is an identified Regeneration Area and as such this is also in accordance with Core Strategy Policy L3.8 which states that “Outside any identified Regeneration Area the ability of a development proposal to provide facilities that would be of significant benefit to one or more of the identified regeneration areas, would be a material consideration in the determination of that application.”
4. 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.
5. 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.
6. 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 objective of securing a better balance between housing demand and supply.
7. Whilst the Council’s policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the proposed development achieves many of the aspirations which the Plan policies seek to

deliver. The application proposes a new 2-bed residential apartment above the shop unit. This would be in accordance with Policy L1 and L2 of the Core Strategy.

8. Taking the above points into conclusion it is considered that on balance there is no objection to the proposal with regard to the provision of a new retail unit (use class A1) and residential apartment above in principle, subject to compliance with Policies L4 and L7 of the Core Strategy. It is considered appropriate however to restrict the use of the shop to A1 convenience to prevent the unit becoming combined with the existing shop to become a shopping destination that could attract a wider reaching customer base and the associated increase in traffic and activity that this could result in.
9. Other matters to be considered relate to design, impact on residential amenity and parking and highways.

## DESIGN AND IMPACT ON THE STREETSCENE

10. 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 of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
11. The proposal has been designed to match the existing building with a continuation of the roof line and the use of matching materials to the building and shop front. The extension would be flush with the front elevation of the existing buildings. The design and materials are therefore considered to be appropriate to and in keeping with the character of the existing building and the streetscene.
  12. The proposed new dormer has a pitched roof and is set down from the ridge of the building. It sits centrally within the side elevation and is considered to be appropriate in terms of size, design and siting.
  13. The application site is positioned on a bend on Catterick Avenue, the development would result in the building being sited closer to the road. The extension would be approximately 0.5 metres from the back of the pavement at its closest point. Given that the existing boundary fence to Catterick Avenue is missing in part and the piece of land between the building and the road is currently overgrown and in a poor state, it is considered that the proposal would result in an improvement to this site.
  14. The proposed development is considered to result in an appropriate addition to the streetscene and would enhance the visual amenity of the local area. The proposal is therefore considered to be acceptable in design terms and would comply with Policy L7 of the Core Strategy.

## RESIDENTIAL AMENITY

15. 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.
16. Number 1 Catterick Avenue the nearest residential property to the application site has a blank gable elevation facing the site. The main rear elevation has a south west outlook and does not therefore have any main habitable windows facing the application site. It is therefore considered that there would be no undue overshadowing or undue loss of light caused by the proposed extension to the existing building. In addition given the position of the extension in relation to this property, it is considered that it would not appear overbearing or visually intrusive,
17. Numbers 30 and 31 Catterick Avenue are located to the south east of the application site on the opposite side of the road. Given the offset position of these buildings in relation to the proposed extension, it is considered that there would be no loss of light or harm to outlook. The first floor rooflights would face south in the direction of no.31 and 32 however it is considered that there is sufficient distance in order to mitigate any potential harm through overlooking.
18. The proposed development would include a side dormer within the side elevation of the proposed extension facing toward the front elevations of 12-15 Catterick Avenue. The frontage of no.12 Catterick Avenue (which is set forward of the other properties within the terrace row) to the side boundary of the site is approximately 25m, this distance is considered to be sufficient in order to limit any potential overlooking or undue harm to privacy.
19. To the rear of the building, the proposed rooflights would serve a bathroom and kitchen of the proposed first floor apartment. The footprint of the ground floor of the building itself would only be approximately 9 metres from the garden boundary of 1 Catterick Avenue to the rear (west) of the site. However given the position of the rooflight within the roofslope at first floor level, it is considered that an overall distance of at least 10.5 metres is achieved and in addition this roof light would serve a bathroom and is not a main habitable room. As such the proposal would not result in unacceptable harm to the privacy levels of residential occupiers of no.1 Catterick Avenue. There are no new windows proposed at ground floor level.
20. Given the proximity of the adjacent dwellings and the residential character of the surrounding location, it is considered appropriate to restrict the hours of opening of the new shop unit to no later than those of the adjacent take away which are 23:00 Monday-Friday, 23:30 Saturday and 22:30 Sunday and Bank Holidays.

## PARKING & HIGHWAYS

21. Policy L7 states that in relation to matters of functionality, development must:

- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
- Provide sufficient off-street car and cycle parking, manoeuvring and operation space;

22. The two existing accesses from Catterick Avenue are to be retained and the Local Highway Authority considered this to be acceptable.

23. The existing servicing arrangements are to be extended to include the new shop and apartment. The proposals include a new bin store area at the rear of the site, which is considered to be appropriate in this location.

24. SPD3 Parking Standards and Design for Trafford states that for Use Class A1 in this area, one car parking space per 14 sqm (food retail) / 20 sqm (non-food retail) is required. This equates to six/four parking spaces respectively for the proposed additional retail floor space. The site benefits from a large un-demarcated car park to the side and front of the existing shop unit. The LHA accept that the existing parking provision is adequate for the additional retail area.

25. SPD3 requires two spaces for a two bedroom dwelling. The proposals include the formation of two new spaces on the existing hardstanding area to the rear of the property and therefore parking provision for the apartments is adequate.

26. It is therefore considered that there are no highway implications arising from the proposal and the LHA raise no objections to the application on highway grounds.

## DEVELOPER CONTRIBUTIONS

27. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' zone for residential development, consequently apartments 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).

28. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'all other' 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).

29. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. Tree planting on the site will be secured by way of condition as part of the landscaping proposals.

## CONCLUSION

30. The application would provide an additional unit as an extension to an existing retail use and as such it is considered that there would be no harm to the vitality or viability of Sale Town Centre or Coppice Avenue Local Centre. In addition the proposal would result in the creation of an additional dwelling and therefore contributes to the Council's identified housing shortfall.
31. It is considered that the parking provision is adequate and the proposal would be acceptable in terms of design and impact on residential amenity. The proposal complies with the development plan and where that is silent or out of date, the NPPF. Approval is therefore recommended.

### **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 1656/16/02 Rev B and site location plan received 25 May 2016.

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

3. 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 convenience store and for no other purposes within Class A1 of the above Order and there shall be no sale of comparison goods unless this is ancillary to the use as a convenience store.

Reason: The use of the premises for any other purpose within Class A1 may not be acceptable in this location in the interests of the vitality and viability of designated retail centres and in compliance with Trafford Core Strategy Policy W2 and the National Planning Policy Framework.

4. The retail use (Use Class A1) hereby approved shall not be open to the public outside the following hours:-  
07:00 - 23:00 Monday – Friday



07:00 – 23:30 Saturday and Sunday

Reason: To protect the residential amenity of neighbouring occupants, having regard to Policy L7 of the Trafford Core Strategy.

- 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, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

- 6 The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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 Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

- 7 Notwithstanding the plans hereby approved and before any development takes place, a scheme to limit the peak discharge of storm water from the development in accordance with the limits indicated in the Guidance document "Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment" March 2010/March 2011 and the accompanying "User Guide" May 2010 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 use of the development hereby approved and shall be retained and maintained thereafter.

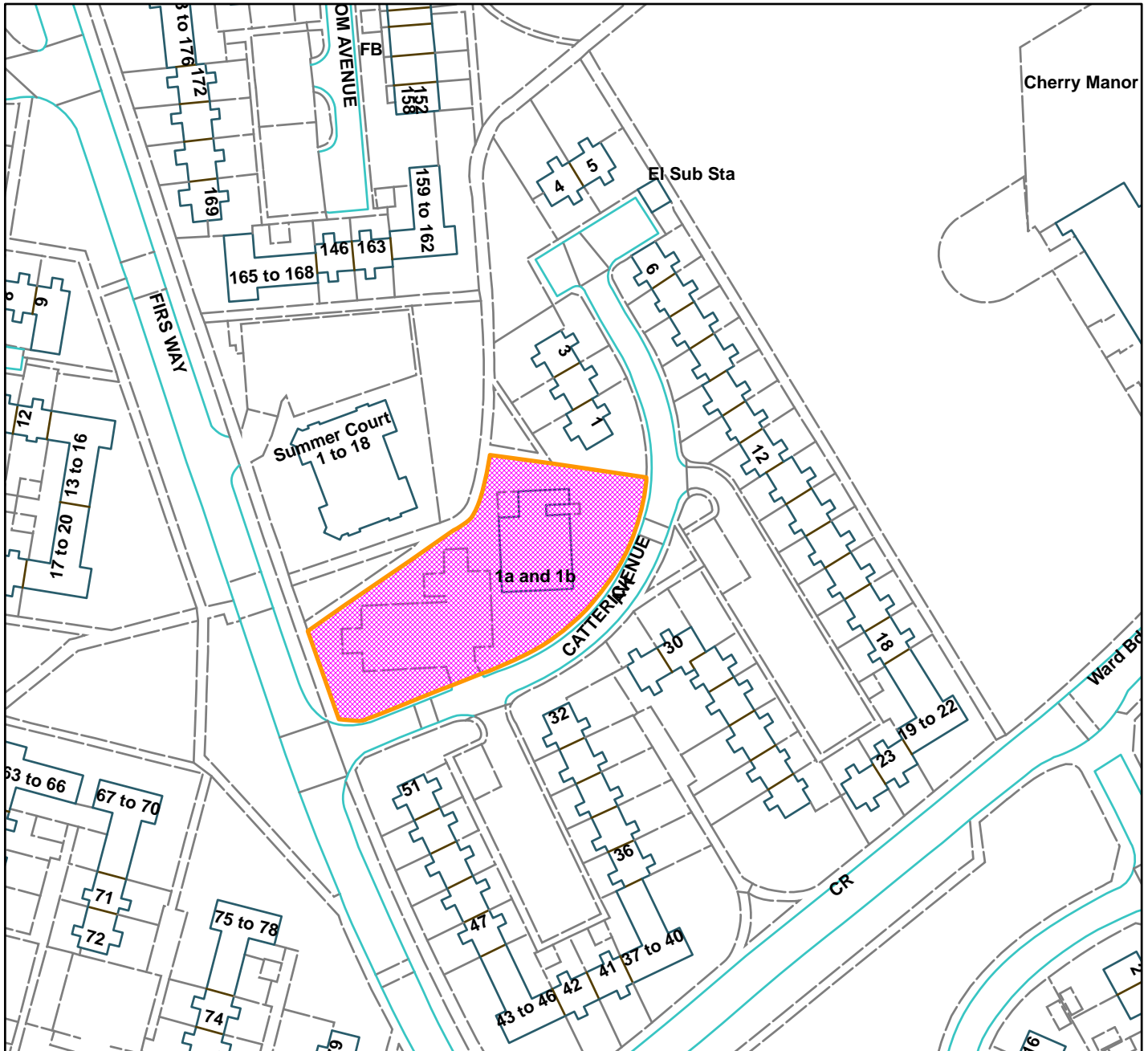
Reason: To prevent localised flooding in accordance with Policies L5 and L7 of the Trafford Core Strategy and relevant guidance in the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the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

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1A Catterick Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/12/2016
Date	28/11/2016
MSA Number	100023172 (2012)

**WARD:** Hale Central

**88956/HHA/16**

**DEPARTURE: No**

**Erection of two storey side and single storey rear extension following demolition of existing conservatory, store and utility room.**

28 Crescent Road, Hale, WA15 9NA

**APPLICANT:** Mrs Smith

**AGENT:** Mr Paul Ormandy

**RECOMMENDATION: GRANT**

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**Councillor Mrs P Young has requested that this application be determined by the Planning and Development Management Committee for reasons set out within the report.**

### **SITE**

The application site refers to a detached red brick and render residential property on Crescent Road. The property has hardstanding to the front, with the common boundary with No. 26A consisting of 1.2m high fencing to the front, approximately 2.2m high fencing down the side of the properties and then 1.8m high fencing with higher shrubbery to the rear. The common boundary with No. 30 and the boundary along the rear of the curtilage consists of 1.8m high fencing. The applicant property has an existing detached garage to the north of the property, a single storey side and rear extension and rear conservatory. The neighbouring property No. 30 has an existing two storey side extension, single storey rear extension and rear conservatory.

### **PROPOSAL**

Planning permission is sought for the erection of a two storey side and single storey rear extension following demolition of the existing conservatory, store and utility room.

The side extension would be flush with the front elevation of the property and retain a minimum of 1.2m distance between its side elevation and the common boundary with No. 26A. The rear extension would project 3.8m.

Amended plans were submitted by the agent to expand the originally proposed single storey rear extension to sit flush with the south side elevation of the property incorporating a garden room.

The increase in floor space of the proposed development would be approximately 73.89 m<sup>2</sup>.

## **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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility;  
L7 – Design

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD4; A Guide for Designing House Extensions and Alterations – (adopted February 2012)

## **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.

## **RELEVANT PLANNING HISTORY**

None

## **CONSULTATIONS**

None.

## **REPRESENTATIONS**

**Neighbours** – One letter of objection was received and contained the following representations:

- The proposed two storey side extension would be out of character with the area- loss of openness and space between properties
- The proposed extension would introduce an unacceptable loss of light upon the approach to the front door (which is located within the side elevation) and windows within the side elevation of No. 26A
- An increased amount of mould and moss would be introduced between the application property and No. 26A. Due to the proximity of the proposed extension, the path to the front door would get less sunlight and therefore be more likely to become icy and slippery in winter and cause a safety hazard

- The proposal will be flush with the front elevation and show a mismatch of old and new brickwork

The above comments will be referenced in the Observations below

**Councillor Mrs P Young** – called in the application and reiterated the above comments

## **OBSERVATIONS**

### **DESIGN AND APPEARANCE**

1. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
2. The proposed extension would be built at the side and rear of the host dwelling, and as such will be visible from the street scene. The two storey side extension will be no taller than the existing property and the eaves height of the extension corresponds with the host dwelling. Although the extension will be flush with the front elevation, this is mitigated by the extension being offset by 1.2m from the common boundary with no. 26A and would therefore not have such an impact upon the host dwelling or character of the area to warrant a refusal.
3. The proposed single storey rear extension is subservient to the host dwelling by virtue of being single storey on a two storey dwelling. The depth is considered appropriate to a detached dwelling of this nature and is considered to be in accordance with the Councils SPD, 'A Guide for Designing House Extensions & Alterations'.
4. It is considered that both proposed extensions are in keeping with the character of the area generally and the application property specifically due to the proposed matching roof slopes and matching external materials.
5. Figure 12 of the Councils SPD, 'A Guide for Designing House Extensions & Alterations' indicates that a minimum of a 1m gap should be retained between the side elevation of two storey side extensions and side boundaries to maintain access to the rear of the property and to ensure there is a sense of space around the dwelling. The proposed distance between the proposed side extension and common boundary with No. 26A Crescent Road is a minimum of 1.2m, the proposed extension therefore meets the Councils guidance and is considered to not harm the character of the street scene.

6. The proposed works are considered appropriate and in keeping with the host property and would not result harm to its character and appearance. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy.

## **RESIDENTIAL AMENITY**

7. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
8. There are no facing habitable room windows at a distance of less than 21m to the front or rear of the proposed development. Additionally the proposed ground floor utility and WC windows and the proposed first floor en-suite window within the side elevation facing No. 26A are all non-habitable and with the current 2.2m high fencing at ground floor level and the first floor window facing upon bathroom windows within No. 26A's side elevation it is considered that no unacceptable impact upon neighbouring amenity will be introduced, subject to a condition requiring the bathroom window to be obscure glazed and fixed shut above 1.7m above floor level.
9. The main concern within the neighbouring objection letter is the proposed side extensions impact upon the side access of property No. 26A. The existing detached garage at the applicant property is currently built up to and along the common boundary with No. 26A, which consists of approximately 2.2m high fencing. The proposed extension will be set in at least 1m away from the common boundary and as the neighbouring resident is used to a high boundary treatment along the side access to the property it is considered that due to the proposed separation distance, which complies with the SPD4, that no additional unacceptable impact upon neighbouring amenity will be introduced.
10. Within the side elevation of No. 26A there is the main access front door, an obscurely glazed study window and an obscurely glazed secondary living room window at ground floor level. Additionally there are two bathroom windows at first floor level. As these windows are non-habitable (excluding the living room window, however this is an obscurely glazed secondary window) and the proposed two storey side extension gable wall will be 2m away from the neighbouring gable elevation, it is considered that no unacceptable loss of light or overbearing impact will be introduced to the residents at No. 26A and the proposal therefore complies with the Core Strategy policy L7 and guidance contained within SPD4.
11. Whilst the neighbour has raised concerns that, due to the proximity of the proposed extension, the path to her front door would get less sunlight and therefore be more likely to become icy and slippery in winter and therefore cause a safety hazard, this is not an issue that could be given any significant weight in the consideration of the planning application and would not justify the refusal of the application.

12. The proposed ground floor garden room windows within the side elevation of the proposed single storey rear extension, facing No. 30, will not introduce any additional impact upon neighbouring amenity, due to the existing conservatory windows which are in place. Additionally there is a 1.8m high fence along the common boundary which is considered to be adequate screening to prevent any unacceptable direct overlooking upon residents at No. 30. It is also noted that the neighbouring property No. 30 has planning permission which will change the existing conservatory to a play room, replacing the existing facing windows with a gable elevation.
13. Paragraph 3.4.2 of SPD 4 states that normally a single storey rear extension close to a common boundary should not project more than 4 metres for detached properties. The proposals would project 3.8 metres and therefore the projection of the proposed rear single storey extension is policy compliant.
14. The proposed development avoids any undue overshadowing and loss of light from the rear and side, which is in accordance with Paragraph 3.1.1 and 3.4.1 of SPD4. Overall the proposed development will not have an overbearing impact on adjacent neighbours.

#### **PARKING PROVISION**

15. The proposed development will introduce an additional two bedrooms to the property and remove one parking space through the removal of the garage. The SPD3 states that three parking spaces should normally be provided for three plus bedroom properties. There will be adequate space upon the hardstanding to the front of the property to allow three parking spaces and therefore the proposal is in accordance with the SPD3.

#### **DEVELOPER CONTRIBUTIONS**

16. No planning obligations are required.

#### **CONCLUSION**

17. The development accords with the development plan and 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 submitted plan 1718.P.13 Proposed Ground and First Floor Plans Opt. 4.A (received 17<sup>th</sup> October 2016) and 1718.P.11.A Proposed Site Plan and Block Plan (received 20<sup>th</sup> October 2016) and 1718.P.01.A Location Plan.

Reason: In the interests of proper planning and for the avoidance of doubt, having regard to Policy L7 of the Trafford Core Strategy.

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

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the window in the first floor on the side elevation facing No. 26A 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.

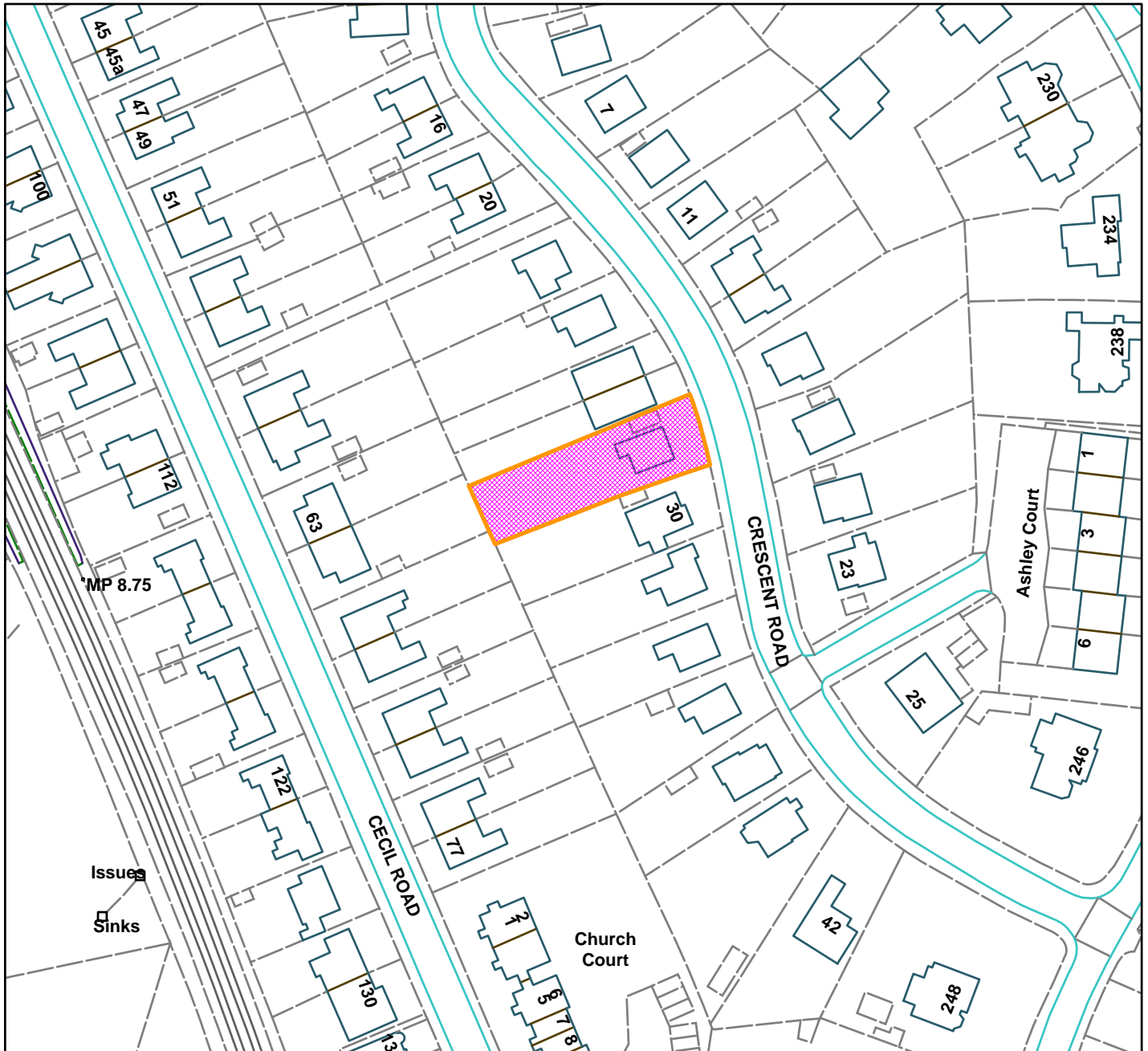
Reason: In the interest of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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PDS



28 Crescent Road, Hale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/12/2016
Date	28/11/2016
MSA Number	100023172 (2012)

**WARD:** Davyhulme East

**89045/FUL/16**

**DEPARTURE: NO**

**Erection of two, 3 storey blocks for a new-build development of 45 apartments consisting of 21 two bedroom units and 24 one bedroom units with communal gardens and 53 parking spaces.**

Land Adjacent To Nags Head Hotel, Lostock Road, Davyhulme, Manchester, M41 0SU

**APPLICANT:** Trafford Housing Trust

**AGENT:** Bernard Taylor Partnership Ltd

**RECOMMENDATION: MINDED TO GRANT**

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## **SITE**

The application site is located within a primarily residential area to the north of Urmston town centre and situated on the eastern side of Barton Road, adjacent to a local shopping area centred on Davyhulme Circle.

The application site comprises two distinct parcels of land with a total combined area of approximately 0.4ha. The first section of the site extends along Barton Road and is currently used for car-sales (with a vehicular access from Barton Road). It is immediately bound to the southern side by the back of the Nags Head public house, and to the northern side by a terrace of dwellinghouses, Bent Terrace, that front onto Barton Road. The second parcel of land that comprises the overall application site is located to the east side of the car-sales area and has recently been cleared of tree and vegetation coverage. This parcel of land forms part of Kingsway Park but had been relatively inaccessible because of the vegetation coverage. To the north/north-eastern side of the site is a single storey building used as a scout hut, beyond which is the park land, although much of the landscaping around the periphery of the scout hut and application site is tree cover.

The western part of the site is set back from Barton Road (behind a grass verge and pavement) and is enclosed by a brick wall along the highway boundary with a 2m high mesh fence set behind at a lower level which also extends part way along the boundary with the Nags Head pub. A 2m high concrete panel fence extends long the northern boundary of the site with 1 Bent Terrace, this concrete fence extends part way along the eastern boundary of the car-sales area (effectively dividing the two parcels of land that form the overall application site), the remainder of the boundary comprises temporary mesh fencing secured in concrete blocks. There are two existing vehicular accesses, one towards the northern end of the site direct from the Barton Road highway, and a

redundant access at the southern end accessed again from Barton Road but via the cobbled forecourt to the side of the public house. The internal ground level of the car-sales area is lower than that of Barton Road and the adjoining Nags Head Public House by approximately 1.0m with a section of retaining wall along forming the boundary with the Nags Head. This part of the application site is unallocated within the UDP Proposals Map. The rear section of the site, recently cleared of vegetation, is at a higher level to the car sales area of the application site and the adjacent scout hut. This part of the application site is within the ownership of Trafford Council and is designated as Protected Open Space; Protected Linear Open Land and a Wildlife Corridor within the Revised UDP Proposals Map. The nearby Davyhulme Circle war memorial is Grade II listed.

On the opposite side of Barton Road (to the west) is an elderly person's home (Shawe Lodge Nursing Home); a pair of semi-detached dwellings (Bentcliffe and Willow Bank) and a block of 6 terraced properties, the end unit of which is a cycle shop, the remaining five properties appear to be all residential. To the south side of the application site is The Nags Head Pub; The San Giovanni Restaurant and Simkins Dental Practice (a tailors practice is also believed to be located within the basement of this building, 7 Lostock Rd). An area of car-parking serving these businesses is located to the rear of the buildings and extends up to the shared boundary with the application site. A terrace of commercial units with residential apartments above is located to the south-east side of the site (9 – 9D & 11 – 11B Lostock Rd); a car-park serving these commercial units and residential properties is located to the rear and extends up to the shared boundary with the application site. To the east side of the site is a car repairs business (Garrity Vehicle Services).

## **PROPOSAL**

This application proposes the erection of two detached apartment buildings both with living accommodation over three floors. In total 45 apartments are proposed between both buildings. Block 1 which is located to the eastern extremity of the site will accommodate 24 apartments, 18 of which will be 2x bedroom apartments and 6 will be 1 x bedroom apartments. Block 2 which is located adjacent to the western boundary of the site with Barton Road will comprise 21 apartments, 18 of which will be 1 x bedroom apartments and 3 will be 2 x bedroom apartments. It is proposed that the one bedroom apartments will be for rent to buy and that the two bedroom apartments will be for shared ownership.

Vehicular access to the proposed development will be taken from Barton Road with 53 parking spaces provided.

The total floorspace of the proposed development would be approximately 2,800sqm.

## **DEVELOPMENT PLAN**

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

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

### **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
R3 – Green Infrastructure  
R4 – Green Belt, Countryside and Other Protected Open Land  
R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Protected Open Space  
Protected Linear Open Land  
Wildlife Corridor

### **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

H3 – Land Release for New Housing Development  
H4 – Release of Other Land for Development  
OSR5 – Protection of Open Space  
OSR6 – Protected Linear Open Land  
ENV10 – Wildlife Corridor

### **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.

### **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**

#### **Land Adjacent to Nags Head Pub (Barton Road side)**

78677/FULL/2012 - Erection of a four storey building to provide 33 no. sheltered apartments for the elderly, with associated car parking, bin store, landscaping & access from Barton road – [This application received a minded to grant decision, subject to completion of S106 agreement, at 13<sup>th</sup> June 2013 Planning Committee (the applicant Seddon Homes has not progressed the S106 agreement)].

77852/RENEWAL/2011 - Application to extend the time limit for implementation of planning permission H/66321 for the erection of a four storey block of 24 apartments with basement parking for 24 cars; provision of vehicular access from Barton Road together with 9 parking spaces and a turning head; erection of bin store and landscaping of site – Application withdrawn 20<sup>th</sup> June 2013

H/66321 - Erection of a four storey block of 24 apartments with basement parking for 24 cars; provision of vehicular access from Barton Road together with 9 parking spaces and a turning head; erection of bin store and landscaping of the site – Approved with Conditions, 29<sup>th</sup> April 2009

H/60689 – Erection of a part 3, part 4, part 5-storey block of 30 apartments with basement parking for 30 cars and vehicular access from Barton Road. Landscaping of site - Refused 12<sup>th</sup> May 2005 [Four reasons for refusal related to overdevelopment of the site; inadequate parking provision; inadequate provision for service vehicles to manoeuvre within the site and a lack of amenity space].

### **APPLICANT'S SUBMISSION**

The applicant has submitted the following information in support of their proposal:-

- Air Quality Assessment
- Crime Impact Statement

- Flood Risk Assessment
- Ecology Assessment
- Arboricultural Report
- Transport Statement
- Design & Access Statement
- Noise Impact Statement
- Contaminated Land Appraisal
- Planning & Open Space Statement

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.

**Pollution & Licensing (Air Quality)** – No Objections, further comments are discussed in detail in the Observations section of the report. Conditions relating to a mechanical ventilation system to the apartments and a dust management plan recommended.

**Lead Local Flood Authority** – No objections subject to appropriate drainage conditions. Further comments are discussed in detail in the Observations section of the report.

**Greater Manchester Ecology Unit (GMEU)** – No objections – Recommend bird breeding protection condition and additional tree planting. Further comments are discussed in detail in the Observations section of the report.

**Greater Manchester Police (GMP)** - No objections, subject to a condition requiring the physical security specification listed in the Crime Impact Statement to be implemented.

**Environment Agency** – No objections

**United Utilities** – No objections subject to conditions relating to foul and surface water disposal and provision of a SUDs system. Further comments are discussed in detail in the Observations section of the report.

**BT Openreach** – No objections – General advice provided for the developer regarding site survey works/costs.

**Electricity North West** – No objections – Applicant advised that a number of service cables cross the site and are also positioned within the pavement to the front of the site.

**Trafford Council Public Health** – No comments received at time of report preparation, any comments received will be reported in the additional information report

## **REPRESENTATIONS**

**Neighbours:-** 3 letters of objection have been received objecting to the proposal (one e-mail states that it is on behalf of the residents of Bent Terrace (nine properties) but has only one signature). Reasons for objecting as follows:-

- Part of the development is on protected open land
- Access onto Barton Road is at a busy junction with traffic regularly backed up from the Trafford Centre
- Increase in traffic, noise and disturbance
- Inadequate parking provision will add to the problems of parking around Barton Road
- Concern that additional residential units will add to the already inadequate drainage system in the locality (flooding has occurred at the scout hut, Nags Head car-park and houses on both sides of Barton Road).
- Building will appear higher as viewed from Dennington Drive due to difference in land levels towards Lostock Road.
- The outcome of the public consultation undertaken by the applicant has never been made public.
- Close proximity to the existing properties of Bent Terrace will potentially result in loss of light and privacy due to the height of the proposed buildings.
- The development will be over development/dominance (previously one building and less parking)
- This development is not necessarily required given other developments (residential) that are occurring elsewhere in Trafford.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. NPPF Paragraph 14 indicates that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless: (i) 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 (ii) specific policies in this Framework indicate development should be restricted. The Council does not, at present, have a five year supply of immediately available housing land. Paragraph 49 of the NPPF and subsequent case law indicates that policies within the Development Plan which have implications for the supply of housing have to be considered to be out of date in such circumstances. Consequently, the starting point for the consideration of this application is point (ii) above (the final bullet point of the second limb of NPPF paragraph 14).



2. Heritage and Open Space policies in the NPPF indicate that it *may* be appropriate to restrict development in this particular case.

#### Impact on Heritage Assets

3. When assessing the impact of the development on the setting of the adjacent listed building, 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 a listed building or its setting when determining applications for planning permission.
4. NPPF (paragraph 131) 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.
5. Policy 132 of the NPPF states the more significant the heritage asset, the greater the presumption in favour of its conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

#### Impact on setting of listed building

6. The nearest listed building to the application site is the Davyhulme Circle War Memorial, which is Grade II listed. It is located in a south-westerly direction approximately 60m from the application site and is positioned centrally within the roundabout island at the junctions of Lostock Road, Barton Road, Crofts Bank Road and Hayeswater Road.
7. The memorial was erected in 1924 to commemorate local residents who had died during the First World War, with Second World War inscriptions added later. The memorial was rebuilt in 1965, is constructed in Ashlar Sandstone and was listed in April 2014. The listing description for the memorial notes that it has a functional as well as commemorative purpose in acting as a village clock and has a simple but elegant and streamlined cenotaph design. The siting of the memorial enables it to stand out as a focal point and landmark within the area with the clock faces on the memorials shaft being angled towards each oncoming road. It is considered that its significance derives from its historic interest as a memorial, its value to the community as such, and its physical and architectural form as a monument and as a focal point at the centre of a roundabout.

8. Whilst the listed memorial is in close proximity to the application site, the memorial is predominantly screened from the application site by the existing Nags Head Public House and the adjoining San Giovanni restaurant. Glimpses of the proposed apartment Block 2 nearest to the Barton Road boundary would be visible from the memorial site. The monument sits on a busy roundabout surrounded by buildings of varying designs. It is considered that the development site is sufficiently screened by the intervening buildings and mature street trees such that the proposed scheme would not be considered to impact adversely on the immediate setting of the listed memorial. The memorial would remain a focal point at the centre of the roundabout, surrounded by other development. As such there would be no harm caused to the significance of the heritage asset derived from its setting.

#### Impact on non-designated heritage assets

9. The Nags Head Public House is considered to be a non-designated heritage asset. The building is believed to date from late 19<sup>th</sup> Century/early 20<sup>th</sup> Century. A bowling green for use by the pubs patrons was believed to be located on part of the application site now used for car-parking/vehicle sales. Prior to the existing Nags Head building being built, a Tavern/Inn is believed to have existed on this site since the 16<sup>th</sup> Century.
10. The existing Nags Head Public House is constructed in a neo-Gothic style utilising steep pitched roofs; dormer windows; decorative eaves and brick detail and use of stone detailing to windows and door openings. Its construction in a red relatively smooth brick reflects the approach often used in the construction of public and municipal buildings from that period.
11. 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."
12. The proposal does not physically affect the Nags Head building itself, or structures within its curtilage, nor is it considered to result in harm to the setting of the building. The proposal would result in the redevelopment of part of the application site adjacent to the Nags Head Public House that has been used as a car park and the development is considered to result in positive impacts to the character of the area and the setting of the non-designated heritage asset.

#### Loss of Protected Open Space

13. The eastern part of the application site (1,352m<sup>2</sup>) is presently Protected Open Space (RUDP Policy OSR5) and Protected Linear Open Land (RUDP Policy OSR6), covered by Core Strategy policies R3 and R5. The land forms part of

Kingsway Park, a park identified in Trafford's Greenspace Strategy (2010) and 'Trafford's Green and Open Spaces - An Assessment of Need Update' (2009).

14. Paragraph 74 of the National Planning Policy Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
  - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
15. Policy R5 of the Trafford Core Strategy states that "Development which results in an unacceptable loss of quantity of open space, sport or recreation facilities or does not preserve the quality of such facilities will not be permitted." An unacceptable loss of open space, sport or recreation facilities is deemed to be 'that which leads to a loss in quantity which could not be replaced with an area of equivalent or better quality in a suitable location to meet present and predicted future demand'. This is broadly consistent with the second bullet point of Paragraph 74 of the NPPF; albeit less onerous as it does not require the replacement of an equivalent *quantity* of open space, only *quality*.
16. It is considered in this particular instance, that despite the development plan policy being out of date in NPPF terms, it should carry greater weight than the NPPF requirement. The development plan policy has been drawn up giving due regard to local circumstances, including the difficulty in a densely populated urban area, with tightly drawn boundaries, of providing replacement open space. Additionally, the development plan policy is out of date only in respect of its impact on housing land supply, and the 'wider' definition of policies which restrict housing land. This 'wider' definition is being challenged in the Courts. In any event the less onerous requirement within the development plan would help to boost the supply of housing, which is the overarching intention of the NPPF when read as a whole.
17. 'Trafford's Green and Open Spaces - An Assessment of Need Update (2009)' (Planning and Open Space Assessment 5.32), indicates that site is situated in the Davyhulme East sub-area, which at the time of the publication of the assessment had 8.7 ha of greenspace above the recommended minimum standard.
18. It should be noted that the standards employed with the council's open space assessment represent a minimum threshold. Provision greater than this minimum recommended level does not necessarily equate to a surplus which can be

disposed of readily, bearing in mind projected population growth, the multi-functional role of greenspace as part of Trafford's green infrastructure and as the data on which the assessment was based is no longer up to date. However, it is acknowledged that this particular area of open space has not been particularly accessible and has been underused with limited recreational value, albeit it has contributed to the amenity of the area generally, and there is not an identified deficiency of open space in the vicinity. As such, the loss of this particular area of open space is not considered unacceptable, subject to appropriate mitigation to replace it with an area of equivalent or better *quality* (in accordance with Policy R5 of the Core Strategy and Paragraph 25.17 of the Justification for that Policy).

19. The applicant has agreed to mitigate the loss of open space by making a commuted sum payment to the Council. Using the figures published within Trafford Council's SPD1: Planning Obligations 2014 when applied to the area of Kingsway Park to be lost to development (1,352sqm) results in a contribution of £16,183.44. This sum will be spent in Kingsway Park and is likely to contribute towards improved play facilities and footpaths which will have a beneficial impact on the users of Kingsway Park. It is therefore considered that the level of mitigation proposed will allow an equivalent or better provision in terms of quality in a suitable location and so the scheme is considered to comply with Policy R5 of the Core Strategy.

#### Conclusion on restrictive policies (Heritage and Open Space)

20. The above assessment of heritage and open space issues demonstrate that it is not appropriate to conclude policies within the NPPF should restrict this development. Accordingly, NPPF Paragraph 14 indicates that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

#### Housing Supply

21. 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.
22. 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 scheme's 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.

23. Paragraph 47 of the NPPF identifies a clear policy objective to, "*boost significantly the supply of housing*". In order to meet future housing needs, Core Strategy Policy L1 also seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
24. Planning permission has previously been granted at this site (on the section of site of the existing car sales area, west side of application site) in 2009 for 24 residential apartments, that permission was never implemented and has now lapsed.
25. Part of the application site (to the west, adjacent to The Nag's Head Public House) is identified within the Council's Strategic Housing Land Availability Assessment (SHLAA) as having the potential to provide 33 units (Ref: 1486). As this parcel of land is currently hardstanding, it is considered to be brownfield and the development on this part of the application site would therefore make a positive contribution to the council's brownfield land target in accordance with Policy L1.7 of the Adopted Core Strategy.
26. The development would consist entirely of affordable housing. The proposal is for 45 apartments and of these 24 of them will be one bed rent to buy apartments and 21 two bed shared ownership apartments. The Council has a significant shortfall of affordable housing of all types and fully affordable schemes significantly assist in offsetting this shortfall. The proposed mix of dwelling type, tenure and size is therefore considered to be appropriate in this location.
27. Part of the site is identified as Protected Linear Open Land and is a greenfield site forming part of Kingsway Park. Policy R3 of the Core Strategy states that the Council will identify, protect and enhance Trafford's Green Infrastructure assets, which include urban parks and open spaces. The loss of this particular area of open space is considered to be acceptable under Policy R5 and it is not considered that the development would prejudice the purposes of Policy R3 as the functionality, connectivity and accessibility of the park will not be impaired. The development is therefore considered to be acceptable and in accordance with Policy R3. In any event, the benefits of the development in providing 45 affordable dwellings given the Council's housing land position and lack of affordable homes coming forward, weighs very positively in the planning balance.
28. The principle of the development is therefore considered to be acceptable.

## DESIGN SCALE & LAYOUT

29. 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, boundary treatment; and make appropriate provision for open space.
30. The proposed development as previously noted will involve two detached buildings within the application site, Block 1 towards the eastern side of the site and Block 2 towards the western side. Both buildings will incorporate conventional rectangular footprints, with three floors of accommodation. The buildings' design incorporates dual pitch roofs.
31. Block 1 is positioned approximately 4.8m from the rear boundary of the site (eastern side) and retains a distance of approximately 1.6m at the nearest point to the northern boundary (shared boundary with the scout hut) from the stair well section of the new building. To the south side, the new building retains a distance of approximately 2.6m at the nearest point to the shared boundary with the car-park of the commercial and residential units (9 – 9D & 11 – 11B Lostock Rd). The building is positioned at an angle to the southern boundary of the site and has a projecting stairwell on the southern elevation. Given the juxtaposition of the new building with the site boundary, the building retains a distance of approximately 2.6m – 7.7m to the southern boundary of the site. A retaining wall is located along the southern side of the site boundary with the Nags Head Public House.
32. Beyond the eastern boundary of the site is a cluster of trees within the park area. In addition, Garrity Vehicle services is located immediately beyond the eastern boundary, a section of 2m high palisade fencing forms the boundary with the application site. Garrity Services comprises a large single storey building used for car repairs. A smaller secondary building is located adjacent to the application site boundary along with an area of car-parking for the business extending along the remainder of the shared boundary.
33. Block 2 is located to the western side of the site fronting onto Barton Road. The building will retain a distance of approximately 2.6m from the front boundary with Barton Road. To the northern boundary of the site which is a shared boundary with Bent Terrace, the building will retain a distance of approximately 16.1m. To the southern side of the site with the Nags Head Public House the building will retain a distance of approximately 1.8m at the nearest point. Given the irregular configuration of the boundary along this side of the site, the distances from the new building to the shared boundary with the Nags Head Public House vary between approximately 1.8m and 4.1m.

34. The design of the two buildings incorporates dual pitched roofs, both marginally asymmetrical in design. The side stairwell features to both buildings will have mono-pitch roofs. Juliet balconies are located to both the front and rear elevations on both blocks. The external appearance of the buildings will incorporate a red brick to the main elevations with an as yet unspecified feature brick. Details of the bricks and roof tiles along with the colour of the proposed UPVC windows can be secured through an external materials condition. As with any site within an urban context, the surrounding buildings have a varying palette of external material finishes and building design. The buildings in the surrounding area do appear to have mainly redbrick as the predominant external material with few examples of modern contemporary design in this location. The external appearance of the buildings is considered appropriate in this location
35. All ground floor apartments will have individual accesses. The main communal entrance to Block 2 will be on the rear (east facing) elevation with the main entrance to Block 1 located on its front elevation. A pedestrian pathway is located from Barton Road leading to the rear of Block 2, no demarcated pedestrian pathway is shown leading to Block 1, details of a demarcated pedestrian pathway will be secured through an appropriate condition. Along the front boundary with Barton Road 0.9m high metal railings are proposed with four gated pedestrian access points positioned along this boundary leading to Block 2. Vehicular access will be taken from Barton Road near to the northern boundary, car-parking areas are proposed along the northern side of the site, centrally and part way along the southern side of the site. Soft landscaping is proposed to the edges of the site and will help to soften and screen the appearance of the hard landscaping within the development from nearby properties and the adjacent highway and public parkland.
36. Within the immediate context of the application site is a variety of building sizes, design and functions. The nearest residential buildings are located within Bent Terrace a conventional terrace with living accommodation over 2.5 floors with outriggers to the rear. Opposite side of the site on Barton Road is Bentcliffe and Willow Bank, a pair of two storey semi-detached dwellings, this building and site is in a derelict state. The Nags Head Public House is the largest building adjacent to the application site which is three storeys in height and measures approximately between 13m – 14m in height with varying roof heights.
37. Block 2 which is positioned adjacent to the Barton Road boundary will be the most visible part of the development from the public highway and will be positioned at a lower level to the Nags Head Public House. Although Block 2 will have a greater ground to ridge height (approximately 10.7m – 11.2m) than that of the Brent Terrace properties (approximately 9.5m), a distance of approximately 16.1m is retained from block 1 to the northern boundary with Bent Terrace. This intervening distance helps to assimilate the development within the streetscene along Barton Road with the Nags Head Public House building remaining as the dominant building at this junction. Block 2 will also have more of an extensive

frontage onto Barton Road than the Nags Head Public House; however it reflects the terrace development of Bent Terrace and would not be considered to be out of keeping with the general character of the area and will sit comfortably within the streetscene.

38. Block 1 which is located to the rear of the application site will be less visible from the public domain. The building will clearly be visible from the rear of the commercial and residential buildings which extend along Lostock Road, however given the height of these buildings which includes the Nags Head Public House; San Giovanni Restaurant and Simkins Dental Practice the development site will be screened sufficiently such that views through will be limited to the space between these buildings and further along Lostock Rd and would be considered not to have a detrimental impact on the character of the area. Block 1 will be positioned approximately 1.2m below the ground level of the commercial and residential block and car-park to the south side of the site (9 – 9D & 11 – 11B Lostock Road). Following finished ground levels within the site, Block 1 will be positioned approximately 0.7m above the finished ground level of Block 2.
39. The development site will be visible from Kingsway Park and from within the environs of the adjacent scout hut and car-repair business. Whilst the development will involve a significant change to the character of the site particularly the section of park land that has been cleared, the new buildings will be located adjacent to an established area of built development and are therefore not in isolation. The design and scale of the buildings along with the proposed layout contributes to the development integrating successfully within the streetscene and the immediate context of the site.

## RESIDENTIAL AMENITY

40. The nearest residential properties to the site are Bent Terrace (No.1 to the north side of the site); Bentcliffe and Willow Bank to the west side and the residential apartments on Lostock Road above the commercial units 11, 11a and 11b Lostock Road. The Nags Head Public House also has an apartment within the second floor of the building used by the landlord.
41. 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.
42. The gable-end of 1 Bent Terrace contains four windows, one serving the kitchen at ground-floor level (clear glazed), and one at first-floor serving a bathroom (obscured glazed). Both rooms have windows of the same size facing eastwards into the rear garden that remain unaffected by the development. The gable of 1 Bent Terrace also has two circular windows below the apex of the roof serving accommodation within the roof void, one of these is obscured, the other clear glazed. Block 2 will retain a distance of approximately 17.3m from its northern



elevation to the gable elevation of 1 Bent Terrace. Advice within the Council's New Residential Development Guidelines recommends that a minimum distance of 15m is retained in such situations in order to prevent any undue overshadowing or overbearing impact to neighbouring residential properties.

43. With regards overlooking from habitable room windows of new residential developments, advice within the New Residential Development Guidelines recommends that a minimum distance of 13.5m for apartments with two or more storeys is retained from upper level windows to adjacent residential gardens. The northern elevation of Block 2 contains only a communal corridor window to first and second floor levels facing towards 1 Bent Terrace. No undue overlooking is considered to result from Block 2 towards the occupants of 1 Bent Terrace.
44. Block 2 will retain a distance of approximately 25.8m from its front (west facing) elevation towards Bentcliffe and Willow Bank on the opposite side of Barton Road. Advice from the New Residential Development Guidelines recommends that a minimum distance of 24m is retained from habitable room windows (for three storey flats or houses) across a highway to neighbouring dwellings. No undue overlooking to the occupants of Bentcliffe and Willow Bank is considered to result from these proposals.
45. The proposed car-parking layout proposes nine car parking bays located to the north side of the site. A buffer zone of soft landscaping varying between approximately 2.8m – 5m in depth will be retained between the parking bays and the shared boundary with 1 Bent Terrace to mitigate noise from the parking bays. In addition a close boarded fence at 2.1m height is proposed along the entire northern boundary as an additional form of noise mitigation. A section of the internal vehicular manoeuvring area and two additional car-parking spaces are located further along the northern boundary adjacent to 1 Bent Terrace. The close boarded fence at 2.1m in height is also proposed along this section of the shared boundary with a narrower strip of soft landscaping (approximately 0.8m – 1m in depth) located between the fence and the parking bays and manoeuvring area. It is considered that the proposed close boarded fence and landscaping will act as an appropriate means of mitigating vehicular noise from within the site towards the nearby residents of Bent Terrace.
46. A residential apartment is located within the second floor of the Nags Head Public House. The design and layout of the Nags Head is such that all the second floor windows on the rear elevation facing towards the application site are situated recessed back from the main rear elevation of the building and have the majority of their apartment windows facing towards Davyhulme Circle. Notwithstanding this layout, Block 2 as noted is positioned at a lower level than the Nags Head whereby the roof ridge level of Block 2 will extend no higher than the first floor rear facing windows of the Nags Head which is believed to be used as function room space. The proposal is therefore not considered to have any

detrimental impact on the residential amenity of the occupants of the Nags Head Public House.

47. The nearest residential properties to Block 1 are the three apartments located above the commercial units on Lostock Rd (11, 11a and 11b Lostock Rd). The building has a two storey flat roof section which fronts onto Lostock Road, this includes the residential accommodation at first floor. The building extends back at single storey which is part of the larger commercial units at ground floor. Block 1 is at an angled position to the rear elevations of the Lostock Rd building and retains a distance of approximately 22m from the nearest part of the building to the rear elevation of the single storey part of the Lostock Rd building. The rear elevation of the first floor apartments on the Lostock Rd building will retain a distance of approximately 28m to the nearest part of Block 1 (the side stairwell). The only windows on the side elevation of Block 1 will serve the side stairwell tower, with one ground floor window to an apartment, but this raises no issues of overlooking. The proposal is not considered to have any detrimental impact on the occupants of the adjacent apartments with regards overlooking or having an overbearing impact on the neighbouring occupants.
48. Two bin stores are proposed adjacent to the southern boundary of the site. The bin store nearest Block 2 will be screened by an area of soft landscaping and the existing retaining wall along the southern boundary with the Nags Head Public House. The bin store nearest Block 1 will be screened by a 2.1m high close board timber fence. The location of both bin stores are considered not to result in any adverse impact on residential amenity given their location within the site and the existing and proposed boundary treatment along the southern side of the site.

## ACCESS, HIGHWAYS AND PARKING

49. SPD3: Parking Standards and Design for Trafford states that in this area one parking space is required for a one bedroom dwelling and two parking spaces are required for a two bedroom dwelling. This equates to 72 spaces. The proposals include 53 car parking spaces including 4 disabled spaces. As the site is situated in a sustainable location, within a short walk of local facilities and several bus stops with numerous routes, the parking provision of 53 spaces is accepted by the Local Highway Authority. There are no parking restrictions in place along Barton Road immediately outside the site which is a heavily used road located close to the busy Davyhulme Circle roundabout. An area of public car-parking is located to the front of the Nags Head Public House.
50. No details of secure cycle parking have been provided. SPD3: Parking Standards and Design for Trafford states that cycle parking of either one communal space per apartment or one allocated space per bedroom is required. This equates to 45 communal spaces or 72 allocated spaces.

51. An appropriate condition will be included to ensure details of secure cycle parking provision are submitted.
52. Servicing arrangements will be via Barton Road. The transport statement submitted by the applicant contains a swept path analysis plan which demonstrates that a refuse vehicle is able to use the proposed site access and the proposed turning head. The applicant has provided updated swept path analysis plans; these demonstrate that a refuse vehicle of the size used in Trafford is able to use the proposed site access and the proposed turning head. Servicing arrangements for the development site are therefore accepted.
53. The existing access from Barton Road is to be retained and upgraded to provide a 6m wide entrance with a footway on the south side. The applicant has provided a Transport Statement in which it is demonstrated that visibility splays of 43m can be achieved in both directions; these are in accordance with the visibility requirements set out in the Manual for Streets for a 30 mph road.
54. In terms of traffic generation, the LHA is satisfied that the proposal will not have any adverse impacts on the operation of the local highway network.

## CRIME & SECURITY

55. The proposal has been considered by the Greater Manchester Police (GMP) design for security team. GMP have no objections to the proposed redevelopment of the site for residential purposes subject to a number of amendments. General comments have been provided regarding the careful siting and use of secure bin stores and cycle stores to prevent them being used as areas of concealment from potential intruders. Appropriate conditions are recommended for details of secure bin stores and cycle storage, and appropriate boundary treatment details to restrict unauthorised access to the buildings.
56. GMP have raised concern over the lack of natural surveillance from occupied rooms towards the site entrance and the bay of car-parking to that area. Overlooking privacy issues restrict the provision of main habitable room windows on the gable elevations of block 2. However it is important to consider that Block 1 will include main habitable windows which face towards the site entrance and the parking areas and will provide natural surveillance towards these areas. In addition a condition is proposed to include details of external lighting which will ensure appropriate lighting to the site entrance, both buildings and the car-park area.
57. It is recommended that pedestrian routes are provided to communal entrances. Block 2 has its main communal entrance on the rear elevation and has a pedestrian path leading from Barton Road. As noted earlier in this report no demarcated pathway has been provided for Block 1 from the site entrance, it is therefore proposed to include a condition requesting details of a demarcated

pathway to Block 1 to be submitted. GMP have indicated that the communal entrances should be provided where they are readily visible when approaching from Barton Rd. The communal entrance on the south side of block 1 is considered to be particularly concealed. It should be noted that this is an emergency exit only with the main communal entrance located on the north facing elevation.

58. Further comments are made suggesting suitable methods for postal deliveries in communal areas such as 'through the wall arrangements'. Standard physical security advice regarding doors, windows, glazing, alarms, landscaping, lighting, access control and boundaries are also provided.

## AIR QUALITY

59. An Air Quality Assessment has been undertaken with regards the proposed development. The development site is located within the Council's air quality management area and for that reason it has been necessary for the applicant to consider the impact of annual mean nitrogen dioxide levels on future site users and any increase the development may cause in annual mean nitrogen dioxide levels at nearby sensitive receptors.

60. The air quality assessment confirms that the annual mean level for nitrogen dioxide will exceed the air quality objective at certain locations in the development on the ground floor only. The submitted air quality report correctly identifies that mitigation measures will be required to be included within the development to ensure that there is no adverse effect on residents. This is suitable for this type of development. A condition to be included to require details of appropriate mechanical ventilation for all rooms on the ground floor accommodation to be submitted prior to works commencing on site.

## FLOOD RISK AND DRAINAGE

61. The application site is located within an Environment Agency Flood Zone 1 (lowest risk of flooding) although immediately to the north of the site is a Flood Zone 2 area designation. The site is also within a Critical Drainage Area in the Council's Strategic Flood Risk Assessment. A number of the representations received from local residents with regards this application have referred to flooding in the locality in recent years. The Environment Agency has raised no objections to the proposals. United Utilities have also been consulted on the proposal and have raised no objections subject to a number of conditions being attached to any grant of planning permission relating to foul and surface water disposal and provision of a Sustainable Urban Drainage System (SuDS).

62. The Lead Local Flood Authority raise no objections. This is subject to inclusion of appropriate conditions relating to SuDS; provision of drainage design details and proposed flow control.

63. As per the guidance issued by the Department of Communities and Local Government (DCLG), all 'major' planning applications being determined from the 6<sup>th</sup> April 2015, must provide sustainable drainage systems (SuDS), unless demonstrated to be inappropriate. The applicant has indicated within their submitted Flood Risk Assessment document their intention to utilise SuDS throughout the new development.

## ECOLOGY

64. The Greater Manchester Ecology Unit raise no objections subject to inclusion of a condition relating to no tree clearance during bird breeding season. In addition they have suggested that the applicant makes appropriate contributions to provide tree planting elsewhere in the Borough to mitigate the loss of trees within the eastern section of the application site. The applicant has committed to make the necessary contribution as detailed earlier in this report under Principle of Development with regards the loss of public open space

65. As part of the applicant's submission an Ecology Assessment has been submitted, the report concludes that no evidence of protected species found on site. Numerous records of common bat species recorded within 2km of the site and it is suggested that the applicant consider bat boxes within the proposed buildings, although this is not suggested to be a condition of the granting of planning permission.

## TREES

66. The eastern section of the site was cleared of its tree cover in July 2016 by the applicant. Reference had been made on the plans originally submitted as part of this application that two trees along the northern boundary of the site were protected trees. This reference was not correct and the Council's Arboriculturist officer has confirmed that there are no protected trees on site. A condition is recommended to ensure submission of a tree protection scheme (which should include an Arboricultural Method Statement)

## DEVELOPER CONTRIBUTIONS

67. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold zone' for residential development, where apartments are currently 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).

68. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be

attached to make specific reference to the need to provide additional trees on site as part of the landscaping proposals.

69. 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 5 of the 45 dwellings to be affordable.
70. The applicant proposes to provide all 45 of the residential units as 'affordable housing' provision. The 24 x 1 bedroom units will be rent to buy apartments and the 21 x 2 bedroom units will be shared ownership apartments.
71. Shared ownership housing allows tenants to buy a stake of between 25% and 75% of the property, using a deposit and mortgage with rent paid on the remaining share which is under the ownership of the registered provider. Rent to buy is a scheme that provides a subsidised rent usually at 80% of market value for five years, after which the tenant would have the option to buy all or part of the property under a shared ownership scheme after five years. The affordable housing provision will be secured through an appropriate S106 legal agreement.

## CONCLUSION

72. Through the process of assessing the proposed development, considerable importance and weight has been given to the desirability of preserving the identified designated heritage assets. It has been concluded that no harm would result to these heritage assets. Whilst the development would result in the loss of an area of open space and protected linear open land, the mitigation proposed is considered to outweigh the harm that would have otherwise resulted.
73. The proposed development would result in a number of benefits which are considered to outweigh any harm resulting from the scheme. The key benefit is the delivery of 45 affordable homes in a sustainable location. It 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 will improve the streetscene. 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 generally in accordance with policies in the NPPF. The application is therefore recommended for approval.

## **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

- A. The application will propose a satisfactory development for the site upon completion of an appropriate legal agreement and such legal agreement be entered into to secure:-

- (i) a contribution of £16,183.44 to mitigate for the loss of Protected Open Space; and
- (ii) affordable housing provision, in accordance with Policy L2 of the Trafford Core Strategy.

**B.** In the circumstances where the section 106 agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development.

**C.** That upon satisfactory completion of the above legal agreement, 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 plans:-

- Drawing No:- P101 Rev.1 Location Plan
- Drawing No:- P103 Rev.5 Proposed Site Plan
- Drawing No:- P104 Rev.1 Proposed Boundaries
- Drawing No:- P105 Rev.3 Street Elevations
- Drawing No:- P107 Sections
- Drawing No:- P109 Proposed Layout in relation to surrounding buildings
- Drawing No:- P110 Rev.2 Block 1 Floor Plans
- Drawing No:- P111 Rev.2 Block 1 Elevations
- Drawing No:- P112 Rev.4 Block 2 Floor Plans
- Drawing No:- P113 Rev.4 Block 2 Elevations
- Drawing No:- P114 Floor Plan 2B3P Flat
- Drawing No:- P115 Floor Plan 1B2P Flat Type A
- Drawing No:- P116 Floor Plan 1B2P Flat Type B

Reason: To clarify the permission, having regard to Policies L1, L2, L3, L4, L5, L7, L8, R2, R3, R4 and R5 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 buildings 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, none of the residential units hereby permitted shall 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 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: In order to prevent any habitat disturbance to nesting birds which may take place during site preparation as well as development having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.



6. 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 ensure existing trees on or adjacent to the application site are protected before development commences in the interests of the amenities of the area and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. This condition is required to be pre-commencement to ensure approved details are implemented on site prior to works commencing.

7. 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, v 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 buildings 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.

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 at design stage.

9. 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 L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement (Ref:2016/0451/CIS/01).

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

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

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

12. 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.

13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust (which shall be in accordance with the submitted document Rec Reference: AQ102624R1) and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The apartments hereby approved shall not be occupied unless and until a scheme for secure cycle storage for the apartment buildings has first been submitted to and approved in writing by the Local Planning Authority. 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, amenity and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

15. No development shall take place unless and until details of a scheme to provide ventilation to all habitable rooms on the ground floor via mechanical means with an air inlet located at no less than a height of 7.5m above existing ground level has been submitted to and approved in writing by the Local Planning Authority. The residential units shall not be occupied until the approved scheme has been implemented and the scheme shall be retained and maintained in operational condition thereafter.

Reason: To safeguard the amenity of future occupants of the development hereby approved in accordance with 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 to ensure the approved details are incorporated into the development at design stage.

16. Prior to the occupation of the development hereby approved, a scheme detailing the demarcation of accessible car-parking spaces and pedestrian pathway to Block 1

shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the occupation of the residential units and thereafter retained.

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

17. Prior to the occupation of the development hereby approved, details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, shall be submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed prior to the first occupation of the apartments and shall be retained thereafter.

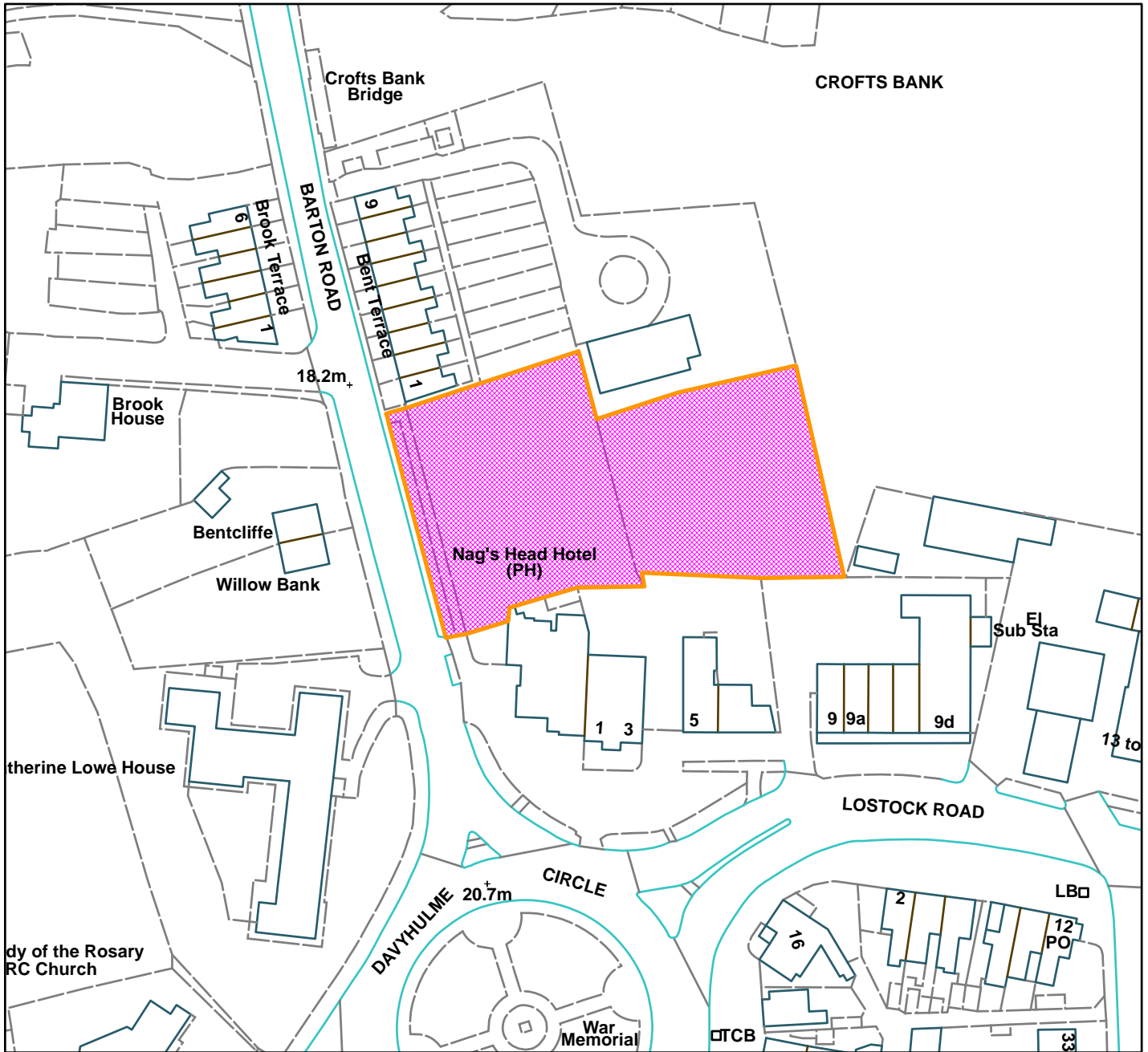
Reason: To ensure satisfactory arrangements are in place for the disposal of refuse (including recyclables) in accordance with Policy L7 of the Trafford Core Strategy.

CM

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Land adj to Nags Head PH, Lostock Road, Davyhulme (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/12/2016
Date	28/11/2016
MSA Number	100023172 (2012)

**WARD:** Urmston

**89222/HHA/16**

**DEPARTURE: NO**

**Conversion of the existing detached garage to a granny flat. Alterations to the garage include a side extension and new roof.**

Chesham House, 101 Church Road, Urmston, Manchester, M41 9FJ

**APPLICANT:** Mr Keenan

**AGENT:** EBR Designs

**RECOMMENDATION: GRANT**

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**This application has been called in by Councillor Harding on the grounds of the impact on residential amenity given the siting of the proposed extended outbuilding.**

### **SITE**

The application site relates to a large period property set within spacious grounds and located to the south-eastern side of Church Road in Urmston. Located within a predominantly residential area, Church Road, to its south-eastern side comprises of similar sized and styled early Edwardian properties, however to its opposite and north-western side, the properties are somewhat smaller and vary greatly in age and style. To the rear of the application site, the properties comprise much more modest semi-detached gabled dwellings built around circa 1970s.

To the rear end and south-western corner of the application site is an existing detached garage which currently is being used as storage. The shared common boundaries with the properties to either side are mainly formed by approximately 2.5m high uninterrupted dense hedges. Its shared rear boundary with the properties to Westmorland Road, whilst comprising of a number of large trees and a timber panel fence, still allows for some open views to and from the properties to Westmorland Road.

The site is currently in a mixed use, it provides bed & breakfast accommodation along with an element retained for the private residential use (Use Class C3) of the owners of the property,

### **PROPOSAL**

Planning permission is sought for the extension and conversion of the existing detached garage, which is located to the rear and south-western corner of the application site, to form a 'granny flat'. The existing structure would be extended to its north-eastern side towards its common side boundary with No. 99 Church Road. Ancillary to the residential

use (C3) of the main property, its accommodation would comprise of a lounge area and 1 no. en-suite bedroom. There would be no kitchen facilities. Windows are proposed to the front and side elevations. Similar to the existing garage, it would have a gabled roof design, however, it would be re-orientated 180 degrees so that its gable ends faced onto the properties to either side. Two velux roof windows are proposed to its front roof plane.

The proposal would not result in any change of use and the existing mixed use is to be retained. The existing B&B would run alongside the residential use with the proposed granny annex used incidental to this use.

Proposed works would take place following the demolition of the existing lean-to sited to the north-eastern side of the lean-to.

Following amended plans having been submitted at the request of the case officer, the proposed dormer window and first floor accommodation have been removed, whilst its ridge has been reduced in height to no higher than that of the existing outbuilding.

The additional floorspace of the proposed development would be 24.7 sqm.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

## **PROPOSALS MAP NOTATION**

Unallocated

## **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/REN/50459 – Change of use from dwellinghouse to dwellinghouse with bed and breakfast accommodation (Renewal of planning permission H/46294). Approved with conditions 12<sup>th</sup> December 2000

H46294 – Change of use from dwellinghouse to bed and breakfast accommodation. Approved with conditions 7<sup>th</sup> October 1998

## **APPLICANT'S SUBMISSION**

- Design and Access Statement

## **CONSULTATIONS**

**Local Highways Authority** – No objections

**Built Environment (Drainage)** – No objections

## **REPRESENTATIONS**

### **Original Scheme:**

**Neighbours:** A total of 4 neighbours made representations to the Local Planning Authority on the following grounds:

- Increased scale, form, orientation and close proximity to rear boundary would lead to overbearing structure to properties to Westmorland Road
- Increased scale, form, orientation and close proximity to rear boundary would lead to a loss of outlook and a sense of enclosure to garden area of properties to Westmorland Road
- Concern over proposed use as granny flat and at some point in future its use not being ancillary to main property
- Concern that extended structure will be used as additional 'Bed and Breakfast' accommodation



- Design and Access Statement contains inaccurate description of existing garage structure
- The proposal is a re-build and not a conversion
- Given proximity to rear boundary that the proposed use would result in an unacceptable amount of noise and disturbance by future occupants
- Concern that increased height of structure will lead to loss of light
- Loss of trees will be detrimental to wildlife

### **Amended Scheme:**

**Neighbours:** 1 no. Councillor and a total of 3 neighbours made representations to the Local Planning Authority. Set out below are any additional comments that differ to what had previously been said:

- Amended plans not clearly marked and could lead to confusion as to which version is the correct scheme.
- Concern over damage to existing rear boundary during construction.

### **OBSERVATIONS**

#### **PRINCIPLE OF DEVELOPMENT**

1. The application site is located within the existing urban area of Urmston. The site comprises of a large period property set within spacious grounds. The use of the property is currently is as a dwellinghouse with 'Bed and Breakfast' accommodation. Whilst five bedrooms are dedicated to the 'B&B' business (C1 Use), an additional two bedrooms are reserved at all times for the private use of the family running the 'B&B' (C3 Use). The proposed development itself relates to the extension and conversion of the existing detached garage to the rear and south-western corner of the application site to form a 'granny flat' and which will serve solely as incidental to the private accommodation of the live-in owners of the business and not for the purpose of the 'B&B' business. Therefore in principle the additional incidental residential accommodation is acceptable subject to the impact on visual and residential amenity and the impact on the local highway network.

#### **DESIGN AND STREET SCENE**

2. 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"*.
3. 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”.*

4. Following the demolition of the existing lean-to, the existing detached garage would be extended approximately 4.8m to its side towards the boundary with No. 99 Church Road and converted to form a ‘granny flat’. Approximately 8.6m in length and 6.7m in width, the proposed ‘granny flat’ would have an internal floor area of just under 50.4 sq. m compared to the approximately 24.7m of the existing garage. Following amendments, which remove the first floor level and dormer window elements and reduced its overall height, the 2.6m eaves and 4.2m ridge heights of the outbuilding would remain unchanged.
5. Sited to the south-western end of the application site, the ‘granny flat’ would be orientated so that its longest side would run parallel to its common shared rear boundary with No. 96 and No. 98 Westmorland Road. It is considered that the scale and design of the outbuilding is appropriate for its setting and would not look out of place within a garden of such size or against the main dwelling and that the site would not appear over-developed or cramped. Whilst retaining a gabled roof design, the gable ends which previously faced on to the properties to Westmorland Road and the application property, would now be orientated to face towards to the properties to either side of the application site. Furthermore, the pitch would therefore now slope away from the properties to Westmoreland Road. Its gabled roof design is considered to be in keeping with the design of the original dwelling, including the existing detached garage.
6. Given its location to the rear and distance away from the main street frontage of Church Road, there would be limited views of extended outbuilding when viewed from the streetscene. Whilst it would be located in close proximity to its boundaries with the properties to Westmoreland Road and No. 103 Church Road and its footprint would be double that of the existing garage, it would however, not move any closer to these boundaries or stand any taller than the existing garage. Furthermore, given that the applicant has confirmed that the proposal will use materials matching as part of any permission, a condition is proposed to this effect. It is therefore considered that there would be no adverse impact on visual amenity and would be reflective of the character and appearance of the site and wider area.
7. A neighbour has raised concerns that the loss of trees resulting from the proposed works would be detrimental to local wildlife. The trees within the site are not

protected by a Tree Preservation Orders therefore their removal does not required permission. Given their location it is unlikely that they would support protected species. However there is other legislation best placed to deal with this it be found that this was not the case. Therefore in this regards it is considered that the proposal would not have a significant impact on the ecology of the application site and wider area.

8. It is considered that the proposed development seeks to reflect the character of the existing property and surrounding area in terms of design, materials and scale and street scene and would be acceptable in this respect in terms of Policy L7 of the Trafford Core Strategy and the Council's SPD4 guidelines.

## **RESIDENTIAL AMENITY**

9. 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"*.
10. A number of objections received for this application voice concern over the proposed development being used at some point as an extension of the 'B&B' business or being sold as a separate dwelling and the negative impact this would have on their amenity. As such, it is recommended that as part of any permission, that a condition be attached restricting the use of the extended outbuilding to a C3 use and one solely ancillary to the private accommodation within the main property.

### Impact on No. 103 Church Road (adjacent):

11. Located to the south-western corner of the applicant's rear garden area, the existing detached garage currently runs parallel to and is sited in close proximity to its common shared side boundary with No. 103. The proposed development would not sit any closer to or extend any further along this boundary than at present and there would be no increase in the eaves and ridge heights of the outbuilding. However, due to the 180 degree re-orientation of the gabled roof the view of the outbuilding from this property would change. The gable end of the proposed granny annex would face onto the rear garden area of no.103.
12. However, given the positioning of the proposed 'granny flat' to the far rear and south eastern corner of No. 103's rear garden and that a separation distance of approximately 20m would be retained to No. 103's main property, it is considered that the proposed development would not appear visually intrusive or unduly overbearing to No. 103. Furthermore, amended plans have been submitted removing the first floor element and front facing dormer window. And whilst habitable windows would be introduced to its front elevation, given the existing approximately 2.5m high dense hedge and 1.8m high timber fence forming the

boundary treatment between the application site and No. 103, it is considered that there will be no subsequent loss of privacy or overlooking to No. 103's rear garden area and property.

Impact on No. 99 Church Road (adjacent):

13. The proposed 'granny flat' would introduce habitable windows to its north-east facing side and front elevations and facing onto No. 99's property and rear garden area. Whilst moving closer towards its common shared side boundary with No. 99, given it would be single-storey in height; would maintain a separation distance of approximately 12m to the shared boundary and approximately 26m to the rear of No. 99's property; and that the above mentioned common side boundary is formed by a continuous approximately 2.5m high dense hedge, it is considered that the proposed development would not appear visually intrusive or overbearing to No. 99, nor would it result in a loss of privacy or overlooking to No. 99's rear garden area and property.

Impact on properties No. 94-100 Westmorland Road (rear):

14. The applicant's existing detached garage currently spans just under half the length of the common shared rear boundary with No. 98 Westmorland Road. The proposed development would see the 'granny flat' span the full length of this boundary and a very small length of the common shared rear boundary to No. 96. However, given that gabled roof design of the proposed 'granny flat' has been re-orientated 180 degrees to accommodate the extended length of the outbuilding, the roof pitch would now slope away from the common shared rear boundary to the properties to Westmoreland Road. Furthermore, the eaves (2.6m) and ridge heights (4.2m) of the extended outbuilding would remain unchanged from at present, thus helping to reduce any overbearing impact from the proposed development.
15. Whilst No. 98 has an existing conservatory to the rear of its dwelling, there still remains approximately 12m from the rear of this conservatory to the common shared rear boundary. Given the orientation of the proposed 'granny flat' to the north of the properties and even though it would be double in its footprint to that of the existing detached garage, any overshadowing to the rear gardens of the properties to Westmoreland Road would be no more significant than at present. Furthermore, whilst it is acknowledged that the extended outbuilding would span the full length of the common shared rear boundary with No. 98, this would be mitigated by the fact that it would be located to the very rear of No. 98's rear garden and would not sit any closer to the common shared rear boundary. Furthermore, the extended outbuilding would be single-storey in height; its roof pitch would slope away from the boundary between the two properties and its eaves and ridge heights would remain unchanged from that of the existing garage. It should also be noted that not only would minimum separation distance of approximately 12m be achieved between the proposed development and the rear

of No. 98's property, but that a distance of approximately 40m would also be achieved between the backs of No. 98's and the applicant's main properties. It is therefore considered that the proposal would not appear overbearing to or lead to a sense of enclosure to No. 98 or indeed the remaining properties to Westmoreland Road.

16. Furthermore, given there would be no openings facing onto the shared common rear boundary with the properties to Westmoreland Road, it is considered that the proposed development would not result in any overlooking or loss of privacy to the properties to the rear.
17. A neighbour has voiced concern with regard to the construction phase of the proposed development potentially resulting in damage to the existing rear boundary treatment. Whilst it appears from the submitted drawings that the proposal would sit no closer to its rear boundary than at present, and whilst unlikely, it cannot be guaranteed that no damage will occur, however, this is not a planning matter and as such does not fall within the scope of this planning application.

## **HIGHWAYS**

18. The proposed development would result in one additional bedroom, bringing the total number of bedrooms, guest and private to eight bedrooms. SPD3: Parking Standards & Design states that for Use class C1, one off-street parking space per bedroom is required and for Use Class C3, in this area, two parking spaces are required for a 2 to 3 bedroom dwelling. This equates to a total of seven spaces, and is unchanged from the existing required provision. There is currently space for 6 cars to park within the site and this will remain. The number of parking spaces therefore meets Trafford's maximum parking standard for the existing C1 & C3 Uses and the proposed single bedroom converted garage building. The LHA has no objections to this application on highway grounds.

## **CONCLUSION**

19. The proposed scheme is considered acceptable in terms of design and visual amenity, residential amenity and highway safety and would comply with Policies L4 and L7 of the Trafford Core Strategy and guidance in the NPPF. As such it is recommended that planning permission should be granted, subject to conditions.

## **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 amended plans, numbers ebr/00203/A0.3 and ebr/00203/A0.4, received 29<sup>th</sup> September 2016 and on amended plan, number ebr/00203/A0.5, received 30<sup>th</sup> September 2016.

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

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

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 Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) no window, dormer window or other opening (other than those shown on the approved plans) shall be formed in the front (north-west) and rear (south-east) facing elevations of the extended detached outbuilding hereby approved .

Reason: To ensure satisfactory level of privacy between properties, having regard to Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations.

5. The development shown on the approved plans shall only be used for purposes incidental to the use of Chesham House, 101 Church Road as a dwellinghouse and shall not be used or occupied in association with the bed and breakfast accommodation therein unless a further planning permission in respect thereof has been granted on application to the Local Planning Authority.

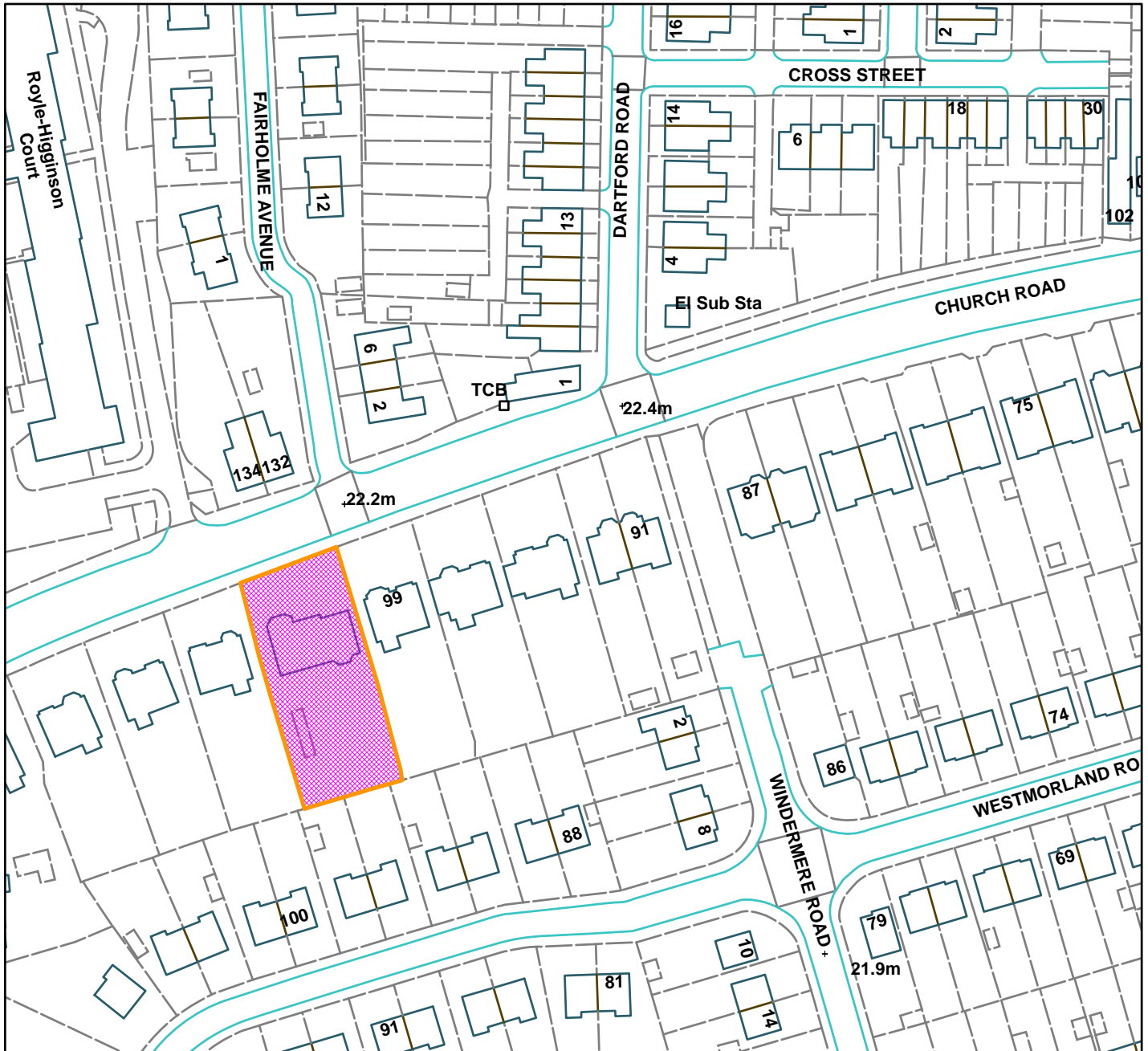
Reason: In order to prevent the additional accommodation being used as a separate dwelling which would have unsatisfactory facilities or would have an unsatisfactory relationship with the existing dwelling, having regard to Policy L4 and L7 of the Trafford Core Strategy.

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Chesham House, 101 Church Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/12/2016
Date	28/11/2016
MSA Number	100023172 (2012)

**WARD:** Davyhulme East

**89483/HHA/16**

**DEPARTURE: No**

## **Erection of a two storey side and single storey rear extension**

64 Westbourne Road, Urmston, M41 0XQ

**APPLICANT:** Mr Waller

**AGENT:** CLS Surveying Limited

**RECOMMENDATION: GRANT**

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**Reported to the Planning and Development Management Committee as the applicant is related to an employee of the Council.**

### **SITE**

The application site refers to a detached two storey property located on the east side of Westbourne Road, Urmston. The property is constructed from red brick with a tiled hipped roof with white uPVC windows and a white painted timber porch. The building features two front gables; above the two storey bay window and another above the porch. The attached single garage has a white up-and-over door with a three-stepped red brick feature associated with this period of housing. The property has an existing single storey rear extension, projecting 2.7 metres.

### **PROPOSAL**

Planning permission is sought for the erection of a two storey side extension (in lieu of the existing garage) and single storey rear extension. The proposed rear extension would increase the depth of the ground floor of the property by a further 1.9m, resulting in a projection of 4.5m from the original rear elevation. The proposed first floor side extension would measure 2.6m (W) x 7m (D), which would be set back 1m from the front elevation. The ground floor was also amended at the front elevation to be in line with the original dwelling and existing garage.

The increase in floor space of the proposed development would be 35 m<sup>2</sup>.

The total floorspace of the proposed development would be 80 m<sup>2</sup>.

### **Value Added**

Amended plans were received as per the case officer's request which omitted a ground floor front porch extension and included a 1m setback from the front elevation at first floor level for side extension.

### **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**

L7 – Design

## **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards & Design

SPD4 – A Guide for Designing House Extensions & Alterations

## **PROPOSALS MAP NOTATION**

None relevant to this application

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None

## **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/63952 - Erection of a part single part two storey side extension and installation of rooflights and french doors to existing rear extension - Approved February 2006.

## **APPLICANT'S SUBMISSION**

None

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None received to date

## **OBSERVATIONS**

### **DESIGN AND APPEARANCE**

1. In relation to matters of design, 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;
  - 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.
2. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
3. The amended scheme is considered to have overcome the initial concerns. The proposed development would be visible from the public domain of Westbourne Road. Although visible from the highway, the amended proposed extension – by way of retaining the existing porch, not projecting forward at ground floor and a 1m step back at first floor – is considered to be consistent with the design of the existing property and would make a positive contribution towards the character and appearance of the property.
4. Paragraph 3.1.2 of SPD4 states that: *Extensions should be in keeping with the prevailing pattern of residential development and should not erode the amount of space surrounding the dwelling. A gap of a minimum of 1m should be retained between the side elevation of an extended property and its side boundary, to retain the impression of space to the side of the dwelling.* Although the proposed development does not retain a gap of 1m between the extension and the side boundary; the 1m step back is considered to mitigate this and would in turn reduce the height of the roof line, which is considered to create a more subservient addition retaining a sense of spaciousness. Furthermore the side extension would extend above the existing garage and therefore not widening the existing footprint. In addition the amended proposal would retain the existing porch thereby retaining an appropriate size and the dual pitched porch, which relates well with the style of the dwelling.

5. Given the above reasons, it is considered that the amended proposed development would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF requiring good design.

## **RESIDENTIAL AMENITY**

6. 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.
7. The properties closest to the proposed development would be Nos. 62 and 66 Westbourne Road. Neighbours to the rear are not considered to be affected given the distance of over 25m between the properties.

### Impact to No.62 Westbourne Road:

8. The proposed side extension is not considered to impact this neighbour, given it is on the farthest side from No.62. It is of note that both No.62 and the application site benefit from existing single storey rear extensions of a similar size, which projects approximately 2.6m from the rear elevations. Guidance within SPD4: Guide for Designing House Extensions & Alterations states that single storey rear extensions should not project more than 4m for detached properties. Although the total projection of the proposed rear extension would be 4.5m – thus conflicting with the recommended guidance – it would only project 1.9m beyond the existing extension at No.62 and therefore is not considered to result in adverse harm in terms of overshadowing, loss of light, or over-dominance. In addition, the absence of windows to the side elevation would prevent any overlooking to this neighbour.

### Impact to No.66 Westbourne Road:

9. This neighbour is positioned north of the proposed extension, which means that the proposal could cause some loss of light to this neighbour. However given the height, profile and distance from this neighbour, the single storey rear extension is not considered to cause significant adverse harm to the residential amenity of this neighbour.
10. As aforementioned the proposed development would conflict with recommended guidance (within SPD4) by 0.5m. The height of the proposed rear extension at depth of 4m would be 2.4m. The nearest habitable window of No.66 to the proposed development is a bay window, which projects approximately 0.3m. It is considered that the bay window and the distance of 1.2m (between the proposed extension and No.66) would mitigate any potential undue harm to light levels received or outlook

from this neighbouring residential property..

11. It is understood that No.66 does not have any habitable windows to the side elevation, facing the proposed development, and therefore the proposed side extension is not considered to impact the residential amenity of No.66 in terms of overshadowing, or overlooking given the distance, scale and form of the proposed. In addition, the absence of windows to the side elevation would prevent any overlooking to this neighbour.
12. Overall therefore the proposed development is considered acceptable in terms of residential amenity and would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF.

### **ACCESS, HIGHWAYS AND CAR PARKING**

13. SPD3: Parking Standards and Design for Trafford states that for a four bedroom dwelling in this area, three off-street parking spaces are required. The existing property can accommodate two vehicles (one on the drive and one in the garage). The proposal would lose one space from the garage but indicates on the application form that landscaping to the front is proposed to accommodate two vehicles. One parking space is also considered acceptable on-street without detriment to public safety, therefore the proposal, subject to condition for an agreed parking layout, is considered acceptable in terms of highway safety.

### **DEVELOPER CONTRIBUTIONS**

14. No planning obligations are required.

### **CONCLUSION**

15. The proposed development is considered to be an appropriate addition to the host property, it would not result in harm to the character and appearance of the application site or wider area, nor would it result in harm to the residential amenity of neighbouring and adjoining residential property. The proposal is considered acceptable in regards to its impact on the local highway network and is therefore considered to be in compliance with the Trafford Core Strategy Policies L4 and L7 and NPPF.

### **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: TSSE-04WR-005-007 REV A, received 21st November 2016.

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

- 3 Prior to first use of the development hereby permitted a scheme for creating 2 car parking spaces with associated retention of boundary treatment and landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the extension hereby approved is first brought into use and shall be retained at all times thereafter.

Reason: In the interests of highway safety and residential amenity and in accordance with Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations 3: Parking Standards and Design

- 4 The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

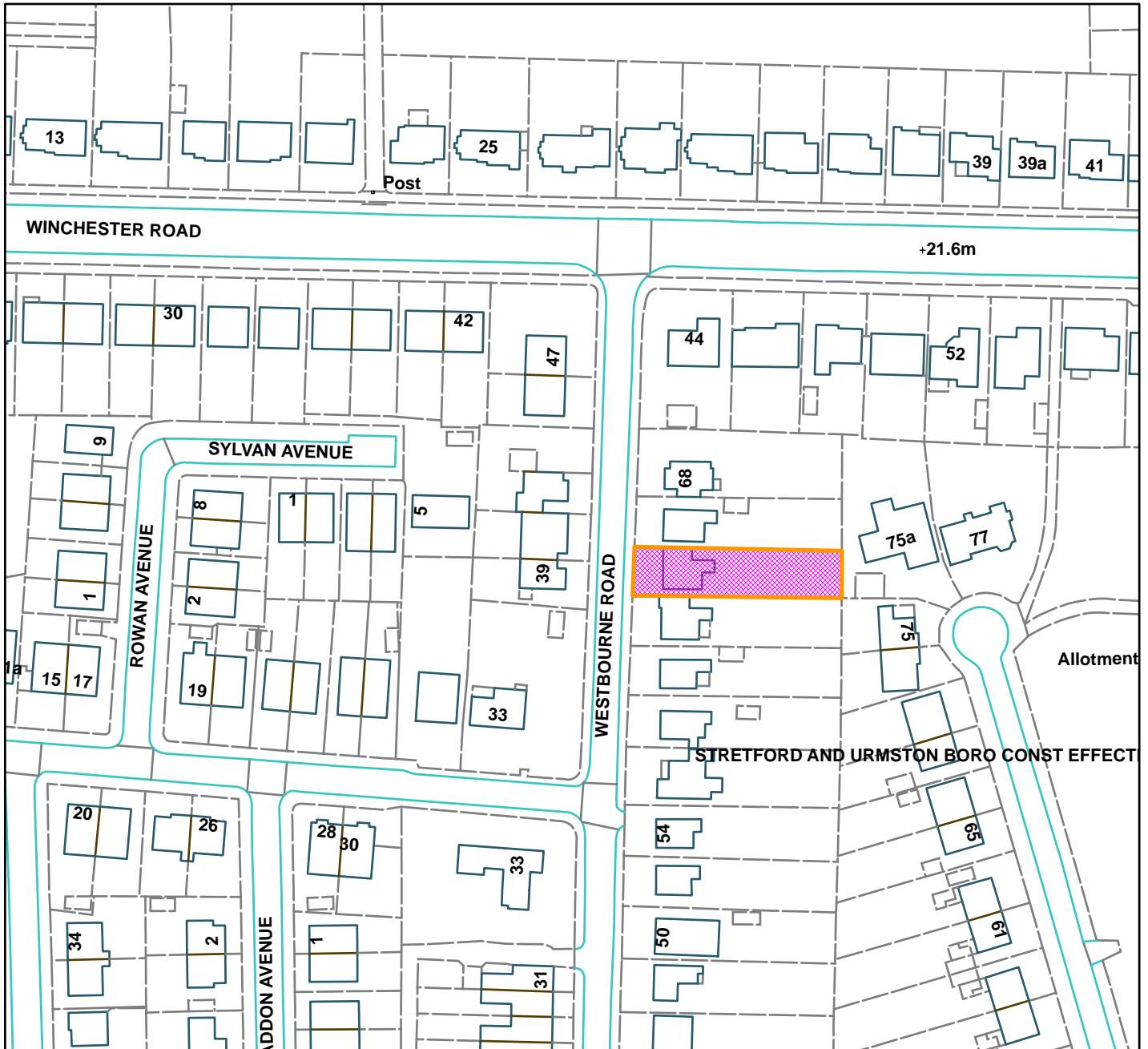
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

**LT**

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64 Westbourne Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/12/2016
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