



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

**Date: Thursday, 14 February 2019**

**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. DECLARATIONS OF INTEREST**

Members to give notice of any Personal or Prejudicial Interest and the nature of that Interest relating to any item on the Agenda in accordance with the adopted Code of Conduct.

**3. MINUTES**

To receive and, if so determined, to approve as a correct record the Minutes of the meetings held on 13<sup>th</sup> December, 2018 and 10<sup>th</sup> January, 2019.

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**4. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4pm on the working day prior to the meeting. Questions must be relevant to items appearing on the agenda and will be submitted in the order in which they were received.

5. **ADDITIONAL INFORMATION REPORT**

To consider a report of the Head of Planning and Development, to be tabled at the meeting.

6. **APPLICATIONS FOR PERMISSION TO DEVELOP ETC**

To consider the attached reports of the Head of Planning and Development, for the following applications.

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Application	Site Address/Location of Development
<a href="#">90711</a>	Trafford Plaza, 73 Seymour Grove, Old Trafford
<a href="#">95687</a>	56 Ennerdale Drive, Sale, M33 5NE
<a href="#">95716</a>	Southbank & Delamer Lodge, 1 - 2 Cavendish Road, Altrincham, WA14 2NJ
<a href="#">95723</a>	Former Itron Site, Talbot Road, Stretford, M32 0XX
<a href="#">95865</a>	5 Groby Court, Groby Road, Altrincham, WA14 2BH
<a href="#">96103</a>	44 Dartford Road, Urmston, M41 9DE

7. **URGENT BUSINESS (IF ANY)**

Any other item or items which by reason of special circumstances (to be specified) the Chair of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

**JIM TAYLOR**

Interim Chief Executive

Membership of the Committee

Councillors L. Walsh (Chair), A.J. Williams (Vice-Chair), Dr. K. Barclay, D. Bunting, T. Carey, G. Coggins, N. Evans, D. Hopps, S. Longden, E. Malik, E. Patel, E.W. Stennett and M. Whetton.

Further Information

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

Michelle Cody, Democratic & Scrutiny Officer

Tel: 0161 912 2775

Email: [michelle.cody@trafford.gov.uk](mailto:michelle.cody@trafford.gov.uk)

This agenda was issued on **5<sup>th</sup> February, 2019** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

**13<sup>th</sup> DECEMBER, 2018**

### **PRESENT:**

Councillor Walsh (In the Chair),  
Councillors Dr. Barclay, Bunting, Carey, Coggins, N. Evans, Hopps, Longden, Malik Patel, Stennett MBE, Whetton and Williams.

In attendance: Head of Planning and Development (Ms. R. Coley),  
Head of Major Planning Projects (Mr. D. Pearson),  
Major Planning Projects Officer (Mr. C. McGowan),  
Major Planning Projects Officer (Mr. J. Davis),  
Major Planning Projects Officer (Ms. D. Harrison),  
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),  
Corporate Director of Governance & Community Strategy (Ms. J. le Fevre),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors S.B. Anstee, Mrs. Haddad, Jerrome, Mitchell, Whitham, Wright, M. Young and Mrs. P. Young.

### **50. DECLARATIONS OF INTEREST**

Councillor N. Evans declared a Personal Interest in Application 93045/FUL/17 (Howarth Timber, Glebelands Road, Sale) as he owns neighbouring properties on Cross Street and Florence Street, Sale.

Councillor Coggins declared a Personal and Prejudicial Interest in Application 95660/FUL/18 (Former Rileys Snooker Club, 1D Bridgewater Road, Altrincham) due to her involvement.

### **51. MINUTES**

RESOLVED: That the Minutes of the meeting held on 8<sup>th</sup> November, 2018, be approved as a correct record and signed by the Chair.

### **52. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A question was submitted by Ann Herbert and was deemed to be invalid as it was considered in part not to be within the remit of the Committee and in part had been addressed during the planning process.

### **53. 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.

**Planning and Development Management Committee**  
**13<sup>th</sup> December, 2018**

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**54. 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., Address or Site</u>	<u>Description</u>
94664/OUT/18 – Land adjacent to 95 Dunster Drive, Flixton.	Outline application for 4 dwellings (consent is sought for access with all other matters reserved).

[Note: Councillor Malik did not partake in the vote in respect of Application 94664/OUT/18, as he was not present in the room at the commencement of consideration of this item.]

95276/HHA/18 – 32 Peel Road, Hale.	Erection of a two storey side extension following demolition of the existing detached garage.
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**55. APPLICATION FOR PLANNING PERMISSION 93045/FUL/17 – HOWARTH TIMBER, GLEBELANDS ROAD, SALE**

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of existing storage racking and replacing with new storage racking. Installation of new storage racking within the yard area.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be refused for the following reason:

The proposed racking, by virtue of its height, design, scale and siting would cause significant harm to the visual amenity of nearby residential properties and as such is contrary to Policy L7 of the Trafford Core Strategy.

**56. APPLICATION FOR PLANNING PERMISSION 95514/FUL/18 – CAR PARK, BROWN STREET, ALTRINCHAM**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a four storey building incorporating a public car park; 10no. town houses and 12no. apartments; landscaping; residential car parking and formation of a new vehicular access from Brown Street with associated development thereto.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

**Planning and Development Management Committee**  
**13<sup>th</sup> December, 2018**

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

**57. APPLICATION FOR PLANNING PERMISSION 95660/FUL/18 – FORMER RILEYS SNOOKER CLUB, 1D BRIDGEWATER ROAD, ALTRINCHAM**

[Note: Councillor Coggins declared a Personal and Prejudicial Interest in Application 95660/FUL/18, due to her involvement and removed herself from the Committee. After making representations to the Committee she left the room during consideration of the item.]

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of the existing snooker hall (Class D2) and erection of a 3 to 6 storey residential development consisting of 38 residential units (Class C3) with ancillary amenity space, car parking, cycle parking, bin store, landscaping, new boundary treatment and alterations to the access fronting Bridgewater Road and other associated works.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be refused for the following reasons:-

- (1) The proposed development, by reason of its scale, massing and design, would cause significant harm to the character of the area. As such, the proposal would be contrary to Policy L7 of the Trafford Core Strategy and advice contained within the National Planning Policy Framework.
- (2) The proposed development, by reason of a shortfall in the level of on-site car parking provision, would result in overspill parking on surrounding residential streets to the detriment of residential amenity and highway safety. For this reason, the proposal would be contrary to Policies L4 and L7 of the Trafford Core Strategy, the Council's Supplementary Planning Document 3: Parking Standards and Design and advice contained within the National Planning Policy Framework.

**58. APPLICATION FOR PLANNING PERMISSION 95823/FUL/18 – LAND AT HIGHER HOUSE FARM, DAIRYHOUSE LANE, ALTRINCHAM**

The Head of Planning and Development submitted a report concerning an application for planning permission for engineering operations for the provision of car parking with landscaping, lighting and access improvements.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

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

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determined.

The meeting commenced at 6.00pm and concluded at 9.21 pm.



## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

**10<sup>th</sup> JANUARY, 2019**

### **PRESENT:**

Councillor Walsh (In the Chair),  
Councillors Dr. Barclay, Bunting, Carey, Coggins, N. Evans, Hopps, Longden, Patel,  
Stennett MBE, Whetton and Williams.

In attendance: Head of Planning and Development (Ms. R. Coley),  
Planning and Development Manager (East) (Ms. H. Milner),  
Major Planning Projects Officer (Mr. R. Gore),  
Planning and Development Officer (Ms. O. Williams),  
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),  
Solicitor (Ms. J. Cobern),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors Bennett and Butt.

### **APOLOGY**

An apology for absence was received from Councillor Malik.

#### **59. DECLARATIONS OF INTEREST**

No declarations were made at this point in the proceedings.

#### **60. MINUTES**

RESOLVED: That the Minutes of the meeting held on 22<sup>nd</sup> November, 2018, be approved as a correct record and signed by the Chair.

#### **61. QUESTIONS FROM MEMBERS OF THE PUBLIC**

No questions were submitted.

#### **62. 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.

**Planning and Development Management Committee**  
**10<sup>th</sup> January, 2019**

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**63. 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., Address or Site</u>	<u>Description</u>
93523/HHA/18 – 26 Hill Top, Hale Barns.	Retrospective planning consent for: Remodelling of existing dwelling to include alterations to roof line, erection of 6no. dormer windows and conversion of existing roof space to form additional habitable living accommodation. Erection of single storey and two storey front extensions, single storey and two storey rear extensions alongside the insertion of velux windows to roof elevations. Alterations to window and door openings throughout, alongside the removal of 3no. chimney breasts. Erection of rear patio, with wall surround and steps dropping to garden level. Alterations to basement openings, with external stair access to western elevation of dwelling.
95760/HHA/18 – 26 Hill Top, Hale Barns.	Retrospective planning application for a detached garage with reinstatement of boundary wall, gates and gate posts.
95997/COU/18 – 80 Temple Road, Sale.	Change of use of the dwellinghouse (C3) to a mixed use comprising of childminding and dwellinghouse.

[Note: At this point in the proceedings Councillor N. Evans declared a Personal and Prejudicial Interest in Application 95997/COU/18, as a guest accompanying the Applicant was known to him. He remained in the meeting but did not participate in the debate or cast a vote on the Application.]

95999/FUL/18 – 2A and 2B Farmers Close, Sale.	Retrospective planning application for the construction of a pair of semidetached houses (revised positioning of houses as approved under planning permission reference 90335/FUL/17).
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**64. APPLICATION FOR PLANNING PERMISSION 93779/FUL/18 – DEVELOPMENT SITE PHASE 2, POMONA STRAND, OLD TRAFFORD**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of three residential blocks providing a total of 526 no. one, two and three bedroom residential apartments (Block C, Block D and Block E

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will comprise 15, 17 and 19 storeys respectively) with parking, landscaping and associated works.

RESOLVED: That Members are minded to grant planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable Legal Agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:-
  - A contribution of £1,353,906 towards the provision of off-site affordable housing in accordance with the guidance in SPD1.
  - A viability review mechanism to secure overage and to reflect the mechanism in the S106 Agreement for the Phase 1 scheme.
  - A Masterplan for the wider Pomona Strategic Location to be submitted and approved prior to submission of any application for a subsequent phase of development in the Strategic Location or within 12 months from the date of this permission, whichever is the sooner.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 Agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon the satisfactory completion of the above Legal Agreement that planning permission be granted subject to the conditions now determined (unless amended by (ii) above).

**65. APPLICATION FOR PLANNING PERMISSION 95501/FUL/18 – URMSTON LEISURE CENTRE, BOWFELL ROAD, URMSTON**

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of existing single storey element to front elevation of Urmston Leisure Centre, erection of two-storey extension incorporating fitness suite, studios, member changing, party rooms, climbing wall, cafe, kitchen and rooftop plant, erection of bin store and removal of trees externally.

It was moved and seconded that consideration of the Application be deferred to allow further negotiations between the Applicant and the Leisure Trust to take place.

The motion was put to the vote; as the votes cast were tied the Chair used his casting vote to oppose deferral.

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

The meeting commenced at 6.30pm and concluded at 9.00pm.

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## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 14<sup>th</sup> FEBRUARY 2019**

### **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 – 14<sup>th</sup> February 2019

## Report of the Head of Planning and Development

### INDEX OF APPLICATIONS FOR PERMISSION TO DEVELOP etc. PLACED ON THE AGENDA FOR DECISION BY THE COMMITTEE

Applications for Planning Permission				
Application	Site Address/Location of Development	Ward	Page	Recommendation
<a href="#">90711</a>	Trafford Plaza, 73 Seymour Grove, Old Trafford	Longford	1	Minded to Grant
<a href="#">95687</a>	56 Ennerdale Drive, Sale, M33 5NE	Ashton on Mersey	38	Grant
<a href="#">95716</a>	Southbank & Delamer Lodge, 1 - 2 Cavendish Road, Altrincham, WA14 2NJ	Bowdon	47	Grant
<a href="#">95723</a>	Former Itron Site, Talbot Road, Stretford, M32 0XX	Longford	79	Minded to Grant
<a href="#">95865</a>	5 Groby Court, Groby Road, Altrincham, WA14 2BH	Altrincham	124	Grant
<a href="#">96103</a>	44 Dartford Road, Urmston, M41 9DE	Urmston	136	Grant

**WARD:** Longford

**90711/FUL/17**

**DEPARTURE:** No

**Erection of a building ranging from 12 to 16 storeys containing 174 residential apartments (64 x 1 bedroom and 110 x 2 bedrooms) with associated car and cycle parking, bin stores and hard and soft landscaping**

Trafford Plaza, 73 Seymour Grove, Old Trafford, M16 0LD

**APPLICANT:** Hazelloch Ltd

**AGENT:** Richard Gee, Roman Summer Associates Ltd

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

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### **BACKGROUND**

Some Members will recall that at their meeting of 15 June 2017 they resolved that they were minded to grant this application, subject to the completion of a section 106 agreement in relation to a viability review mechanism, a contribution towards off-site tree planting, measures to ensure the development was not occupied until the existing Trafford Plaza building was in residential use and the parking spaces being made available to residents of both the existing and approved buildings within the site. Since this Committee meeting, Officers have been working with the applicant to reach consensus on the specific drafting of the S106 agreement.

The application is now returning to the Planning and Development Management Committee as part of the site has changed ownership. As a consequence, the applicant wishes to replace the section 106 requirement relating to the parking spaces with a planning condition as the new landowner is not willing to be party to a S106. The new parking condition would require each parking space within the site to be allocated to either the existing or proposed Trafford Plaza building. As the existing Trafford Plaza building is now occupied for residential purposes, a planning condition is now an appropriate mechanism to secure this. Should Members resolve that they are minded to grant planning permission, the S106 agreement will be completed immediately and the decision notice issued.

This report has been updated to reflect this amendment and to also take account of the publication of the revised NPPF in July 2018 and other material changes in planning circumstances. It also incorporates the information in the Additional Information Report from the June 2017 meeting. Otherwise it is substantially the same as the report presented to Members in June 2017.

## **UPDATED REPORT**

**The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation.**

## **SITE**

The application relates to land within the curtilage of a residential building situated on the eastern side of Seymour Grove in Old Trafford. The existing building is situated within the western part of the site and is now in use for residential purposes, having received prior approval to be converted to C3 use under application ref. 88991/PRO/16. This building has also been extended with infill extensions and a rooftop addition under subsequent planning consents.

The majority of the site is hard-surfaced and serves as a parking area in association with the existing Trafford Plaza building. A car park to the north of the site with barrier-restricted access is used in conjunction with Paragon House on the opposite side of Seymour Grove and this does not form part of the current application site. A two storey 'annex' previously adjoined the rear (east) of the existing building, however this has now been demolished having received prior approval under application 90369/DEM/17. Boundaries to the site comprise approximately 2m high metal palisade fencing to the south and east whilst a low metal fence and landscaped areas separate the site from the car park to the north. Mature planting is also present just outside the site but adjacent to the eastern boundary with Seymour Park and provides a high level of screening, whilst more sparse planting is in place adjacent to the southern boundary. The site frontage on Seymour Grove is largely open, though raised landscaped areas provide a degree of separation from the public footway and highway.

Vehicular access and egress to and from the site is from Seymour Grove via a one way system, with the entrance point to the south of the existing building and the exit point to the north. This exit point also provides access and egress to the adjoining car park serving Paragon House.

Land to the east is occupied by Seymour Park, the entrance to which is immediately south of the site with residential properties beyond. The residential Madison Apartments are just to the north of the adjoining car park whilst Paragon House is on the opposite side of Seymour Grove and is in B1(a) office use (both nine storeys). Other properties on the western side of this part of Seymour Grove are mostly in commercial use, including a pharmacy and accountancy practices.

## **PROPOSAL**

Full planning permission is sought for the erection of a residential apartment building with 16 storeys of accommodation above a 1½ storey ground floor lobby/car parking



area. The building is intended to accommodate 64no 1-bed and 110no 2-bed apartments, 74no of which would include external terraces or inset balconies.

The building has been designed to step up from eleven to sixteen storeys away from the northern boundary of the site with the uppermost one/two floors having a 'lightweight' appearance through the use of extensive glazing. The predominant facing material to the lower section is a blend of smooth, gloss and matt finished grey/black brickwork whilst large elements of glazing with spandrel panels are included in the central sections of the east and west elevations.

The proposal also involves the creation of a split-level car parking area at the base of the building whilst the access and egress points serving the existing Trafford Plaza building would be retained for use in association with the proposed development.

## **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  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

## **SUPPLEMENTARY PLANNING DOCUMENTS**

Revised SPD1 – Planning Obligations  
SPD3 – Parking Standards & Design  
PG1 – New Residential Development

## **PROPOSALS MAP NOTATION**

Priority Regeneration Area (Old Trafford)  
Main Office Development Areas

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

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016. A revised consultation draft was published in January 2019 and a further period of consultation is currently taking place. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The DCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The DCLG published the National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 22 October 2018. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

92588/FUL/17: Erection of sub-station – Pending consideration.

95329/NMA/18: Application for non-material amendment to 92872/FUL/17 for changes to glazing panel arrangement on elevations – Approved with conditions 28/08/2018.

92872/FUL/17: Erection of a single storey extension to create 4no. two bed, roof-top apartments (C3) – Approved with conditions 29/03/2018.

92900/FUL/17: Conversion of the existing roof-top plant room to create 2no one bed apartments – Approved with conditions 13/02/2018.

91713/VAR/17: Application for variation of condition 1 on Prior Approval 88991/PRO/16 (Change of use of existing office building from office (Use Class B1(a)) to residential (Use Class C3) to create 90 no. apartments. Application for determination as to whether prior approval is required under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).). To amend the approved car parking plans – Prior approval given 26/01/2018.

90490/FUL/17: Erection of ground floor infill extensions, alterations to all existing elevations to include new windows and doors. Demolition of two storey linked office building to east – Approved with conditions 07/06/2017.

90369/DEM/17: Demolition of two storey annex building to rear. (Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 – Prior approval not required 08/02/2017.

88991/PRO/16: Change of use of existing office building from office (Use Class B1(a)) to residential (Use Class C3) to create 90 no. apartments. Application for determination as to whether prior approval is required under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) – Prior approval approved 15/09/2016.

### **APPLICANT'S SUBMISSION**

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

- Crime Impact Statement
- Townscape and Visual Impact Assessment
- Air Quality Assessment
- Arboricultural Impact Assessment
- Carbon Budget Statement
- Community Consultation Statement
- Daylight, Sunlight and Overshadowing Report
- Design & Access Statement and Addendum
- Ecology Report
- Flood Risk Assessment and Drainage Strategy
- Noise Assessment
- Phase I Contaminated Land Study
- Planning Statement
- Transport Statement

- Travel Plan

## **CONSULTATIONS**

**Lead Local Flood Authority:** Conditions and informatives to be imposed.

**Greater Manchester Ecology Unit:** Site is of very low ecological value. Conditions requested relating to nesting birds and loss of trees.

**Greater Manchester Police – Design for Security:** Development should be designed and constructed in accordance with recommendations of Crime Impact Statement.

**Local Highway Authority:** The access arrangements are accepted. Swept path details should be provided. The development will not have a detrimental impact on the operation of the local highway network. The LHA accept the shortfall in parking provision.

**Environment Agency:** No comments received to date.

**Pollution & Licensing (Air Quality):** Mitigation measures in AQA should be incorporated. Electric vehicle charging points should be installed. Condition requested relating to dust management.

**Pollution & Licensing (Contaminated Land):** Condition recommended.

**Pollution & Licensing (Nuisance):** Revised noise mitigation scheme requested. Conditions relating to Construction Environmental Management Plan and Lighting Impact Assessment requested.

**Economic Growth:** In policy terms, there is a need to provide on-site spatial green infrastructure. Given on-site constraints, an off-site contribution would be acceptable. On-site specific green infrastructure is welcomed, potential for off-site planting.

**Education:** No significant impact on pupil places.

**NHS Trafford CCG:** No comments received to date.

**Transport for Greater Manchester:** The development is unlikely to result in a significant impact on the local highway network. Condition requested requiring the submission of a full residential travel plan.

**Electricity Northwest:** Great care should be taken to protect electrical apparatus and personnel working in its vicinity. The cost of diverting any apparatus would be borne by the applicant.

**United Utilities:** Drainage conditions requested. Standard informatives attached.

## **REPRESENTATIONS**

32 letters of objection have been received. These raise the following concerns:

- The proposed building is too high and too close to facilities in Seymour Park which will make them feel inappropriately overlooked.
- Insufficient provision of parking spaces for the number of dwellings proposed, especially with other office to residential conversions.
- The flats aren't of sufficient size and quality to provide suitable accommodation for individuals or families.
- Development will detract from the beauty of Seymour Park and will dominate views from the park.
- Development will overshadow and take away light from Seymour Park and will become a factor in anti-social behaviour.
- The 16 storey building is not in keeping with the height of buildings in the immediate area and out of character with the area.
- The TVIA fails to provide an assessment for those most affected by the development
- Impact on water supply, sewage systems and drainage in the area.
- Impact on transport, schools, local parks, local NHS provision and other services. CIL should be attached.
- Impact of development on pollution levels and air quality.
- Pre-application consultation responses have not been taken on board.
- Increased congestion from cars, traffic jams on Seymour Grove will be more regular. The Seymour Grove/Talbot Road junction is already busy and will be worse.
- There are already parking problems due to football matches, concerts, commuters and the nearby Mosque.
- The surrounding roads will be more dangerous, including Humphrey Road.
- Existing residents will have difficulty parking near to their homes.
- The building will block the view of residents of Madison Apartments and will result in a loss of light for residents and impact on mental health.
- Overbearing effect on adjacent residential properties which are only 5 storeys high.
- Potential contamination risks to future site owners.
- Development is profiteering on the back of the original Trafford Plaza development.
- Increased rates of asthma, COPD, dementia and other traffic-related diseases.
- Increased pressure on rubbish collection.
- Increase in noise levels from traffic traversing the car parking area.
- A reduction in sunlight to Madison Apartments will result in colder apartments and higher heating costs.
- Development will lead to loss of value or difficulty selling nearby properties.
- Potential overlooking impact from side-facing windows and balconies, resulting in loss of privacy.

- The developer will force Trafford Council to accept the planning application.
- There is not currently very much anti-social behaviour in the area.
- Site notices for the application were hardly visible and no other method employed. Further public consultation is required.
- Section 106 contributions for local facilities/education should be required.
- The number of available parking spaces in the surrounding area has been overestimated.
- There is no traffic modelling to demonstrate that increased traffic will not affect the surrounding highway network.
- The application does not take into account the parking needs of residents of the converted Trafford Plaza building.
- There could be a lot of anger towards residents of the new building due to neighbours losing their enjoyment of living in the area.
- Increased litter, light pollution and noise at night.
- Trafford planning department should visit the site.
- Impact on privacy and loss of light for future residents of the existing Trafford Plaza building.
- Development would be contrary to Local Plan policies, PPS1 and PPS3
- Development would impact upon Human Rights of neighbours

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Since this application was originally considered by the Planning and Development Management Committee, the revised NPPF has been published. As such, it is now necessary to consider the application in this context.
2. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
3. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.

4. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

Housing land supply:

5. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
6. Policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus these development plan policies are 'out of date' in NPPF terms.
7. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 59 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
8. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring suggests that the Council's supply is in the region of only three years. Moreover, with the introduction of the Government's own figures for housing need, albeit these are yet to be confirmed, the revised annual housing requirement is now likely to be far in excess of the figures set out in the Core Strategy. Additionally, the Council is required to demonstrate how many new homes it is actually delivering in the Government's Housing Delivery Test. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.

9. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The location of this new housing is significant in that it sits within a short walk of the Trafford Bar Metrolink stop, retail facilities at the Trafford Bar local centre, together with open space at the adjacent Seymour Park. The site can therefore be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.
10. The NPPF also requires policies and decisions to support development that makes efficient use of land. The application site is brownfield land and it is considered that the proposal to make best use of the site by delivering 174 new homes in a location that is well served by public transport and accords with the Government's aim of achieving appropriate densities, particularly in the case of new residential development and in circumstances where brownfield land can be exploited.

#### Housing mix:

11. The NPPF at Paragraph 61 requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided.
12. Core Strategy Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+ beds) residential units with 50% of the small homes being suitable for families. Whilst the Council is in the process of producing a new housing strategy, and there is no up-to-date evidence regarding the specific housing requirements in Old Trafford, it is nonetheless accepted that the general concern across the Borough is that there isn't a high enough proportion of family houses being delivered. Out of the 174 units proposed, 110 will be two-bed apartments and 64 will be one-bed apartments. Overall, it is considered that the scheme provides a reasonable mix of units and is acceptable in this respect.

#### Affordability:

13. The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 63 states that affordable homes should be sought within all new residential proposals for major development (i.e. developments for ten units or more). Paragraph 64 indicates that with major developments, at least 10% of the



homes should be available for affordable home ownership as part of the overall affordable housing offer. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market: affordable housing.

14. The site sits within a 'Cold' market location for the purposes of applying Policy L2, and with the Borough now in 'Good' market conditions, there is a requirement for 10% of the units provided to be delivered on an affordable basis. Policy L2.12 goes on to explain that in areas where the nature of the development is such that, in viability terms, it will perform differently to generic developments within a specific market location the affordable housing contribution will be determined via a site specific viability study, and will not normally exceed 40%. It is considered that this proposed scheme, given its scale and nature, would perform differently from other 'generic' housing developments in this area. Therefore the extent of any affordable housing contribution associated with this scheme will be determined by the site specific viability assessment submitted with the application.
15. The submitted viability assessment has been independently reviewed by consultants working on behalf of the Council and the conclusion that no affordable housing provision or spatial green infrastructure contributions would be viable is supported following this appraisal. Given that the provision of affordable housing has been deemed unviable and given the substantial contribution the development will make to the housing supply in the Borough, in this instance the lack of affordable housing is considered to be acceptable. A section 106 will be required alongside any consent issued and this will ensure that a viability review takes place at a later stage of the development with a proportion of any surplus (i.e. developer profit above that put forward in their viability appraisal) going towards off-site affordable housing provision.

Conclusion on the principle of housing development on this site:

16. The proposed development would see the creation of 174no new dwellings on this site. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five year supply of deliverable housing sites, the scheme achieves many of the aspirations which the policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 174no new residential units on a brownfield site in a sustainable location within the urban area. It is also considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The 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. Paragraph 68 of the NPPF also states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

## DESIGN, APPEARANCE AND IMPACT ON TOWNSCAPE CHARACTER

17. Paragraph 124 of the NPPF states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. Paragraph 130 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”*.
18. 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”*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
19. The proposed building would form part of a group of taller buildings and would largely be seen in the context of these, rather than the context of the wider area with more 2/3 storey properties. It is acknowledged that the proposed building has a greater height than other buildings in this group (all of which are nine storey), however it is not considered to appear unduly out of scale with these surroundings. The building will step down towards Madison Apartments to the north, having 11 storeys at the point closest to this neighbouring building. As a result, it would only be two storeys higher than its neighbour at this point and would therefore not present a stark contrast in height in this respect. The detailed design of the building is discussed below, however the use of a 'lightweight' upper section consisting of extensive glazing with glazed spandrel panels serves to reduce the impression of height and ensures it does not appear unduly dominant in relation to its surroundings, particularly the lower residential dwellings and Seymour Park.
20. The siting of the proposed building is deemed to be logical and given its similar footprint to the existing Trafford Plaza building, the site as a whole would mirror the layout of Grove House/Paragon House on the opposite side of Seymour

Grove. This is therefore in keeping with the general grain of this part of Seymour Grove whilst a sufficient distance exists to the site boundaries and surrounding buildings to ensure it does not appear 'cramped' or overdeveloped.

21. The primary facing material for the lower part of the building comprises grey/black brick slips with a blend of matt/gloss/smooth finishes which will give the building a more textured appearance than a single finish whilst respecting the prevailing character of the surrounding area. A condition will be attached to any consent issued requiring the submission of samples of all materials to ensure that these present the high quality finish which is expected, and which the applicant has undertaken to deliver, given the scale of the building.
22. The design is considered to provide a sufficient degree of articulation without appearing 'busy' or overcomplicated. The use of a variety of finishes helps to break up the longer elevations, in particular the central glazed section with a limited palette of colours and floor-to-ceiling fenestration which avoids the creation of a blank expanse of brickwork. In addition, the inclusion of recesses within the central part of the longer elevations and inset balconies at the corners add visual interest and further articulation to the building. As noted above, the 'lightweight' glazed upper storeys help to reduce the impression of height whilst also tying-in to the central glazed sections below.
23. It is noted that much of the ground floor will be used as a parking area and as such, the level of fenestration and other detailing is limited as a consequence of this function. The proposed appearance of this level is however considered to be acceptable with the brick finish continued downwards from the upper floors and the 1.5 storey glazed entrance creating a high-quality, welcoming and legible feature to this more prominent front elevation. It is acknowledged that the use of louvered vents at ground level is not ideal in design terms, however the need for such a finish arises from the requirement to provide an appropriate level of parking provision which could not be achieved without the parking areas beneath the building. On balance this element of the scheme is not considered to significantly detrimentally impact on visual amenity to warrant a refusal of planning permission on these grounds, particularly as much of the ground floor will be screened from view by the existing Trafford Plaza building and boundary treatments.
24. Overall, the proposal is considered to represent an enhancement of the area and a higher quality form of development than the surrounding nine storey buildings, particularly given that this has been designed for residential purposes rather than being converted from a building designed for an alternative use.
25. The application is accompanied by a 'Townscape and Visual Impact Assessment' (TVIA) which considers in detail the impact of the proposed development with respect to its 'Townscape' effects and 'Visual' effects. 'Townscape effects' relate to the impact on the physical characteristics or components of the environment

which together form the character of that townscape, including buildings, roads, paths, vegetation and water areas. 'Visual effects' relate to impacts on individuals whose views of that townscape could change as a result of the proposed development, such as residents, pedestrians, people working in offices, or people in vehicles passing through the area. This assessment divides the site and its surroundings into 'Townscape Character Areas' (TCAs) to assist in assessing the above impacts.

26. The TVIA concludes that the scheme would have a 'minor adverse/negligible' overall townscape effect, noting that the development would have a 'limited' effect upon townscape features of the Central Commercial Zone TCA (within which the building would be situated), whilst also not being uncharacteristic or inconsistent with the character of the Wider Commercial Zone TCA. This goes on to conclude that the discernible level of effect on the Residential Zone TCA will be moderated by the distance of the building from this TCA and the presence of existing taller buildings nearby.
27. The TVIA also concludes that the scheme would have a 'minor adverse/negligible' overall visual effect, assessed through the consideration of the development from a number of viewpoints. The overall conclusions of the TVIA are that the proposed development is appropriate in the context of this site and the surrounding townscape.
28. The above assessment concurs with Officers' appraisal of the proposed development in respect of its design, appearance and impact on the character of the surrounding area. The accompanying viewpoints serve to demonstrate that whilst the building will be visible from much of the surrounding area, it would not have a demonstrable negative impact in this respect.
29. The closest listed buildings to the application site are the Grade II 'Entrance portal and lodges to former White City greyhound track', approximately 0.7km to the north-west and the Grade II Trafford Town Hall approximately 0.8km to the west. Both of these Listed Buildings are a sufficient distance from the application site to ensure there is no impact on their setting from the proposed development. This is demonstrated in Viewpoint 14 of the TVIA from the White City entrance portal, from which the proposed building is not visible. There are no conservation areas in close enough proximity to the site whose setting could reasonably be affected by the proposed development.
30. It is accepted that this would appear as a tall building within the townscape which, at its highest point would be greater in height than other buildings in its immediate vicinity. This does not however necessarily indicate that its scale is inappropriate or cannot be accommodated within this townscape. There are not considered to be any significant demonstrable negative impacts on townscape character or visual amenity, the building constituting a well-designed, and

appropriately detailed and articulated form of development which would not appear unduly intrusive in both long and short range views.

31. Given the above, the proposed development is considered to be acceptable in this respect.

## RESIDENTIAL AMENITY

32. 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”*.

33. The Council’s adopted supplementary guidance document for new residential development (referred to onwards as ‘PG1’) sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:

- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
- 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)
- 15m between a main elevation with habitable room windows and a facing blank elevation
- 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)

### Impact on Madison Apartments:

34. It is firstly noted that the proposed development would comply with all of the above separation distances in respect of its relationship to Madison Apartments. There would be a distance of 37m between the two buildings at the nearest point which exceeds the 30m required by this guidance. It is acknowledged however that the height of the proposed building has the potential to result in a greater impact through overshadowing than would be expected from a lower building. As such, the applicant has submitted a ‘Daylight, Sunlight & Overshadowing Report’ to consider the impact of the proposed development in this respect.

35. The overall conclusion of the above report is that *“the proposed development will have a minimal effect on existing potential sensitive receptors in the surrounding area. The results show that although properties will experience some loss of daylight and sunlight availability the impact of the new development should be negligible. All identified receptors with the new development in place meet the*

*guidelines for daylight and sunlight in accordance with the guidelines set out in the BRE Guide.”*

36. Officers accept that there will be an impact on Madison Apartments to some extent through loss of sunlight and daylight. The extent of this impact however is not considered to be sufficient to warrant a refusal of the application on these grounds, particularly given the conclusions of the above report. All residents of Madison Apartments would retain a standard of amenity which accords with the aims of Core Strategy Policy L7 and supplementary planning guidance for new residential development. Furthermore, the distance between these two buildings would be no less than that which could usually be expected between residential properties whilst a high density of development in a sustainable location such as this should be encouraged where possible.
37. It is acknowledged that external terraces and balconies have the potential to more noticeably impact upon residential amenity through overlooking compared to a window. Whilst there are proposed terraces facing towards Madison Apartments, those on the upper floors are stepped back from the northern elevation which minimises their overlooking impact and ensures an adequate interface distance is maintained. The balconies proposed on the lower levels are inset within the building and as such are screened from Madison Apartments by the external wall of the north elevation whilst the north-facing windows, at a distance of 37m are a sufficient distance away to avoid a significant detrimental overlooking impact. Given the above, the proposed development is not considered to cause an unacceptable overlooking impact on these neighbours.
38. A number of objections raise concerns that the proposed building will block the view of residents of Madison Apartments. Whilst overbearing and overshadowing impacts are material planning considerations, the impact on a particular view is not a matter for which planning permission can reasonably be withheld. The view of one resident of Madison Apartments that a reduction in sunlight to this building will result in colder apartments and higher heating costs is noted, however given the above assessment regarding overshadowing there is not considered to be a significant impact in this respect.
39. Whilst the concerns of residents of Madison Apartments have been taken into account in the assessment of the application, the proposed development is considered to be acceptable in terms of its impact on the amenity of these residents and there are not deemed to be any material planning grounds on which to refuse the application.

Impact on future occupiers of existing Trafford Plaza building:

40. It is noted that the existing Trafford Plaza building is now in residential use and it is therefore necessary to consider the impact of the development on the amenity of residents of this building. The existing building accommodates 96 no

apartments with habitable room windows facing towards the proposed building (though not within the projecting sections which would house lifts and staircases).

41. The proposed apartment building would be 33m away from the existing Trafford Plaza building (excluding the projecting staircases). This is in accordance with PG1 which, as set out above, seeks to achieve at least 30m in such circumstances. This relationship is therefore considered to be acceptable in amenity terms.

Impact on properties on Seymour Grove to the south:

42. The proposed building would be approximately 36.5m from the boundary of the nearest property to the south (No 99 Seymour Grove) and a further 29.5m to this property itself. These distances are in accordance with the guidance in PG1 and despite the height of the proposed building, are deemed to be sufficient to ensure there is no unacceptable overlooking, overshadowing or overbearing impact on this neighbour and other properties to the south of the application site.
43. One letter of objection refers to the overbearing effect on adjacent residential properties which are only five storeys high, however it is not clear which properties this refers to, given that there are no nearby five storey buildings which could reasonably be affected by the development. Notwithstanding this, the impact on buildings in the surrounding area has been assessed in the appropriate sections of this report.

Impact on properties on western side of Seymour Grove:

44. The presence of the intervening existing Trafford Plaza building serves to screen much of the proposed building from properties on the opposite side of Seymour Grove, though the upper part of the proposed building would extend above this. Notwithstanding this, there is considered to be a sufficient distance to the buildings opposite to ensure there is no unacceptable overlooking or overshadowing impact, with a gap of approximately 75m maintained at the nearest point, which accords with the guidance in PG1. In addition, Officers understand that none of the properties immediately opposite the site are in residential use, the nearest residential buildings on this side of Seymour Grove being Grove House approximately 135m to the north-west and houses on Carlton Avenue/Lime Grove approximately 95m to the west. These distances are comfortably sufficient to avoid any detrimental impact on the amenity of their occupiers.

Amenity of future occupiers of proposed building:

45. Of the 174no apartments proposed, 74no would have inset balconies or external terraces. No other outdoor amenity space is proposed within the application site. Whilst a commuted sum for improvements to off-site public open space would

usually be sought, the submitted viability assessment concludes that such contributions would make the scheme unviable and these conclusions have been independently verified. Given that there is public open space within such close proximity of the site (Seymour and Hullard Parks) and that the Council's 'Green and Open Spaces Assessment of Need Update (2009)' describes the Longford Ward as being 'very sufficient' in local accessible natural greenspace, it is not considered reasonable to refuse the application on the grounds of insufficient outdoor amenity space for future residents.

46. It is noted that a letter of objection raises concerns that the proposed flats are not of a sufficient size and quality to provide suitable accommodation for individuals or families. Trafford Council does not have any adopted planning policies which set internal space standards for residential accommodation. Notwithstanding this, the proposed apartments are considered to be of a reasonable size and indeed, would broadly accord with the Government's guidance on internal space standards. As such, the size of the apartments is not considered to result in a poor standard of amenity for future residents.
47. There is a sufficient distance to neighbouring properties to avoid any unacceptable overlooking and overshadowing impacts on the proposed building itself, with 33m being retained to the nearest neighbours (the existing Trafford Plaza building). Furthermore, as noted above future residents of the proposed building would be aware of this relationship when moving in and would therefore not experience any loss of outlook.
48. A Noise Assessment has been submitted alongside the application which considers potential impacts on future occupiers of the proposed building from noise. This concludes that windows would need to be closed to achieve appropriate internal noise levels in habitable rooms, however mitigation in the form of acoustic trickle vents can be implemented to ensure an appropriate level of ventilation when windows are closed. The Council's Pollution and Licensing section has been consulted and has advised that a condition should be attached to any consent issued requiring the submission of a detailed final ventilation scheme to ensure this achieves acceptable operational noise levels and ventilation rates. On this basis, the proposed development is considered to be acceptable in this respect.

#### Impact on visitors to Seymour Park:

49. The submitted 'Daylight, Sunlight & Overshadowing Report' and Design & Access Statement Addendum include an assessment of the potential overshadowing impact on Seymour Park. The Shadow Study within the D&A Addendum shows the greatest extent of the shadow of the proposed building on the June Equinox which, in the late afternoon would extend some distance into Seymour Park to the east/south-east.



50. Whilst this demonstrates that there will be some impact in this respect, the extent of this impact on the park as a whole is not considered to be significant and would not unacceptably impact upon the experience of visitors to the park. It should also be noted that at most times of day/year, Seymour Park would not be overshadowed to any significant degree, if at all.
51. The proposed building would be taller and closer to the edge of Seymour Park than Madison Apartments and as noted in the submitted Townscape and Visual Impact Assessment (TVIA), would generate a 'tangible' level of effect on visitors to the park with regards to size and scale, and geographical extent. Given that this boundary of the park is already comprised of taller buildings than other parts of its perimeter, the additional impact on users of the park is deemed to be limited and its presence is not considered to materially detrimentally affect visitors' enjoyment of the park.
52. With regard to overlooking, it is acknowledged that there would be a large number of windows facing towards Seymour Park. Given that this is a public park rather than an area of private amenity space, such a relationship is not considered to be harmful to the enjoyment of the park and indeed, would increase the level of natural surveillance in place, including to the adjacent skate park, play area and MUGA (multi-use games area). This is therefore considered to represent an overall improvement in terms of safety and security of park users.

## HIGHWAY MATTERS

53. Policy L4 of the Trafford Core Strategy states that *"when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way"*.
54. Paragraph 109 of the NPPF states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.
55. The Council's adopted SPD3: Parking Standards and Design seeks to achieve one car parking space for a 1-bed dwelling in this location and two parking spaces for a 2-bed dwelling. As such, for the current proposal this equates to a total requirement of 284no car parking spaces. The proposals include an external car park as well as a split-level car park at the base of the proposed building with a total of 161no spaces to be provided.

56. It is noted however that the existing Trafford Plaza building is served by the current car park with 151no spaces being available, whilst the prior approval in place for its conversion to 90no residential apartments includes a condition requiring 70no spaces to be made available and retained in association with this residential use.
57. The applicant has submitted a Transport Statement to seek to demonstrate that the resulting level of parking provision is sufficient to accommodate the requirements of both the proposed and existing buildings on the basis that they are within residential use. Based on the SPD3 standards, this equates to a total requirement of 428no spaces. The Council's view, as stated in SPD3 is that *'It is recognised that although proximity to non-car modes and local facilities does have an effect on the level of car use from residential developments, the effect on car ownership is usually significantly less pronounced for the majority of locations.'*
58. The Local Highway Authority (LHA) has been consulted and advises that the standard method of determining car ownership at developments as outlined in the Institution of Highways and Transportation technical note on residential parking of 2012, is to use local census based car ownership data, together with Temprow based forecasts of local growth rates in car ownership to provide an indication of likely parking demands. 2011 Census Data for Trafford as a whole indicates that 32.5% of households have no access to a vehicle and the figure for Old Trafford specifically is likely to be higher still. Applying this figure to the number of households in the proposed development (264), 178no of the apartments would use a vehicle and therefore require a parking space. Allowing for an increase in future car ownership and additional visitor parking spaces, the overall demand is likely to be up to 204no spaces. As such, the proposals equate to a shortfall of 43no spaces from this figure.
59. Whilst local residents have raised concerns regarding the existing level of available on-street parking, particularly during football matches and in association with the nearby Mosque, the submitted Transport Statement includes details of overnight parking surveys carried out on streets within 500m of the site which show that sufficient spare on-street capacity is available to cover the shortfall of 43no spaces. The LHA has also commented that the application site is within a sustainable location and is accessible by foot, cycle, and public transport. In addition, the accompanying Travel Plan includes a number of measures to reduce reliance on private transport.
60. Since the original Committee resolution, the applicant is now proposing that each parking space within the site is allocated to an apartment within one of the two buildings. There would be 70no spaces allocated to the existing building (which is in line with the approved parking provision under the earlier prior approval application) and 91no spaces allocated to residents of the proposed building. It is

understood that each parking space within the site will be allocated to a particular residential unit, either within the existing or proposed buildings.

61. This is considered to provide a greater degree of certainty as to the allocation of spaces within the site, as the earlier Committee resolution simply required the spaces within the site to be made available to residents of both buildings and there was no certainty as to exactly how the spaces would be allocated. Furthermore, based on specific spaces being allocated to specific units, residents will be aware when they purchase or move into a unit whether they will have an on-site parking space or not. This is likely to naturally limit the number of occupiers of the building with a car who do not have use of an on-site parking space.
62. On this basis, Officers are satisfied that the proposed development will not have a detrimental impact on the operation of the local highway network and the level of parking provision is accepted.
63. The existing access arrangements are to be retained with the southernmost access point being used for entry into the site and the northernmost being used for egress. The LHA has confirmed that there are no highway issues with this arrangement. The agent has advised that access to the site will be controlled through the use of fobs and barriers.
64. Swept path details have been provided in relation to waste collection vehicles and these demonstrate that the development can be adequately serviced in this respect from within the site. The scheme also includes a secure cycle parking facility at ground floor level within the proposed building. This provides parking space for 174no bicycles in a stacked arrangement, which is in accordance with the requirements of SPD3 in terms of numbers (one communal space per apartment). A condition will be attached to any consent issued requiring these cycle parking facilities to be implemented and retained for use.
65. A number of representations raise concerns regarding congestion, traffic jams and the impact of the development on junctions in the surrounding area. It is noted however that the submitted Transport Statement demonstrates that the proposed development, together with the existing building being in residential use would result in a reduction in the number of vehicle movements compared with the previous B1(a) office use alone. This would therefore represent an improvement to the previous lawful use of the site.
66. Other concerns raised by local residents relate to a lack of traffic modelling being provided to demonstrate that increased traffic will not affect the surrounding highway network, as well as concerns relating to road safety. The LHA response confirms that the Transport Statement sufficiently demonstrates the acceptability of the scheme regarding traffic generation and given that no changes are

proposed to the existing access arrangements, there is not considered to be an unacceptable impact on highway safety.

67. Given the above, the proposed development is considered to be acceptable with regard to highway matters.
68. The original Committee resolution stated that the s106 agreement will include a clause to ensure the proposed development is not occupied until the existing building is converted for residential use. Given that this conversion has now taken place, this clause is no longer necessary and has been removed from the recommendation.

#### TREES, LANDSCAPING AND ECOLOGY

69. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.
70. Based on the submitted Arboricultural Impact Assessment (AIA), six trees are proposed to be removed to enable the development to be carried out (all low quality 'C' category trees). This Assessment also recommends that a post-development planting scheme should be implemented to mitigate this loss of green infrastructure, whilst the trees to be retained should be protected in accordance with the accompanying Tree Protection Plan. The Council's Arboriculturalist has advised that the supporting AIA is acceptable and has recommended conditions requiring the implementation of tree protection measures and the submission of a full landscaping scheme which will be attached to any consent issued.
71. It is noted that there is not sufficient space within the site boundary to provide an appropriate level of additional specific green infrastructure and as such, the applicant has agreed to pay a commuted sum of £2000 towards off-site planting, specifically a 15-tree orchard within Seymour Park. On this basis, the application is considered to be acceptable in this respect.
72. A 'Preliminary Ecological Appraisal' has been submitted alongside the application which concludes that no impacts are predicted on protected species and/or habitats afforded protection, or those of conservation concern. This goes on to recommend that the provision of a sensitive planting scheme would serve to benefit the site. The Greater Manchester Ecology Unit (GMEU) concurs that soft landscaping will achieve no net loss to the ecological value of the site and a condition will therefore be attached to any consent issued requiring the submission of a detailed landscaping scheme.

73. The GMEU refers to the demolition of the annex at the rear of the existing Trafford Plaza building, however this is not included with the current scheme and indeed it has already been demolished under a separate prior approval application.

## OTHER MATTERS

### Security and safety:

74. A Crime Impact Statement has been submitted alongside the application and notes that the scheme has a number of security benefits, including generating additional activity in the area, maintaining the existing secure site boundary and having apartments above ground floor level. A number of recommendations are made, largely to ensure that unauthorised pedestrian access to the development is restricted.

75. Greater Manchester Police's Design for Security section has been consulted and has advised that the scheme should be designed and constructed in accordance with the recommendations contained within the Crime Impact Statement. A condition will be attached to any consent issued requiring the submission of a detailed scheme of security measures in accordance with the principles of this Statement, in order to ensure these are appropriate both in terms of security and their appearance. On this basis, the proposed development is considered to be acceptable in this respect.

### Flooding and drainage:

76. Policy L5 of the Trafford Core Strategy states that "the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location". At the national level, NPPF paragraph 163 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of flooding although the site does fall within a critical drainage area. The applicant has submitted a Flood Risk Assessment and detailed drainage strategy to accompany the application.

77. The Lead Local Flood Authority has been consulted on the application and has advised that they have no objections to the development, subject to the imposition of planning conditions relating to the submission of a revised detailed drainage scheme as well as a number of informatives. On this basis, the application is deemed to be acceptable in this respect.

78. A letter of objection raises concerns regarding the impact of the development on water supply and sewage systems in the area. The submitted Flood Risk Assessment notes that there are no public sewers recorded within the site whilst the public sewer system has enough capacity to accommodate the proposed development. Matters of water supply would be dealt with outside of the planning process through United Utilities.

Contaminated land:

79. The Council's Pollution and Licensing section has advised that the Phase I Contaminated Land survey is sufficient to be able to issue an approval. A condition will be attached to any consent issued requiring the submission of a Phase II investigation and remediation strategy in accordance with the recommendations of the submitted report.

Air quality:

80. Core Strategy Policy L5 requires applicants to demonstrate how they have sought to minimise their contribution towards and / or mitigate their effects on climate change. Parts of this policy remain broadly compliant with the NPPF and therefore up to date, whilst parts do not and are out of date. It is considered that Policies L5.1 to L5.11 are out of date as they do not reflect NPPF guidance on climate change. NPPF encourages the provision of low emission vehicle charging points in new residential developments. At present, there is no specific local planning policy requirement for EV charging points in the Borough, and so in this regard L5 is considered to be out of date. The front part of the site falls within an Air Quality Management Area, though it is noted that the majority of the land, including that on which the proposed building is to be erected is not designated as such. The application is accompanied by an Air Quality Assessment which concludes that the site is suitable for the proposed development in respect of air quality issues. It does however suggest a number of mitigation measures that should be incorporated as part of the operational phase of the development, specifically measures to promote walking and public transport and the inclusion of pedestrian walkways into surrounding environments. The scheme will not restrict pedestrian access to the nearby Seymour Park and other local facilities whilst a condition requiring the submission of a detailed Travel Plan will serve to promote walking and the use of public transport. The Council's Pollution and Licensing section has also requested that electric vehicle charging points are incorporated within the development in order to facilitate the use of low emission vehicles. The agent has agreed to the installation of three such points and a condition requiring the implementation of these will be attached to any consent issued. In addition to the above, a condition has been requested which requires the implementation of all air quality mitigation and dust management measures identified in the submitted Assessment. This shall be included on any approval issued.

81. One objection from local residents raises concerns that the development will lead to increased rates of asthma, COPD, dementia and other traffic-related diseases. Given the conclusions of the submitted assessment and subject to the recommended mitigation measures, it is not considered reasonable to refuse the application on this basis.

External lighting:

82. The application does not include details of any proposed external lighting. As such, a condition will be attached to any consent issued requiring the submission of a detailed scheme for such lighting, along with a lighting impact assessment in order to reduce the potential impact on neighbouring properties and wildlife within Seymour Park through obtrusive light.

Other representations:

83. Most of the concerns raised by local residents have been addressed in the appropriate sections of this report, however a number of other concerns not covered are considered below.
84. One objection raises concerns that comments made by local residents during pre-application consultation have not been taken on board in the design of the scheme. Whilst pre-application discussions with local residents are encouraged and a Statement of Community Involvement is a validation requirement, a full planning application is assessed on its merits and there is no obligation on the part of the applicant to take up suggestions made during any pre-application consultation exercise.
85. Concerns relating to the loss of value or difficulty selling nearby properties are not material planning considerations, though matters of amenity have been addressed above. Similarly, the view that the development is 'profiteering' on the back of the original Trafford Plaza development does not carry weight in the decision making process. The claim that the developer will force Trafford Council to accept the planning application is also without foundation. A further representation notes that there could be a lot of anger towards residents of the new building due to existing neighbours losing their enjoyment of living in the area. Again, this is not a matter for which planning permission could reasonably be refused.
86. With regard to potential noise at night from traffic, it is noted that the site is adjacent to a well-used highway (Seymour Grove) and the proposed development is not considered to have a significant impact in this respect. The site is currently used as a car park and as such, there is not deemed to be an undue additional impact through noise from traffic. There is also not considered to be any greater impact from litter than could be expected from any other

residential development and there is no evidence before Officers to indicate that this should constitute a reason for refusal.

87. One letter of objection states that Trafford planning department should visit the site to understand the impact of the development. A further objection claims that site notices for the application were hardly visible and no other method employed and that further public consultation is required. It is noted that a site visit has been carried out by Officers prior to making a recommendation on the application whilst in terms of publicity for the application, six site notices were posted in visible locations surrounding the site, a press notice was published and almost 300 consultation letters were sent to nearby properties. As such, this complies with and goes above and beyond the minimum publicity requirements for the application set out in the Development Management Procedure Order 2015 (as amended).
88. The application has been considered in respect of the Human Rights Act 1998, which incorporated the provisions of the European Convention on Human Rights (ECHR) into UK law. In particular, the application has been considered in respect of article 8 (the right to respect for private and family life) and article 1 of protocol 1 (the protection of property and the peaceful enjoyment of possessions) of the ECHR. However, these rights are not absolute and must be balanced against the public interest and the rights and freedoms of others. It is not considered that the development will have an unacceptable impact on the neighbour's peaceful enjoyment of their possessions and property or their right to respect for private and family life. As such it is considered that the scheme respects the rights of the individual whilst acting in the interest of the wider community.

## DEVELOPER CONTRIBUTIONS & AFFORDABLE HOUSING

89. The proposed development would be liable to a CIL (Community Infrastructure Levy) rate of £0 per sqm, being situated in a 'cold' CIL charging zone.
90. The Council's adopted SPD1: Planning Obligations (2014) requires large residential developments of approximately 100 units, or that provide homes for 300 people or more, to provide new open space as part of the site design. This goes on to state that in exceptional circumstances it may be appropriate to pay a commuted sum towards the provision of open space. In such instances a calculation will be made to assess the financial contribution as set out in table 3.6 of the SPD. Given the proposed residential capacity of the development, this should also include provision of a 'LEAP' standard play area in line with SPD1. The Council's Strategic Growth section has provided a calculation of the spatial green infrastructure contributions which a development of this scale would require, a sum of £122,720.81.
91. For the purposes of affordable housing, the Trafford Plaza site is located within a "cold" market location, where a 10% affordable housing target will be applied in



the current “good” market conditions, as prescribed by Policy L2 of the Core Strategy. However, Policy L2.12 goes on to explain that in areas where the nature of the development is such that, in viability terms, it will perform differently to generic developments within a specific market location the affordable housing contribution will be determined via a site specific viability study, and will not normally exceed 40%. It is considered that this proposed scheme, given its scale and nature, would perform differently from other ‘generic’ housing developments in this area. Therefore the extent of any affordable housing contribution associated with this scheme will be determined by the site specific viability assessment submitted with the application.

92. The submitted viability assessment has been independently reviewed by consultants working on behalf of the Council and the conclusion that no affordable housing provision or spatial green infrastructure contributions would be viable is supported following this appraisal. Given that there is public open space within such close proximity of the site (Seymour and Hullard Parks) and that the Council’s ‘Green and Open Spaces Assessment of Need Update (2009)’ describes the Longford Ward as being ‘very sufficient’ in local accessible natural greenspace, it is not considered reasonable to refuse the application on the grounds of insufficient provision of open space and other spatial green infrastructure. Similarly, given that the provision of affordable housing has been deemed unviable and given the substantial contribution the development will make to the housing supply in the Borough, in this instance the lack of affordable housing is considered to be acceptable. The recommended s106 agreement would include the requirement for the developer to submit a Viability Review on the sale of 95 per cent of the approved units. This would enable 50 per cent of developer profits achieved over and above their required 20 per cent profit margin to be claimed by the Council for off-site affordable housing, up to the maximum level of contribution payable.
93. As noted within the ‘Trees, landscaping and ecology’ section above, the applicant has agreed to pay a commuted sum of £2000 towards the provision of specific green infrastructure in the vicinity of the application site, specifically a 15-tree orchard within Seymour Park and this will be secured through a legal agreement. This contribution is significantly less than that which would have been required for open space and affordable housing (without a viability concern) and as such, the applicant has agreed to make this contribution which will provide a tangible, specific benefit to the green infrastructure of the area.
94. Letters of objection raise concerns that the development will impact on the availability of school places in the area. The Council’s Education section has been consulted and has advised that the development, given its scale, would not have a significant impact on pupil places in this area. As such, the proposals are not deemed to have a significant impact in this respect and no developer contributions towards education facilities are considered necessary. In addition,

the scale of the development is such that it would not warrant a requirement for contributions towards healthcare facilities in the area.

## CONCLUSION

95. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted. However, the development plan policies which are 'most important' for determining this application, those relating to housing land supply, are out of date. Paragraph 11(d) of the NPPF is therefore engaged and should be taken into account as an important material consideration.
96. The analysis of heritage and flood risk issues above has demonstrated there is no 'clear reason for refusing the development proposed' when considering the application against Paragraph 11d)(i) of the NPPF.
97. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged, i.e. 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 the NPPF taken as a whole.
98. A number of public benefits arise from the proposed scheme which are considered to demonstrably outweigh any residual harm. These are that the scheme will deliver a sustainable development including 174no new residential units on a brownfield site, a significant contribution to the Council's housing land supply figures and targets for delivering residential development on brownfield sites. The scheme will also boost the local economy both through the provision of construction jobs and also by way of new residents of the development contributing towards local shops and services. All other detailed matters have been assessed, including highway safety and residential amenity. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. It also largely complies with relevant adopted local guidance and where it does not the development is considered to be acceptable on its own merits for the reasons set out in the main body of this report. There are also further benefits which weigh in favour of a grant of planning permission. The application is therefore recommended for approval.

## **RECOMMENDATION**

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
- A contribution of £2000 for the provision of a 15-tree orchard within Seymour Park;
  - The submission of a Viability Review of the scheme upon the sale of 95% of the approved units and agreement that 50% of developer profits over and above a 20% profit margin shall be paid to the Council towards off-site affordable housing and spatial green infrastructure improvements.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -
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 following submitted plans:

Plan Number	Drawing Title
L(00)22 (Rev F)	Location Plan
L(00)135 (Rev N)	Proposed Site Plan – Ground Floor
L(00)139 (Rev A)	Proposed 1 <sup>st</sup> to 10 <sup>th</sup> Floor Plan
L(00)140 (Rev A)	Proposed 11 <sup>th</sup> Floor Plan
L(00)141 (Rev A)	Proposed 12 <sup>th</sup> Floor Plan
L(00)142 (Rev A)	Proposed 13 <sup>th</sup> Floor Plan
L(00)143 (Rev A)	Proposed 14 <sup>th</sup> Floor Plan
L(00)144 (Rev A)	Proposed 15 <sup>th</sup> Floor Plan
L(00)145 (Rev A)	Proposed 16 <sup>th</sup> Floor Plan
L(00)148 (Rev D)	Proposed Elevations – Sheet 1
L(00)149 (Rev D)	Proposed Elevations – Sheet 2
L(00)150 (Rev D)	Proposed Elevations – Sheet 3
L(00)151 (Rev D)	Proposed Elevations – Sheet 4
L(00)152 (Rev B)	Proposed Ground Floor Plan – Lower Parking Floor Plan
L(00)154 (Rev B)	Upper Level Car Parking Plan

7596-L(00)157A	Proposed Ground Floor Plan – Lower Parking Level (Colour)
7596-L(00)160C	Proposed Elevations – Sheet 1 (Colour)
7596-L(00)161B	Proposed Elevations – Sheet 2 (Colour)
7596-L(00)162B	Proposed Elevations – Sheet 3 (Colour)
7596-L(00)163B	Proposed Elevations – Sheet 4 (Colour)
7596-L(00)165	Proposed 1 <sup>st</sup> to 10 <sup>th</sup> Floor Plan (Colour)
7596-L(00)166	Proposed 11 <sup>th</sup> Floor Plan (Colour)
7596-L(00)167	Proposed 12 <sup>th</sup> Floor Plan (Colour)
7596-L(00)168	Proposed 13 <sup>th</sup> Floor Plan (Colour)
7596-L(00)169	Proposed 14 <sup>th</sup> Floor Plan (Colour)
7596-L(00)170	Proposed 15 <sup>th</sup> Floor Plan (Colour)
7596-L(00)171	Proposed 16 <sup>th</sup> Floor Plan (Colour)
L(00)172 (Rev A)	Proposed Car Park Deck Section
7596-L(00)173	Proposed Car Park Deck Section (Colour)
L(00)176	Enclosed Cycle Store Section
L(00)177	Enclosed Cycle Store Elevations
L(00)186 (Rev E)	Car Parking Spaces Plan – Ground Floor
L(00)187 (Rev B)	Car Parking Spaces Plan – Upper Car Park Level

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

- 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: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. The scheme is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in risks to site operatives.

5. No development shall take place 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) the loading and unloading of plant and materials
  - (iii) the 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 and dirt during construction
  - (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
  - (viii) hours of construction activity.

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.

6. No development shall take place until details of existing and finished site levels and floor levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development, in the interests of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

8. The air quality mitigation measures and dust management measures identified in the submitted air quality and dust assessment shall be implemented at all times throughout the construction period of the development.

Reason: In the interests of the amenity of the surrounding area and of the occupiers of nearby premises and residential properties, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

10. No above ground construction works shall take place until full details and a specification of each type of fenestration to be used on the building, have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- a) demonstrate a reveal between the window frame and the front edge of the building of no less than 100mm;
- b) provide plans and sectional drawings at a scale of no less than 1:20 (including glazing, balcony, method of opening, cill, lintel, side jamb and reveal details); and
- c) specify the materials to be used.

Development shall be carried out in accordance with the approved details and maintained as such thereafter.

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

11. No external lighting shall be installed on the site unless and until a detailed lighting scheme and a Lighting Impact Assessment have been submitted to and approved in writing by the Local Planning Authority in respect of any exterior lighting installations. This assessment shall demonstrate compliance with the Obtrusive Light Limitations of The Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and shall include details of any necessary mitigation measures. The approved lighting scheme and any mitigation measures shall be implemented in full before the development hereby permitted is first occupied and shall be retained thereafter.

Reason: In the interests of amenity and having regard to Policy L7 and Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

12. Notwithstanding the details submitted with the application, a revised noise mitigation scheme in respect of glazing and ventilators shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the scheme. The mitigation scheme shall demonstrate that the criteria contained within Section 4.0 of the submitted noise assessment (ref. P3414/R1C/PJK dated 22 February 2017) can be met whilst providing an adequate means of ventilation that accords with Building Regulations requirements. The development shall be carried out in accordance with the approved scheme.

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

13. No above ground construction works shall take place unless and a detailed scheme of security measures, in accordance with the principles of the submitted

Crime Impact Statement (dated 16/03/2017, reference 2016/0826/CIS/02), has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and retained thereafter. For the avoidance of doubt, the requirements of this condition do not include aspects of security covered by Part Q of the Building Regulations 2015, which should be brought forward at the relevant time under that legislation.

Reason: In the interests of crime prevention and the enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

14. 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, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The development hereby permitted shall not be occupied until details of the surfacing materials for the car parking, access, servicing and other vehicular circulation areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

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

16. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, fences, gates,



screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

17. The car parking spaces within the application site shall be allocated to residents of the existing and approved Trafford Plaza buildings (such buildings shown on plan numbers L(00)186 (Rev E) and L(00)187 (Rev B)) in complete accordance with these car park allocation plans. Each parking space shall be retained for use by residents of the said buildings in accordance with the approved car parking scheme and car parking allocation plan.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The development hereby permitted shall not be occupied unless and until details of the design and location of three electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The charging points shall be installed in accordance with the approved details before the development is first brought into use and shall be retained thereafter.

Reason: In the interest of encouraging the use of sustainable transport in accordance with Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

19. The development hereby approved shall not be occupied unless and until a full Residential Travel Plan, which should include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. The development hereby permitted shall not be occupied until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved. For the avoidance of doubt, a total of 161 no car parking spaces shall be provided within the application site boundary. These

areas shall thereafter be retained and not be put to any other use than their intended purpose.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. The development shall not be occupied unless and until the cycle storage facilities for 174no bicycles, as shown on drawing nos. L(00)135 (Rev N), L(00)152 (Rev B), 7596-L(00)155A and 7596-L(00)157A have been implemented and made available for use. The approved facilities shall thereafter be retained.

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

22. The refuse storage area shown on approved drawing nos. L(00)135 (Rev N), L(00)152 (Rev B), 7596-L(00)155A and 7596-L(00)157A shall be completed and made available for use prior to the first occupation of the development and shall be retained thereafter. This storage area shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste.

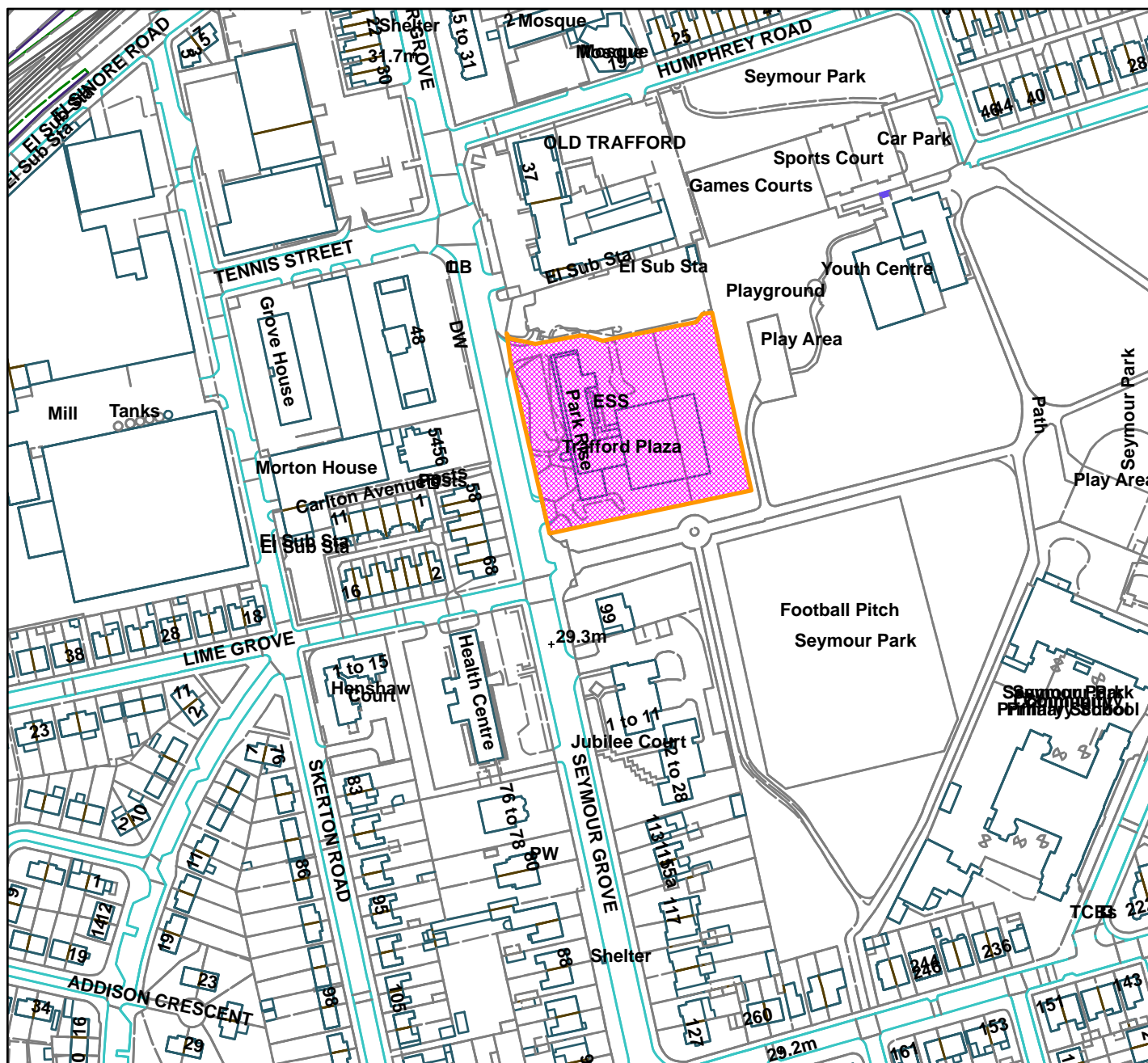
Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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JD



Trafford Plaza, 73 Seymour Grove, Old Trafford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/02/2019
Date	31/01/2019
MSA Number	100023172 (2012)

**WARD:** Ashton on Mersey 95687/HHA/18

**DEPARTURE:** No

**Erection of two storey side and rear extension, and single storey rear extension.**

56 Ennerdale Drive, Sale, M33 5NE

**APPLICANT:** Mr & Mrs Bevan

**AGENT:** Mr Jonathan Renshaw

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee as the applicant is a Trafford Council Employee.**

### **SITE**

The application site comprises a semi-detached, two storey dwelling located on the east side of Ennerdale Drive. There is a private driveway consisting of hardstanding paving slabs with shrubbery lining the front boundary. Parking is provided on the hardstanding to the front of the property, where it is considered that there is adequate off road parking comfortably for one car, with vehicular access taken from Ennerdale Drive.

The application dwelling is constructed in red brick with white render detailing to the front elevation. The property also benefits from bay window features on the front elevation, at both ground and first floor levels. The roof of the dwelling consists of red roof tiles with uPVC fenestration. To the front of the property there is a porch and to the rear a single storey lean-to, located to the south of the property, adjacent to No. 58 Ennerdale Drive.

The application site is located within a well-established residential area within which the properties vary in design, size and materials. Within the immediate surrounding area, dwellings consist of semi-detached properties, detached properties and bungalows. There are no other designations affecting the site.

### **PROPOSAL**

Planning permission is sought for the erection of two storey side and rear extension, and single storey rear extension. An existing single storey outrigger to the rear of the house will be demolished.

The proposed two storey extension would wrap around the rear elevation and project around the side of the house towards the front elevation. The extension to the side would have a width of 1.7m, being set off the boundary with No. 58 by 1m and would be set back from the front elevation by 5.5m, having a total depth of 5.4m, of which 3.1m would be beyond the rear building line. The single storey rear extension would also project 3.1m from the back of the original house and will be set off the boundary with No. 54 by 0.2m.

The increase in proposed floorspace, seeks to measure approximately 39 sq. metres and as such, would not be liable for a CIL contribution.

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25 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 19 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.

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD3 – Parking Standards and Design;  
SPD4 – A Guide for Designing House Extensions & Alterations.

## **PROPOSALS MAP NOTATION**

None.

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

None.

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, following a redraft a further period of consultation commenced in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the

adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the Revised National Planning Policy Framework (NPPF) on 24 July 2018. 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**

None.

### **APPLICANT'S SUBMISSION**

None.

### **CONSULTATIONS**

None.

### **REPRESENTATIONS**

One neighbouring comment was received as part of the planning process which stated no objection to the planning application, on the premise that a 1 metre distance to the side boundary with 58 Ennerdale Drive is adhered to.

### **OBSERVATIONS**

#### **Design and Visual Amenity**

1. The NPPF (2018) states within paragraphs 124 and 130 that: *Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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, taking into account any local design standards or style guides in plans or supplementary planning documents.*
2. 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.
3. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
  4. Side extensions can have a prominent visual impact on the appearance of the application dwelling and the wider street scene. They should be appropriately scaled, designed and sited so as to ensure that they do not appear unacceptably prominent, erode the sense of spaciousness within an area or detract from a dwelling's character. The design of rear extensions should reflect that of the main dwelling in proportion and dimensions. They should also not occupy a disproportionate amount of the rear garden so as to erode the residential character of the surrounding area.
  5. The proposed side extension would retain a distance to the side site boundary shared with No. 58, of 1m, with a set down in height from that of the main dwelling, by approximately 1.6m. The two storey side extension will be significantly set back from the front elevation of the dwelling, with a width of 1.7m. It is considered that this set back, coupled with the width ensures that the side extension would appear as a subservient addition to the dwelling and not harm the streetscene character of Ennerdale Drive.
  6. The proposed two storey and single storey rear extensions would be screened from the streetscene by the existing dwelling. The proposed rear element would have a depth of 3.1 m from the original rear wall of the dwelling, at ground and first floor level. The two storey element would be 4.5m wide, being set off each of the common boundaries, by 1m and 3.4m. The single storey element will be set off the boundary with No. 54 by 0.2m. The proposal is considered to constitute a proportionate addition to the dwelling, which would not be overly dominant or detract from the character of the property.
  7. It is noted that other properties within the immediate area have also been extended to a similar scale to that proposed. The use of matching materials ensures that the extensions would appear in keeping with the existing dwelling. The applicant has amended the roof design to the proposed extension during the course of the application. This amendment ensures that the roof ties into the existing house in a reasonably sympathetic way. It is considered that the proposal would be subordinate to the existing dwelling and acceptable in design terms in a way in which would respect the character and appearance of the existing dwelling.
  8. Sufficient garden space would be retained to the rear of the extension to ensure that the residential character of the area is not unacceptably eroded and the private amenity space not compromised.

9. To conclude, the proposed development is considered to complement the existing dwelling by reason of its design, scale and materials, and therefore it is considered appropriate within its context. As such it is considered that the 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**

10. In relation to matters of amenity protection Policy L7 of the Core Strategy states 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.

11. Guidance contained within SPD4 states:

*Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable.*

*Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached and terraced properties and 4m for detached properties.*

*For two storey rear extensions, normally extensions should not normally project more than 1.5m close to a shared boundary. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g. if an extension is 1m from the side boundary, the projection may be increased to 2.5m).*

*Windows close to a boundary that are likely to cause a loss of privacy, can sometimes be acceptable if fitted with obscure glazing and top-hung opening windows however this would not be acceptable if it was the main window providing light into a habitable room. (Paragraph 2.15.5)*

12. The proposed development would be approximately 19.5m from the rear boundary of the application site which is shared with properties on Harboro Road. Therefore it is considered that the residential amenity of the properties to the rear of the site would not be adversely harmed as a result of the proposed two storey side/rear extension or the proposed single storey rear extension.
13. The applicant property forms one half of a pair of semi-detached dwellings with No. 54. The rear of No. 54 remains as the original dwelling. The extension adjacent to No. 54 would be single storey and proposes a depth of



approximately 3.1 metres beyond the rear wall of the dwelling, measured inwards from the common shared boundary by approximately 0.2 metres. This would comply with guidance within SPD.4 and given the height of 2.5m at the eaves to a maximum height of 3.5m where it adjoins the back of the existing house, it is not considered that it would result in harm to the amenity of the occupiers of No. 54.

14. The proposed two storey rear extension is set away 3.4m from the common shared boundary with number 54, and projects approximately 3.1m from the common rear building line. This is considered also to comply with the guidance referred to above, as set out within SPD.4. Neither the single nor double storey rear extensions include windows in the side elevations facing number 54.
15. The other adjacent neighbouring property is that of No. 58, to the south. The two storey side extension would retain a distance to the side site boundary of 1m and projects beyond the rear wall of the existing dwelling by approximately 3.1m. Taking into account the guidance as detailed above, as extracted from SPD.4, this would allow for a potential extension with a projection of 2.5m at two storey level. However, it is acknowledged that No. 58 have previously undertaken development to the rear of the property in the form of a conservatory, which has an approximate depth of 3.2m, set in from the common shared boundary with the application site, by approximately 0.8m. It is also noted that No. 58 is located to the south of the application site. As such, it is considered that the two storey side and rear extension as proposed, would not impact on the light or outlook currently enjoyed by number 58 to an extent that would warrant a refusal of planning permission. There are two windows proposed at first floor level on the side elevation of the host property, facing that of number 58. These seek to serve a landing and a bathroom and as such, will be obscurely glazed in the interest of protecting neighbouring amenity. It is therefore considered that the impact on the amenity of the neighbouring property of number 58 is acceptable.
16. Therefore, it is considered that the proposed development, given its scale, location and form, would not adversely harm the occupiers at these addresses with regards to privacy/overlooking, overshadowing, loss of light or an overbearing impact.
17. Furthermore, the proposed development seeks to add additional windows at first floor and ground floor level on the rear of the property. Given the distance to the rear site boundary of approximately 19.5m, with the nearest habitable windows measuring approximately 37m away, it is considered that the extensions would not result in undue overlooking or loss of privacy to those properties on Harboro Road.
18. Given the above, the proposed development would not result in an unacceptable impact on the residential amenity of neighbouring properties and would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF.

## Parking

19. The proposed works will increase the number of bedrooms from 3 to 4. In this location the Council's parking standards, set out in the Core Strategy and SPD 3 Parking Standards and Design, suggest that 3 off road car parking spaces should be provided.
20. The existing driveway is considered to be able to accommodate 1 off road car parking space, although with minor alterations a second space for a small car could be created. However, it is unlikely that such a space would be compliant with SPD 3 in terms of its size. There are no parking restrictions on Ennerdale Drive, and it is considered that there is room on street to accommodate any overspill parking likely to result from the development. Given that the Council's parking standards are maximum standards, it is considered that it would be difficult to demonstrate any harm resulting from this parking shortfall and therefore unreasonable to refuse the application on parking grounds.

## Community Infrastructure Levy

21. The proposal is for less than 100sqm and would not therefore be liable for the Community Infrastructure Levy (CIL).

## Conclusion

22. The proposed development is considered to be acceptable in terms of design and visual amenity, impact on residential amenity and parking provision and would comply with Policies L4 and L7 of the Core Strategy and guidance in the NPPF. It is therefore recommended that planning permission should be granted, subject to conditions.

## **RECOMMENDATION:**

That Members resolve to **GRANT** planning permission for the development 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 following submitted plans:

- Location Plan; Proposed ground floor – Drg. No. ebr/00372 A0.3; Proposed ground floor – Drg. No. ebr/00372 A0.4  
- Proposed elevations – Drg. No. ebr/00372 A0.5 received on the 23<sup>rd</sup> October.

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 having regard to Policy L7 of the Trafford Core Strategy, 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) upon first installation the windows in the first floor on the (south) side elevation facing number 58, 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.

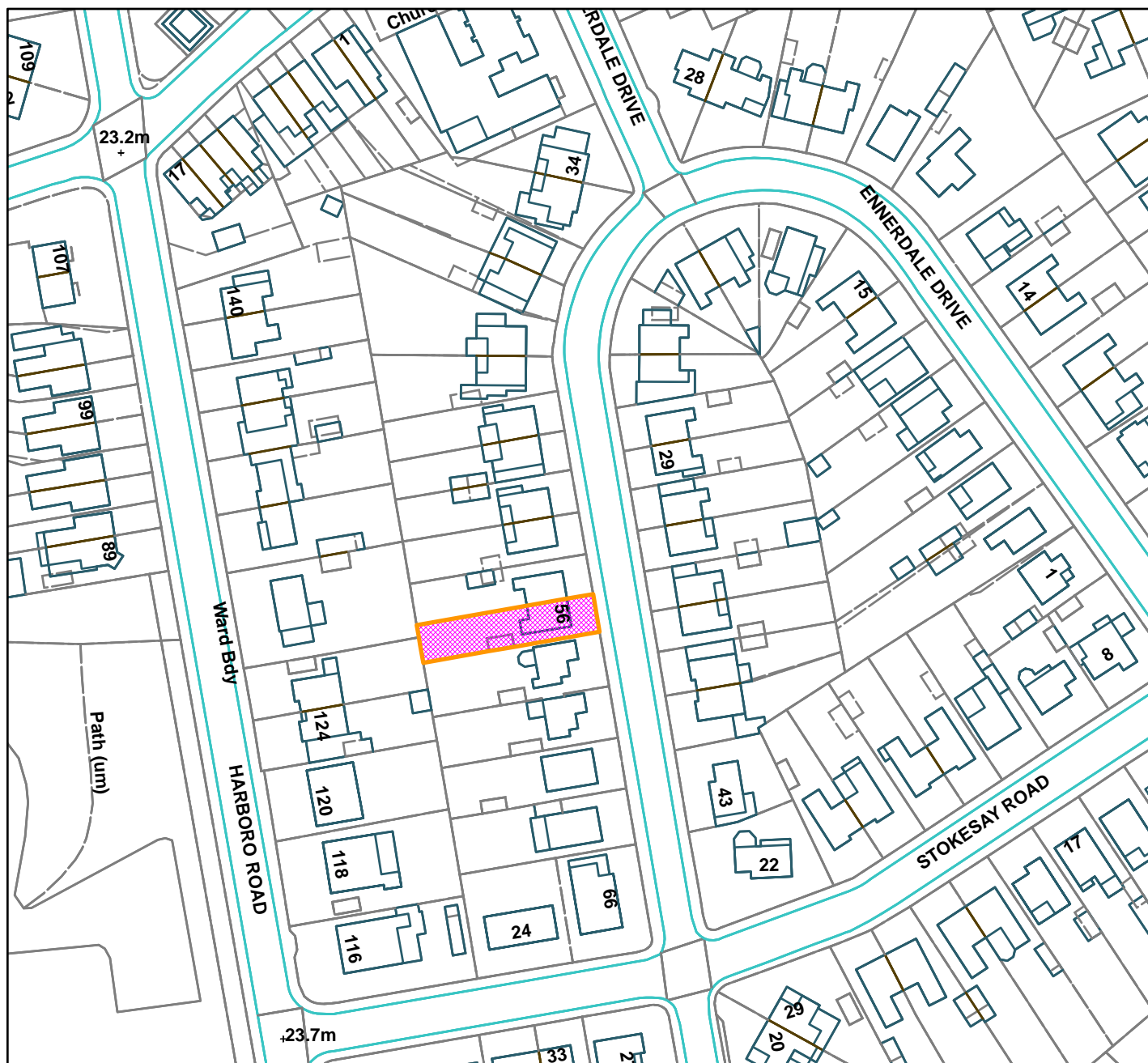
Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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OW



56 Ennerdale Drive, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/02/2019
Date	31/01/2019
MSA Number	100023172 (2012)

**Application for variation of conditions 1, 2, 7, 12, 13 and 14 and removal of condition 10 on planning permission 90132/FUL/16 (Change of use of existing buildings; conversion and replacement extension to South Bank to provide 7 dwellings; part demolition and rebuild, and extension to Delamer Lodge to provide 7 dwellings; part demolition and rebuild of the Coach House to provide a single dwelling; associated car parking and landscaping. (Part Retrospective)). To allow for various alterations to the roof, chimneys, elevations, windows and doors, balconies, screening and boundary walls.**

Southbank and Delamer Lodge, 1 - 2 Cavendish Road, Altrincham, WA14 2NJ

**APPLICANT:** Pochin's Limited

**AGENT:** Mr Philip Grant, GVA HOW Planning

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation, and due to it being called-in by Councillor Sean Anstee.**

## **SITE**

The application relates to a site located on the junction of Cavendish Road, Higher Downs and Delamer Road. The wider area primarily comprises housing and the immediate surroundings include residential properties to the north, east and south, many of which remain in single ownership. To the west of the site, opposite the site on Higher Downs is Altrincham Grammar School for Girls.

The application site is occupied by the following buildings: Southbank and the adjoining 16 Higher Downs (to the western end of the site closest to the junction of Cavendish Road with Higher Downs), Delamer Lodge (towards the eastern end of the site) and the Coach House (attached to Delamer Lodge in the north-eastern corner of the site). The buildings were originally dwellings but latterly were in use as a nursing home.

The site is located within the Downs Conservation Area. Southbank/16 Higher Downs lies within sub-area A and Delamer Lodge/the Coach House in sub-area D, as defined in the Council's adopted 'The Downs Conservation Area Appraisal' (CAA). There are numerous trees within and adjacent to the site which, whilst not covered by Tree Preservation Orders (TPOs) are protected by virtue of being within a conservation area. The buildings within the site are identified by the CAA as being positive contributors within the Downs Conservation Area.

Development at the site is currently ongoing with much of the work approved under the earlier application ref. 90132/FUL/16 having been completed. Some elements of the scheme have however been carried out which do not accord with the approved plans, hence the current application.

## **PROPOSAL**

Planning permission was granted in July 2015 (ref. 83507/FULL/2014) for the change of use and conversion of existing buildings from a nursing home to 17no dwellings (15 x 3-bed and 2 x 4-bed units) with associated car parking and landscaping.

In July 2017, planning permission was granted for a similar development (ref. 90132/FUL/16) with a reduction in the number of units to 15 and the part demolition and rebuild of Delamer Lodge and the Coach House.

The current application seeks approval for a number of amendments to the scheme previously approved under application 90132/FUL/16. The applicant is seeking consent for these amendments through a variation of several conditions attached to this permission where these are relevant to the proposed changes. It is noted that many of the changes sought by this application have already been carried out and as such, this represents a part-restrospective application. Consent is also sought for the removal of condition 10 of the earlier consent. This required screening to be provided to balconies shared by two residential units, however the applicant considers this to be unnecessary due to changes to the internal layout of the development.

The changes from the approved scheme are fully detailed in the applicant's submitted schedule of amendments, Design Statement and on the proposed plans. In summary, these changes are as follows:

### **Delamer Lodge:**

- Rear elevation amended to show centralised ridge to roof
- Alterations to eaves/fascia detail
- Ridge height updated
- Addition of flat roof element
- Chimney heights increased
- Addition of lead hip to east elevation
- Removal of protruding slab edge to rear of property
- Window and door changed from timber to aluminium
- Amendment to location of dividing walls in lightwells
- Alterations to and clarification of location, arrangement and materials of windows to front, rear and side elevations
- Alteration to arrangement of roof lights
- Brick type now shown on rear elevation for clarity
- Extent of consented two storey rear outrigger clarified
- Updates to internal floor plans

#### Southbank/16 Higher Downs:

- Alteration to arrangement of roof lights
- Raised roof lights amended on front elevation
- Electric switch cupboard added adjacent to entrance
- Amendments to depth and width of balconies
- Quoins extended to ground level
- Replacement of render in some areas
- Replacement of zinc band with masonry to rear elevation
- Amendments to door and window locations and replacement of a window on rear elevation
- Side elevations amended to show single doors onto balconies
- Width and format of windows to front elevation of 16 Higher Downs amended
- 16 Higher Downs roof plan amended
- Construction level detail added to roof of 16 Higher Downs
- Timber cladding shown inside balcony areas

#### Coach House:

- Amendment to position of bullseye window
- Amendment to decorative fascia on front elevation
- Removal of chimney
- Door changed from glass to timber
- Coach House walls rebuilt rather than existing window openings being bricked up

#### Other amendments:

- Non-shiny cowls installed to chimneys of Delamer Lodge and Southbank
- Replacement roof slates used rather than those reclaimed from the original roofs
- Railings amended on works plan
- Satellite dishes and aerials shown on proposed elevations
- Increased height of brick wall at boundary adjacent to Coach House/12 Higher Downs
- Dwarf wall added next to front door of 16 Higher Downs
- Replacement of rainwater goods now proposed rather than existing being painted
- Addition of boiler and fire flues
- External works levels and steps amended
- Construction level information for car park ramp and steps updated
- Sliding gates amended at site entrance points
- Dropped kerb threshold changed to tarmac
- Hedge line to Southbank plots 1 and 2 amended to amend gardens allocated to these units
- Width of gateway to 16 Higher Downs reduced

- Screening added to the boundary with 15 Higher Downs as required by condition 13 on the original consent
- Brick types added to garden wall/planters

A number of changes to the scheme have also been sought by Officers during consideration of the application. These relate to the use of obscure-glazed, restricted opening windows where necessary, planting to soften the appearance of boundary fencing, the addition of guttering to the eaves of Delamer Lodge and the reduction in height of boundary fencing adjacent to the entrance of Nos 15/16 Higher Downs.

On this basis, the current application has been assessed in relation to the amendments to the approved scheme which are listed above. Officers are satisfied that the current plans reflect the situation on site and that sufficient information has been provided to enable a decision to be made.

### **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  
 L4 – Sustainable Transport and Accessibility  
 L5 – Climate Change  
 L7 – Design  
 L8 – Planning Obligations  
 R1 – Historic Environment  
 R2 – Natural Environment  
 R3 – Green Infrastructure

### **SUPPLEMENTARY PLANNING DOCUMENTS**

Revised SPD1 – Planning Obligations



SPD3 – Parking Standards & Design  
SPD5.5 – The Downs Conservation Area Appraisal  
SPD5.5a – The Downs Conservation Area Management Plan  
PG1 – New Residential Development

## **PROPOSALS MAP NOTATION**

The Downs Conservation Area  
Smoke Control Zone  
Critical Drainage Area

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

Env21 – Conservation Areas

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016. A revised consultation draft was published in January 2019 and a further period of consultation is currently taking place. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The DCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The DCLG published the National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 22 October 2018. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

95714/CND/18: Application for approval of details reserved by conditions of grant of planning permission 90132/FUL/16. Conditions 10 (Privacy Screen) and 13 (Screening) – Pending consideration.

92591/CND/17: Application for approval of details reserved by conditions of grant of planning permission 90132/FUL/16. Condition number: 12 (SUDS) – Discharged in full 10/01/2018.

90132/FUL/16: Change of use of existing buildings; conversion and replacement extension to South Bank to provide 7 dwellings; part demolition and rebuild, and extension to Delamer Lodge to provide 7 dwellings; part demolition and rebuild of the Coach House to provide a single dwelling; associated car parking and landscaping. (Part Retrospective) – Approved with conditions 14/07/2017.

83507/FULL/14: Change of use and conversion of existing buildings from a nursing home to 17 dwellings (15 x 3 bedroomed and 2 x 4 bedroomed) with associated car parking and landscaping – Approved 30/07/2015.

### **APPLICANT'S SUBMISSION**

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

- Design Statement
- Rebuild Methodology
- Schedule of Proposed Minor Material Amendments

### **CONSULTATIONS**

**Heritage Development Officer:** A number of amendments have resulted in moderate harm to the aesthetic value of both Victorian villas and the contribution they make to the Downs Conservation Area. These are the sash style windows to Delamer Lodge, replacement slates, alterations to fascia/eaves detailing of Delamer Lodge, fencing to the boundary with 15 Higher Downs and timber screening to balconies of Delamer Lodge and Southbank. This harm will require a clear and convincing justification and in accordance with paragraph 196 of the NPPF (less than substantial harm).

**Local Highway Authority:** No objection to the proposed changes.

### **REPRESENTATIONS**

Letters of objection have been received from 8no addresses, as well as from the Altrincham and Bowdon Civic Society and the Bowdon Downs Residents' Association. Letters of support have been received from 4no addresses. The application has also been called-in for consideration by the Planning and Development Management Committee by Councillor Sean Anstee. Concerns raised in respect of the application are as follows:

Delamer Lodge/Coach House:

- Increase in ridge and eaves height of Delamer Lodge is a breach of planning control and negatively affects the heritage and aesthetics of the building. This looks out of proportion with original building and is out of character with Victorian villas on Delamer Road. This is not in keeping with the Conservation Area.
- This increase in height also impacts on privacy and light, particularly of Neston and South Downs House.
- Increase in ridge height of Delamer Lodge, including that of the projecting rear element has been proven but is not included with the current application.
- Increase in eaves height/fascia height of Delamer Lodge is greater than claimed in application.
- Poor detailing and massing of box gutter and eaves/fascia which is detrimental to the heritage asset. Fascia/eaves are obtrusive, bulky, top heavy, inflated and ugly.
- Pitch of the roof of Delamer Lodge has been made shallower, with mismatching brickwork and rendered walls. This is not in accordance with approved plans.
- Changes impact on surrounding households in terms of bulk, massing, loss of sunlight, privacy, sense of enclosure and overbearing.
- Overlooking impact from openable windows in rear elevation of Delamer Lodge on Nos 13, 14 and 15 Higher Downs. These were not originally openable.
- Glass extension to rear of Delamer Lodge is prejudicial to amenity of occupiers of No 15 Higher Downs. Width, height and expanse of glass exacerbates impact. Screening should be provided. This should also be of a traditional design.
- Soil pipes to side and rear of Delamer Lodge are out of keeping and an eyesore.
- Extensive use of external rainwater goods, boiler flues and pipework to Delamer Lodge and Coach House.
- One cowl projects above chimney pot and can be seen by neighbours.
- Large and modern windows in non-traditional materials to the rear of Delamer Lodge harm its character and not previously included.
- Outward opening windows to front of Delamer Lodge cause visual disharmony to this elevation. Sash windows should be sliding.
- Window shown as opaque on plans is clear glass.
- White brick used to increase height is a poor match and mortar is too thick.
- Strip of painted brickwork to Coach House should be removed or replaced.
- Proprietary wall tiles should be approved by the LPA.

#### Southbank/16 Higher Downs:

- Sliding gate to 16 Higher Downs would require an unauthorised brick channel. This gate also now means a much lower hedge will be possible adjacent to the gate.
- Unsightly modern brick structure in the garden of Southbank which is not shown on plans.
- Restored render to Southbank has not been scored as previously indicated, causing harm to the original character.

Changes affecting both properties/other comments:

- Object to use of non-reclaimed, non-Welsh blue and machine-cut, uniform imported slates. These are smooth, have a sheen and are contrary to previous approval. The use of these will set a precedent within Trafford's conservation areas. Most examples given were built before CAMP was adopted or are reclaimed.
- No need for each building to have the same slate, reclaimed slate has not been considered.
- Sliding gates at both entrances cause harm to the sandstone block walls – these are left freestanding with no space for planting of a hedge. New soil is at ground level, not raised as would be appropriate.
- Other nearby schemes have also increased in height beyond approved plans. Concern that this is becoming general practice.
- Changes have been made which are not included in the application
- Harm to the vista of the street, conservation area and surrounding heritage assets from the exposed car park. Screening to car park with planting no longer proposed.
- Boundary fence at South Downs is shown incorrectly as a brick wall – unclear what the design and location for Delamer Lodge bike shed is.
- Screening to boundary of 15 Higher Downs should be extended to ensure privacy. Full length of fence to side of driveway at 16 Higher Downs is not necessary and harms the street scene.
- Some plans do not have a scale bar.
- Design of railings is very dominant and heavy and will harm positive contributors.
- Satellite dishes are visually intrusive and detract from historic buildings.
- Brick wall at boundary with 12 Higher Downs should be increased by 7 bricks.
- Object to bike sheds and bin stores being painted black, should be stained green.
- Object to loose gravel in parts rather than resin-bound – this will cause noise, will spill onto pavement and will block surface water drains. Details of this should be approved.
- Condition should be applied to restrict use of space to front of 16 Higher Downs for parking.
- Electric car charging points should be provided.

Comments made in support of the application are as follows:

- Cavendish Place is a credible regeneration of dilapidated properties which will improve the overall appearance of the site and Conservation Area.
- The scheme will better reflect the character of the original buildings and Conservation Area.
- The proposed changes will enable improvements to be made to the scheme and are of nominal impact.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
2. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*” in the determination of planning applications.
3. The Council’s Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough’s lack of a five year housing land supply. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
4. The NPPF is a material consideration in planning decisions, and as the Government’s expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

### **New residential development:**

5. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6. Policies relating to heritage and the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus, development plan policies controlling the supply of housing are 'out of date' in NPPF terms. Core Strategy Policy R1 does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF and is therefore also 'out of date'. There are no protective policies in the NPPF which provide a clear reason for the refusing the development proposed, as assessed later in this report. Paragraph 11(d)(ii) of the NPPF is therefore engaged.
7. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 59 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
8. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring suggests that the Council's supply is in the region of only three years. Additionally, the Council is required to demonstrate how many new homes it is actually delivering in the Government's Housing Delivery Test. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
9. The proposed development would see the creation of 15no new dwellings on this site. Whilst the Council's housing supply policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 15no residential units on a brownfield site within the urban area. It is also considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The 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.

## IMPACT ON HERITAGE ASSETS

10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, *“special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area”* in the determination of planning applications.
11. NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
12. Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.
13. Paragraph 190 of the NPPF states that *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal”*.
14. 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”*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
15. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and

enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.

16. Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 130 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"*. This goes on to say that *"Local planning authorities should...seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme"*.

#### Significance of the Downs Conservation Area:

17. Significance is defined in the NPPF as *'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'*.
18. The site is located partially within Character Area A and partially within Character Area D of the Downs Conservation Area, with Southbank/16 Higher Downs falling within Area A and Delamer Lodge/the Coach House falling within Area D. The Conservation Area Appraisal (CAA) for this area was adopted in October 2014. The overall significance of the Conservation Area can generally be described as architectural, artistic and historic.
19. The CAA states in relation to Character Area A:

*4.5.9. The properties within this character area are almost exclusively residential in use and character, and built of red brick, sometimes with red and pale brick Flemish bond, dating from the late Georgian and early Victorian period...Many buildings have retained original features such as sash windows, timber panelled doors surmounted with decorative fanlights in some instances, dentillated brick detailing and stone date-stones naming the building units...Painted timber sash windows predominate, with full pane windows appearing on the larger houses built in 1851, when the technology was introduced.*

*4.5.13. The predominant building material is red and Cheshire brick, laid in a variety of bonds, with Welsh slate roofs. Cream "white brick" is also seen both as*



*a building material and used decoratively, as is stone and faience. A few houses have been rendered but they are the exception.*

*4.5.23. Details such as the use of Cheshire Brick and brick detailing are used throughout the wider area of Altrincham. Stone string courses are another detail which is common in the area and the wider area of Altrincham. The town gardens and the low boundary walls of stone or brick, surmounted by hedges and/or railings are an important local detail*

20. In relation to Character Area D, the CAA states:

*4.5.70. The buildings within this character zone are mainly residential in use and character...Many buildings have retained original features such as windows, doors, roofs and gardens with boundary walls.*

*4.5.71. There is extensive use of the characteristic cream 'white brick' laid in Flemish and English garden wall bonds. The majority of roofs are clad with traditional blue slate with painted barge boards. Windows and doors are generally constructed from painted timber, often with glazed panels. Boundary walls are generally constructed of sandstone a number with stone copings and in conjunction with stone gate piers.*

*4.5.73. There is uniformity in design, materials and decoration within the groupings on each road in the character zone. Predominantly constructed of brick, they display dentillated timber, large over hanging eaves, prominent chimneys, canted bays, stone cills and dressings, string courses, round arched or cambered headed windows and use in some cases of stained glass panels.*

21. Paragraph 4.5.66 of the CAA identifies Southbank as a development opportunity whilst both Southbank and Delamer Lodge are identified as positive contributors within the Conservation Area.

22. The Downs Conservation Area Management Plan was adopted in March 2016 and contains a number of policies which set out parameters to manage future change within the Conservation Area. The following general policies are considered to be of relevance to the current application. More specific/detailed policies shall be addressed where they are of relevance to a particular element of the development.

## **Policy 2**

*The Council will investigate reported cases of unauthorised development (permitted or other development) as appropriate and take action as necessary to ensure compliance with these management policies and those contained within the NPPF, Trafford's Core Strategy and Revised Unitary Development Plan.*

**Policy 6**

*Ensure that adaptations to achieve 21st century expectations are sensitive to the historic character and appearance of the building; balancing the need for new facilities with the retention of original features, detailing and decorative materials.*

**Policy 39**

*Trafford Council should work with owners of vacant priority sites within The Downs in order to achieve appropriate solutions for the future of the buildings. Priority sites include...Southbank, Delamer Lodge...*

**Policy 61**

*Any new development is to take inspiration from the established architectural styles which are well-established within the Conservation Area, such as the simple early-19th century; the mid-Victorian Italianate and late Victorian revival styles. Use of traditional materials and architectural details would ensure new development is appropriate for its setting. Modern design is not prohibited within the Conservation Area but should be sympathetic to its historic context; have regard to appropriate siting; of a high standard; of an appropriate scale and proportions; and use appropriate, high-quality traditional and natural materials.*

Assessment of proposed changes and impact on significance of Conservation Area:

Delamer Lodge amendments:

23. The roof line is shown as being centrally located on the approved roof plan and the proposed amendment to the rear elevation would ensure that these plans accord with each other and with what has been built on site. This is not considered to have a significant impact on the appearance of this positive contributor, or the significance of the wider conservation area compared to the approved rear elevation and is deemed to be acceptable.
24. A number of representations raise concerns that the ridge height of the building has been increased by a greater degree than stated in the application, including that of the rear projecting element. It should be noted however that under the earlier application, consent has been given for the ridge levels to be raised by approximately 0.4m, together with any additional brickwork which was required. The applicant explains that the current proposed plans show a further increase of approximately 0.1m due to an inaccuracy in the original survey of the building. Given what is considered to be a very minor increase in height above and beyond that previously approved, this increase in itself is not considered to result in harm to the significance of the conservation area or the building's status as a positive contributor.
25. Also associated with inaccuracies in the original survey of the building is the height and design of the eaves of Delamer Lodge. The previously consented increase in ridge height (together with the additional small increase now

proposed), has resulted in an associated increase in the height of the 'zinc seam' than that shown on the previously approved plans. Consent is now sought to retain this eaves arrangement as built, with associated soffits, brackets and box guttering. Following discussions with the applicant, amended eaves details with additional ogee profile guttering have been submitted which aim to minimise the impact of this taller zinc seam by breaking up the stark appearance of this feature. Samples of this guttering have been erected on site and Officers are satisfied that this approach can mitigate the harm associated with this to some degree. Even with this mitigation however, the proposed eaves detailing is considered to represent a moderate degree of harm to the conservation area and the property's status as a positive contributor. This harm is considered to be 'less than substantial' in the context of NPPF policy 196 and will be weighed against the public benefits of the scheme later in this report.

26. A number of other changes to the roof of Delamer Lodge are proposed which represent differences from the approved plans. A flat roof element has been added between the ridges of Delamer Lodge due to the roof pitches shown on the approved roof plan not corresponding with the floor plans, whilst a lead hip has also been added to a section of the roof. These are not readily visible and are considered to be necessary changes in the context of the development. The height of chimneys has been increased to make these uniform in height, representing an overall improvement to the appearance of the building. The arrangement of roof lights has also been amended, though this does not affect the total number of roof lights previously approved, with only a small alteration to their location. This is not deemed to conflict with Policy 20 of the CAMP which seeks to ensure that roof lights are not installed in locations that impact on the aesthetic value of the principal elevation or streetscape. A further minor change is the removal of a protruding slab edge to the rear of Delamer Lodge, which is considered to represent a positive enhancement to the building.
27. The applicant has provided an amended rear elevation of Delamer Lodge, which shows this elevation in full, unobscured by the boundary wall with 15 Higher Downs. This clarifies that large format windows are to be used on the rear elevation of the previously approved extension and that these will have aluminium frames. Officers are satisfied that these windows are acceptable both in terms of their format and use of materials and whilst residents' concerns about the design of this are noted, this is a new addition to Delamer Lodge and the use of a more contemporary material such as aluminium is deemed to be acceptable.
28. The location and proportions of a number of windows within the north-east side elevation of Delamer Lodge have also been amended, with a more vertical emphasis being given to some and others being relocated lower down on this elevation. These changes generally represent an improvement to the appearance of this elevation. In addition, three curved-headed windows to the front elevation of Delamer Lodge have been amended from curved glass heads to openable curved solid timber heads. It is understood that this is due to the

addition of an extra floor behind these windows and the need to provide ventilation to the newly formed rooms. Officers consider this to be an acceptable change, which is necessary to accommodate the residential units as approved. The above amendments to the fenestration of Delamer Lodge are not considered to cause harm to the significance of this positive contributor or the wider conservation area.

29. Concerns have been raised that a number of windows to the front elevation of Delamer Lodge are outward opening rather than sliding, including from the Council's Heritage Development Officer. It is noted however that the approved plans refer to these simply as being 'sash windows', not necessarily sliding sash windows. Given that there was no condition on the earlier consent requiring these to be of a traditional sliding design, Officers are satisfied that consent has previously been given for these as installed and do not require any further permission.
30. A window and door are proposed to be aluminium rather than timber within the west (side) elevation of Delamer Lodge. Whilst Policy 15 of the CAMP states that replacement doors or windows should be timber, it is noted that aluminium is used for all other new build sections of Delamer Lodge and the use of aluminium here would provide a consistent, appropriate approach to this element of the scheme. The proposed amendment to the location of dividing walls to the lightwells at the eastern elevation of Delamer Lodge is considered to be very minor in nature, not readily visible and is necessary to reflect the as-built locations of doors serving these units. This amendment is therefore deemed to be acceptable.
31. A number of clarifications have been provided which do not necessarily represent amendments to the approved plans. The extent of the consented two storey rear outrigger has now been clearly shown on the proposed elevations. It is apparent from representations received that it was not clear whether this formed part of the earlier applications, given inconsistencies between the elevations and floor plans. However Officers are satisfied that this has previously received consent due to it clearly being shown on floor plans and reference being made to it in one of the planning conditions. Notwithstanding this, as set out elsewhere in this report, additional boundary screening is to be provided in the interests of mitigating potential overlooking issues associated with this structure.
32. The internal floor plans have been updated to reflect the as-built arrangement of the building and this has no impact on the external appearance of the building. Clarification of the brick type to be used in the rear elevation of Delamer Lodge is now shown on the rear elevation. This does not represent an amendment to the approved plans. A representation raises concerns regarding the use of 'proprietary wall tiles', however the application actually refers to 'proprietary wall ties' which would not affect the external appearance of the building.

## Southbank/16 Higher Downs amendments:

33. As with Delamer Lodge, the arrangement of roof lights in Southbank has been amended, resulting in the omission of one roof light and the re-orientation of another. These amendments are not deemed to conflict with Policy 20 of the CAMP which seeks to ensure that roof lights are not installed in locations that impact on the aesthetic value of the principal elevation or streetscape. The raised roof lights shown on the approved plans have now been replaced with flat roof lights, which represents a reduced impact on the character and appearance of the host building and the conservation area from those previously approved.
34. A number of relatively minor changes have been made to the location and type of doors and windows to Southbank. A non-original oversailing window to the rear elevation has been replaced with a sliding sash and this is deemed to represent a positive change from the approved scheme. The locations of a door and window have also been swapped and the position of a further door amended on the rear elevation. These are considered to be non-material changes from the approved scheme which do not cause harm to the conservation area or Southbank itself.
35. The width of balconies to the side elevations of Southbank has been reduced and their depth increased. It is understood that this is due to the actual chimney positions being 500mm further from the side elevations of the building than shown on the original survey. The resulting balconies are considered to be of an appropriate size in relation to the building itself and would not cause harm to its character and appearance. These balconies are also now proposed to have single rather than double access doors. This would reflect the previously approved floorplans and is deemed to be acceptable.
36. A number of other proposed amendments are also deemed to represent an improvement from the approved scheme, including the extension of quoins to ground level, the replacement of render to sections where this was in poor condition and the use of masonry rather than a zinc band to the rear elevation. These are considered to have a positive impact on the appearance of Southbank and the wider conservation area, being more in keeping with the property as a whole. A representation notes that the replacement render has not been scored as previously indicated, however Officers are satisfied that this has not had a detrimental visual impact, particularly given that the building has previously been finished with mismatching render elements.
37. The addition of an electric switch cupboard adjacent to the entrance to Southbank is a very minor change in the context of the overall scheme and such a facility would be expected as part of a residential development. This is not considered to have any material impact on the significance of this positive contributor or the conservation area.

38. The width and arrangement of windows to the front of 16 Higher Downs differs from that shown on the previously approved plans. This is considered to represent a very minor change from the approved scheme and the applicant notes that the original windows were too wide to fabricate. The roof plan of 16 Higher Downs has also been amended to reflect the actual situation on site. These changes are considered to be acceptable in design terms.
39. Construction level details have been added to the roof of 16 Higher Downs for clarity. This does not represent an amendment from the approved plans, only a clarification.

Coach House amendments:

40. A number of relatively minor amendments have been made to the front elevation of the former Coach House. These relate to the position of the bullseye window, the addition of a loop to the fascia and the change of the door from glass to timber. The change to the bullseye window is not readily noticeable but represents a minor improvement whilst the 4-loop fascia better reflects the original fascia in comparison to the previously approved 3-loop fascia. The use of a timber rather than glazed door is more in keeping with the original building and is in line with Policy 15 of the CAMP referred to above.
41. It is understood that the walls of the Coach House collapsed during works being carried out by an enabling contractor. As a result, the plans now under consideration show these walls being rebuilt with reference to openings being bricked-up now removed. The end result of the current scheme would not be materially different from the earlier approval and is necessary given the collapse of the walls. This is therefore considered acceptable.
42. It is understood that the removal of the existing chimney to the rear of the Coach House was requested by a neighbouring resident. Whilst Policy 17 of the CAMP seeks to ensure that established architectural detailing and features such as chimney pots are retained, it is acknowledged that the removal of this will represent an improvement in amenity terms to some degree. In addition, the more decorative chimney towards the front of the Coach House will be retained and the loss of the chimney at the rear is considered to be acceptable.

Other proposed amendments:

43. The earlier approval required the development to proceed in accordance with the submitted 'Cavendish Place Rebuild Methodology' dated April 2017. This Methodology refers to the use of reclaimed or matching slates. It is understood that the roofs for Southbank, Delamer Lodge and the Coach House have been fully re-slatted with Spanish slate, as set out in the current Design Statement. This application proposes the retention of these Spanish slates as currently installed.

44. Part 10 of the applicant's Design Statement includes images showing the poor condition of the original slates and explains that these were not fit for purpose, hence the applicant's decision to proceed with a full re-roofing. The original slates were from a Welsh mine which is no longer in use for slate production. The Statement includes a comparison of three alternative slates: a Welsh blue slate, a Westmorland Green slate and a Spanish Samaca slate. This concludes that the Spanish slate was selected as 'the most aesthetically pleasing', noting that this has 'virtually the same chemical properties, texture and performance characteristics' as the slates which were removed.
45. Policy 13 of the CAMP states that *'Roofs should be repaired with the original roofing material; this will either be in Welsh blue or Westmorland green slate or clay tiles'*. It is therefore acknowledged that the use of Spanish slate is not in accordance with the above policy. The applicant has provided examples of where this Spanish slate has been used within nearby conservation areas, however Officers have not located a planning approval for this material within the Downs Conservation Area. This element of the proposal is considered to represent a moderate degree of harm to the conservation area and the status of the application properties as positive contributors. This harm is considered to be 'less than substantial' in the context of NPPF policy 196 and will be weighed against the public benefits of the scheme later in this report.
46. Cows have been fitted within existing chimney pots to both Southbank and Delamer Lodge and residents have raised concerns regarding the height and reflectiveness of these. The applicant's Design Statement advises that these are necessary for gas fires and must be fitted at a particular height above the chimney pot for safety reasons. The height these have been installed at is therefore considered to be acceptable. The application proposes the replacement of these with non-shiny alternatives which Officers consider to be an acceptable solution to the issues raised. An additional condition will be attached to any consent issued requiring this to be implemented.
47. Based on the previously approved plans, it was not clear what material was proposed inside the balcony areas to Southbank and Delamer Lodge. This is now clarified as being painted timber cladding, although the colour is not specified. Being unpainted at present, this material is considered to result in a limited degree of harm to the conservation area and buildings themselves, however an appropriate colour will serve to mitigate this harm. On this basis, a condition should be attached to any consent issued requiring the submission of details of the colour this is to be painted, which should be matt and recessive.
48. Satellite dishes and aerials have now been shown on the proposed elevations for both Southbank and Delamer Lodge. It is considered reasonable for these to be provided, given the residential use of the buildings and such features could be expected on most properties. Policy 19 of the CAMP states that satellite dishes and other functional features should not be installed on the front elevation of

properties and the siting of these on the rear corners of the buildings is therefore in line with this policy. As such, this element of the scheme is considered to be acceptable in design terms.

49. The rainwater goods to buildings within the site have been replaced rather than retained or repainted as was approved under the original application. These are black cast aluminium, which is in accordance with policy 12 of the CAMP and therefore acceptable. Boiler and fire flues have been added to the roof of the Coach House and to the walls of Delamer Lodge and Southbank. These are relatively minor protrusions from the buildings which are required for the boiler and fire of each residential unit. These additions are considered to be acceptable in design terms and would not cause material harm to the significance of this positive contributor or the conservation area.
50. Plans have been provided to show details of screening to the boundary between the car park and 15 Higher Downs in the form of larch-clad steel and timber fencing and a planted screen. These details are required by condition 13 of the original consent and it is noted that a discharge of condition application had also been submitted which seeks approval for this element of the scheme; this has not yet been determined. Following amenity concerns raised by a local resident, this screening is now proposed to be extended along the rear boundary of No 15, albeit without the planting along this section. The acceptability of this in amenity terms is assessed below, however this additional section of fencing is not considered to cause harm to the significance of the conservation area due to its location at the rear of Delamer Lodge and is acceptable in this respect. Without the planting in place along the section of the fencing adjacent to the car park, this feature would cause a moderate degree of harm to the conservation area. The planting to be provided along this section however will soften its appearance and over time, will ensure that this fencing is not an unduly prominent feature. This is considered to mitigate the harm associated with the fence itself. The section of fencing which has been installed adjacent to the entrance of Nos 15/16 Higher Downs is shown as being lowered on the proposed plans; this is an amendment which has been agreed with Officers in order to ensure the fencing is not unduly prominent in the street scene here. It is therefore recommended that this condition is varied to require the implementation and retention of the submitted details of this boundary treatment.
51. The brick wall on the boundary between the Coach House and 12 Higher Downs has been increased in height by four brick courses. It is understood that this has been carried out at the request of this neighbour in the interests of improving privacy. A number of representations suggest that this should be increased by a further three courses, however Officers are satisfied with the proposed four course increase in design terms. Amenity issues will be considered in the appropriate section of this report.



52. A dwarf wall has now been added adjacent to the front door of 16 Higher Downs which, it is understood, has been added due to site level changes. This is a relatively minor change which does not raise any concerns from a design perspective. The external works levels as well as construction level information for the car park ramp and steps have been added and updated to reflect the actual situation on site and for clarity. These changes and clarifications are not considered to be significant in the context of the scheme as a whole and are supported by Officers. The amendment to the hedge line surrounding plots 1 and 2 of Southbank is also a relatively minor change that will have no detrimental visual impact. This element of the scheme is therefore considered to be acceptable.
53. Condition 7 on the previous consent required the stone piers and gates at the entrances to Higher Downs and Cavendish Road to be implemented in accordance with details shown on a submitted drawing. This showed existing stone piers to 16 Higher Downs being retained, however it is understood that there were not previously piers in this location. The proposed plans now show a reduction in the width of this gateway, the inclusion of reclaimed natural stone piers and amendments relating to the sliding gates serving this entrance point. The reduction of the width of the gateway serving 16 Higher Downs and use of reclaimed stone piers is not deemed to cause any harm to the significance of the conservation area and is acceptable in this respect. Concerns raised by residents relating to the sliding gates are acknowledged, however given that these gates will be largely obscured behind a boundary wall when opened, this approach is considered to be acceptable in design terms. It is also noted that the extent of hedging along this boundary is unaffected by the amendments to this access point.
54. The dropped kerb thresholds at the two vehicular entrance points are now referred to as being surfaced in tarmac. It is not clear from the approved plans which material was intended to be used here, however the use of tarmac is a requirement of the Local Highway Authority and is deemed to be acceptable here. A representation objects to the use of loose gravel rather than resin-bound, however the previously approved plans indicated the use of a greater extent of gravel than those currently under consideration and as such, this has addressed these concerns to some extent.
55. The brick types to be used for the garden walls and planters have now been added to the proposed plans. These were not previously specified and have been added for clarity. A representation raises concerns regarding a 'modern brick structure' in the garden of Southbank, however it is not clear what this refers to and Officers are satisfied that all structures which have been built on site are shown on the proposed plans. The extent of railings within the site have now been more clearly shown on the proposed site plan and where these have been amended slightly, do not result in any harm to the significance of the conservation area.

56. There are a number of representations which raise concerns about elements of the scheme which have already been given consent under the earlier application and are unchanged in the current application. In summary, these relate to the design and location of bin stores and bike stores, the lack of electric vehicle charging points and the design of railings. Similarly, there are no differences between the approved and proposed planting serving as screening to the car park. On the basis that these elements of the scheme have previously been approved, it would not be reasonable to refuse the current application based upon any aspects of these.

Consideration of harm and public benefits:

57. Some elements of the scheme now proposed are considered to result in a moderate degree of harm to the significance of the Downs Conservation Area and the application properties' status as positive contributors. In respect of harm to the conservation area, this is considered to be 'less than substantial'. Any such harm has been specifically noted above however for clarity, this is considered to arise from the replacement slates to buildings within the site and the eaves/fascia detailing associated with the increased height of this element. The larch fencing currently in place is also considered to result in less than substantial harm to the conservation area, however this harm would be mitigated through the introduction of planting, as proposed. Similarly the timber cladding to the balconies of both buildings would result in less than substantial harm to the conservation area, however this harm would be mitigated through the application of paint of an appropriate colour. Other than those specifically identified above, the remaining amendments are not considered to result in any harm to the significance of the conservation area.

58. In considering the impact of the proposal on the identified heritage assets, any conflict between the asset's conservation and harmful aspects of the proposal has been avoided or minimised as far as possible through constructive dialogue with the applicant, as required by NPPF paragraph 190.

59. In respect of paragraph 196 of the NPPF and the assessment of harm to the significance of the Downs Conservation Area, there are considered to be a number of public benefits associated with the development. Specifically, the scheme will deliver 15 new residential units on a brownfield site, whilst there are also overall benefits associated with the redevelopment of a previously underused site. As set out in NPPF paragraph 192, in determining applications, local planning authorities should take account of *"the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation"*. The proposal therefore has public benefits associated with returning the buildings to their original residential use, which in itself represents an enhancement from the previous situation. There will

also be a limited economic benefit associated with new residents of the development.

60. These public benefits are considered to be sufficient to clearly outweigh the less than substantial harm to the Downs Conservation Area which has been identified above, giving great weight to the conservation of heritage assets.

61. Furthermore, in line with NPPF paragraph 130 it is considered that the quality of the previously approved development has not diminished to such a significant degree, as a result of changes being made to the permitted scheme to warrant a refusal of permission for this reason.

62. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Downs Conservation Area.

## RESIDENTIAL AMENITY

63. 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”*.

64. The Council’s adopted supplementary guidance document for new residential development (referred to onwards as ‘PG1’) sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:

- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
- 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)
- 15m between a main elevation with habitable room windows and a facing blank elevation
- 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)

65. A number of objections have been raised relating to the potential overlooking from windows in Delamer Lodge. Specifically, these relate to windows now shown as openable and with clear glazing in the rear elevation, as well as a first and second floor window within the side (south-west) elevation. It is noted that the current proposed plans indicate that the rear-facing windows will be obscure-glazed and either fixed or fitted with restrictors ‘at neighbour’s request’. On this basis, there is not now considered to be any overlooking impact from these

windows and a condition should be attached to any consent issued requiring these to be implemented and retained.

66. With regard to the windows in the side elevation, the second floor window serves a bedroom and it is not considered reasonable to require this to be obscure-glazed, particularly given that it is the only window serving this bedroom and it does not have a direct overlooking impact on any neighbouring properties. The applicant has agreed to the first floor window being obscure-glazed and restricted opening given that this serves a bathroom. This should be secured by a planning condition.
67. The proposed amendments to the roof lights are not considered to result in any greater overlooking impact on surrounding properties than those previously approved. As noted above, there is to be one fewer on the roof of Southbank whilst the re-orientation of other roof lights would not result in any greater impact than those approved.
68. A full analysis of the increased height of Delamer Lodge is undertaken in the preceding section of this report however in summary, the current application proposes an increase of approximately 100mm from that shown on the previously approved plans; this is the height of the building as constructed. Given this very small increase, there is not considered to be any materially greater impact on the amenity of neighbouring residents through overshadowing, loss of light or in any other respect. The concerns of residents are acknowledged, however the previously approved height increase of the building is such that it would not be reasonable to refuse the current application for this reason.
69. The balconies to the side elevations of Southbank are now proposed to be closer to the edge of the roof by approximately 0.3m to the west elevation and 0.5m to the east elevation. These remain within the minimum separation distance to neighbouring gardens/windows set out above, facing towards the highway to the west and into the application site to the east. As such, the revised balconies are considered to be acceptable from an amenity perspective.
70. Representations raise concerns regarding the potential overlooking impact of the glazed extension to the rear of Delamer Lodge. For the reasons set out earlier in this report, Officers consider that this element received consent in broadly the same form as currently proposed. Notwithstanding this, the applicant has provided additional plans to show fencing to be added to the site boundary with No 15. A section has been submitted to demonstrate that this will adequately protect the amenity of this neighbour and would also accord with the aims of condition 13 imposed on the earlier consent. It is recommended that this condition to be amended to require the implementation and retention of the boundary treatments now proposed.

71. The existing raised entrance point to Southbank has been extended slightly towards the south, as shown on the proposed site plan. The additional raised section would not be any closer to neighbouring properties however and as such, is not considered to cause any additional overlooking impacts on local residents.
72. Condition 10 of the original consent required the submission of details of privacy screens between balconies/terrace areas in the interests of the amenity of future occupiers. These balconies are now to be used by a single residential unit and as such, privacy screens would be unnecessary. On this basis, it is considered that this condition can be removed from any consent issued as it would no longer serve any useful purpose.
73. Whilst the concerns of local residents are acknowledged, the development now proposed is not considered to result in any harm to the amenity of occupiers of surrounding properties and is therefore in accordance with Policy L7 of the Core Strategy and the NPPF.

## HIGHWAY MATTERS

74. Policy L4 of the Trafford Core Strategy states that *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way”*.
75. Paragraph 109 of the NPPF notes that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.
76. The proposal does not involve any change to the number of parking spaces to be provided, as approved under the original application. On this basis, the current application is acceptable in this respect. The changes associated with the vehicular access points are relatively minor in scope and do not raise any concerns from an accessibility perspective. Furthermore, the Local Highway Authority has not raised any objections to the planning application. A letter of objection states that a condition should be applied to restrict the use of space to the front of 16 Higher Downs for parking. Officers do not consider that there is a need for such a condition and the scheme is unaffected in this respect.

## DEVELOPER CONTRIBUTIONS

77. The earlier application was approved on the basis of no affordable housing being provided as it was accepted that the provision of such housing would make the scheme unviable for the developer. Given that the current application relates to design amendments to the approved scheme, it is not considered reasonable to seek affordable housing provision under this application. As this is a Section 73 application relating to the variation and removal of conditions attached to an earlier consent, the principle of development cannot reasonably be revisited.

## PLANNING BALANCE AND CONCLUSION

78. Considerable importance and weight has been given to the desirability of preserving the designated heritage assets affected by the development. In considering the impact of the proposal on the identified heritage assets, any conflict between the asset's conservation and harmful aspects of the proposal has been avoided or minimised as far as possible through constructive dialogue with the applicant, as required by NPPF paragraph 190.
79. Public benefits associated with the scheme relate to the delivery of 15 new residential units on a brownfield site and overall benefits associated with the redevelopment of what was previously an underused site. As set out in NPPF paragraph 192, in determining applications, local planning authorities should take account of *"the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation"*. The proposal therefore has public benefits associated with returning the buildings to their original residential use, which in itself represents an enhancement from the site's previous situation. There will also be limited economic benefits associated with new residents of the development. These public benefits are considered to be sufficient to clearly outweigh the less than substantial harm to the Downs Conservation Area which has been identified above, giving great weight to the conservation of heritage assets. Although it would not strictly 'enhance' the conservation area as required by Policy R1, this policy is out of date in NPPF terms and can be given limited weight. As such the development is not specifically restricted by the NPPF.
80. Having carried out this analysis, there is no 'clear reason for refusing the development proposed' when considering the application against Paragraph 11(d)(i) of the NPPF. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged, i.e. 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 the NPPF taken as a whole.
81. With appropriate mitigation secured by planning condition, the proposals would not have any other harmful impacts and otherwise would be in compliance with the development plan. There would be no adverse impacts which would

significantly and demonstrably outweigh the benefits. The proposals would therefore be in compliance with Paragraph 11(d)(ii) of the NPPF, which in the absence of up to date development plan policy relating to heritage, is a determinative material consideration. The application is therefore recommended for approval.

## **RECOMMENDATION**

That Members resolve to **GRANT** planning permission for the development, subject to the following conditions: -

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans:

<b>Plan Number</b>	<b>Drawing Title</b>
A176_P_4_R	Proposed External Works Plan
A176_P_4A_R	Proposed External Works Plan (Annotated)
A176_P_22_D	Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> South Bank Plans
A176_P_22A_D	Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> South Bank Plans (Annotated)
A176_P_23_F	Proposed Roof Plan – South Bank
A176_P_23A_F	Proposed Roof Plan – South Bank (Annotated)
A176_P_24_C	Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> Floor Plans – Delamer Lodge
A176_P_24A_C	Proposed Basement, Ground, 1 <sup>st</sup> & 2 <sup>nd</sup> Floor Plans – Delamer Lodge (Annotated)
A176_P_25_E	Proposed 3 <sup>rd</sup> Floor and Roof Plans – Delamer Lodge
A176_P_25A_E	Proposed 3 <sup>rd</sup> Floor and Roof Plans – Delamer Lodge (Annotated)
A176_P_30_L	Proposed Front & Side Elevations – South Bank
A176_P_30A_L	Proposed Front & Side Elevations – South Bank (Annotated)
A176_P_31_J	Proposed Rear & Side Elevations – South Bank
A176_P_31A_J	Proposed Rear & Side Elevations – South Bank (Annotated)
A176_P_32_K	Proposed Front & Side Elevations – Delamer Lodge
A176_P_32A_L	Proposed Front & Side Elevations – Delamer Lodge (Annotated)
A176_P_33_K	Proposed Rear & Side Elevations – Delamer Lodge
A176_P_33A_L	Proposed Rear & Side Elevations – Delamer

	Lodge (Annotated)
A176_P_40_D	Proposed Section AA & BB – South Bank
A176_P_40A_D	Proposed Section AA & BB – South Bank (Annotated)
A176_P_41_F	Proposed Section CC, DD, EE & FF – Delamer Lodge
A176_P_41A_F	Proposed Section CC, DD, EE & FF – Delamer Lodge (Annotated)
A176_C_93_B	Proposed Car Park Screen Plan and Elevation 01
A176_C_95_B	Proposed Car Park Screen Plan and Elevation 02
A176_C_119	Proposed Rear Screen Detail 03
A176_C_788_B	Proposed Car Park Screen Detail 01
A176_C_790B	Proposed Entrance Gate (Higher Downs)
A176_C_791 (Rev A)	Proposed Entrance Gate (Cavendish Road)

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

2. The development hereby permitted shall be carried out and retained in full accordance with the materials listed in the Materials Key of the drawings approved under condition 1.

Reason: To ensure a satisfactory external appearance in the interests of visual amenity and the protection of heritage assets, having regard to Policies L7 and R1 of the Trafford Core Strategy.

3. (a) The site shall be landscaped in accordance with drawings 10592-L01a and 1b within 12 months from the date when any building or other development hereby permitted is first occupied.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and having regard to Policies L7, R1, R2 and R3 of the Trafford Core Strategy.

4. The landscaping as shown on drawings 10592-L01a and 1b shall be maintained in accordance with the details provided on drawing No 10592-L02 Rev P2.



Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development having regard to Policies L7, R1, R2 and R3 of the Trafford Core Strategy.

5. (a) The tree protection measures detailed in the Arboricultural Report – Arboricultural Impact Assessment and Arboricultural Method Statement shall be implemented and maintained throughout the duration of the implementation of the proposed development.

(b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme.

(c) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity to the area, having regard to Policies L7, R2 and R3 of the Trafford Core Strategy.

6. The location and design of the natural stone piers and gates at the entrances to Higher Downs and Cavendish Road shall be as shown on drawing numbers A176\_C\_790B, A176\_C\_791 (Rev A) and A176\_P\_4\_R and shall be retained as such thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to Policies L7 and R1 of the Trafford Core Strategy.

7. The measures set out in the Crime Impact Statement (Version A, dated 4<sup>th</sup> May 2017) shall be implemented and thereafter retained.

Reason: To ensure that design and layout has helped to create safe environments and reduce the potential for crime in accordance with Policy L7 of the Trafford Core Strategy.

8. The height of the proposed rear extension to Delamer Lodge shall not exceed the height of the boundary wall with numbers 13-15 Higher Downs.

Reason: To ensure the proposed development does not unduly impact upon the amenity of adjoining properties having regard to Policy L7 of the Trafford Core Strategy.

9. The measures shown on drawings reference D17870-PW-100 Rev C and drawings 106, 107 and 108 Rev B to protect/repair/re-building the boundary walls with the adjoining properties in Higher Downs shall be implemented within 2 months of the date of this consent and retained thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to Policies L7 and R1 of the Trafford Core Strategy.

10. The drainage scheme approved under application ref. 92591/CND/17 shall be fully implemented within 2 months of the date of this consent and maintained in accordance with the approved arrangements.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7, R3 and L5 of the Trafford Core Strategy.

11. The boundary screening between the application site and No. 15 Higher Downs shown on drawing numbers A176\_C\_93\_B, A176\_C\_95\_B, A176\_C\_119, A176\_C\_788\_B and A176\_P\_4\_R shall be implemented within 2 months of the date of this consent and retained as such thereafter.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouses and in the interest of visual amenity and the character and appearance of the conservation area having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

12. Any works to Delamer Lodge and the Coach House shall be undertaken in accordance with the 'Cavendish Place Rebuild Methodology' dated September 2018, unless otherwise specified on the plans approved under this application.

Reason: To ensure a satisfactory external appearance in the interests of visual amenity and the character of the Downs Conservation Area and having regard to Policies L7 and R1 of the Trafford Core Strategy and the NPPF.

13. The guttering to Delamer Lodge shown on the approved plans shall be installed within 2 months of the date of this consent. For the avoidance of doubt, this shall be 125x100mm ogee guttering (coloured RAL7040).

Reason: In the interests of visual amenity and the character and appearance of the conservation area, having regard to Policies L7 and R1 of the Trafford Core Strategy.

14. The first and second floor windows to the rear elevation of Delamer Lodge (annotated as change number '2' on drawing number A176\_P\_33A\_L) and the

first floor window to the side (south-west) elevation of Delamer Lodge (annotated as change number '3' on drawing number A176\_P\_33A\_L) shall be obscure-glazed and either fixed shut or fitted with restrictors limiting the windows to a maximum opening of 50mm, within 2 months of the date of this consent and retained as such thereafter.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouses having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. Details of the colour of the timber cladding to the balconies of Delamer Lodge and Southbank (annotated as material '11' on the Delamer Lodge elevations and material '35' on the Southbank elevations) shall be submitted to and approved in writing by the local planning authority within 2 months of the date of this consent. The cladding shall be painted a matt recessive colour and this shall be implemented within 2 months of the colour being agreed.

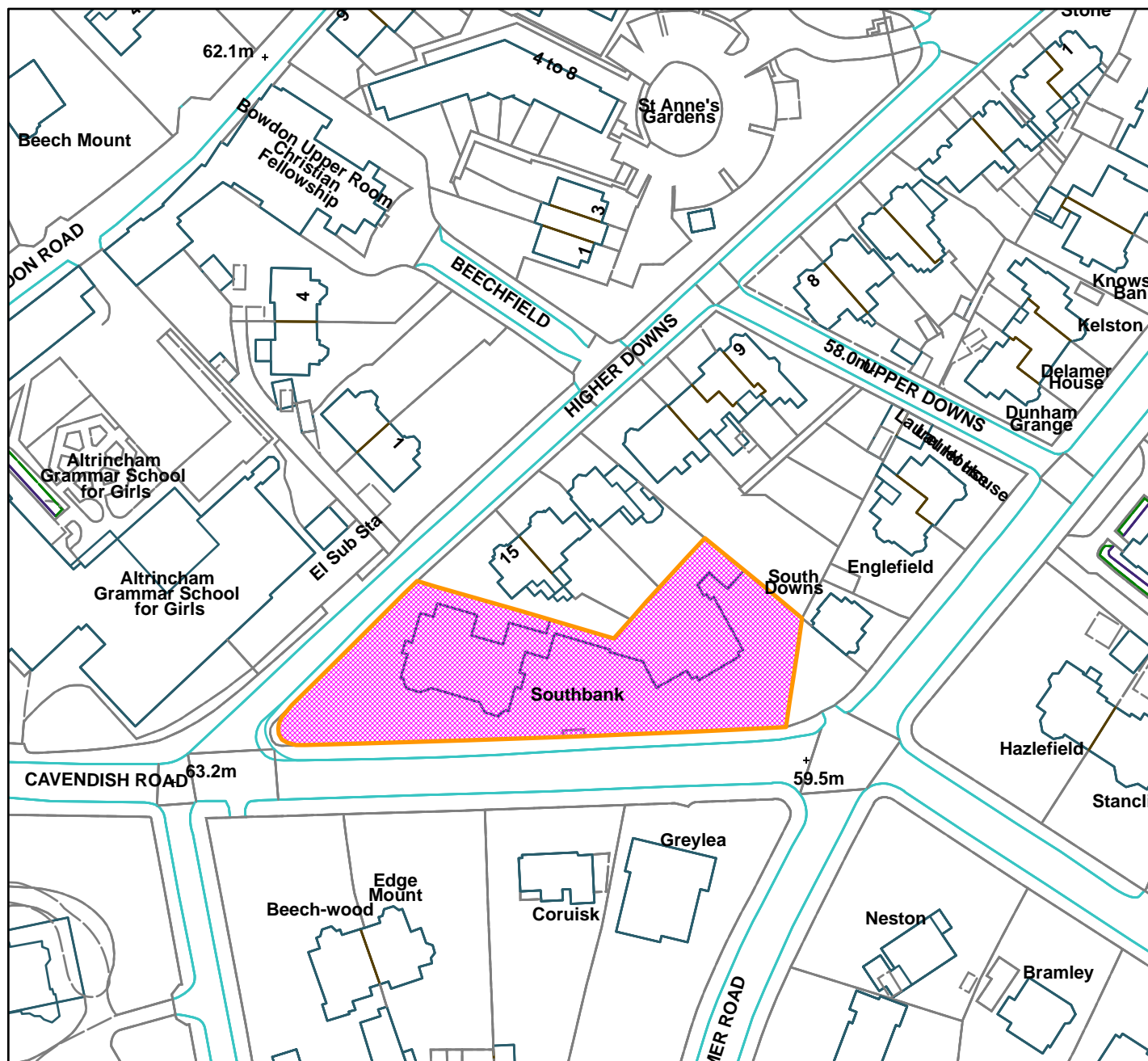
Reason: In the interests of visual amenity and the character and appearance of the conservation area, having regard to Policies L7 and R1 of the Trafford Core Strategy.

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JD



Southbank & Delamer Lodge, 1-2 Cavendish Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/02/2019
Date	31/01/2019
MSA Number	100023172 (2012)

**Demolition of existing structures and erection of 282 dwellings (191 apartments 91 houses) with associated parking and landscaping.**

Former Itron Site, Talbot Road, Stretford

**APPLICANT:** Miller Homes Ltd

**AGENT:** Mr Ryan McTeggart, GL Hearn

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

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**The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation.**

**SITE**

The proposed development relates to a generally square-shaped former industrial site in Stretford bounded by Talbot Road to the north-west, Christie Road to the south-west and Renton Road to the south-east. The site is not currently in use and is occupied by several large industrial units, the majority of which are single storey. Chester Road (the A56) runs immediately to the west of the site whilst adjacent land to the north-east is currently in use for industrial purposes, although the neighbouring land fronting Renton Road has recently been developed for residential use.

The opposite side of Renton Road is occupied by mostly detached and semi-detached two storey dwellinghouses, though there is a terraced row further to the north-east. A number of three storey apartment buildings are situated opposite the site on Talbot Road whilst a large warehouse separates the site from the Bridgewater Canal to the south-west.

The nearest Listed Buildings to the site are the Church of St Ann and St Ann's Presbytery approximately 0.3 miles along the A56 to the south-west and the Stretford War Memorial, Gorse Hill Park Entrance Portal and Lodges and Great Stone approximately 0.4 miles along the A56 to the north-east (all Grade II).

**PROPOSAL**

Full planning permission is sought for the demolition of all existing structures within the site and the erection of 10no apartment blocks containing a total of 191no dwellings, as well as 91no houses.

The houses are generally situated within the south-eastern part of the site and are two-three storeys in height whilst the apartment buildings range from three to six storeys.

The houses comprise 4no two-bed units, 66no three-bed units and 21no four-bed units, whilst the apartments comprise 50no one-bed units and 141no two-bed units.

The primary facing material is proposed to be brickwork with a combination of buff and grey brick being used across the site. The majority of the houses would be served by 2no car parking spaces, either on driveways to the front, within car ports or in parking courtyards. The apartments are served by two parking courtyards providing one parking space per unit and these include 11no accessible spaces. 11no visitor parking spaces are provided across the site.

A landscaped 'deck' is proposed above the north-western parking courtyard which will provide amenity space for residents of the surrounding apartments whilst a green arterial route with 'pocket gardens' connects the development to Talbot Road in the north and Renton Road to the south. A play area and further pocket garden is proposed adjacent to the south-eastern parking courtyard whilst a pedestrianised area of hard and soft landscaping is indicated within the central part of the site. Additional tree planting and other soft landscaping is included along Talbot, Christie Road and Renton Road as well as within the site itself.

## **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.

The site is allocated for mixed-use development within the Draft Land Allocations Plan (albeit this is not being progressed) and is identified within Trafford's Strategic Housing Land Availability Assessment (SHLAA) as 'Land at Talbot Road, Stretford' with the potential for 150 residential units.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

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

L7 – Design  
L8 – Planning Obligations  
W1 – Economy  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

## **SUPPLEMENTARY PLANNING DOCUMENTS**

Revised SPD1 – Planning Obligations  
SPD2 – A56 Corridor Development Guidelines  
SPD3 – Parking Standards & Design  
PG1 – New Residential Development

## **PROPOSALS MAP NOTATION**

Smoke Control Zone  
Critical Drainage Area

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

None relevant

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and following a redraft a further period of consultation commenced in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The DCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The DCLG published revised National Planning Practice Guidance (NPPG) on 6 March 2014 and was last updated on 22 October 2018. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None relevant.

## **APPLICANT'S SUBMISSION**

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

- Affordable Housing Note
- Air Quality Assessment
- Consultation Response Letter
- Consultation Statement
- Crime Impact Statement
- Design and Access Statement
- Desk Study and Ground Investigation
- Detailed Quantitative Groundwater Risk Assessment
- Drainage Strategy
- Ecological Survey and Assessment
- Energy Statement
- Financial Viability Appraisal
- Flood Risk Assessment
- Framework Travel Plan
- Landscape Strategy
- Noise Impact Assessment
- Piling Risk Assessment
- Planning Statement
- Point of Connection Report
- Transport Assessment
- Tree Survey
- Updated Ground Gas Risk Assessment

## **CONSULTATIONS**

**Environment Agency:** No objections, conditions recommended.

**Greater Manchester Archaeological Advisory Service:** No reason to seek to impose any archaeological requirements upon the applicant.

**Greater Manchester Ecology Unit:** No objections, conditions and informatives recommended.

**Greater Manchester Fire Authority:** No response received.



**Greater Manchester Police – Design for Security:** No objections, conditions recommended.

**Lead Local Flood Authority:** No objections, conditions recommended.

**Local Highway Authority:** No objections, conditions recommended.

**NHS Trafford CCG:** No response received. Any comments received will be reported in the Additional Information Report.

**Pollution & Licensing (Air Quality):** No objections, conditions recommended.

**Pollution & Licensing (Contaminated Land):** No objections, conditions recommended.

**Pollution & Licensing (Nuisance):** No objections, conditions recommended.

**Trafford Council – Education:** No response received. Any comments received will be reported in the Additional Information Report.

**Trafford Council – Waste Management:** Advice on refuse collection strategy provided.

**Transport for Greater Manchester:** Suggest that a junction impact assessment is undertaken, recommend the level of car parking provision is reduced and recommend conditions.

**United Utilities:** No objections, conditions recommended.

## **REPRESENTATIONS**

Letters of objection have been received from 8no addresses, letters of support from 4no addresses and one letter has been received which neither objects to nor supports the application. It is noted that many of the letters of objection also make points in support of the proposals whilst the letters of support also raise some issues with the proposals. Such issues are covered within the concerns listed below.

Concerns raised in respect of the application are as follows:

- Adding an extra 282 dwellings will significantly increase the amount of cars on the road.
- There is no right turn to Chester Rd from Christie Road, this means all outgoing traffic wanting to go that way will need to use Renton Rd and/or Milton Rd.
- When travelling from Sale and turning right from Chester Rd to Christie Rd there is not much space to queue/wait but next to the isle.
- Traffic congestion on Chester Road and Talbot Road junction will get worse.

- Traffic problems will be exacerbated further on event days such as football and cricket matches as well as on other numerous occasions in the year for other events
- Extra vehicles will create additional dangers to the neighbourhood including noise and pollution and other risks to the residents.
- Concern with the lack of plans for any road layout improvements locally.
- The junction between Chester Road and Christie Road should be signalised. Currently, the junction already suffers from very poor sighting to vehicles travelling from Talbot Road due to the curvature and alignment of the roads and this has the potential to increase road traffic accidents.
- The remodelling of the junction should be undertaken to allow vehicles to depart from Christie Road to turn right on to Chester Road.
- The opportunity should be taken to reinforce the priority of the shared foot/cycle way as it crosses Christie Rd by use of enhanced give-way signage and a table-top for the crossing.
- There are no cycle paths, nor pedestrian crossings on Renton or Milton Rd. As there will be more traffic this should be considered.
- Throughout all works, the shared foot/cycle way should not be obstructed by any construction traffic.
- The level of cycle parking provision falls well short of that required by Trafford MBC's minimum cycle parking standards.
- The dwelling houses appear to show no provision for cycle parking in the plans or Transport Assessment.
- For the Apartment blocks, the cycle parking provision fails to comply with section 11.1.2 of SPD3.
- There appears to be no Short Stay (Visitor) cycle parking.
- The space allocated to cycle parking provision appears in the diagram to be woefully inadequate, and too small to fit the stated number of bicycles in.
- There is no mention of what type of secure cycle parking provision will be installed.
- There is no indication of how secure the cycle parking location will be.
- Cycle safety issues with junction of Christie Road and Chester Road.
- The developer should be required to provide funding (S106 Funding) to make the road crossing across Christie Road safe, and improve the cycle crossing across Chester Road
- The number of flats is too high. The area has predominantly houses and the proposed number of flats will bring far too many people and vehicles to the area.
- The trees on Renton Road should be considered. These are the only thing that improves the aesthetics of the road.
- The proposed dwellings appear too high, especially the flats. This will impact the amount of light/sun and does not match what is already in the area.
- Suitable low cost housing in the form of houses rather than apartments should be preferred and thereby maintaining the local amenity whilst also improving the area.

- The colour of the build does not really blend, sitting alongside the relatively new houses constructed on Renton Road and the older properties in the area.

Comments made in support of the application are as follows:

- In favour of building housing on a derelict industrial estate
- Support the proposal for additional residential property with parking in the area
- Support the application to provide new and affordable housing in this particular area of Trafford. It would transform the area injecting a fresh modern appeal.
- Residential development will stop criminals stealing scrap from existing site.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

New residential development:

4. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5. Policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus these development plan policies are 'out of date' in NPPF terms. It is concluded elsewhere in this report that there are no protective policies in the NPPF which provide a clear reason for the refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged.
- 6. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 59 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
- 7. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring suggests that the Council's supply is in the region of only three years. Moreover, with the introduction of the Government's own figures for housing need, albeit these are yet to be confirmed, the revised annual housing requirement is now likely to be far in excess of the figures set out in the Core Strategy. Additionally, the Council is required to demonstrate how many new homes it is actually delivering in the Government's Housing Delivery Test. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
- 8. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The location of this new housing is significant in that it sits within a short walk of a Quality Bus Corridor on the A56, the Stretford Metrolink stop, together with open space along the Bridgewater Canal and within Gorse Hill Park and Longford Park. The site can therefore be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.

9. The NPPF also requires policies and decisions to support development that makes efficient use of land. The application site is brownfield land and it is considered that the proposal to make best use of the site by delivering 282no new homes in a location that is well served by public transport, accords with the Government's aim of achieving appropriate densities, particularly in the case of new residential development and in circumstances where brownfield land can be exploited.

#### Housing mix:

10. The NPPF at Paragraph 61 requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided.
11. Core Strategy Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+ beds) residential units with 50% of the small homes being suitable for families. Whilst the Council is in the process of producing a new housing strategy, and there is no up-to-date evidence regarding the specific housing requirements in this part of Stretford, it is nonetheless accepted that the general concern across the Borough is that there isn't a high enough proportion of family houses being delivered. Of the 91no houses proposed, 21no will be 4-bed units, 66no 3-bed units and 4no 2-bed units. Of the 191no apartments, 141no will be two-bed units and 50no will be one-bed units. The apartments are generally of a good size and in many cases would exceed the nationally described space standards (albeit this is not a policy requirement). As such, many of the two-bed units, together with the houses could be considered suitable for families.
12. Policy L2.6 of the Core Strategy states that the proposed mix of dwelling type and size for new residential development should contribute to meeting the housing needs of the Borough. It goes on to explain that one-bed general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre.
13. The proposal includes 50no units of accommodation of this type (approximately 29% of the total number of apartments and 20% of the total number of units proposed). It is noted that the Greater Manchester Strategic Housing Market Assessment (October 2016) considers that almost two thirds of additional dwellings in Greater Manchester in the period 2014-2035 will need to be apartments whilst one-bed apartments are acknowledged to represent an affordable entry option into the housing market for many first time buyers. On this basis, the provision of one-bed apartments in this location is considered to be acceptable.

14. Overall, it is considered that the scheme provides a good mix of units which contributes to the housing needs of the Borough.

Affordability:

15. The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 63 states that affordable homes should be sought within all new residential proposals for major development (i.e. developments for ten units or more). Paragraph 64 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market: affordable housing.
16. The site sits within a 'Cold' market location for the purposes of applying Policy L2, and with the Borough now in 'Good' market conditions, this relates to a requirement for 10% of the proposed residential units provided to be delivered on an affordable basis. Policy L2.12 goes on to explain however, that in areas where the nature of the development is such that, in viability terms, it will perform differently to generic developments within a specific market location the affordable housing contribution will be determined via a site specific viability study, and will not normally exceed 40%. It is considered that the apartment element of the scheme, given its scale and nature, would perform differently from other 'generic' housing developments in this area and therefore has a maximum policy requirement of 40% affordable housing.
17. Officers have taken legal advice which has concluded that Vacant Building Credit (VBC) is applicable to the proposed development on this particular site. As set out in the NPPF and NPPG, this is intended to incentivise brownfield development and enables the gross floorspace of existing buildings on the site to be offset against the proposed floorspace for the purposes of calculating a scheme's affordable housing requirement. In applying VBC, the affordable housing requirement for the development is reduced by 84%. This results in a policy requirement of 1 no affordable house and 12 no affordable apartments. The applicant has offered to provide this number of affordable units on site, half of them being shared ownership and half being social/affordable rent. On this basis, the proposed development would be entirely policy compliant in terms of affordable housing provision.

#### Loss of employment land:

18. The land subject to this application constitutes an unallocated employment site. Core Strategy Policy W1.12 states that the following criteria need to be demonstrated in order for a non-employment use to be acceptable in such a location:
- There is no need for this area to be retained for employment purposes and it is therefore redundant;
  - There is a clear need for the proposed land use in this locality;
  - There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;
  - The proposed development would not compromise the primary function of the locality or the operation of neighbouring users;
  - The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford.
19. Core Strategy Policy W1 is considered to be compliant with the NPPF by supporting economic growth and is therefore up to date.
20. The supporting Planning Statement includes an Employment Land Assessment which seeks to demonstrate the scheme's compliance with the above policy. For the reasons set out in this document, the proposal is considered to be acceptable in this respect. In particular it is noted that the site has been vacant since December 2016 and has been marketed for employment use since at least October 2013 with no interest from employment operators. The site is also identified within the Council's Strategic Housing Land Availability Assessment as having the potential to deliver 150 dwellings.
21. There is an established need for housing across the Borough and given the Council's shortfall in deliverable housing land supply and that the site is suitable for residential development for the reasons set out above, it is not considered necessary for alternative sites to be considered.
22. The following sections of this report will assess the impact of the development with regard to its impact on neighbouring land uses and its compliance with other policies in the Development Plan for Trafford, however Officers have no objection in principle to the loss of this employment land for residential use.

#### Conclusion on principle of development:

23. The proposed development would see the creation of 282 new dwellings on this site. Whilst the Council's housing supply policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land

targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 282no new residential units on a brownfield site in a sustainable location within the urban area. It is also considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The 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.

## DESIGN, APPEARANCE AND CHARACTER OF AREA

- 24.Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 130 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"*.
- 25.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"*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
- 26.The Council's adopted guidance document SPD2: A56 Corridor Development Guidelines relates to all development adjacent to the A56 and as such, is of relevance in the consideration of this planning application. Whilst the Itron site is not specifically referred to, the overarching aim of this document is to ensure that all development adjacent to the A56 is of a high quality. The section of the A56 adjacent to the application site is described as follows: *"Although indistinct in character, the general profile not exceeding three storeys in height is maintained throughout this length with the exception of the twelve storey Trafford House and six storey City Point office blocks"*. This does however go on to say that *"The height of these buildings together with other large buildings...defines an urban environment where tall buildings can contribute to a townscape appropriate to a Regional Centre"*.



27. The scheme was originally submitted to the Local Planning Authority as a pre-application planning enquiry, whereby Officers made comments on the appropriateness of the scheme in terms of its design and appearance, amongst other things. During this pre-application process, the applicant chose to put the scheme before a 'Places Matter' design review panel in April 2017, with a follow-up review of a revised scheme taking place in June 2017. This is a process whereby a panel of professionals offers a critique of a particular proposal and makes suggestions as to how improvements could be made.
28. The submitted Design and Access Statement sets out the key points that were given as feedback from these reviews and the scheme has developed significantly and positively as a result of this process, particularly in terms of its density, car parking arrangements and pedestrian connectivity. This is considered to have been a valuable and worthwhile exercise that has significantly improved the layout and overall design approach which has been taken.

Layout:

29. The overall layout of the site mixes the houses and apartments to some degree which helps to give the development a coherent character and appearance rather than one of two discrete schemes. In line with the comments made during the initial 'Places Matter' design review, the layout of the houses in particular now follows a more urban, regimented grid pattern which is less suburban than the scheme originally put forward at pre-application stage and better complements the surrounding street pattern. The density of the scheme has also been increased to achieve this result and Officers are satisfied that the proposals are appropriate in this respect.
30. As noted in the submitted Design and Access Statement, the scheme presented at the follow-up 'Places Matter' review was welcomed, particularly in terms of the increased level of permeability through the site for pedestrians and the development of the central area of amenity space. The use of parking courts, integral garages and car ports restricts the level of parking provided to the front of the proposed dwellings and ensures that the street scene and public realm is not dominated by parked cars. Whilst it is acknowledged that parking courts can sometimes be viewed as unsafe or unsecure by residents of adjacent dwellings, those proposed under the current application provide secure vehicular and pedestrian entrance points which will encourage their use. In addition, the two southern parking courts include play areas, a pocket garden and other soft landscaping to soften their appearance when viewed from surrounding properties and minimise the level of hard surfacing.
31. Detailed consideration of landscaping and open space is covered elsewhere in this report, however the proposed layout provides sufficient space for an

appropriate level of soft landscaping to be provided, in conjunction with a variety of hard surfacing materials and benches within the public realm. In particular the central part of the site includes a 'public square' which is not intended to be accessible to private vehicles and which gives the development a focal point and a good sense of 'place'. The pedestrian routes running north-south through the site, together with the associated 'pocket gardens' provide an attractive, welcoming environment which represents a significant improvement on the existing situation and a positive impact on the character of the area overall.

#### Apartment buildings:

32. The proposed development includes 191no apartments within 10no apartment blocks. Block nos. 1, 2 and 6-10 front Talbot Road with each of the three-storey blocks 6-10 having its own pedestrian access directly from Talbot Road. Blocks 1, 2 and 3 have a part-sloping, part-flat roof design and range from three to six storeys. Blocks 4 and 5 are entirely flat roof structures which partly overhang the north-eastern parking courtyard.
33. The overall approach to the detailed design of the apartment buildings is welcomed, giving the development a high quality appearance whilst also relating to the proposed houses through the use of a common palette of facing materials (a combination of grey and buff brickwork). Sections have been submitted to demonstrate that appropriate recesses and other detailing will be used to give the apartment buildings a suitable level of articulation, particularly in what would otherwise be relatively large, flat elevations in blocks 1-5.
34. The scale of each apartment building is deemed to be appropriate, with the tallest section situated on the prominent corner of Christie/Talbot/Chester Road where the six storeys can be accommodated without harm to the streetscene, surrounding character or residential amenity, having regard to the provisions of SPD2. Feedback from the initial 'Places Matter' design review also noted that the apartment blocks are critical to 'add mass and screen the noise and traffic' from the main routes. The step down to four and three storeys and back up to five storeys along Talbot Road serves to break up the massing of buildings within this part of the site, whilst the pedestrian link between blocks 2 and 6 allows for visual permeability into the central part of the development. A different design approach has been taken to the three storey blocks 6-10 to the other buildings fronting Talbot Road through their 'saw tooth' roof design, townhouse appearance and individual access points. This gives this part of the site a distinctive character and creates an attractive introduction to the development when approaching from Talbot Road to the north-east.
35. As shown on the submitted Christie Road streetscene drawing, apartment blocks 1 and 3 are interspersed with a row of four townhouse-style dwellings which serve to break up the massing and height of the apartment buildings whilst also introducing the 'saw tooth' roof design within this part of the site. A similar

approach has been taken to the northern streetscene of the internal road, with the apartment block 3 stepping down from five to four storeys before a further step down is achieved with a row of three storey townhouses. Apartment blocks 4 and 5 step back up to five storeys adjacent to the less sensitive north-eastern boundary of the site. As can be seen on site section J-J, apartment block 5 also steps down to three storeys at the point where it is closest to houses proposed along the north-eastern boundary of the site which helps the relationship between these two elements of the scheme both in visual and amenity terms.

#### Houses:

36. The 91no proposed houses comprise a mix of ten different house types. There is significant variation between many of these house types in terms of roof design, detailing and approach to parking provision, although a common palette of materials is used for all units and the general design approach is cohesive across the site. As with apartment blocks 6-10, some of the units (Type A, B, B1 and F) incorporate a 'saw tooth' roof design which recalls the former industrial use of the site. Others (Type H and J) feature pitched roofs with half-dormers to the front and rear, including metal fascia detailing to some window surrounds whilst Type G has a flat roof with parapet detailing. The units on corner plots (Type K, K1 and K2), whilst including many of the details of the other house types such as window design and surrounds, differ significantly in their form and provide an interesting contrast to the other units in these prominent locations.
37. Sections have been provided to demonstrate appropriately deep recesses to the windows, doors, feature panels and between some units to ensure that the level of articulation achieves a high quality final appearance. As noted above, a common palette of facing materials is used across the site with buff brick, grey brick and a combination of the two being used to add some variation within the development. The majority of the proposed houses are three-storeys, with the exception of Type E which is a two-storey unit. Issues with amenity are assessed elsewhere in this report, however the scale of the houses does not raise any concerns in design terms.
38. A combination of integral garages, carports and courtyard parking is used for the houses. The level of parking provision is considered within the appropriate section of this report, however the approach taken to car parking ensures that the 'internal' and 'external' streetscene is not dominated by vehicles and generally allows space for soft landscaping to be provided. The use of car ports also enables these properties to be used flexibly, depending upon the number of vehicles owned by residents of a particular unit whilst the use of parking courtyards directs some vehicles away from more prominent locations.
39. Overall, following the pre-application discussions and amendments which have taken place, the detailed design of the houses is now considered to be excellent, giving the development a high quality finish without being at odds with the

character and appearance of the surrounding area. The modelling and articulation achieved through the use of recesses, detailing and the variety of roof types adds interest to the scheme which, given the prominence of the site is of considerable importance in this location.

#### Summary:

40. Given the above, the proposed development is considered to demonstrate an excellent standard of design and appearance and would have a clear positive impact on the character of its surroundings. In reaching this conclusion, Officers have had regard to relevant local and national planning policies and representations received in response to public consultation. The Local Planning Authority strongly welcomes the applicant's decision to engage with a 'Places Matter' design review panel and has made significant changes to the scheme at pre-application stage to address the points raised, resulting in a much improved, higher quality scheme to that originally proposed. The applicant's approach not to use standard house types which could be found anywhere in the country should be applauded, and is a refreshing and welcome departure from the usual approach of volume housebuilders.

#### HERITAGE ASSETS

41. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.
42. Paragraph 193 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises. Significance is defined in the NPPF as 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.' Setting of a heritage asset is defined in the NPPF as 'The surroundings in which a heritage asset is

experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

43. The closest designated heritage assets to the site are the listed buildings of the Church of St Ann and St Ann's Presbytery approximately 0.3 miles along the A56 to the south-west and the Stretford War Memorial, Gorse Hill Park Entrance Portal and Lodges and The Great Stone approximately 0.4 miles along the A56 to the north-east (all Grade II).
44. The Church of St Ann, and St Ann's Presbytery, both Grade II listed, were designed by Pugin and built between 1862 and 1867. They derive their significance from their architectural and historical value, their group value and from the land mark quality of the church spire. The taller buildings on the proposed development site will be visible in the same context as the church and its spire from a limited number of vantage points. However, given the architectural quality of the proposed buildings and the fact that they will replace the industrial sheds currently on the site, the distance of these heritage assets from the application site and the intervening buildings and trees that sit between them, it is not considered that the proposed development will have a harmful impact on the setting of the church or presbytery. Indeed if anything it is considered that the setting of the buildings will be enhanced from some vantage points.
45. The Gorse Hill Park Entrance Portal and Lodges are listed at Grade II and are significant for their aesthetic and illustrative historical values. They previously formed one of the entrances to Trafford Hall, but currently occupy a prominent position on Chester Road. The imposing structure has landmark quality.
46. The Great Stone lies at the entrance to Gorse Gill Park Gates and is also listed at Grade II. The stone is likely to be the base of a Medieval cross, used later as a plague stone and is significant for its illustrative historical and evidential values
47. The Stretford War memorial was erected in 1923, is dedicated to the First World War and occupies a prominent position on Chester Road opposite the Gorse Hill Park Gates. The Grade II listed structure is significant for its aesthetic, illustrative and communal values.
48. Given the distance of these designated heritage assets from the application site and the intervening buildings and trees that sit between them, it is not considered that the proposed development will have a harmful impact on the setting of the war memorial, entrance portal and lodges or the Great Stone.
49. Paragraph 197 of the NPPF identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in

determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

50. The Bridgewater Canal, a non-designated heritage asset sits to the south-west of the application site, across the opposite side of Christie Road. The canal, which opened in 1761, derives its significance from being the first canal in Britain to be built without following an existing watercourse and being a key instigating factor in the urban development of the Stretford and Old Trafford area. The Itron site sits to the north east of the canal, and whilst a single storey industrial shed sits between the two, it is considered that the new development will form an attractive and improved setting for the canal given the architectural quality of the proposed scheme.

#### Conclusion on impact on heritage assets:

51. It is not considered that the proposed development will adversely affect the setting of the identified designated or non-designated heritage assets. It can be concluded therefore that the impact of the scheme on designated heritage assets does not provide a clear reason for refusing the proposed development in the context of NPPF paragraph 11 d) i.

#### RESIDENTIAL AMENITY

52. 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”*.

53. The Council’s adopted supplementary guidance document for new residential development (referred to onwards as ‘PG1’) sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:

- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
- 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)
- 15m between a main elevation with habitable room windows and a facing blank elevation
- 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)

#### Impact on properties on Renton Road:

54. The existing properties on the south side of Renton Road would be approximately 23m away from the front elevation of the proposed properties on the north side of Renton Road at their closest point. Whilst this is slightly less than the 24m sought by PG1 for properties of three or more storeys, this is considered to be sufficient to ensure there is no detrimental overlooking or overshadowing impact on these neighbouring dwellings.
55. There is a row of 8 no recently constructed dwellings adjacent to the north-eastern boundary of the site on Renton Road. The closest proposed dwelling to these properties (plot 1, house type K1) would be approximately 4.7m from this boundary and a further 4.8m to the nearest neighbour, being separated by an access road to the rear of the adjacent site. Whilst the proposed dwelling within plot 1 has a rear terrace, this would not overlook any usable amenity space, only the access road to the side of the neighbouring property. In addition, all three windows in the side elevation of this neighbour are obscure glazed, ensuring there is no overlooking impact in this respect. Given this situation, there is not considered to be any impact on the amenity of these neighbouring properties.

#### Impact on properties on Talbot Road:

56. There are a number of three storey apartment buildings on the northern side of Talbot Road opposite the Itron site. There is considered to be a limited impact on the amenity of these due to the separation distance of approximately 29m from the proposed development (which accords with the above guidance), and given the presence of the intervening road and soft landscaping. The proposed development is therefore considered to be acceptable in this respect.

#### Amenity of future occupiers of proposed development:

57. PG1 seeks to ensure that new dwellings, including apartments, provide some private outdoor amenity space. This guidance goes on to say that 18sqm of adequately screened communal area per flat is generally sufficient for its functional requirements, whilst around 80sqm of garden space will normally be acceptable for three-bed semi-detached houses in an area of similar properties
58. With regard to the apartments, blocks 1-3 are served by a raised amenity deck above the north-western parking court. This provides approximately 650sqm of outdoor amenity space which equates to 6.4sqm per unit. Apartment blocks 6-10 are served by small defensible garden areas to the front whilst blocks 4-5 do not have any designated private outdoor amenity space. It is acknowledged that the site is in close proximity to areas of publicly accessible open space, in particular Gorse Hill Park and Longford Park which could be used by future residents of the development. The provision of open space is covered elsewhere in this report, however Officers consider that an acceptable level of on-site amenity space is

proposed for the apartments, given the location of the site in proximity to the above Parks.

59. In terms of the houses, with the exception of the 4no Type E units, all are served by their own private garden area. In relation to types A, B and B1, these are in the form of a raised deck above the parking court below and are at least 25sqm in size. The gardens serving the other houses range from approximately 42-53sqm. Whilst this is less than the amenity space figures set out in PG1, Officers consider that this is in keeping with the general approach which has been taken to the layout and design of the development and enables a higher density development making efficient use of land. Overall, it is considered that a sufficient amount of outdoor space is provided for future residents to ensure a good standard of amenity in this respect.
60. Whilst many of the 'within site' interface distances are below the standards set out in PG1, Officers acknowledge that impacts in this respect are likely to be less significant than those with existing properties, given that there is no impact upon an existing situation. Furthermore, parts of the site such as the central north-south pedestrian route are designed to have a closer, more intimate character and as such the reduced distances (10.5-12.5m) are not considered to be inappropriate here. The terraces of house types K1 and K2 as originally proposed would have resulted in significant overlooking impacts on the gardens of neighbouring units and as such, the designs of these have been amended to include a high wall to the affected side boundary. Officers are now satisfied that there are no unacceptable overlooking, overshadowing or overbearing impacts on any proposed dwellings within the site.
61. Given the relatively short interface distances between many of the proposed houses, it is considered necessary to attach a condition removing Permitted Development rights for dormer windows, in the interests of protecting residential amenity. This should be conditioned with any consent issued.
62. The proposed bin stores serving the apartments are located in appropriate locations to ensure there is no detrimental impact on neighbouring or future residents through noise or odour from these sources. These are also not unduly prominent or in visually intrusive locations.
63. The application is accompanied by a Noise Impact Assessment which considers the impact of traffic noise on future occupiers of the proposed development. This concludes that noise from road traffic on the surrounding road network is the main source of noise in the area and recommends that a noise mitigation scheme, including acoustic fencing for some gardens and upgraded glazing and ventilation for the most exposed living rooms and bedrooms is provided.
64. The Council's Pollution and Licensing section have not raised any issues with regard to noise, subject to a condition requiring the implementation of the



recommended mitigation measures and the submission of an associated validation report. On this basis, the application is deemed to be acceptable in this respect.

#### Noise impacts on surrounding properties:

65. The proposed development is not considered to result in an undue impact on surrounding properties through noise once operational, given that this is a residential use within a largely residential area and therefore wholly appropriate. Whilst some additional vehicular movements will be generated in the peak PM period, the highway section below explains that this impact will be limited and there is not considered to be an unacceptably greater impact from noise resulting from the development.

#### Air Quality:

66. The northern edge of the application site close to Talbot Road sits within the Greater Manchester Air Quality Management Area (AQMA). The application is accompanied by an Air Quality Assessment (AQA) which considers the potential impact of the development on air quality and the impact on the development from the existing situation. This concludes that during the construction phase, the development has the potential to cause air quality impacts as a result of fugitive dust emissions from the site. However subject to control measures, the residual potential air quality impacts are not predicted to be significant. The AQA also concludes that NO<sub>2</sub> (nitrogen dioxide) and PM<sub>10</sub> (particulate matter) levels are predicted to be below the AQO (Air Quality Objective) across the entirety of the site and as such, would not result in unacceptable exposure for future residents. Overall, the assessment states that the location is considered suitable for residential use without the inclusion of mitigation methods to protect future users from poor air quality, and that air quality is not considered a constraint to planning consent for the proposed development.
67. The Council's Pollution and Licensing section recommends attachment of a condition to require the submission of a Construction Environmental Management Plan to incorporate the mitigation measures outlined within the report. They also confirm that no specific mitigation will be required in respect of the operational phase of development.
68. The provision of low emission vehicle charging points has been recommended by Pollution and Licensing, however the applicant has advised that none are to be provided. Whilst this is disappointing, given the other benefits provided by the scheme, it is not considered that the application could reasonably be refused on this basis.
69. Subject to the above conditions, the proposed development is considered to be acceptable with regard to matters of air quality.

## HIGHWAY MATTERS

70. Policy L4 of the Trafford Core Strategy states that *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way”*.
71. Paragraph 109 of the NPPF notes that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.

### Car parking:

72. The Council's adopted SPD3: Parking Standards and Design seeks to achieve one car parking space for each one-bed residential unit, two spaces for each two/three-bed unit and three spaces for each four-bed unit in this location (Area C). Based on these standards, the proposed apartments would be expected to provide a maximum of 332no car parking spaces.
73. The proposed plans indicate that 224no car parking spaces would be provided within two parking courts to the rear of the apartment buildings fronting Talbot Road, 126no within the north-western courtyard and 98no within the north-eastern. Within the north-western courtyard, 24no spaces would serve the 12no houses which back on to this courtyard and do not have their own within-curtilage parking facilities. The remaining 102no spaces would serve the surrounding apartments within blocks 1, 2 and 3, providing one space per unit. Within the north-eastern courtyard, 94no spaces would be available for the surrounding apartments and house plots 63-66 (including 10no accessible spaces) whilst 4no visitor parking spaces are also provided, one of which is accessible.
74. The proposed houses with car parking space within their curtilage are in line with the SPD3 standards, with the exception of house types K1 and K2 which are four-bed units with 2no parking spaces available for each. This level of parking is considered to be appropriate, particularly given that the SPD3 figures are maximum standards. Furthermore, house types K1 and K2 are all on corner plots where additional car parking facilities are likely to appear unduly prominent and likely to impact detrimentally upon the streetscene.
75. Two southern parking courtyards would be available for use by the houses surrounding these which do not have their own within-curtilage parking facilities.

These are in line with the SPD3 standards, as the 'Parking Allocation Plan' demonstrates 2no spaces being available for each of these units (as well as 4no visitor parking spaces). This level of visitor parking provision is considered to be appropriate.

76. As 224no car parking spaces are proposed to serve the apartments, this equates to a shortfall of 108no spaces from the maximum standards set out in SPD3. As noted above, the proposed houses are all in accordance with the SPD3 car parking standards, with the exception of house types K1 and K2 (5no units). Transport for Greater Manchester (TfGM) has commented on the application and amongst other points, has suggested a reduction in the overall number of car parking spaces. Whilst the LPA concurs with TfGM's view that the site is in a sustainable location close to public transport routes, Officers are satisfied that the level of car parking is reasonable and necessary to serve the proposed development in order to avoid detrimental impacts on the surrounding highway network. Furthermore, the standards set out in SPD3 are maximum figures and given that the number of spaces to be provided does not exceed these, it is not considered reasonable to require a reduction in the amount of car parking to be provided.
77. Officers consider it necessary to attach a condition removing Permitted Development rights for the conversion to living accommodation of the garages and car ports serving many of the proposed houses. This is deemed to be necessary in the interests of ensuring sufficient car and bicycle parking space is retained within the curtilage of these dwellings. The Local Highway Authority (LHA) advises that they will seek to include or amend suitable Traffic Regulation Orders as part of the highway works, in particular extending the existing event day parking restrictions to any of the new site roads. An informative will be attached to this effect.
78. Given the above, the proposed development is considered to be acceptable with regard to car parking provision.

#### Access and impact on highway network:

79. A Transport Assessment (TA) has been submitted to accompany the application and considers the accessibility of the proposed development and its anticipated impact on the surrounding highway network.
80. The proposed vehicular site accesses are considered to be acceptable. The submitted TA states that the accesses will each provide a 5.5m-wide carriageway, 6m junction radii and 2m-wide footways on both sides of the road, including dropped kerbs and tactile paving to assist pedestrians. These would also provide sufficient visibility splays for drivers exiting the site, both being in excess of the requirements set out in 'Manual for Streets'. The LHA raises no concerns in respect of vehicular access, although it is noted that the existing

traffic calming measures on Christie and Renton Road will need to be amended as they would currently restrict access into the driveways for some of the proposed houses. A condition should be attached to any consent issued to require these works to be implemented.

81. Pedestrian access points to the site are proposed from Talbot Road to the north and Renton Road to the south. These provide pedestrian connectivity through the site whilst also linking to the open space and vehicular highway within the site. The application is deemed to be acceptable in this respect.
82. With regard to pedestrian accessibility, the TA includes a map to show areas within a reasonable walking distance of the site. This demonstrates that a range of facilities are accessible on foot within 2km of the application site, including open space, schools, Stretford Leisure Centre, retail facilities, health facilities, bus stops and two Metrolink stations. A similar exercise has been undertaken in relation to accessibility by bicycle, the map showing a 5km radius which includes a number of national cycle routes as well as the facilities within the 2km walking distance. Officers are satisfied that the application site is situated within a sustainable location with good accessibility to a range of facilities by a range of sustainable and public transport options.
83. Figures have been provided to show the number of vehicular accidents in the vicinity of the site between December 2014 and December 2017. The distribution, frequency and severity of accidents within this period (four slight and two serious) does not indicate any unusual patterns or clusters of accidents near to the site and as such, there is no identifiable safety issue in this location associated by the proposed development.
84. The submitted TA also provides information from the TRICS database to assess the potential trip generation of the development when compared to the trip generation of the existing lawful use of the site. Developments of a similar scale, nature and location have been taken into consideration to provide evidence from comparable sites.
85. In terms of private vehicle movements, this data demonstrates that the proposed development would generate approximately 30no arrivals and 83no departures in the peak AM period (08.00-09.00), and 82no arrivals and 41no departures in the traditional peak PM period (17.00-18.00). With regard to the existing lawful use of the site, the Transport Assessment shows that approximately 88no arrivals and 46no departures in the peak AM period, and 26no arrivals and 75no departures in the peak PM period would be expected.
86. When considering this existing lawful use against the proposed development, the proposal would result in approximately 58no fewer arrivals and 37no additional departures in the peak AM period, and 56no additional arrivals and 33no fewer departures in the peak PM period. Cumulatively, this relates to 21no fewer two-

way trips in the peak AM period and 23no additional two-way trips in the peak PM period.

87. The TA notes that during the period with the greatest increase in flows (arrivals, peak PM), this equates to approximately one additional vehicle every minute which is not anticipated to have a material impact on the operation of the local highway network, particularly once this has been distributed on the local highway network and between various accesses. On the basis of the above TRICS results, the TA concludes that there is no requirement to undertake detailed operational assessments of the local highway network.
88. The LHA concur with the conclusions of the above Assessment, noting that they are satisfied that the residual traffic from the proposed development will not have a severe impact on the surrounding highway network. Officers note that TfGM has raised concerns regarding the trip generation figures presented in the TA and has suggested that an assessment of surrounding junctions is carried out. This is due to the prominent location of the site and their view that the highway network in its vicinity is often congested. Prior to the submission of the application, the LHA had agreed the scope of the TA with the applicant, including the methodology for access traffic impacts. On the basis that the LHA are a statutory consultee that has not objected to the application in this respect, Officers are satisfied that residual impacts on the highway network resulting from the development would not be 'severe'. In accordance with the NPPF, the application should therefore not be refused on these grounds.
89. A number of representations raise concerns regarding the existing junction of Christie Road and Chester Road, issues with congestion on Talbot Road and Chester Road, as well as issues with traffic on match days in particular. Officers appreciate the concerns relating to this junction and the amount of traffic using these roads at peak times, however the Transport Assessment has adequately demonstrated that the proposed development will not result in a significant increase in the number of vehicles using the surrounding highway network, compared with the existing lawful use of the site. A proposed development cannot, through the planning process, reasonably be expected to remedy existing issues and as noted above, the proposals are not deemed to worsen the current situation in these respects to an extent that would warrant a refusal of planning permission. On this basis, it is not considered reasonable to require the developer to fund or carry out improvements to the surrounding highway network (other than in relation to the existing traffic calming measures on Christie and Renton Road referred to above), as these would not directly relate to the proposed development.

#### Cycle parking:

90. SPD3 seeks to achieve the following minimum levels of cycle parking provision in relation to residential development:

- 1no communal space or 1no allocated space for each one-bed unit
- 1no communal space or 2no allocated spaces for each two/three-bed unit
- 2no communal spaces or 4no allocated spaces for each four-bed unit

91. This relates to a total requirement of 191no communal spaces or 332no allocated spaces in relation to the apartments. A 'Cycle Allocation Plan' has been submitted by the applicant to show the location of cycle parking facilities within the site, the units each store will serve and the number of bicycles these can accommodate. This shows three cycle stores within the north-western courtyard containing a total of 121no cycle parking spaces and seven stores within the north-eastern courtyard containing 95no spaces, resulting in a total of 216no spaces within the northern part of the site. On the basis that these serve as communal spaces, this level of cycle parking provision is in accordance with the requirements of SPD3 and is considered to be acceptable. A condition should be attached to any consent issued requiring the submission of design details of the cycle stores and their implementation.

92. With regard to the houses, SPD3 notes that cycle parking need not be provided if garages are available. Amended plans have been provided to show that the house types with garages/car ports can accommodate at least one bicycle within these garages. An additional cycle store is now proposed within the south-western courtyard to provide space for 58no bicycles. This is intended to provide cycle storage facilities for the house types which do not have garages or car ports, as well as additional storage for the house types which do. Overall, this provision is considered to be acceptable, again subject to a condition relating to the design of the cycle store and its implementation. Cycle parking for visitors to the site can be accommodated at the houses with garages/car ports whilst the communal nature of the other cycle parking facilities is considered sufficient to ensure that demand for visitor parking facilities can be appropriately accommodated.

93. SPD3 sets out a number of principles relating to the design of cycle storage facilities. These are as follows:

- Cycle parking should be close to building entrances (no more than 30m away)
- Cycle parking should benefit from good natural surveillance, being overlooked by public or staff, and covered by CCTV cameras where possible
- Stands should be in a well-lit location
- Cycle parking should be easily reached from the public highway, but away from potential road hazards. Access/egress routes should be incorporated within the design where necessary, and these should avoid the need, as far as possible, for the cyclist to dismount until arrival at the parking facility.

- Locations of cycle parking should avoid conflict with pedestrians, particularly the visually impaired, and should be protected from any nearby motor vehicle movements
- Appropriate and clearly visible signage is required to direct cyclists to cycle parking facilities
- In residential schemes, cycle parking should be at least equally as accessible as car parking

94. The spread of cycle parking facilities across the site ensures that these will be within close proximity to building entrances, whilst good natural surveillance is achieved through overlooking from surrounding buildings. A condition will be attached to any consent issued requiring the submission of an external lighting scheme for the site which can ensure that these facilities are appropriately well-lit, whilst being located away from potential road hazards. There is not considered to be any conflict with pedestrians whilst it will be in the developer's interest to ensure provision is made for appropriate signage. Officers are also satisfied that the cycle parking which is to be provided will be at least as accessible as the car parking facilities, again given its spread across the site.

95. SPD3 also includes more detailed design guidance for cycle storage facilities. Although full details of the elevations and type of cycle storage to be provided have not been submitted, Officers are satisfied that these matters can be appropriately addressed through a suitable planning condition requiring the submission of these details. This will ensure the detailed design guidance in SPD3 is given consideration. Notwithstanding this, Officers are satisfied that the number of cycle parking spaces shown on the submitted plans can be securely accommodated within the areas identified.

96. A number of representations raise concerns regarding existing issues with surrounding cycle routes and the potential impact of additional cars on cycle safety. Similarly to the concerns with nearby junctions mentioned above, a proposed development cannot reasonably be expected to remedy, through the planning process, existing issues, and the lack of a significant increase in vehicle movements as a result of the proposals indicates that improvements in this respect cannot reasonably be sought. In addition, the Council has recently introduced improvements to the Stretford Cycleway along Talbot Road in the vicinity of the application site, creating a greater degree of physical segregation between cycle lanes and vehicular traffic.

97. Representations request that throughout all works associated with the development, the nearby shared footpath/cycleway should not be obstructed by any construction traffic. A condition should be attached to any consent issued requiring the submission and implementation of a Construction Method Statement, which shall include details of any construction-related impacts. This will enable the Local Planning Authority the opportunity to minimise disruption as far as reasonably possible.

98. Overall, the proposed development is considered to be acceptable with regard to cycle parking provision.

#### Servicing:

99. The application is accompanied by an amended Refuse Collection Strategy which includes indicative bin lorry routes, collection points, routes for bins to be moved for collection and bin store locations. Collection points are proposed on Talbot Road, Christie Road, Renton Road and from the kerbside within the site itself. Bin stores are proposed within the parking courts serving the apartment buildings.

100. In respect of the Refuse Collection Strategy initially submitted, the LHA commented that as the properties without any frontage have bin collection points which are over 10m from the properties themselves, the strategy would need to be reconsidered. As a result, an amended version has been provided which is deemed to address concerns raised by the LHA and the Council's Waste Management service. A condition should be attached to any consent issued requiring compliance with this Strategy. Subject to this condition, the proposed development is considered to be acceptable in this respect.

#### Summary:

101. The comments made by local residents in relation to highway matters have been considered, however the development is deemed to be in accordance with local and national planning policy and the 'residual cumulative impacts' are not considered to be 'severe' (as set out in NPPF paragraph 109). As such, the proposed development is considered to be acceptable in this respect.

#### TREES, LANDSCAPING AND OPEN SPACE

102. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.

103. The application proposes the removal of all existing trees from within the site to facilitate the proposed development. The initial submission was accompanied by a Tree Survey which provides an assessment of the condition of existing trees on and adjacent to the application site. This concludes that no trees surveyed are protected by a Tree Preservation Order (TPO) and recommends the removal of one cherry tree on the Renton Road frontage due to decay and fungal fruiting bodies, and one tree group 'not worthy of retention' on



the Talbot Road frontage. It is noted that this Survey does not make recommendations specifically related to accommodating the proposed development and as such, a full Arboricultural Impact Assessment (AIA) was requested from the applicant.

104. The applicant has advised that the removal of all trees from the site is necessary due to the processes required to undertake remediation of contaminants in soil and groundwater beneath the site. A letter from the applicant's contaminated land consultant has been submitted which explains the process associated with the remediation of the site and confirms that there is a need for soils under the whole site to be remediated. Whilst the retention of trees is encouraged wherever possible, Officers are satisfied that this is not a reasonable possibility in this instance. As such, the removal of these trees is acceptable subject to appropriate replacement and additional tree planting as part of the development.
105. The application is accompanied by a landscaping plan and strategy which proposes a number of semi-mature ornamental trees and hedging to the Talbot Road and Christie Road frontages, smaller ornamental trees within the front gardens of houses on Christie Road, as well as semi-mature trees adjacent to the pedestrian and vehicular access points on Renton Road. Several semi-mature street trees and ornamental trees are proposed within the central area of amenity space, parking courtyards and within some rear gardens whilst the footpath link is flanked by small ornamental tree and shrub planting and a number of 'pocket gardens' with benches. The north-western parking courtyard includes a raised amenity deck which could be accessed by residents of the adjacent apartment blocks. This includes raised timber planters, metal trellis panels, sheltered seating areas and timber dining sets, benches and pergolas.
106. Proposed hard landscaping includes timber decking to the raised amenity deck and raised gardens, which is considered a reasonable approach given the likely difficulties of maintaining more substantial soft landscaping in these areas. The central area of amenity space comprises block paving in a limited range of colours with cobble sett paving to the footpath link. Flag paving is used to the frontages of most houses within the site, whilst tarmac is used for those fronting Christie and Renton Road.
107. Overall, the proposed landscaping scheme is considered to complement and enhance the development whilst also contributing to the improvement of the Borough's green infrastructure network. Conditions should be attached to any consent issued requiring the implementation and maintenance of all landscaping proposed within the site and on this basis, the application is considered to be acceptable in this respect.
108. The Council's adopted SPD1: Planning Obligations states that *"large residential developments of approximately 100 units, or that provide homes for*

300 people or more, will need to provide new open space as part of the site design". Core Strategy Policies R3 and R5 provide further clarification on how this could be provided. An 'Amenity Space Plan' has been submitted which indicates 2,326sqm of local open space being provided on-site. This relates to the central square area, pedestrian link running north-south through the site and a piece of land to the south of apartment block 5. Officers disagree that all of the areas constitute 'local open space' as defined in SPD1 whilst the amount to be provided falls short of the level sought in this document. SPD1 accepts that in some circumstances, a commuted sum may be acceptable where open space is not provided on site. The principle of a financial contribution is acceptable in this instance, given the proximity of the site and accessibility to Gorse Hill Park and Longford Park. In the case of Gorse Hill, there is a pelican crossing over Talbot Road close to the Milton Road junction which provides safe pedestrian access, whilst Longford Park is easily accessible via the nearby footbridge over the tram line, near to the southern part of the site. A figure for a financial contribution towards open space, as well as figures for young people's facilities, outdoor sports and off-site tree planting has been calculated and this is assessed within the 'Developer Contributions and Affordable Housing' section of this report.

## ECOLOGY

109. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 175 of the NPPF states that *"if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*. This policy is considered to be up to date in terms of the NPPF and so full weight can be afforded to it.
110. The application is accompanied by an Ecological Survey and Assessment, including a Licensed Bat Survey dated August 2018. This concludes that a residential development at the site is feasible and acceptable, in accordance with ecological considerations and the National Planning Policy Framework. This goes on to say that there are no ecological constraints on the site and the proposals can be achieved with no adverse effect on designated sites for nature conservation, ecologically valuable and significant habitats.
111. A number of mitigation and biodiversity enhancement measures are recommended, including the use of appropriate lighting, carrying out work outside of the bird breeding season, the use of bird boxes and the implementation of an appropriate landscaping scheme. The Greater Manchester Ecology Unit (GMEU) has been consulted and confirms that the assessment has been undertaken by a licensed and experienced ecological consultancy that appears to have undertaken a detailed survey of the site and carried out an appropriate level of survey.

112. With regard to bats, no evidence of roosting bats was found at the time of survey and the potential for roosting was considered to be negligible to low. The GMEU recommends that as bats are highly mobile creatures, an informative should be attached to any permission granted advising that it is an offence to disturb, harm or kill bats and that work should cease if any are found during demolition/construction. It is also advised that if there is a significant delay in the demolition works, a resurvey of the buildings may be required immediately prior to the works being carried out.
113. With regard to nesting birds, the GMEU advises that a condition should be attached to any consent issued restricting works to trees, shrubs and existing building to outside of the bird breeding season, given that the proposals will result in the loss of trees and scrub from the site and some buildings are used by nesting birds.
114. The GMEU also recommends that the scheme includes measures to enhance biodiversity at the site, in line with the requirements of the National Planning Policy Framework. While the submitted ecology report has made recommendations for such measures, these do not appear to have been incorporated into the landscape strategy for the site. As such, a condition should be attached to any consent issued requiring the submission and implementation of a scheme of biodiversity enhancement measures, in accordance with the recommendations of the submitted report.
115. Given the above, the proposed development is considered to be acceptable in with regard to matters of ecology and biodiversity subject to the recommended conditions and informatives.

## FLOODING AND DRAINAGE

116. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 163 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.
117. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of flooding, although the site does fall within a Critical Drainage Area. The applicant has submitted a Flood Risk Assessment to accompany the application.
118. The Lead Local Flood Authority (LLFA) has been consulted on the application and has not raised any objections to the development, subject to the imposition of planning conditions relating to the submission of a detailed

sustainable urban drainage scheme and foul and surface water being drained on separate systems.

119. United Utilities has also commented on the application and recommend a number of conditions which, incorporating the comments of the LLFA, should be attached to any consent should planning permission be granted. United Utilities also note that a water main crosses the site and they need unrestricted access for operating and maintaining it and will not permit development over or in close proximity to the main. This is a matter for the developer to consider and will be included as an informative on any consent granted.
120. Given the above, the application is considered to be acceptable in terms of flooding and drainage and compliant with relevant local and national planning policies and guidance in this respect.

## CONTAMINATED LAND

121. Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Paragraph 180 states that local policies and decisions should ensure that new development is appropriate for its location, having regard to the effects of pollution on health or the natural environment, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution.
122. The site has been subject to an industrial usage that has resulted in contamination being present across the site. The application is accompanied by a Desk Study and Ground Investigation which covers an assessment of land contamination, contamination of groundwater and also potential ground gas risks to future site users.
123. The assessment has demonstrated that there are levels of different contaminants present across the site that would adversely affect the health of future site users. The assessment has demonstrated that levels of ground gas and volatile organic compound require suitable mitigation measures to be provided in any building on this site.
124. It is noted that there remains on site a number of process buildings and areas of hardstanding which the site investigation has identified. Whilst it is noted that investigation has taken place across the site, there is a concern that when demolition of site buildings occur this will reveal areas of contamination previously hidden and will also allow more detailed investigation of the site. The site investigation acknowledges that further investigation will be required post site clearance. On this basis, the Council's Pollution and Licensing section advises

that a condition is attached to any consent issued requiring the carrying out and submission of further site investigation work and associated remediation strategy.

125. The Environment Agency (EA) has also been consulted and advises that the site is located in an environmentally sensitive location, being above a 'Secondary A' aquifer (superficial deposits), a 'Principal Aquifer' (bedrock) and in immediate proximity to Longford Brook, which are considered to be controlled waters. The EA goes on to conclude that planning permission could be granted for the proposed development, subject to conditions relating to the submission of a contaminated land remediation strategy and verification report.

126. Subject to the imposition of conditions recommended by the Environment Agency and the Council's Pollution and Licensing section, the proposed development is considered to be acceptable with regard to matters of contaminated land.

## DEVELOPER CONTRIBUTIONS AND AFFORDABLE HOUSING

127. The proposed development would be liable to a CIL (Community Infrastructure Levy) rate of £0 per sqm for the apartments and £20 per sqm for the houses, being situated in a 'cold' CIL charging zone.

128. Policy L1 of the Trafford Core Strategy states that the Council will seek to deliver high quality housing affordable by all sectors of the community by releasing sufficient land to accommodate a minimum of 12,210 new dwellings up to 2026. Policy L2 of the Trafford Core Strategy states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough. In order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market:affordable housing. The Borough is significantly underperforming against the 40% affordable homes target when compared to anticipated delivery at this stage in the plan period.

129. Policy L2 also sets out that the expected delivery method of affordable housing would be on site; at least 50% of the affordable housing provision will be required to be accommodation suitable for families; the affordable housing element should reflect the overall mix of unit types on the site and a split of 50:50 in the affordable housing units to be provided between intermediate and social/affordable rented housing units. Further detail on mechanisms to secure affordable housing delivery and provision are included in the Revised SPD1: Planning Obligations.

130. As set out earlier in this report, the applicant has offered a policy compliant level of on-site affordable housing, equating to 1no affordable house and 12no affordable apartments. Half of these would be shared ownership units and half social/affordable rent. As noted above, these figures have been

calculated following the application of Vacant Building Credit which Officers are satisfied should be applied in this instance. On this basis, the proposed development would be entirely policy compliant in terms of affordable housing provision and is acceptable in this respect.

131. Given the shortfall in on-site open space provision identified earlier in this report, there is a requirement for a financial contribution towards the provision and/or improvement of off-site open space, young people's facilities, outdoor sports and tree planting. A figure of £577,844 has been calculated in accordance with the Council's adopted SPD1: Planning Obligations and the applicant has confirmed that such a contribution will be viable. The proposed development can therefore be considered policy compliant in this respect.

132. A section 106 agreement will be necessary to ensure that the affordable housing units are provided on site and to require the payment of £577,844 towards off-site open space provision/improvements. As the developer contributions proposed are entirely development plan policy compliant, no examination of scheme viability or overage provisions are required circumstances. No other developer contributions are required in relation to the proposed development and on this basis, the application is deemed to be acceptable in this respect.

## OTHER MATTERS

### Security and safety:

133. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.

134. A Crime Impact Statement has been submitted alongside the application and notes that the layout of the proposed scheme is acceptable in terms of security and safety, subject to a number of recommendations being implemented. Greater Manchester Police's Design for Security section has been consulted and has recommended that the development is designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement. They also recommend that a condition is imposed requiring the scheme to reflect the physical security specification set out in this statement.

135. On this basis, the proposed development is considered to be acceptable with regard to matters of security and safety subject to the condition requested above.

## External lighting:

136. The application does not include details of any proposed external lighting and as such, a condition will be attached to any consent issued requiring the submission of a lighting scheme. This will ensure there is no harm to residential amenity through excessive light levels and will also ensure that any external lighting does not cause disturbance to bats and other wildlife in the surrounding area. Subject to this condition, the proposed development is deemed to be acceptable in this respect.

## PLANNING BALANCE AND CONCLUSION

137. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted. However, the development plan policies which are 'most important' for determining this application, those relating to housing land supply, are out of date. Paragraph 11(d) of the NPPF is therefore engaged and should be taken into account as an important material consideration.
138. There is no 'clear reason for refusing the development proposed' when considering the application against Paragraph 11(d)(i) of the NPPF. In terms of flood risk, the site sits within Flood Zone 1 which has the lowest probability of flooding, albeit it does fall within a Critical Drainage Area. Nonetheless, the FRA has demonstrated that there is no reason to refuse the development on this basis. In relation to identified designated heritage assets, it has been concluded earlier in this report that no harm will arise to their setting. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged, i.e. 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 the NPPF taken as a whole.
139. A number of public benefits arise from the proposed scheme which are considered to demonstrably outweigh any residual harm. These are that the scheme will deliver a sustainable development of 282no new residential units on a brownfield site, a significant contribution to the Council's housing land supply figures and targets for delivering residential development on brownfield sites. It will also deliver a policy compliant 13no affordable housing units under shared ownership and social/affordable rent and will bring about the redevelopment of an underused site. The proposal would result in improved street scenes on Talbot Road, Christie Road and Renton Road with high quality, contemporary designed buildings. The scheme will also boost the local economy both through the provision of construction jobs and also by way of new residents of the development contributing towards local shops and services.

140. All other detailed matters have been assessed, including highway safety and residential amenity. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. It also largely complies with relevant adopted local guidance and where it does not the development is considered to be acceptable on its own merits for the reasons set out in the main body of this report. There are also further benefits which weigh in favour of a grant of planning permission. The application is therefore recommended for approval.

### **RECOMMENDATION**

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
  - The provision of 1no shared ownership house, 5no shared ownership apartments and 7no social/affordable rent apartments on site;
  - A contribution of £577,844 towards off-site open space, young people's facilities, outdoor sports and tree planting provision/improvements
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions (unless amended by (ii) above):

#### 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 following submitted plans:



<b>Plan Number</b>	<b>Drawing Title</b>
17003 (PL) 100 (Rev N)	Proposed Site Plan
17003 (PL) 101 (Rev M)	Proposed Site Plan – Podium Deck Level
17003 (PL) 103 (Rev E)	Proposed Boundary Treatments
17003 (PL) 103 (Rev D)	Proposed Building Materials Plan
17003 (PL) 104 (Rev B)	Building Storey Heights Plan
17003 (PL) 105 (Rev C)	Refuse Collection Strategy
17003 (PL) 106 (Rev E)	Amenity Space Plan
17003 (PL) 107 (Rev C)	Proposed Site Plan – Parking Allocation
17003 (PL) 108 (Rev C)	Cycle and Bin Store Allocation Plan
17003 (PL) 150 (Rev G)	Apartment Blocks 1, 2 & 3 Ground Floor Plan
17003 (PL) 151 (Rev D)	Apartment Blocks 1, 2 & 3 First Floor Plan
17003 (PL) 152 (Rev D)	Apartment Blocks 1, 2 & 3 Second Floor Plan
17003 (PL) 153 (Rev D)	Apartment Blocks 1, 2 & 3 Third Floor Plan
17003 (PL) 154 (Rev D)	Apartment Blocks 1, 2 & 3 Fourth Floor Plan
17003 (PL) 155 (Rev D)	Apartment Blocks 1, 2 & 3 Fifth Floor Plan
17003 (PL) 160 (Rev G)	Apartment Blocks 4 - 10 Ground Floor Plans
17003 (PL) 161 (Rev F)	Apartment Blocks 4 - 10 First Floor Plans
17003 (PL) 162 (Rev F)	Apartment Blocks 4 - 10 Second Floor Plan
17003 (PL) 163 (Rev F)	Apartment Blocks 4 - 10 Third Floor Plan
17003 (PL) 164 (Rev F)	Apartment Blocks 4 - 10 Fourth Floor Plan
17003 (PL) 201 (Rev C)	Apartment Block 1 Elevations
17003 (PL) 202 (Rev C)	Apartment Block 2 Elevations
17003 (PL) 203 (Rev C)	Apartment Block 3 Elevations
17003 (PL) 204 (Rev B)	Apartment Block 4 Elevations
17003 (PL) 205 (Rev B)	Apartment Block 5 Elevations
17003 (PL) 206 (Rev C)	Apartment Block 6 Elevations
17003 (PL) 207 (Rev C)	Apartment Block 7 Elevations
17003 (PL) 208 (Rev C)	Apartment Block 8 Elevations
17003 (PL) 209 (Rev C)	Apartment Block 9 Elevations
17003 (PL) 210 (Rev C)	Apartment Block 10 Elevations
17003 (PL) 300 (Rev D)	House Type A
17003 (PL) 301 (Rev C)	House Type B
17003 (PL) 305 (Rev D)	House Type E
17003 (PL) 306 (Rev B)	House Type F
17003 (PL) 307 (Rev D)	House Type G
17003 (PL) 308 (Rev D)	House Type H
17003 (PL) 309 (Rev D)	House Type J
17003 (PL) 310 (Rev C)	House Type K
17003 (PL) 311 (Rev E)	House Type K1
17003 (PL) 312 (Rev D)	House Type K2
17003 (PL) 313	House Type B1
17003 (PL) 400	Design Intent Details 1-4
17003 (PL) 401	Design Intent Details 5-7

17003 (PL) 402	Design Intent Details 8-9
17003 (PL) 403	Design Intent Details 10-14
17003 (PL) 404	Design Intent Details – Apartment Storey Rods
2793-104 (Rev G)	Landscape Layout

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

3. 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: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

4. No development shall take place unless and until full details of the Sustainable Drainage Scheme, which shall include a maintenance and management plan for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. The submitted 'Demolition, Remediation and Earthworks Construction Environmental Management Plan' (Ref. MC2251 – Rev 02, dated 1<sup>st</sup> February 2019) shall be adhered to at all times throughout the demolition/remediation period.

Reason: 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.

7. No development shall take place, other than 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) the loading and unloading of plant and materials
  - (iii) the management of construction traffic
  - (iv) the storage of plant and materials used in constructing the development
  - (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - (vi) wheel washing facilities, including measures for keeping the highway clean
  - (vii) measures to control the emission of dust and dirt during construction
  - (viii) measures to prevent disturbance to adjacent dwellings from noise and vibration
  - (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure that appropriate details are agreed before construction work starts 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.

8. No development shall take place, other than works of demolition, unless and until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The phase II report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
  - (iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings 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 having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. The scheme is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in risks to site operatives.

9. Demolition and construction work shall be limited to the following hours:

07.30-19.00	Monday – Friday
08.00-13.00	Saturday

No demolition or construction work shall take place on Sundays, Bank Holidays and Public Holidays.

Reason: 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.

10. 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. The mitigation strategy shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and/or a 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 and the erection of sample panels on site. 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 having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

12. The development hereby approved shall not be brought into use until details of the external bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied unless and until the approved bin stores have been completed and made available for use. The approved bin stores shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities of the development, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby approved shall not be occupied unless and until the recommendations and mitigation measures contained in the submitted Noise Assessment (Ref. P17-135-R01v03, dated September 2018) have been implemented in full. The mitigation measures shall be retained thereafter.

Reason: In the interests of the amenity of future occupiers of the proposed development, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The dwellings hereby approved shall not be occupied unless and until a scheme for Biodiversity Enhancement Measures, in accordance with the recommendations set out in section 5.0 of the Ecological Survey and Assessment by ERAP Ltd (Ref. 2017-096, dated August 2018), has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied.

Reason: In order to protect and enhance biodiversity associated with the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

15. (a) The development hereby approved shall not be occupied unless and until a phasing scheme for the implementation of the landscaping works shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority.  
(b) The landscaping works shown on the approved plans shall be carried out in full accordance with the approved phasing scheme.  
(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 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, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Notwithstanding the details submitted with the application, the development hereby approved shall not be occupied unless and until a schedule of maintenance for all soft landscaping and amenity space within the site for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

17. The development hereby approved shall not be occupied unless and until a scheme for secure cycle storage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design of cycle storage facilities and shall be implemented before the development is first occupied and shall be retained at all times thereafter.

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

18. The development hereby approved shall not be occupied unless and until a scheme of alterations to traffic calming features on Christie Road and Renton Road has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied.

Reason: To ensure that satisfactory provision is made for the access of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. The development hereby approved shall not be occupied unless and until a Full Travel Plan, which should include measurable targets for reducing car travel, has

been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted, the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. No external lighting shall be installed on the buildings or elsewhere on the site unless and until a scheme for such lighting has 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 residential amenity, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. The development hereby permitted shall not be occupied until the means of access and the areas for the movement, loading, unloading and parking of vehicles and bicycles have been provided, constructed and surfaced in complete accordance with the plans hereby approved. These areas shall thereafter be retained and not be put to any other use than their intended purpose.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

22. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 and the physical security specification within section 4 of the submitted Crime Impact Statement dated 26/03/2018 (URN:2018/0142/CIS/01) and retained thereafter. For the avoidance of doubt, the requirements of this condition do not include aspects of security covered by Part Q of the Building Regulations 2015, which should be brought forward at the relevant time under that legislation.

Reason: In the interests of crime prevention and the enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

23. The submitted Refuse Collection Strategy (ref. 17003 (PL) 105, Rev C) shall be adhered to at all times following the first occupation of the development hereby approved.

Reason: To ensure that satisfactory provision is made for refuse collection in the interests of residential amenity and highway safety, having regard to Policies L4

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

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof):

- (i) no conversion into living accommodation of the garages and car ports of the dwellings shall be carried out
- (ii) no dormer windows shall be added to the dwellings

other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

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

25. None of the dwellings hereby approved shall be occupied unless and until a hard surfacing materials schedule for the car parking spaces, access roads and circulation areas has first been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be surfaced in accordance with the approved details.

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

26. None of the dwellings hereby approved shall be occupied unless and until the respective car parking provision and the means of access for those dwellings, identified on the Proposed Site Plan – Parking Allocation 17003 (PL) 107 (Rev C), have been provided, constructed and surfaced in complete accordance with the approved plans and the hard surfacing materials scheme required by condition 25 of this permission.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

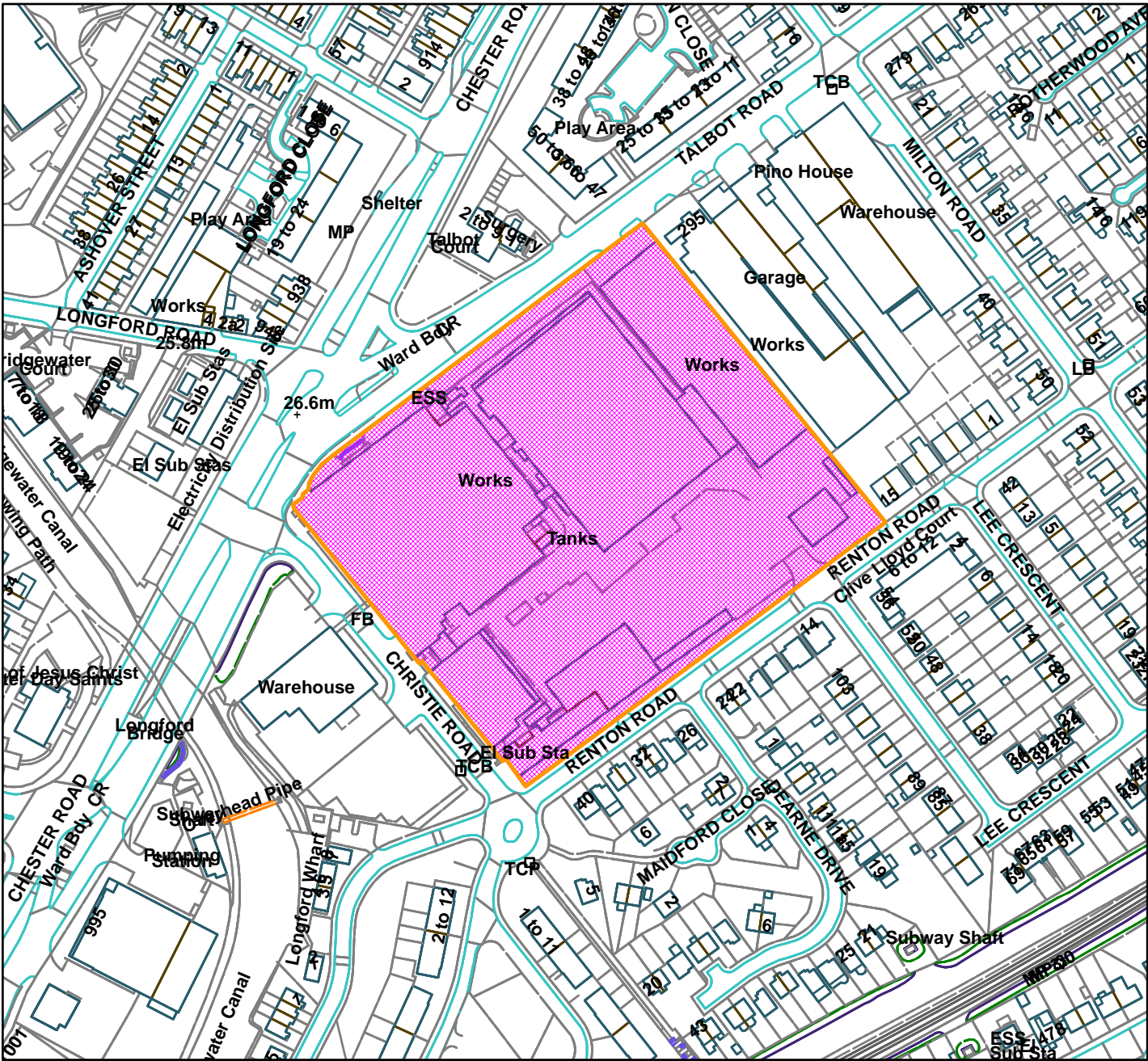
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JD





Former Itron Site, Talbot Road, Stretford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/02/2019
Date	31/01/2019
MSA Number	100023172 (2012)

**Erection of a single storey rear extension and other external alterations to existing flat.**

5 Groby Court, Groby Road, Altrincham, WA14 2BH

**APPLICANT:** Mr Bennett

**AGENT:** Randle White Ltd

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee since six or more representations contrary to the Officer recommendation have been received.**

**SITE**

The application site is located on the southern side of Groby Road close to its junction with Racefield Road. The application relates to a 2no. bedroom apartment at ground floor level within a two storey building that houses 4no. apartments in total (5-8 Groby Court inc.). The principal elevation of this building faces in a westerly direction with balconies at first floor level overlooking a communal driveway and an open plan landscaped area. This building is one of a pair of buildings, with its counterpart being of a very similar design and also facing the central area. Pedestrian access to both buildings is via a centrally positioned hallway accessed via a pathway from the hardstanding area.

The two blocks of apartments have a very simple form with render infill elements and facing brick walls. Balconies are present at first floor to front elevations which overlook the shared access driveway and a block of garages set at the back of the site. Habitable room windows are located to all elevations and relate to all apartments.

The site entrance is within a centrally placed location with space for passing vehicles and leading to 9no.garages which are sited towards the rear of the application site. Groby Court is surrounded by a landscaped lawned area, with mature boundary treatment to all sides.

**PROPOSAL**

The applicant proposes the erection of a single storey extension at ground floor level on the eastern side elevation of the apartment block to accommodate a new ensuite bathroom and study, re-using the existing windows. The proposed development would have a height of approximately 4.1m, a width of approximately 4.4m and a depth of approximately 2.1m to align with the existing projecting wall. It would be proud of the

centralised communal stairwell with mono-pitched roof by approximately 200mm. The extension would have a flat roof and would be constructed in brick to match the existing building. A new patio door opening would be inserted in the northern elevation. This would serve a patio with a maximum depth of approximately 2.2m and which would extend across the entire width of the northern elevation and then wrap around to the eastern elevation where it would reduce to a width of approximately 1m. Due to the topography of the site, the maximum height of the pathway would be approximately 450mm, with an existing cellar door connected to the application property being re-sited also.

## **VALUE ADDED**

The proposal has been amended during the application process. The key amendments comprise:

- The omission of Juliette balconies;
- Re-use of original windows within the infill rear extension element.

The proposed development would create less than 100sqm additional floor space and therefore would not attract any CIL contributions.

## **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

R1 – Historic Environment

## **PROPOSALS MAP NOTATION**

Devisdale Conservation Area (Character Zone A)

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

### **SUPPLEMENTARY PLANNING GUIDANCE**

SPD3 – Parking Standards and Design

SPD4 - A Guide for Designing House Extensions and Alterations

SPD5.10 – Devisdale Conservation Area appraisal (July 2016)

SPD5.10a – Devisdale Conservation Area Management Plan (July 2016)

### **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, following the publication of a revised draft in January 2019 a further period of consultation is currently underway. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced further in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. 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 and it is regularly updated. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

Various extensions and alterations across Groby Court prior to 2000, though no previous applications at no. 5.

### **APPLICANT'S SUBMISSION**

The applicant has submitted the following documents in support of the application (in addition to plans and drawings):

- Heritage, Design and Access Statement

### **CONSULTATIONS**

None.

## **REPRESENTATIONS**

Objection - Seven letters of objection have been received, which raise the following points (in summary):

### **Planning Issues**

- The proposed extension would adversely impact all the residents of Groby Court, by annexing an area of common ground. It would also set an unacceptable precedent should there be any future extension requests.
- The external common ground is currently available and open to all residents at all times.
- The proposed alterations on the northern elevation would be visible to all who enter the complex from the road and would upset the homogeneous outline of the two blocks and therefore be aesthetically very displeasing.
- The patio would be overlooked by one flat and would have the applicant's furniture on it is not appropriate for general use by all residents and only advantageous to those residing in Flat 5.
- The residents of Groby Court currently enjoy great peace and tranquillity in the surrounding grounds and the two buildings complement each other. To give permission to alter the outline of one property would destroy this harmony, particularly given that Groby Court is within a Conservation Area.
- The raised paths are 1500mm wide to the side & 1200mm to the rear & greater width for the patio. Presumably railings to the path edge would be a requirement for health & safety thus creating a physical barrier between the garden & the patio/path area. This completely changes the nature of the communal use of the garden by creating a private area for flat 5 alone & effectively removes the whole of the garden to the north of the plot which will either be taken over by the patio, path area or be over looked by the same. On this basis we object to the application to make these changes.
- The 2 blocks of flats have pitched roofs & no flat roof extensions. Previous infills have retained the integrity of the pitch roof. To allow a flat roof in this application would not be in character with the building & on this basis we object to the application.

### **Non-Planning Issues**

- Consider the application invalid as the Freeholder (Cheshire & District Property Company Ltd) has not been notified or served with a copy of the planning application and Section 13 of the Certificate of Ownership is incorrectly referred to.
- The land outside the area owned by the Leaseholder applicant is owned by C&D PC Ltd and we are not willing to grant consent for the extension.

- It should be pointed out that the area shown on the plan as pathway/patio is also part of the Freehold and not part of the Leasehold.
- Letter received by solicitors of No.7 Groby Court states that under the terms of the 999 year lease, the applicant has no authority to extend the flat and would be trespassing and in breach of the right granted to all flat owners as so defined within the lease.

## **OBSERVATIONS**

### THE PRINCIPLE OF DEVELOPMENT

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
2. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
3. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. Policies relating to heritage are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they control the principle of the development. Policy R1 of the Core Strategy, relating to the historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date.
5. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms. Analysis later in this report demonstrates that there are no protective policies in the NPPF, including policies related to designated heritage assets, which provide a clear reason for refusing the

development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged, i.e. 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 the NPPF taken as a whole.

## IMPACT ON HERITAGE ASSETS

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area” in the determination of planning applications.
7. National guidance in the NPPF requires that local planning authorities take into account the particular significance of the heritage asset when considering the impact of a proposal to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal. (para. 190).

Para. 192 indicates that when local planning authorities are determining planning applications, they should take account of:-

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- the desirability of new development making a positive contribution to local character and distinctiveness.*

8. Paragraph 193 states that When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
9. Policy R1 of the Core Strategy requires that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider setting; in particular in relation to conservation areas, listed buildings and other identified heritage assets.
10. As the application site is situated within the Devisdale Conservation Area the proposal should be considered against the policies of the adopted Devisdale

Conservation Area Appraisal (July 2016) and the Devisdale Conservation Area Management Plan (July 2016).

11. The special character of The Devisdale Conservation Area relevant to this application derives from the following elements:

- *The area is characterised by its gradients and associated views. There are important views out to the north across the Mersey Basin. Similarly St. Margaret's Church Tower is a landmark from outside and inside the area. The wide tree lined roads within the Conservation Area, such as St. Margaret's Road and Green Walk, also offer important views.*
- *The area is characterised by the boundary treatment of the properties and the mature trees both on the roads and in the spacious gardens of the houses. Streets are lined with low garden walls of large stone blocks, with hedges of various species above and trees along the boundary.*

12. The Conservation Area Appraisal identifies the application site as lying within Character Zone A: Northern Residential Zone. This character zone is comprised of residential properties from the Victorian, Edwardian post war and mid-20th to early 21st centuries. There are a variety of architectural styles, scale, massing and plot size throughout the area. The character of this zone is one of an affluent residential suburb. Some areas feel more secluded than others due to the properties being set back from the street, but the prevalence of low stone walls with mature planting above unifies the entire zone. Mid-20th century to early 21st century development tends to be further forwards on the plot and more central, but shielded from view by taller boundary treatments such as railings or stone walls.

13. The application site is not within the setting of a Listed Building and the buildings within the site are not identified as a positive contributor to the conservation area in the Conservation Area Appraisal or Management Plan. However, a 'Key View' in the conservation area is identified outside Groby Court and described further in Paragraph 4.3.29 of the CAA *'there are attractive views in both directions along Groby Road'*. There are identified positive contributors at nos. 10, 12 and 14 Bentinck Road at the rear of the site.

14. The specific policies of the Devisdale Conservation Area Management Plan that relate to this proposed development are as follows:-

*Policy 14*

*If the replacement of doors or windows is proposed, whether the existing is of timber or uPVC, any further replacements should be in timber and should represent a significant improvement over the existing. Where windows are replaced, they should respect the size and form of the original opening(s) and glazing bars, and be of an appropriate traditional design. Replacement doors and windows should not detract from the established character of the building.*



*Policy 30*

*Key views should be preserved. These include linear views along...Groby Road. Development which will negatively impact [on the view] will not be permitted.*

*Policy 31*

*The characteristic historic low-level front and other principal boundary walls should be retained.*

*Policy 50*

*Extension of an existing building should have regard to its established style by echoing the building's established features, form, proportions and materials.*

*Policy 53*

*Single storey extensions to the modern 20<sup>th</sup> century developments within Character Zone A and C may be acceptable, subject to proposed size, scale, design and materials.*

Consideration of harm

15. The site lies within Character Zone A of the Devisdale Conservation Area with 10, 12 and 14 Bentinck Road immediately to the rear being Positive Contributors. The Devisdale Conservation Area Appraisal and associated Management Plan (SPD5.10 and SPD5.10a), were adopted in July 2016. Both have been reviewed in considering the implications of the proposed development for the Conservation Area.
16. The development proposes a single storey extension to a modern 20<sup>th</sup> century development in Character Zone A and the creation of a patio area adjoining the building on its northern and eastern elevations, facing Groby Road. The scheme includes a relatively small in-fill extension within a secondary elevation and the re-siting of existing UPVC windows within it. It is recognised that the extension would result in some loss of symmetry but the extension will be largely contained within an existing recessed area on the rear elevation with its proportions being subordinate to the host building. The size, scale and design of the extension, including the use of a flat roof, is considered to be appropriate in the context of the main building. A condition requiring details of materials to be used is included in the recommendation to ensure that they are a good match.
17. Although Policy 14 of the CAMP requires replacement windows to be in timber, the existing windows within the apartments within Groby Court are not original, nor of timber construction. The windows are proposed to be reused where possible and additional openings are not inappropriate in a building of this age and modest architectural quality. The window detailing at Groby Court is not part of the historic and architectural importance of the conservation area, and new

and replacement window and door openings in UPVC to match the remainder of the building is considered to be appropriate.

18. No alterations are proposed to the part of the site which does contribute positively to the significance of the Devisdale CA, the front boundary wall with Groby Road. Views along Groby Road will be largely unchanged, with the new patio area and extension glimpsed over the remaining landscaped and lawned areas to the front of Groby Court. The loss of lawned area to the front of Groby Court would be minimal. The importance of views along Groby Road i.e. its tree lined character, with original boundary walls and hedge planting, will be unaffected. Any impact on the setting of the positive contributors on Bentick Road to the rear would be relatively indiscernible given the distances involved and the appearance of the existing buildings at Groby Court.
19. As such, the proposed development would have a neutral impact on the character and appearance of the Devisdale Conservation Area and would not cause harm to its significance. It would preserve the character and appearance of the conservation area and thus the heritage asset.
20. In arriving at this conclusion, considerable importance and weight has been given to the desirability of preserving the character and appearance of the Devisdale Conservation Area.

## DESIGN

21. The NPPF (2018) states within paragraphs 124 and 130 that: *Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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, taking into account any local design standards or style guides in plans or supplementary planning documents.*
22. In considering an application the siting, layout, scale, massing, design and materials of the proposed development must also be considered with regard to how it relates to the adjacent properties and to the surrounding area as referred to in Policy L7 of the Core Strategy.
23. The design of the extension and patio area is considered to be appropriate in its context, being a subordinate and appropriately scaled addition to a 20<sup>th</sup> century building.

## RESIDENTIAL AMENITY

24. Policy L7 of the Trafford Core Strategy is clear that development proposals must not prejudice the amenity of occupants of adjacent properties by reason of an overbearing impact, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
25. SPD4 (A Guide for Designing House Extensions and Alterations) provides guidance regarding the design and layout of extensions to existing buildings with the purpose of protecting the privacy of neighbouring occupiers. Window to window separation distances of 21 metres between principal elevations (which would contain habitable room windows) of facing properties are encouraged. It is noted that the proposal has been amended to omit Juliette balconies and full-height windows, with the maintenance of the present separation distances being considered acceptable. A new patio area would not intensify the overlooking of existing communal areas that the amenity of existing occupiers of Groby Court would be detrimentally affected.
26. As the extension would be sited in an existing recessed section of the building there would be no other potential impacts on neighbouring occupiers from overbearing, overshadowing or in any other way. As such, the proposed development would be compliant with SPD4, Policy L7 of the Core Strategy and the NPPF in this respect.

#### PARKING AND HIGHWAY SAFETY

27. The proposed development would result in a potential increase in the number of bedrooms within the property from two to three. Although this may slightly increase parking demand from the property, there is considered to be a sufficient level of communal / on street parking at the site that no harm to residential amenity or highway safety would arise.

#### OTHER MATTERS

28. The objections raised regarding the ownership of Groby Court and its Leasehold is noted. This is however a civil matter and not a material planning consideration and therefore does not have a bearing on the determination of this application.

#### CONCLUSIONS

29. The proposal would have a neutral impact on and would not cause harm to the significance of the Devisdale Conservation Area and would preserve its character and appearance. Although it would not strictly 'enhance' the conservation area as required by Policy R1, this policy is out of date in NPPF terms and can be given limited weight. NPPF heritage policy does not provide a clear reason for refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged, i.e. 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 the NPPF taken as a whole.

30. The proposals would not have any other harmful impacts and otherwise would be in compliance with the development plan. There would be no adverse impacts which would significantly and demonstrably outweigh the benefits. The proposals would therefore be in compliance with Paragraph 11(d)(ii) of the NPPF, which in the absence of up to date development plan policy relating to heritage, is a determinative material consideration. The application is therefore recommended for approval.

## **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, reference (HPL)201 REV A, (HPL)100 Rev A, (HPL)200 Rev A, (HPL)400 Rev A

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

3. No development involving the use of materials to be used in the construction of the external surfaces of the building (including rainwater goods and joinery details of windows and doors) hereby permitted shall take place until details of the materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

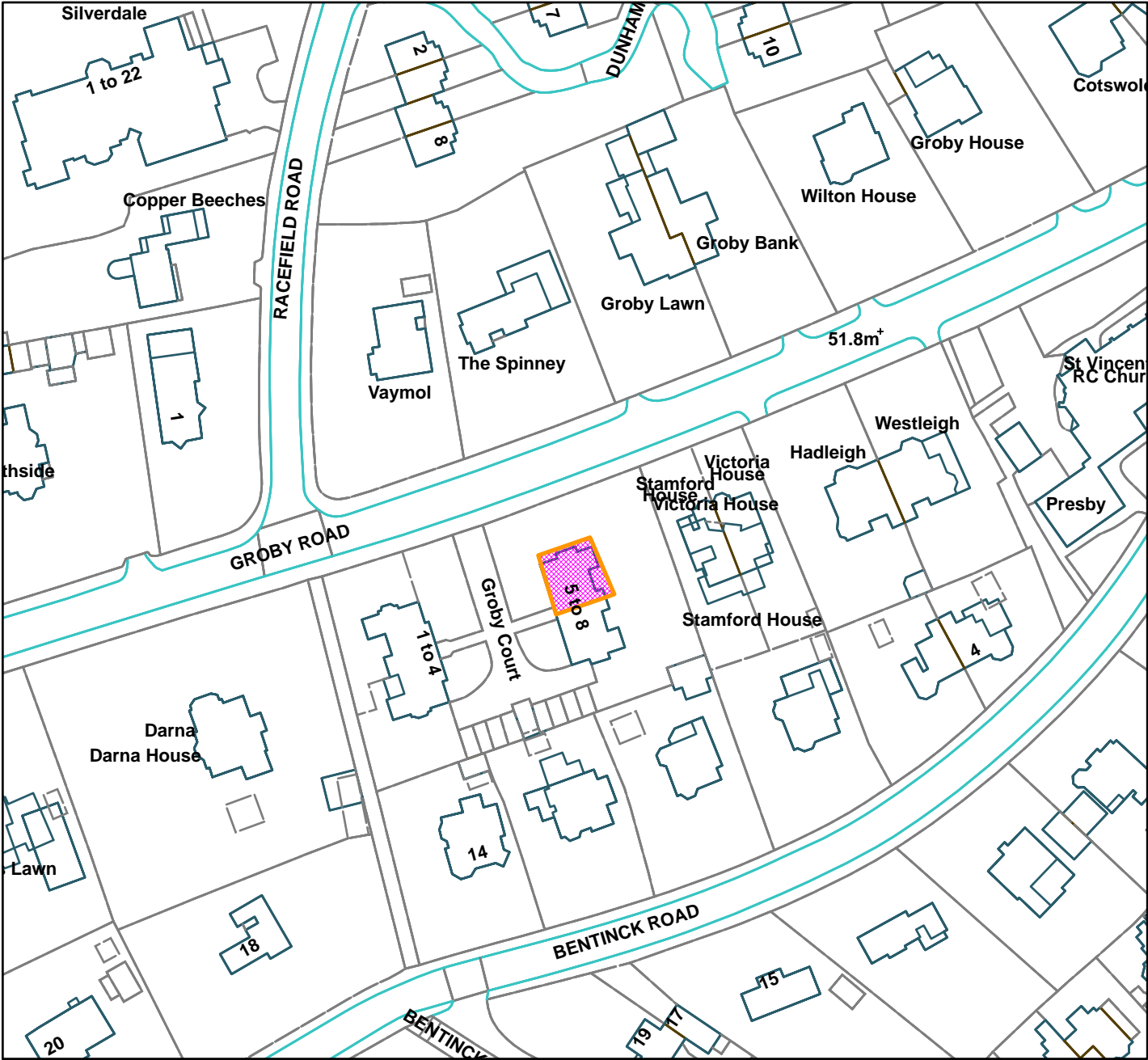
Reason: To ensure satisfactory external appearance in the interests of visual amenity and the character and appearance of the Devisdale Conservation Area, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

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GD



5 Groby Court, Groby Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/02/2019
Date	31/01/2019
MSA Number	100023172 (2012)

**WARD: Urmston**

**96103/FUL/18**

**DEPARTURE: No**

**Erection of a two-storey four-bedroom dwellinghouse with a rear dormer and associated landscaping works.**

44 Dartford Road, Urmston, Manchester, M41 9DE

**APPLICANT:** Mr Robey Abbott

**AGENT:** Mr DK Seddon

**RECOMMENDATION: APPROVE WITH CONDITIONS**

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**This application has been referred to the Planning and Development Management Committee as it has been called in by Councillor Hynes for the reasons given in the report.**

### **SITE**

This application relates to a plot of land situated at the head of Dartford Road; a residential cul-de-sac formed by a combination of terraced and semi-detached properties. The site is bound by a railway line to the rear. To the front, the property faces Dartford Road and a narrow track that runs between the rear of the properties facing Carisbrook Avenue and plots of land that contain detached garages. It is bound to the west by a plot of land containing a detached garage belonging to a Carisbrook Avenue property. It is separated from the Carisbrook Avenue properties by a narrow track and therefore forms a separate parcel of land away from the curtilage of the property to which it belongs. To the east of the applicant site is a parcel of land which appears to have been incorporated within the curtilage of no. 42 Dartford Road and contains a single storey side extension. The applicant property is situated in a residential area.

Permission has previously been granted for the erection of a single dwelling on the site (95037/VAR/18) and above ground works associated with this permission appear to have commenced.

### **PROPOSAL**

Application 95037/VAR/18 granted permission for the erection of a single detached dwelling on the site. This application seeks permission to add a dormer window to the rear elevation of the property.

The dormer would be a single structure with three gable features and links between them. It would have a width of 7.4m and a height of 2.1m. It would be set down 400mm from the main ridge height of the dwelling and would be set approximately 200mm above the eaves. Each gable would have a width of 1.8m and would be linked by a section of dormer that is 1m in width. Each gable feature would contain one window in

the rear elevation to create two non-habitable room windows and one habitable room window.

The remainder of the dwelling remains unchanged from the dwelling that was approved under planning permission 95037/VAR/18 and implementation has already commenced.

## **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  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7- Design  
R2 – Natural Environment

## **SUPPLEMENTARY PLANNING DOCUMENTS**

PG1 – New Residential Development  
SPD4 - A Guide for Designing Housing Extensions and Alterations

## **PROPOSALS MAP NOTATION**

Unallocated

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on

31 October 2016, and following a redraft a further period of consultation commenced in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. 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 and it is regularly updated. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

95037/VAR/18- Application for variation of Condition 2 (approved plans) on planning permission 81735/FULL/2013 (Demolition of double garage and erection of a two-storey, three-bedroom dwellinghouse with associated landscaping works.). To allow for the change of double windows to singular on the front and rear elevations and to replace the existing red brickwork with red multi brickwork. Approved with Conditions- 18 October 2018.

81735/FULL/2013- Demolition of double garage and erection of a two-storey, three-bedroom dwellinghouse with associated landscaping works. Approved with Conditions- 9 September 2014.

### **APPLICANT'S SUBMISSION**

Design and Access Statement- 'The proposed dwelling has been designed to the highest standards and positively contribute to the enhancement of the local area through good design, providing a modern residential family dwelling in an established residential area within a sustainable location.'

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

This application was called in by Cllr Hynes on the following grounds:

"This latest variation in application is again seeking permission for a three storey building. I'd like to call this in on the grounds that the plans are for a property which is



completely out of character with the dwellings on this road, which are all period properties with similar facades. The properties on Dartford Road are Victorian, mostly-terraced houses. The amended plans will mean the property is out of scale and character and as it is situated at the centre of the end of the road will mean it will be visible for the entirety of the road; potentially leading to a loss of character for the entire road.”

Two letters of representation were received from two separate addresses in response to an initial consultation exercise.

The first letter of representation initially objected on parking grounds but this was withdrawn following discussions on site between the neighbour and applicant.

The second letter of objection stated, ‘The objection relates to a land dispute and not the dormer extension’. The contents of the letter do not relate to this planning application and are not considered further. The agent has completed Certificate A and submitted Land Registry plans to demonstrate that this is correct.

A further 10 day consultation exercise was carried out following an amendment to the development description. Two responses were received from two separate addresses which both supported the application. The following reasons were given:

- The design of the house is a perfect match to the existing properties, quite compact but has the benefit of off road parking.
- No objection to the dormer windows to the rear as these won’t alter the front elevation in any way. There are four or five rear dormers on the road already.
- The builder’s yard that previously occupied the site was unsightly, messy, dangerous and dirty.
- The builder is transforming this unsightly place into a beautiful and aesthetically pleasing home for somebody.
- The brickwork complements the other houses on the street.
- Parking on Dartford Road is awful but this property will have its own allocated spaces next to the house.
- The proposed landscaping and addition of a dormer will make the house look and be more appealing.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that

where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.

2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

New residential development:

4. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
5. Policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11, together with L7. The Council does not, at present, have a five year supply of immediately available housing land and thus the housing development plan policies are 'out of date' in NPPF terms. There are no protective policies in the NPPF which provide a clear reason for the refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged.
6. Whilst the Council's housing supply policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver a new residential unit on a brownfield site in a sustainable location within the urban area.

7. The previous granting of planning permissions in 2014 (81735/FULL/2013) and 2018 (95037/VAR/18) have approved the erection of a two storey detached dwelling on this site. The proposal approved in 2018 was found to be acceptable on the basis that it sought to reflect the character of the existing property and surrounding area in terms of design, materials, scale and street scene and would not unduly impact on the amenity of neighbouring residents. This application varies from the previous permission with the addition of a single rear dormer. As the remainder of the dwelling remains unchanged, there is an extant permission for this which is currently under construction, and as there has been no material change in circumstances since the previous approval, the principle of erecting a dwelling in this position remains acceptable.

## THE EXTANT PLANNING PERMISSION

8. The previous granting of planning permissions in 2014 (81735/FULL/2013) and 2018 (95037/VAR/18) have approved the erection of a two storey detached dwelling on this site. The proposal approved in 2018 was found to be acceptable on the basis that it sought to reflect the character of the existing property and surrounding area in terms of design, materials, scale and street scene and would not unduly impact on the amenity of neighbouring residents. This application varies from the previous permission only in respect of the addition of a single rear dormer. It is considered that there has been no material change in circumstances since the issue of the previous permissions in relation to the impacts of what is substantially the same house on this site, albeit without the dormer window now proposed. The main issues addressed in the previous permissions were: Impact on residential amenity; Design and street scene; Access, highways and car parking. It is therefore not considered necessary to revisit those issues in detail in this report (other than in relation to the additional impacts of the proposed dormer) as they are still considered to be acceptable. The house is still considered to be appropriately designed and sited. The relationship of the proposed development to its neighbours and the street scene has not changed, and it will still not cause harm to the amenity of neighbours, either through overlooking, or overbearing impact.
9. The report now addresses the addition of the dormer in terms of design and impact on the residential amenity of neighbouring properties; with regard to Policy L7 of the Core Strategy, PG 1, and SPD4 and relevant guidance contained within the NPPF.

## DESIGN

10. Paragraph 124 of the NPPF states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities”*.

11. 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. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
12. Whilst PG1 is the Council's most up to date supplementary planning guidance for new houses, the impacts of dormer extensions are better covered in SPD4, and therefore this guidance is considered to be more appropriate for the determination of this application. SPD4 requires that dormer windows are proportionate to the scale of the property and reflect the style and architectural character of the original house. The design of a dormer window should complement the parent roof. Pitched roofs are generally more appropriate, reflect the character of the property more effectively and often improve the appearance of the dormer extension. Dormers should match the style and proportions of the windows below and as far as possible be vertically aligned with openings below. The openings in dormer windows should be smaller than those in the original elevation otherwise they can appear top-heavy. Large dormers with large expanses of glazing should be avoided as these can dominate the roof line. It is better to have two smaller dormers rather than one large dormer.
13. The view of the property from the front remains unaltered from that which was approved under the 2018 permission. There are therefore no design concerns in this aspect.
14. There would be limited visibility of the dormer from each side although some visibility would be available from the adjacent parcels of land associated with the properties on Carisbrook Avenue to the west and the garden spaces to the east; with the garden of no. 42 Dartford Road being immediately adjacent. The proposed dormer would be a single structure broken up by three gable features. It would have a height of 2.1m, be set down 400mm from the main ridge of the dwelling and be set approximately 200mm above the eaves. Each side of the dormer would be formed by a gable feature. When viewed from the side the dormer would therefore appear to have a pitched roof and be of an appropriate scale and mass that would not appear over-dominant within the roof. It is therefore considered that the proposal would be acceptable in design terms.
15. The applicant property is bound by a railway line to the rear with residential properties beyond. The rear boundary of the residential properties to the rear would be 27m away from the applicant property. It is recognised that, when

viewed from the rear, the dormer would be of a relatively large scale and mass in relation to the roof of the host dwelling. Nevertheless, the design, with three gable features and linking sections between them, breaks the roof up and reduces the perceived mass of the dormer. When viewed from a property that is at least 27m away, it is considered that the gable features would be most prominent and the dormer would appear similar to a roof containing three individual dormers; each of appropriate design, scale and massing. The approved dwelling has a gabled roof so the addition of pitched roofs to the rear would be in keeping with this character. It is therefore considered that the proposal would be acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

## AMENITY

16. In relation to matters of amenity protection Policy L7 of the Core Strategy states 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.
17. The proposed dormer extension would be positioned to the rear of the dwelling. It would not be visible from the front and therefore would not introduce harm to the residential amenity of neighbouring properties in this aspect.
18. The applicant site is bound by individual parcels of land to the west; some of which contain detached garages. As these parcels of land are separate to the curtilage of the dwellinghouses to which they relate, it is not considered that they would stand to suffer from visual intrusion, loss of light or loss of privacy. Nevertheless, there would be no additional windows facing this direction and therefore no privacy concerns. The addition of the dormer represents a minimal increase in scale and mass over the already approved dwelling and would not introduce excessive visual intrusion or loss of light.
19. To the east, the application property is bound by a parcel of land which appears to have been incorporated within the curtilage of no. 42 Dartford Road. The proposed dormer would be set in 1.3m from the edge of the roof closest to this adjacent garden space. Relative to the scale and mass of the already approved dwelling, the proposed dormer would not represent a significant increase and therefore would not introduce additional loss of light or visual intrusion to no. 42 Dartford Road. There are no proposed openings facing east and therefore it is considered that the proposal would not have an undue impact on this property in terms of overlooking or loss of privacy.
20. To the rear, there would be a separation distance of at least 27m between the rear boundary of the applicant property and the rear boundary of the

neighbouring properties to the far side of the adjacent railway line. The separation distance to the closest dwelling would be in excess of 35m with the dwellings directly to the rear being positioned 75m away. In relation to separation distances from a three storey dwelling, PG 1 indicates that the minimum separation distance between dwellings which have major facing windows should be 21 metres across public highways and 27 metres across private gardens. In relation to dormers in the roof of a two storey dwelling, SPD4 states that a 13.5m separation distance should be retained to the boundary of an adjacent garden space and 21m retained to the neighbouring dwelling. These guidelines are therefore significantly exceeded and there are no residential amenity concerns to the rear.

21. It is therefore considered that the proposed development will not have an unacceptable impact on the residential amenity of any neighbouring properties and would comply with Policy L7 of the Core Strategy and guidance in the NPPF.

#### PARKING AND HIGHWAY SAFETY

22. The proposed works increase the number of bedrooms at the property from three to four. The Core Strategy Car Parking Standards, which are repeated in SPD3, indicate a requirement for three off-street parking spaces within the curtilage of the site. The submitted site plan shows off-street parking for 3 vehicles. There are therefore no parking or highways safety concerns.

#### DEVELOPER CONTRIBUTIONS

23. The proposed dwelling is situated within a 'moderate' charging zone and is therefore subject to CIL at a rate of £40 per sqm.

#### CONCLUSION

24. The principle and detailed design of the main dwelling was found acceptable and has been approved and implemented under 95037/VAR/18. With regard to design and residential amenity, the addition of the proposed dormer window would be in accordance with Policy L7 of the Core Strategy, PG1 and SPD4. It would therefore be an appropriate addition to the previously approved dwelling.

#### **RECOMMENDATION: APPROVE WITH CONDITIONS**

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the amended plans, numbered 11,377/06/G, 11377/08/A and 11,377/09/A.

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

2. The materials used in any exterior work must match those approved under discharge of conditions application 91671/CND/17. Specifically:
  - Weinberger (0845 303 2524) Tuscan Red Multi and
  - Weinberger (0845 303 2524) Staffordshire Cream Dragface
  - 'Redland' slate grey Mini-Stonewold concrete tiles

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

3. (a) The landscaping works shall be carried out in accordance with details approved under discharge of conditions application 91671/CND/17 within the next planting season following final occupation of the development hereby permitted.

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

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

4. The boundary treatment approved under discharge of conditions application 91671/CND/17 shall be completed before the dwellinghouse is brought into first occupation and shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. Upon first installation, the bathroom and en-suite windows on the first-floor of the development hereby approved shall be fixed shut in perpetuity (at or below a height of 1.7m above the internal floor-level of the room to which it relates) and fitted with, and thereafter retained at all times, in obscure glazing (which shall have an obscurity rating of not less than 3 in the Pilkington Glass Range or an equivalent obscurity rating and range) in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the privacy and amenity of the occupants of 29 Dartford Road, having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted SPG: New Residential Development and the National Planning Policy Framework.

6. Before the dwellinghouse hereby approved is brought into first occupation, three off-road car parking spaces shall be provided in accordance with approved dwg no. 11,377/08 Rev: A. The approved parking spaces shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: In the interests of highway safety and convenience and in accordance with Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and the National Planning Policy Framework.

7. The scheme identifying a porous material to be used in the hard standing (for the car parking area) and directing the run-off water from that hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse approved under discharge of conditions application 91671/CND/17 (dwg. 17.05.P01B) shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

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

8. The development shall be carried out in full accordance with the approved remediation strategy (Reference 41853R2/Iss Rev-A) before the first occupation of the development hereby approved. Thereafter, the development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.



9. Prior to the first occupation of the dwellinghouse hereby approved, the recommended noise mitigation measures, identified within Section 8.1 of the submitted Noise Assessment (produced by Martec Environmental Consultants Ltd. & dated 19th February 2014), shall be implemented in full and retained thereafter.

Reason: In the interests of protecting the amenity of residents of the approved dwellinghouse, and having regard to Policy L7 of the Core Strategy and the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification)

\*(i) no side extensions shall be carried out to the dwelling;

\*(ii) no dormer extensions, or dormer windows, shall be added to the dwelling;

\*(iii) no first-floor windows shall be installed within the dwellinghouse;

\*(iv) no outbuildings in excess of 10sqm in size shall be erected within the curtilage of the dwellinghouse;

other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason. To protect the residential and visual amenities of the area, having regard to Policy L7 of the Trafford Core Strategy, adopted SPG: New Residential Development and the National Planning Policy Framework.

11. Construction should proceed in accordance with the Risk Assessment and Method Statement (RAMS) for the construction phase of the development which was approved under discharge of conditions application 91671/CND/17.

Reason: To ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

12. The approved scheme shall be constructed and completed in accordance with the scheme demonstrating that all surface water will be directed away from the railway line approved under discharge of conditions application 91671/CND/17.

Reason: To prevent surface water seeping onto Network Rail land and causing flooding, de-stabilisation of land, or compromising the safety of critical

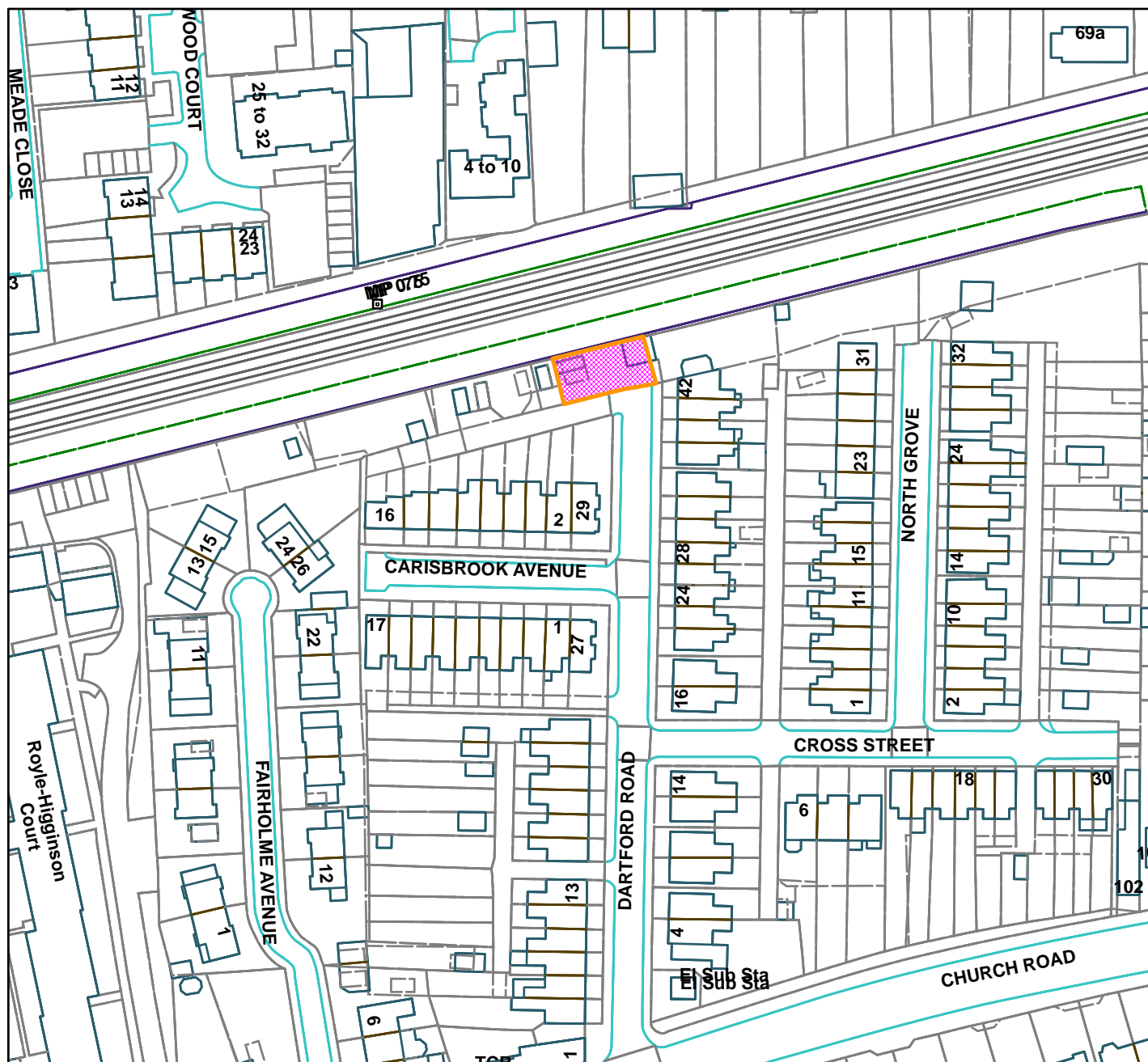
equipment, having regard to Core Strategy Policies L5, L7 and the National Planning Policy Framework.

JW

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44 Dartford Road, Urmston (site hatched on plan)



Scale: 1:1,250

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