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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 10 March 2022

Time: 6.30 pm

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford M32 0TH
(attendance via registration only)**

PLEASE NOTE: A link to the meeting can be found below:

<https://www.youtube.com/channel/UCjwbIOW5x0NSe38sgFU8bKg>

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 meeting held on 10 th February, 2022.	3
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 two working days prior to the meeting. Questions must be within the remit of the Committee or 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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Applications for Planning Permission	
Application	Site Address/Location of Development
<u>103844</u>	Land At Stretford Mall And Lacy Street, Chester Road, Stretford, M32 9BD
<u>104811</u>	City Point And 2 Hornby Road, 701 Chester Road, Stretford, M32 0RW
<u>105247</u>	Moss Cottage, South Downs Road, Bowdon, WA14 3DR
<u>105248</u>	Moss Cottage, South Downs Road, Bowdon WA14 3DR
<u>105249</u>	Moss Cottage, South Downs Road, Bowdon, WA14 3DR
<u>105905</u>	World Of Pets, Thorley Lane, Timperley, WA15 7PJ
<u>106476</u>	Development Site, Waterways Avenue Pomona, Old Trafford
<u>106535</u>	Sale High School, Norris Road, Sale, M33 3JR

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.

SARA TODD

Chief Executive

Membership of the Committee

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

Further Information

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

Michelle Cody, Governance Officer

Tel: 0161 912 2775

Email: michelle.cody@trafford.gov.uk

Planning and Development Management Committee - Thursday, 10 March 2022

This agenda was issued on **1st March, 2022** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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Agenda Item 3

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

10th FEBRUARY, 2022

PRESENT:

Councillor Williams (In the Chair),
Councillors Bunting, Chalkin, Dagnall, Hartley, Hassan, Maitland, Minnis, Morgan,
Thomas and Welton.

In attendance: Head of Planning and Development (Ms. R. Coley),
Planning and Development Manager (East) (Ms. H. Milner),
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),
Solicitor (Planning and Highways) (Mrs. C. Kefford),
Governance Officer (Miss M. Cody).

Also present: Councillors Brophy and Mrs. Young.

APOLOGIES

Apologies for absence were received from Councillors Akinola and Winstanley.

68. DECLARATIONS OF INTEREST

Councillor Chalkin declared a Personal Interest in Application 104799/FUL/21 (Hale Country Club, 47 Clay Lane, Timperley) as he is a member of the Country Club.

Councillor Welton declared a Personal Interest in Application 104799/FUL/21 (Hale Country Club, 47 Clay Lane, Timperley) being a Board Member.

69. MINUTES

RESOLVED: That the Minutes of the meeting held on 20th January, 2022, be approved as a correct record subject to the following amendment to Minute number 62 – Declarations of Interest.

Councillor Morgan declared that he did not have an interest in Application 106581/FUL/21 (Woodheys Primary School, Meadway, Sale), with his previous employer being a heat pump business.

70. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were submitted.

71. 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.

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RESOLVED: That the report be received and noted.

72. 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>
104761/FUL/21 - Sale High School, Norris Road, Sale.	Installation of solar panels to the roof.
104799/FUL/21 - Hale Country Club, 47 Clay Lane, Timperley.	Reconfiguration and extension of the existing car park; revisions to the existing internal access road; ground floor extension and recladding of the main country club; south terrace refurbishment (including construction of a pavilion; pergola; servery and external toilet facility); together with landscaping and associated works.
104821/FUL/21 - Stretford Grammar School, Granby Road, Stretford.	Installation of solar panels to the roof.
105315/HHA/21 - 15 Sandleigh Drive, Hale.	Erection of two storey side extension and part two part single storey rear extension.
106136/HHA/21 - 82 Hempcroft Road, Timperley.	Erection of single storey front extension and part single / part two storey rear extensions.

73. APPLICATION FOR PLANNING PERMISSION 105445/HHA/21 - 12 ROSSETT AVENUE, TIMPERLEY

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of first floor side and part single part two storey rear extensions.

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 have a detrimental and overbearing impact on the streetscene and surrounding area and by reason of the massing articulation and roof design appear as a contrived development that would harm the character of the existing property and wider area, contrary to SPD 4, A Guide for Designing House Extensions and

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

- (2) The proposed development, by reason of its scale, massing, design and proximity to the side boundaries of the site would have an unacceptable impact on the residential amenity the occupiers of no. 10 and 14 Rossett Avenue could reasonable expect to enjoy, due to the overbearing and overshadowing impact of the development, as such the proposed development is contrary to SPD 4, A Guide for Designing House Extensions and Alterations, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

74. APPLICATION FOR PLANNING PERMISSION 105520/HHA/21 - 4 CHILTERN DRIVE, HALE

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of two storey side/rear extension, alterations to front elevation including two storey front extension and other external alterations.

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, would lead to an overbearing and overshadowing impact to no. 2 Chiltern Drive by reason of its scale, massing and proximity to the side boundary with this property. It would therefore have an unacceptable impact on the residential amenity the occupiers of no. 2 Chiltern Drive could reasonably expect to enjoy. As such the proposed development is contrary to SPD 4, A Guide for Designing House Extensions and Alterations, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework

The meeting commenced at 6.30 pm and concluded at 8.32 pm.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10th MARCH 2022

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 on the Council's website.

TRAFFORD BOROUGH COUNCIL

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10th MARCH 2022

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
<u>103844</u>	Land At Stretford Mall And Lacy Street, Chester Road Stretford, M32 9BD	Stretford	1	Grant subject to S106 Agreement
<u>104811</u>	City Point And 2 Hornby Road, 701 Chester Road Stretford, M32 0RW	Gorse Hill	73	Minded to grant subject to Legal Agreement
<u>105247</u>	Moss Cottage, South Downs Road, Bowdon, WA14 3DR	Bowdon	145	Refuse
<u>105248</u>	Moss Cottage, South Downs Road, Bowdon WA14 3DR	Bowdon	170	Refuse
<u>105249</u>	Moss Cottage, South Downs Road, Bowdon, WA14 3DR	Bowdon	186	Refuse
<u>105905</u>	World Of Pets, Thorley Lane, Timperley, WA15 7PJ	Hale Barns	211	Refuse
<u>106476</u>	Development Site, Waterways Avenue Pomona, Old Trafford	Clifford	264	Refuse
<u>106535</u>	Sale High School, Norris Road, Sale, M33 3JR	Brooklands	319	Grant

Note: This index is correct at the time of printing, but additional applications may be placed before the Committee for decision.

WARD: Stretford

103844/HYB/21

DEPARTURE: No

Full planning permission for the demolition of specified buildings; and outline planning permission with all matters reserved except for access for a mixed-use development comprising: up to 13,000 sqm of commercial, business and service floorspace (Use Class E); up to 2,800 sqm of public house or drinking establishment floorspace (Sui Generis); up to 720 sqm of learning and non-learning institutions (Use Class F1); up to 2,400 sqm for local community uses (Use Class F2); up to 800 residential units (Use Class C3); public realm and landscaping; highways improvement works; and other associated infrastructure.

Land at Stretford Mall And Lacy Street, Chester Road, Stretford, M32 9BD

APPLICANT: Trafford Bruntwood (Stretford Mall) LLP

AGENT: Miss Louisa Fielden, Avison Young

RECOMMENDATION: GRANT SUBJECT TO S106 AGREEMENT

The application has been reported to the Planning and Development Management Committee as the Council has a financial interest in the site and is joint applicant, together with Bruntwood as joint venture partner.

Executive Summary

The site relates to two parcels of land in Stretford: Stretford Mall and its immediate surroundings and land adjacent to Lacy Street on the eastern side of the A56. The Mall site constitutes the defined Stretford Town Centre.

The application seeks full permission for the demolition of specified buildings associated with the Mall and outline consent for the comprehensive mixed-use redevelopment of the site, which seeks to *“re-connect Stretford through the redevelopment of Stretford Mall and Lacy Street creating a vibrant and mixed-use town centre anchored around a sequence of new public spaces”*. The proposals include up to 800no residential units (townhouses and apartments), along with commercial, business, food & drink, learning and local community uses. Outline consent is sought for Access with all other matters reserved. The plans indicate a number of new/relocated access points into the site as well as substantial areas of public realm and open space. Parking would be accommodated within the existing multi-storey car park as well as in selected locations in other parts of the site.

The proposal is considered to be in accordance with the Development Plan, the National Planning Policy Framework and relevant local and national planning guidance. The scheme would have a transformative impact on Stretford Town Centre, enhancing it as a facility and destination for local residents and those visiting the area. Whilst the detailed layout, scale and appearance of the development are reserved for future consideration, the submitted information demonstrates that a high quality, well designed scheme can be delivered which provides a good standard of amenity and appropriate parking and access facilities for future residents/users of the site.

Given the Council's current lack of a five-year supply of immediately available housing land, the 'tilted balance' set out in Paragraph 11(d) of the NPPF is applicable. In carrying out this exercise, it is concluded that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. Indeed the benefits of the scheme are considered to significantly outweigh the adverse impacts identified above. The application is therefore recommended for approval.

SITE

The application relates to two parcels of land in Stretford: the first comprising Stretford Mall and its immediate surroundings (the 'Mall' site) and the second being land adjacent to Lacy Street on the eastern side of the A56 (the 'Lacy Street' site). The former of these is approximately 6.6ha and is bound by Kingsway to the North, the A56 to the east, Wellington Street/St Matthews Church to the south and Barton Road to the west. This is occupied by the 1960s shopping centre itself, a multi-storey car park along with areas of surface-level parking and landscaping. The Lacy Street site measures 0.85ha and is bound by Edge Lane to the north, the A56 to the west, Newton Street to the south and the Bridgewater Canal to the east. This is largely occupied by the Lacy Street pay & display car park as well as the site of the former Royal Mail sorting office, with mature landscaping to the north-west corner and along the northern boundary.

There are a number of Grade II listed buildings in close proximity to the site, namely the Church of St Matthew and former cross base to the south of the Mall site, the Civic Theatre (now Stretford Public Hall) on the corner of the A56/Kingsway and the Top Rank Club (former Essoldo Cinema) on the corner of the A56/Edge Lane. Beyond these, the Grade II listed Church of St Ann and St Ann's Presbytery are approximately 300m to the north of the site on the A56, whilst the Grade II Union Baptist Church is approximately 500m to the east on Edge Lane. The Grade II listed Bridgewater Canal Aqueduct is approximately 400m to the south of the site.

The site is situated within Flood Zone 1, having a low probability of river or sea flooding. Much of the adjacent highway network falls within the Greater Manchester Air Quality Management Area, including the A56, Kingsway and Edge Lane, whilst the Bridgewater Canal constitutes a Site of Biological Importance. Victoria Park to the north of the Mall site is an area of Protected Open Space. The site as a whole is highly accessible by public transport with the Stretford Metrolink stop being situated off the northern side of Edge Lane. A number of bus services operate along the A56, Kingsway and Edge Lane with destinations including Manchester City Centre, Sale, Altrincham and Chorlton.

The Mall site is identified as Stretford Town Centre on the Council's adopted Policies Map, whilst the Lacy Street site forms a 'Strategic Development Site'. The site as a whole forms a key element of the 'Refreshed Stretford Masterplan' which although not constituting a Development Plan document, does carry some weight in the planning decision making process.

PROPOSAL

This is a Hybrid planning application, seeking consent in full for the demolition of certain buildings within the Mall site and outline consent for the redevelopment of the site as a whole. The demolition relates to much of the Mall building itself, though shops on King Street (excluding the Mall roof in this location), Aldi and the multi-storey car park are currently proposed to remain. Two single storey units adjacent to Stretford House fronting the A56, as well as water tanks within the site and the multi-storey car park access ramp are also proposed to be demolished.

The outline element of the application seeks approval for the following:

- Up to 800no residential units (Use Class C3);
- Up to 13,000sqm of floorspace for commercial, business and service uses (Use Class E);
- Up to 2,800sqm of floorspace for public house/drinking establishment uses (sui generis);
- Up to 720sqm of floorspace for learning and non-learning institutions (Use Class F1);
- Up to 2,400sqm of floorspace for local community uses (Use Class F2);
- The creation of public realm, provision of landscaping, highway improvement works and associated infrastructure.

Permission is sought for details relating to access, with matters of scale, layout, appearance and landscaping reserved for subsequent approval. Notwithstanding this, the application is supported by an indicative masterplan, parameter plans relating to maximum heights and land uses and other documents to demonstrate the intended outcome of the scheme in terms of its scale, appearance, layout and potential specific uses.

The submitted Design and Access Statement states that the proposals aim to “*re-connect Stretford through the redevelopment of Stretford Mall and Lacy Street creating a vibrant, and mixed-use town centre anchored around a sequence of new public spaces*”. The illustrative masterplan includes a number of new buildings within the site with a mix of residential, commercial and other community uses, with a large area of public open space at the heart of the Mall site along with several other public squares and spaces. The aim is to create a functional town centre and neighbourhood through the removal of much of the existing Mall structure, the creation of attractive public spaces and the provision and enhancement of uses that are conducive to a sustainable community.

In terms of scale, the submitted parameter plan indicates development of the greatest height being generally focused towards the central part of the Mall site, with maximum heights here of eight storeys. Much of the remainder of the Mall site would have an upper limit of six storeys, though this reduces to three storeys towards the southern and western boundaries where there is a closer relationship with existing residential

properties and the listed Church of St Matthews, and to four storeys along parts of the Kingsway frontage. Development on the Lacy Street site would have a maximum height of six storeys. It is noted that these heights are maxima and it is not the applicant's intention for all development within these areas to reach these levels, though the final scale and layout of the scheme would be determined under future reserved matters applications.

Key areas of public open space include Watson Gardens, a large area of open space situated centrally within the Mall site which is proposed to include a series of spaces offering different experiences to residents and visitors to the site. The Lacy Street waterfront area is intended to 'open up' the canal and help integrate it with the town centre, and includes a series of new interlinked public realm spaces. King Street Square is proposed to serve as the 'dynamic centre of Stretford' where there is a focus on culture and community. Broady Square is situated in the north-west part of the Mall site and is intended to become a key gateway into the town centre for people approaching from the west. These areas are proposed to be supplemented with primary and secondary 'green links' through the site, along with pocket green spaces, communal gardens and potentially green roofs.

The application proposes the removal of existing surface level car parking with the retention of the existing multi-storey car park, albeit the existing access ramp is to be demolished. Some smaller areas of surface/podium level parking would be provided across the development and whilst several new vehicular access points are proposed, routes through the site would generally be restricted for vehicles other than those used for servicing. The intention is to create a pedestrian/cyclist focused scheme with the majority of car parking provision consolidated within the multi-storey car park. An indicative Phasing Plan submitted with the application identifies nine potential phases in which the scheme could be brought forward. The earliest phases are those associated with the demolition of Mall buildings, the multi-storey car park and development within the southern/eastern part of the Mall site and the Lacy Street site. Later phases relate to the Aldi store and associated car park.

The application notes that should the development be approved, it would benefit from £18m of 'Future High Streets' government funding.

The application comprises Environmental Impact Assessment (EIA) development and as such, is accompanied by an Environmental Statement. This contains chapters on a number of key issues and assesses the potential for significant environmental impacts to occur as a result of 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

Strategic Objectives SO1, SO2, SO3, SO4, SO5, SO6, SO7 and SO8
Relevant Place Objectives for Stretford

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
W1 – Economy
W2 – Town Centres & Retail
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE

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

OTHER RELEVANT DOCUMENTS

Refreshed Stretford Masterplan (January 2018)

PROPOSALS MAP NOTATION

Town and District Shopping Centres
Strategic Development Sites (Employment)
Other Strategic Development Sites
Protected Linear Open Land (adjacent)

Wildlife Corridor (adjacent)
Trunk and Primary Route Network (adjacent)
Quality Bus Corridor (adjacent)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

S10 – Local and Neighbourhood Shopping Centres
E13 – Strategic Development Sites
OSR6 – Protected Linear Open Land

PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14th February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

Both sites:

102862/EIASCO/20: Request for an Environmental Impact Assessment Scoping Opinion in respect of an outline application for a mixed use development – Opinion Issued 04/02/2021.

Mall site:

105746/FUL/21: Alterations to 4 no. external shopfront elevations – Approved with conditions 25/11/2021.

91563/FUL/17: Demolition of part of shopping centre, minor alterations to car park and new facades to retained building – Approved with conditions 15/12/2017.

84982/FUL/15: Extension to western side of shopping centre (Unit 5A) to create new foodstore and subdivision of existing unit to create four kiosk units. Alterations to existing parking area and landscaping works – Approved with conditions 19/05/2015.

Lacy Street site:

100557/DEM/20: Demolition of the Former Postal Sorting Office. (Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 – Prior Approval given 14/07/2020.

APPLICANT'S SUBMISSION

- Arboricultural Statement
- Archaeological Desk-Based Assessment
- Carbon Budget Statement
- Crime Impact Statement
- Design and Access Statement
- Equality Impact Assessment
- Environmental Statement
- Extended Phase 1 Habitats Survey (Ecological Appraisal)
- Flood Risk Assessment and Outline Drainage Strategy
- Framework Travel Plan
- Green Infrastructure Statement
- Phase 1 Geoenvironmental Desk Study & Ground Stability Risk Assessment
- Protected Species Survey Report
- Record of Community Involvement
- Supporting Planning Statement
- Townscape and Visual Impact Assessment (TVIA)
- Transport Assessment

CONSULTATIONS

Environment Agency: No objection in principle, advice and guidance provided.

Environmental Protection (Air Quality): No objection subject to conditions.

Environmental Protection (Contaminated Land): No objection subject to conditions.

Environmental Protection (Nuisance): No objection subject to conditions.

Greater Manchester Archaeological Advisory Service: No objection subject to condition.

Greater Manchester Ecology Unit: No objection subject to conditions.

Greater Manchester Police – Design for Security: Support subject to matters in CIS being addressed and conditions imposed.

Heritage Development Officer: Less than substantial harm to the setting of heritage assets.

Lead Local Flood Authority: No objection subject to condition.

Local Highway Authority: Conditions recommended.

National Highways: No objections.

Sport England: Non-statutory objection on the basis that no contributions are proposed for sport provision and no on-site provision.

Trafford CCG: No health implications providing a mixture of dwellings are delivered and that they are not all released at the same time.

Trafford Council – Education: Education contribution is required – calculation provided.

United Utilities: No objection subject to conditions.

REPRESENTATIONS

Application consultation:

Following public consultation, a total of 18no objections were received, and 2no further representation made comments but neither objected to nor supported the application. These raise the following concerns:

- There are too many flats proposed for the size of the plot
- The plan does not create high quality housing

- There should be a single floor above the shops for accommodation and no more than 3 stories in any unit
- Height should not exceed 4 storeys
- Six and eight storey buildings are out of character with surrounding land
- The proposed parking is not sufficient and will create problems on surrounding streets
- Increased car traffic will cause congestion and pollution
- Additional population will impact on local services
- The green space needs to be expanded
- Demolition of Mall will leave little space for existing units or future growth
- Possible damage to existing properties
- Extra residents will put pressure on public transport, including trams
- The church view will be blocked
- Wellington Street hedge needs to be preserved
- Access points G and H will be detrimental to current residents, resulting in loss of permit parking space
- Residential units should be limited to 600
- Apartment blocks without an active ground floor make the street more dangerous
- Impact on privacy from height of buildings
- Tall, rectangular, monolithic structures will look imposing and ugly
- New occupants will have cramped, small apartments
- No elevation views are provided
- Provision should be made for cycle lanes on Kingsway
- Existing bars and cafes are underused, others have closed due to lack of customers
- Plans are in breach of the Disability Act
- The time taken to complete the scheme will cause much disruption to local residents
- Safety concerns with multi-storey car park
- Proposals are contrary to UDP policies
- Development will cause light pollution
- Development will go against aims of being carbon neutral
- No leisure facilities for families with children

3no letters of support have been received, noting that the plans represent a much needed improvement to Stretford.

Pre-application consultation:

The application submission includes a Record of Community Involvement, which details the pre-planning application consultation that has been undertaken on behalf of the applicant in relation to the current proposals, as well as earlier consultation in respect of a Draft Town Centre Masterplan (2013), the Refreshed Stretford Masterplan (2017), the future of Stretford Mall (2019) and Stretford Town Centre and wider proposed Area Action Plan (2020).

In relation to the current proposals, virtual consultation was carried out due to the Covid-19 restrictions in place at the time, with an interactive website also used to present the plans for the site on which comments could be provided. 482no letters were sent to neighbours on streets surrounding the site, as well as a further 427no letters to respondents who had previously commented on consultations held since 2019, inviting residents to view the plans online. The virtual consultation was also publicised through the distribution of a leaflet and feedback form to 10,700 households in the wider area, as well as a media release to local outlets and via social media pages for the Mall and Trafford Council.

A number of local stakeholders were also consulted via email and invited to a virtual meeting which took place in February 2021. These stakeholders included Friends of Victoria/Longford Parks, Stretford M32 group and Friends of Stretford Public Hall. Virtual meetings were also held with residents living in close proximity to the Mall in February and March 2021.

The Record of Community Involvement provides a summary of the responses received to this consultation, as well as comments on how concerns have been/are proposed to be addressed. This notes that of the 360no responses received, 71 per cent were generally supportive of the plans for the site whilst 91 per cent of responses are from within the M32 area. It is noted that only 8 per cent of respondents were explicitly not in favour of the proposals. The response from this consultation exercise has fed into and helped shape the development of the current proposals.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Policy position:

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 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 the 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 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version. 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.
4. Paragraph 11 (c) of the NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states 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. The footnote to paragraph 11(d) makes it clear that the development plan should be considered out-of-date for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. The Council does not, at present, have a five year supply of immediately available housing land, so paragraph 11(d) is automatically engaged.
6. The footnote to paragraph 11 (d)(i) explains that the policies of the NPPF referred to include those which relate to habitats protection, heritage and flood risk. The assessment of the scheme on these areas and assets of particular importance (set out later in this report) does not lead to a conclusion that 'provides a clear reason for refusing the development proposed'. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore automatically engaged because of the absence of a five year supply of immediately available housing land. Planning permission should therefore 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. This exercise is set out within the 'Planning Balance and Conclusion' section of this report.
7. Notwithstanding the above, the status of the 'most important' policies for determining this application is set out below:
 - The Council does not, at present, have a five year supply of immediately available housing land and therefore the housing targets identified in Policies L1 and L2 of the Core Strategy are out-of-date in NPPF terms, albeit other aspects of the policies such as affordable housing targets, dwelling type, size and mix are largely still up to date and so can be afforded substantial weight.

- Policy L4 is considered to be largely up-to-date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up-to-date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'. Nevertheless it is considered that Policy L4 can be afforded substantial weight.
- 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. Full weight can be afforded to this policy.
- Policy W1 of the Core Strategy is considered to be compliant with the NPPF by supporting economic growth and is therefore up-to-date and can be afforded full weight.
- Policy W2 of the Core Strategy is considered to be generally consistent with the NPPF in supporting the growth of Trafford's town centres and the role they play in local communities.

Residential development – need and mix:

8. 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 60 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.
9. 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 calculation suggests that the Council's supply as of February 2022 is 4.24 years. Therefore, there exists a 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.
10. 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 the application site is significant in that it sits in very close proximity to the Stretford Metrolink stop, with quick and easy access to retail and other facilities in Stretford itself, as well as in Manchester City Centre, Urmston, Sale and Altrincham.

11. The NPPF also requires policies and decisions to support development that makes efficient use of land, whilst Objective 3 and Policy JP-S 1 of the draft Places for Everyone document encourages best use to be made of brownfield sites. The application site is brownfield, previously developed land and it is considered that the proposal would make best use of the site by delivering up to 800no new homes in a sustainable 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. The site can therefore be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.
12. 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. 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. Given that this is an Outline application, details of the final mix of housing are not yet confirmed, however the supporting Design and Access Statement provides an appraisal of potential residential typologies. This refers to the inclusion of townhouses and apartments, with the potential for a variety of unit sizes to be delivered. Officers are satisfied that an appropriate mix of housing can be delivered within the parameters proposed under the current application.

Affordable housing:

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 65 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. It is noted that the government's 'First Homes' scheme is not applicable to this application, due to the extent of pre-application discussions which have taken place; in these circumstances, the scheme does not come into force until 28th March 2022.
14. The site falls within a 'Moderate' market location for the purposes of applying Policy L2 and with the Borough now in 'Good' market conditions, this relates to a requirement for 25 per cent of the proposed residential units provided to be

delivered on an affordable basis. The submitted Planning Statement identifies that a policy compliant level of affordable housing will be delivered on site. It is proposed that this is secured through the combination of a Section 106 legal agreement and the imposition of a planning condition to require the submission of an affordable housing scheme for each reserved matters planning application for residential development.

15. Officers are satisfied with the 25 per cent provision of on-site affordable housing. Given that the application seeks consent for up to 800no residential units, this equates to a potential 200no new affordable housing units which would represent a significant contribution towards the identified affordable housing need in the Borough. The affordable housing scheme to be secured by legal agreement/condition shall specify the mix and tenure of this provision, however this will be required to reflect the overall mix of unit types delivered (including in terms of the number of bedrooms) and will also be required to be reflective of planning policy in respect of the tenure split. On this basis, Officers are satisfied that the proposed development is acceptable in this respect.

Summary of principle of residential development:

16. 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 up to 800no 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.

Main town centre uses:

17. Policy W2.12 of the Core Strategy states that outside of the identified centres, *"there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance"*. Paragraph 87 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Paragraph 90 of the NPPF states that *"when assessing applications for retail and leisure development outside town*

centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over...2,500m² of gross floorspace”.

18. The proposed development includes a number of potential land uses which would constitute a ‘main town centre use’ as defined by the NPPF (such as retail, restaurants, bars and pubs). The application proposes up to 13,000m² of commercial/business/service floorspace, up to 2,800m² of public house/drinking establishment floorspace and up to 2,400m² of floorspace for local community uses. It is acknowledged that not all potential uses within the Use Classes for which permission is sought would necessarily constitute a ‘main town centre use’.
19. The entirety of the Mall site constitutes the defined Stretford Town Centre on the adopted Policies Map. As such, any main town centre uses delivered within this site would be in accordance with Policy W2 of the Core Strategy and the NPPF in this respect.
20. The Lacy Street site does not fall within the defined Stretford Town Centre, but would constitute an ‘edge of centre’ location as defined by the NPPF. The submitted land use parameter plan identifies this site for potential residential/commercial/public house/café/takeaway/leisure development. The Design and Access Statement, in addressing the approach to the Lacy Street Waterside character area, states that this is intended to be *“a mixed-use destination which reopens the access to the canal and offers an open space activated at ground floor by retail and/or F&B units”*. A key objective for the development of this area is to connect the town centre to the canal and to use this asset to bring people into Stretford from the wider area. The application as a whole seeks the comprehensive redevelopment of Stretford Town Centre, and by incorporating the currently underutilised asset of the canal, aims to enhance the experience of visitors to, and residents of Stretford. Given these aims and objectives, although the application includes the potential for a limited amount of ‘main town centre use’ floorspace in an edge of centre location, this is not considered to be at odds with the aims of local and national town centre policy. Furthermore, whilst not constituting a Development Plan Document, the Council’s adopted Refreshed Stretford Masterplan identifies the Lacy street site as providing a ‘mixed use development’, including retail and café/restaurant uses at ground floor level. On this basis, it is not considered necessary or appropriate to require the applicant to undertake a sequential test or impact assessment in respect of the retail/commercial uses on the Lacy Street site.
21. Policy W2.6 of the Core Strategy states that in Stretford, the regeneration of the town centre and adjacent area will be the focus. This lists a number of aims which can be delivered, which are as follows:
 - New/improved retail floorspace to enhance the offer of the town centre, in particular within Stretford Mall and immediate vicinity;

- New/updated commercial office accommodation and family-oriented leisure facilities;
 - New residential (apartment and family) accommodation (250 units);
 - Public realm enhancements and accessibility improvements around the A56 Chester Road – A5145 Edge Lane / Kingsway junction and between the town centre and the Metrolink station; and
 - Securing the active reuse and preservation of the Essoldo building.
22. The comprehensive redevelopment of the Mall site, assisted by Future High Street government funding would serve to enhance the offer of the town centre, in accordance with the first bullet point above. The application seeks consent for up to 13,000m² of commercial, business and service floorspace as well as up to 2,400m² of local community uses, which is considered to be in accordance with the above aims. New family residential accommodation, including apartment development would be delivered in line with Policy W2.6. Although the proposals exceed the 250no units referred to, it has to be acknowledged that the Council's position has evolved since the Core Strategy was published, in that there is a need for increased delivery of residential units to meet the identified housing shortfall as well as there being emphasis in Section 11 of the NPPF on making an efficient use of land, particularly in a sustainable location such as this. Significant public realm enhancements are proposed as part of this application which will support the delivery of other improvements to be brought forward within the wider area. The Essoldo building falls outside the application boundary, however the proposals have had appropriate regard to its setting as a heritage asset. In addition, the submitted Planning Statement notes that the significant investment and regeneration of the application site will foster the conditions to maximise the prospect that this site will be preserved and find a suitable beneficial use.
23. Given the above, the land uses proposed are considered to be appropriate in this location and would not conflict with the aims and objectives of relevant local or national planning policy and guidance.

TOWNSCAPE IMPACT, VISUAL IMPACT AND DETAILED DESIGN

24. 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.

25. Paragraph 126 of the NPPF states that *“The creation of high quality, beautiful and sustainable 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”*.
26. The National Design Guide sets out ten characteristics which illustrate the Government’s priorities for well-designed places, including identity, built form, movement, nature and public spaces.

Townscape and Visual Impact Assessment:

27. 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.
28. The study area used for the TVIA has been set at 2km around the application site, beyond which it is not considered that effects on landscape character or visual amenity will be impacted as a result of the proposed development. A total of 19no representative viewpoints have been selected.

Townscape effects:

29. With regard to effects of the completed development on townscape designations, the TVIA identifies a major beneficial effect to a localised section of The Cheshire Canal Ring Walk and Regional Cycle Route 82, both of which follow the Bridgewater Canal past the site. A major beneficial impact is predicted to the Grade II listed Church of St. Matthew and Former Cross Base in St. Matthew’s Churchyard, whilst a major-moderate beneficial impact to the Civic Theatre (Stretford Public Hall) and Top Rank Club (Essoldo Cinema) is also predicted. All other identified designations, including Longford Conservation Area and the TransPennine Trail would be impacted by a moderate-minor beneficial or negligible degree.
30. In terms of townscape character, at a national level this impact is determined to be negligible whilst at the local level, this is deemed to be moderate-minor given the low sensitivity of the prevailing townscape character.
31. The TVIA notes that the demolition and construction phase will result in temporary impacts on the local townscape through the loss of existing townscape features,

the loss of existing trees and a temporary reduction in townscape quality due to the presence of construction traffic, plant and equipment. None of these impacts is deemed to be greater than moderate-minor adverse in nature.

Visual effects:

32. With regard to visual effects, the TVIA notes that generally, visibility is anticipated to be limited to within 1km of the site. From viewing locations close to the site, the development will be visible, but would quickly become screened by built form within a short distance of the site and only partial views are afforded.
33. 19no representative viewpoints surrounding the site have been chosen to represent views for visual receptors and to help assess the impact of the development in this respect. These include views from the edge of the site itself, from Victoria Park, the Bridgewater Canal, St Matthews Church and the Trans Pennine Trail at Stretford Cemetery. Longer range views have also been taken from locations including Stretford Meadows and parts of the A56 630m to the south and 700m to the north of the site.
34. Of the 19 identified viewpoints, the assessment finds that the development would result in a major or major-moderate visual impact from seven viewpoint locations. From all of these seven viewpoints other than viewpoint 1, the visual effect is predicted to be beneficial. From viewpoint 1 (junction of Edge Lane and Chester Road, facing south-west), a major-moderate neutral effect is predicted given the increase in massing being balanced by improvements to Chester Road.
35. Officers have considered the TVIA, and the accompanying massing drawings which seek to illustrate how future buildings within the site would impact on the character of the site and its surroundings given their siting, height and massing. As a result of this exercise, the height parameter plan has been amended to reduce the proposed building height along the Kingsway boundary to a mix of a maximum of five storeys (around the existing multi-storey car park) and four storeys along the rest of the Kingsway frontage. A similar exercise was undertaken prior to the submission of the application which resulted in the maximum building height parameter being reduced to three storeys along most of the southern and western boundaries of the site, given its proximity to existing residential properties. Given the above changes, the proposed development is not considered to result in any unacceptable townscape or visual effects during construction of the development or following completion of the development.

Detailed design:

36. Given that the application seeks outline consent (excluding demolition) with all matters other than 'Access' reserved, the final scale, layout and appearance of the development is not for consideration under this application. Parameter plans have however been submitted to indicate proposed land uses and maximum heights

across the site.

37. The approach to the development set out in the height parameters plan is considered to be appropriate, having regard to the submitted TVIA referred to above. It is considered that the greater heights indicated within the central part of the Mall site (up to 8 storeys) would be acceptable, given the distance to neighbouring sites, the need to maximise the use of this sustainable brownfield site in line with the NPPF, whilst also reflecting the character and nature of this town centre location. The maximum heights proposed then decrease to a maximum of six storeys for the remainder of the Mall site, with the exception of the boundaries with Wellington Street/Church Street/St Matthews Church to the south and Barton Road to the west (3 storeys), the majority of the Kingsway boundary (4 storeys) and the multi-storey car park site (5 storeys). This approach will ensure that successful relationships with surrounding development are achieved, that the setting and significance of heritage assets is protected (discussed further below) and that the character of the site and its surroundings are respected.
38. On the Lacy Street site, the maximum height of development is limited to 6 storeys. The inclusion of a significant amount of open space/public realm immediately adjacent to the Bridgewater Canal is important in ensuring any proposed buildings relate well to this asset. The Design and Access Statement notes that in developing the detailed design and layout of the scheme, the bulk and mass of development by the canal should be considered to address the scale of the new public realm. The articulation, siting and roofscape of any buildings here will therefore be of paramount importance, however a well-designed scheme is considered to be achievable within the maximum height parameters identified.
39. Whilst the parameter plan shows maximum heights, as is stated in the applicant's Design and Access Statement, an appropriate variation in the height of buildings, as well as sufficient spacing between them will be essential to ensure the scheme is acceptable in street scene and design terms. On this basis, Officers are satisfied with the parameters established in this submitted plan and a condition should be attached to any consent issued to ensure that reserved matters applications come forward in accordance with this. The concerns of some local residents regarding the scale of development are noted, however Officers are satisfied that the submitted parameters plan will ensure a scheme is delivered which is respectful of the site and its surroundings whilst also delivering an appropriate density.
40. Whilst consent is not sought for matters of scale, layout, appearance or landscaping at this stage, the submitted Design and Access Statement includes a chapter outlining the design principles which have been established for the proposed development. This sets out the intentions of the applicant with respect to the design approach to be taken in relation to future reserved matters applications, and includes matters such as scale, building typologies, parking and open spaces. This chapter is supported by the following 'Character Areas' chapter which sets out five distinctive areas, each responding to the existing and local heritage assets,

urban grain and the residential context. These are the Lacy Street Waterside, King Street, Watson Gardens, St Matthews and Kingsway. Design principles specific to each of these areas are included.

41. In relation to Lacy Street, principles include the need for variation in the scale and massing of development, the maximisation of active frontages and an articulated and varied roofscape. For King Street, principles include the need for consistent materiality and furnishings, the improvement of the façade of the multi-storey car park and permeability from Chester Road. In respect of Watson Gardens (a new, large, central area of open space and its surroundings), key principles relate to the maximisation of active frontages to public realm, the need for variation in scale and massing and for the bulk and mass of buildings to address the scale of the open space. For St Matthews, importance should be afforded to the need to respect the listed church in terms of the scale, bulk and mass of nearby buildings, as well as avoiding on-street parking opposite the church. Finally in respect of the Kingsway character area, principles include reducing the dominance of the car, improving north-south connectivity and creating a cyclist-friendly environment.
42. Overall, the 'Design Principles' and 'Character Areas' chapters of the Design and Access Statement provide a comprehensive, meaningful and implementable framework for the detailed design of development coming forward within the site, without being unnecessarily prescriptive. A condition should be attached to any consent issued requiring reserved matters applications to be brought forward in accordance with the principles set out within the Design and Access Statement. This will also require the submission of a 'Statement of Compliance' with each reserved matters application to demonstrate that appropriate regard and consideration has been given to the Design and Access Statement.
43. Given the above and based upon the information which has been provided at this stage, it is considered that the proposed development can be delivered to a high standard in terms of its detailed design and appearance, and the current application is therefore deemed to be acceptable in this respect.

HERITAGE ASSETS

Legislative and policy background:

44. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
45. 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.

46. Paragraph 199 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. 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.' 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'.
47. Paragraph 202 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*". Paragraph 203 identifies that the effect of an application on the significance of a non-designated heritage asset should also 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.

Significance of nearby heritage assets:

48. Chapter 7 of the Environmental Statement addresses matters of built heritage and provides an assessment of the potential impact of the development on the setting and significance of both designated and non-designated heritage assets. This is informed by a Heritage Statement (HS), submitted as Appendix 7.1 of the ES.
49. The closest listed buildings to the application site are the Grade II Church of St Matthew and Former Cross Base to the south of the Mall site, the Civic Theatre (now Stretford Public Hall) on the corner of the A56/Kingsway and the Top Rank Club (former Essoldo Cinema) on the corner of the A56/Edge Lane. Beyond these, the Church of St Ann and St Ann's Presbytery are approximately 300m to the north of the site on the A56, whilst the Union Baptist Church is approximately 500m to

the east on Edge Lane (all Grade II). The Grade II listed Bridgewater Canal Aqueduct is approximately 400m to the south of the site.

50. Stretford Public Hall is significant for its architectural, historic and communal values. Dated 1879, the building with its prominent clock tower has a landmark status in the area and has a particularly detailed front elevation. Whilst much of its setting has been altered over time, it does however benefit from being viewed in conjunction with the Essoldo Cinema, which together create a distinct gateway into Stretford Town Centre. The Essoldo Cinema itself is significant for its architectural and historic interest. Built in 1936 in an Art Deco style, the building has a prominent entrance on the A56 designed to resemble a cash register and a second entrance fronting Edge Lane. As noted above, this creates a gateway into the town centre along with Stretford Public Hall.
51. The gothic revival Church of St Matthew, built in 1842 and subsequently enlarged is of particular architectural significance, which together with the separately listed Former Cross Base is currently best appreciated from within and in close proximity to the churchyard. Longer range views are generally restricted by vegetation whilst Stretford Mall is considered to have a negative impact on the setting of these assets at present.
52. The significance of the Church of St Ann and St Ann's Presbytery derives largely from their architectural interest. Dated 1862-7 and designed by Edward Welby Pugin, the church is particularly prominent on the A56, whilst there is a more tranquil character to land at the rear. The setting of the presbytery in particular is generally only appreciated from short range views. The Bridgewater Canal Aqueduct is significant principally for its historic and architectural interest and its association with the industrial development of the area. This asset is best appreciated at canal level, limiting its setting.
53. Several non-designated heritage assets (NDHAs) in the vicinity of the site have been identified in the HS. These include the Former Post Office and Derby Hall, immediately adjacent to the Mall and application site boundary. Also identified as NDHAs are Stretford Library, the Robin Hood Public House and Trafford Christian Life Centre to the north and west of the Mall site, whilst Victoria Park and its entrance gates are situated further to the north. Stretford Metrolink Stop on Edge Lane, as well as Stretford Cemetery and associated entrance gates, mortuary chapel and WWII memorial are referenced, as are the Bridgewater Canal and Watch House Cruising Club to the south of the Lacy Street site.

Impact of development on heritage assets:

54. The Council's Heritage Development Officer (HDO) has been consulted on the application and notes that there is a general concern that a methodology assessment adapted from ICOMOS guidance on 'Heritage Impact Assessments' in relation to World Heritage Sites has been used, which ranks heritage assets based

on their potential for international heritage value. Notwithstanding this, the HDO acknowledges that the HS provides a comprehensive and informed understanding of the significance of the affected heritage assets.

55. The Council's HDO concurs with the list of designated and non-designated heritage assets considered by the Assessment. No objections to the proposed partial demolition of Stretford Mall are raised and it is stated that the redevelopment of the site provides a welcomed opportunity to reinstate the eroded historic urban grain, integrate remaining heritage assets, improve their connectivity and create an interesting, distinctive and well-designed town centre. Reference is made to the HS, noting that the urban form of Stretford is severely fragmented: *"there is a poor sense of enclosure to the street blocks surrounding the Site and as a result there is a general lack of pedestrian activity and vitality to the area, with vehicular traffic forming the dominant feature"*.
56. With regard to Stretford Public Hall, it is noted that viewpoint 22 (taken from Chester Road where it meets Newton Street, facing north) demonstrates the potential impact of 6 storeys to the corner of Edge Lane and Chester Road, having the potential to impact on views northwards of this asset. Viewpoint 9 (taken from Chester Road where it meets Randor Street, facing south) indicates the development would be visible in views looking southwards, however it would sit below the height of the Public Hall. From this perspective, it is concluded that the design of the development in terms of articulation, scale, massing, materiality will be critical in ensuring impact on this asset will be minimised; this can be secured at reserved matters stage. Whilst some concerns are raised regarding impacts on views of this listed building from Chester Road to the south of the site (viewpoint 7), Officers are satisfied that no reduction in height on Chester Road or King Street is necessary given the presence of the existing Stretford House and relatively small area from which any negative impact would be experienced.
57. In terms of the Essoldo Cinema, it is concluded that with the exception of viewpoint 22, the proposed height will not compete with that of the Essoldo and the impact of the development can be mitigated through the detailed design process. It is advised that any 6 storey blocks on the Lacy Street site should be separated to enable the view of the Edge Lane elevation of the Essoldo to be maintained looking northwards along Lacy Street; this can be secured at reserved matters stage. Although some concerns are raised regarding impacts on views from viewpoint 22, it is not considered necessary to seek a reduction in the maximum height of development on Lacy Street. An area of public realm is shown on the corner of Edge Lane and Chester Road, meaning any building fronting Chester Road will be set a considerable distance from this heritage asset and would not compete with the Essoldo in views for much of the approach along the A56. The proposed viewpoint also shows the development as a single unarticulated block of development which does not account for any variation in height, spacing between individual blocks or the detailed design of development, all of which would help to

reduce any potential impact on such views, and which would be sought at reserved matters stage.

58. With respect to the Church of St Matthew and Former Cross Base, the HDO notes that the development of Lacy Street will obscure a long distance view of the tower of St Matthews from Edge Lane (viewpoint 18 – taken from Edge Lane where it crosses the Bridgewater Canal, facing south-west), resulting in some minor harm to the appreciation of the listed building as a landmark and visual reference. It is stated that the detailed design stage should seek to improve the architectural interest of the block fronting Chester Road in order to enhance the setting of St Matthews Church. Kinetic views looking southwards across the currently open space could be lost through the development of 3 storey houses and 6 storey blocks adjacent to the Mall, potentially impacting on the setting of this listed building. It is suggested that this harm could be reduced by creating a view through the development towards the Church, or introducing a greater area of open space fronting Chester Road to allow views to be maintained. The reinstatement of historic urban grain in this location is welcomed, providing a sense of enclosure and context to the Church, which is a benefit of the proposals. Connections/access to the green space and public square are required to and from the church yard to appropriately integrate the Church into the development and make the building a focal point. The above requirements will need to be considered at reserved matters stage.
59. With regard to non-designated heritage assets, the HDO advises that the reinstatement of King Street will enhance the setting of both the former Post Office and Derby Hall on King Street, albeit viewpoint 21 (from Cyprus Street, facing south-west) indicates the potential increase in height will be visible above both these buildings. However, the impact is deemed to be limited and an interesting silhouette and materiality to the proposed development will help to mitigate this and could be secured at reserved matters stage. Some concerns are raised regarding views from the west of the Mall, however Officers are satisfied that appropriate massing and articulation to be developed as the scheme progresses to reserved matters stage would sufficiently minimise any harm in this respect.
60. Some concerns were initially raised by the HDO in relation to the impact of potential six storey buildings on Kingsway upon Stretford Library opposite. The maximum height parameters plan has subsequently been amended to reduce the maximum height of any buildings along this frontage (excluding the multi-storey car park) to four storeys, which is considered to be appropriate here. Although the HDO expresses a preference for three storeys here, it is acknowledged that the reduction to four storeys will help to lessen the impact of the development on the setting of Stretford Library and adjacent terraces, as well as the setting of the former Robin Hood Public House. Comments regarding pedestrian connectivity can be addressed through a well-designed layout which Officers will be requiring at reserved matters stage. No concerns are raised regarding the impact of the

development on the Bridgewater Canal, the setting of which is expected to be enhanced by the Lacy Street development and associated green space.

Identification of harm and public benefits:

61. All harm identified to the setting (indirectly) of heritage assets by the Council's Heritage Development Officer ranges from negligible to moderate. With regard to the designated heritage assets affected (Stretford Public Hall, the Essoldo and St Matthews Church), this is considered to constitute 'less than substantial' harm. In accordance with NPPF paragraph 200, this harm requires clear and convincing justification and as required by paragraph 202, this harm should be weighed against the public benefits of the proposal. With regard to the harm identified to the setting (indirectly) of non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset (in accordance with NPPF paragraph 203).
62. There are considered to be numerous significant public benefits associated with the proposed development which would outweigh the harm to designated and non-designated heritage assets identified above. The proposals would deliver up to 800 no much needed residential units in a highly sustainable location, contributing towards meeting the Council's housing land targets and housing needs. The scheme would also deliver a rejuvenated town centre for Stretford, enhancing it as an asset for the local community, as well as a destination for those visiting the area. A significant amount of publicly accessible open space and public realm will be delivered, along with 25 per cent affordable housing provision on-site. As set out elsewhere in this report, the construction phase is anticipated to support 1,440 no direct and indirect jobs during the 3.5 year construction period, which would also generate a gross spend of circa £127,000 per year. In addition, the new households are estimated to spend around £15m per year locally. The scheme will also secure a contribution of just under £3.7m towards primary and secondary education facilities in the local area. The proposals would maximise the benefits associated with a brownfield site in a highly accessible location and overall, the scheme is considered to constitute a socially, environmentally and economically sustainable form of development.

Conclusion:

63. In conclusion, the public benefits identified above are considered to clearly and demonstrably outweigh the less than substantial harm to designated heritage assets as well as the minor harm to non-designated heritage assets. On this basis, the proposed development is deemed to accord with the NPPF and is considered acceptable in this respect.

ARCHAEOLOGY

64. The application is accompanied by an Archaeological Desk-Based Assessment. This establishes that the site has a low potential to contain finds and features from all time periods except for the post Medieval period, where there is a moderate potential to contain the remains of post Medieval building foundations. This goes on to note that past impacts across the site caused by building, demolition and redevelopment will have likely removed or truncated the remains of these foundations, however there are higher chances of preservation in the car park areas. If foundation remains were present, they would be fragmentary and of local significance. The Assessment concludes that archaeology is unlikely to be a design constraint to the proposed development.
65. The Greater Manchester Archaeological Advisory Service (GMAAS) has been consulted and advises that the submitted assessment meets the requirements of the NPPF, and is generally in agreement with its overarching findings. GMAAS notes that there are areas with potential for significant archaeological remains, specifically the Lacy Street site and the central part of the Mall site. The response notes that the Lacy Street site has the potential for Roman-era remains, given the exact route of the Roman road between Chester and Manchester through this area is not known. The central part of the Mall site is identified as having the potential to contain remains from the medieval period.
66. On the basis of the above, a programme of archaeological works is recommended in line with NPPF paragraph 205. This should be secured by condition and would include archaeological evaluation trenching, which would inform the need for any further investigation. Subject to this condition, the proposed development is considered to be acceptable with regard to matters of archaeology.

RESIDENTIAL AMENITY

67. 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”*.
68. Given that approval is not being sought for matters of scale, layout or appearance at this stage, a full further assessment of matters of amenity (including overshadowing and overlooking) will be necessary at reserved matters stage. It is however necessary to consider whether a scheme falling within the parameters identified on the submitted plans can be accommodated without causing unacceptable harm to residential amenity.
69. There are no existing residential properties within either the Mall site or the Lacy Street site. The closest residential properties to the Mall site are those on Wellington Street and Church Street to the south, Barton Road to the west, those

on the opposite side of the A56 to the east and those on residential streets to the north of Kingsway. The application proposes development of a maximum height of three storeys adjacent to the southern and western boundaries of the site, with the Design and Access Statement noting that townhouses would address Wellington Street and Church Street. The existing properties fronting the southern boundary of the site are two storey pairs of semis, and these are set approximately 15m from the site at the nearest point.

70. The Council's adopted Planning Guidance 1: New Residential Development (2004) provides guidance on separation distances between development and residential properties. Given the age of this document, it is considered that limited weight should be afforded to it in the planning process. This guidance suggests 21m as a separation distance between facing windows in two storey properties, increasing to 24m where three storey properties are involved. It is considered that these distances can and should be achieved at Wellington Street/Church Street based on the submitted parameter plans, having regard to the need for landscaping and potentially parking space to be provided. Similarly, it is considered that a scheme can be delivered with no unacceptable impact on the amenity of properties on Barton Road.
71. A strip around the eastern and northern boundaries of the Mall site is proposed for highway and pedestrian access improvements. Having regard to this, development proposed with a height of up to six or eight storeys on the Mall site could only potentially be within approximately 62m of the nearest residential properties on the eastern side of the A56 at the nearest point. This far exceeds the separation distances set out in the Council's guidance and is considered sufficient to ensure there is no unacceptable impact on the amenity of these residents. Similarly, the proposed development could be a minimum of approximately 40m away from the nearest residential properties to the north of the Mall site, which again is sufficient to avoid an unacceptable amenity impact.
72. The closest existing residential properties to the Lacy Street site are those to the south of Newton Street, on the opposite side of Edge Lane to the north and beyond the Bridgewater Canal and Metrolink line to the east. All of these are a considerable distance from the proposed location of new buildings on the Lacy Street site and given the maximum height of six storeys here, this is considered to be an acceptable arrangement with regard to amenity. It is noted that the 'Royal Works' site between the canal and the Metrolink line is subject to an extant planning permission for the development of 40no residential apartments and 7no houses. Although this is closer than existing properties to the east, this is still approximately 30m from any proposed new buildings which again is sufficient to protect the amenity of future residents.
73. Although permission for layout is not sought under this application, this is intended to be a development of a human scale with 'gentle density' as set out in the submitted Design and Access Statement. It is however unlikely that all separation

distances between new buildings proposed in future reserved matters applications will meet the SPD1 guidelines. Properties will however be designed to provide good natural lighting and the development will seek to provide future residents with good levels of amenity, sunlight, daylight and private amenity space consistent with the delivery of a higher density development.

74. Given the above, the proposed development is not considered to have an unacceptable impact in terms of daylight, sunlight and overshadowing. Further consideration will be given to the final layout, scale and appearance of the development at reserved matters stage, at which point it is recommended that a supporting daylight and sunlight assessment is submitted to ensure that all relationships are acceptable in this respect.

HIGHWAY MATTERS

75. 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”*.
76. Paragraph 111 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”*.
77. The application is supported by a Transport Assessment (TA) which considers all relevant traffic and transport matters relating to the site, and seeks to demonstrate that the proposed development is acceptable with regard to impacts on the local highway network, access, parking and accessibility by sustainable modes of transport.

Impact on highway network:

78. Traffic count data has been obtained from TfGM and the Department for Transport for a number of junctions/roads in the vicinity of the site from the year of the most recently available data. It is explained that traffic surveys in the study area would normally have been undertaken, however the continuing effects of Covid-19 at the time the TA was produced have meant that such surveys would not be representative. Pre-pandemic trip generation figures have been provided in relation to the operation of Stretford Mall during peak hours as existing, in order to set a baseline against which the impacts of the development can be assessed. To determine trip generation associated with the proposed development, the TRICS database has been interrogated in order to find representative trip rates for

residential and office developments during peak hours, whilst rates for retail use have been derived from those associated with the existing operation of the Mall.

79. Based on the proposed plans the TA identifies that there is likely to be a net reduction in the overall number of vehicle trips associated with the site over the course of a weekday, as well as a net reduction during the PM weekday peak. It should be noted however that whilst there is an overall reduction in the amount of retail/commercial floorspace, the overall intention of the application is for this to be better-used and more attractive, thereby encouraging greater use with all floorspace being open and thriving. There is predicted to be a net increase in the number of AM weekday peak trips, largely as a result of the provision of residential units and associated travel trends. Predicted trip generation for Saturdays shows a net reduction of between 31 and 49 per cent when compared to the site as existing.
80. Traffic distribution patterns on the surrounding highway network have been established based upon the above trip profile. These are interpreted using methods such as 'Degree of Saturation' (DoS) and the extent of delay to establish what proportion of its capacity each junction/road would be operating at with the development in place. This considers the major roads and junctions immediately surrounding the site as well as Junction 7 of the M60. The TA concludes that the resulting impacts of the development in this respect are so small in their nature that they are considered immaterial.
81. The Local Highway Authority (LHA) has been consulted and does not raise any concerns with respect to traffic associated with the proposed development and its impact on the surrounding highway network. It is also noted that National Highways (formerly Highways England) has not raised any objections to the proposed development.

Site access:

82. The application proposes a total of 6no vehicular access points into the Mall site and 1no access point into the Lacy Street site once development is fully operational. The majority of these will be new access points, though the TA notes that no general access through-routes will be created at the development. It is proposed that bollards or other movable barriers (including benches or planters) will be employed to obstruct through-routes, which can be removed to allow for deliveries to the retail element and access for servicing/emergency vehicles. It is noted that internal access routes for vehicles will be defined at reserved matters stage once the detailed layout of the scheme is known.
83. Access B is situated on Kingsway close to the multi-storey car park and is intended to be the main point of vehicular access for the majority of traffic associated with the development; this will be signal-controlled and would provide access to the multi-storey car park and accessible spaces for the Aldi store. The

TA explains the arrangement, location and purpose of each of the other proposed access points. The majority would provide access for servicing and/or accessible parking only, with the exception of Accesses F (from A56, north of St Matthews Church) and G (from Wellington Street) which are anticipated to provide access to 50no and 30no parking spaces respectively. Whilst the location of existing permit-holder only parking spaces on Wellington Street would need to be amended slightly, there is not proposed to be any reduction in the number of spaces here. The existing access from the surface car park onto Wellington Street, which is currently bollarded, is proposed to be removed. Whilst Officers are generally satisfied with the above access arrangements, there are concerns that access points on Wellington Street have the potential to cause harm to the amenity of residents on this and nearby streets due to the number and/or nature of vehicle movements associated with these. As such, a condition should be attached to any consent issued to ensure these access points are not used a primary entrance to the site for commercial servicing vehicles and to require the submission of a detailed strategy for the use of these points and Wellington Street.

84. The bus laybys on the north and south side of Kingsway would need to be closed to accommodate the junction associated with Access B. A bus lane is proposed to be created on the western approach to the junction, to avoid cars having to make the decision to move out of the path of the bus stops on the eastern exit whilst in the junction. It is possible that the existing taxi/loading arrangement north-east of the mall would need to be moved to accommodate the relocated bus stops, however it is advised that there is likely to be space for both a taxi and bus stop in this location. If this is not the case, an alternative location for the taxi rank within or adjacent to the site will need to be provided before the existing is removed. This should be secured by condition. The existing junction serving the Aldi store would be taken out of use, with Access B serving as its replacement. The proposals also include the removal of the layby on Chester Road which currently provides access to parking within the layby outside Pure Gym. The intention is for this to become part of the public realm, providing opportunity for ground floor commercial units to provide outdoor seating.
85. The application is accompanied by detailed designs for the above mentioned access points, however these have been submitted for indicative purposes only and may not reflect the final junction design. The LHA has raised some concerns with these detailed designs and a number of matters would need to be resolved before any could be implemented. The LHA is however satisfied with the location of these points and confirm that an appropriate design can be developed which would address their initial concerns. A plan has been provided by the applicant which identifies the location of these access points, however a condition should be attached to any consent issued requiring the submission of detailed designs/vehicle tracking information for all proposed accesses.

86. Officers are therefore satisfied that an appropriate level of information has been provided to demonstrate that the proposed access arrangements will be acceptable, subject to the conditions referred to above.

Car parking:

87. Given the outline nature of the application, the eventual mix of floorspace and the exact number of residential units and parking spaces to be delivered is yet to be determined. The figures for the number of units/parking spaces in the TA are therefore based upon the indicative masterplan for the site, which provides a basis for assessing the acceptability of the likely level of parking provision.
88. The Assessment indicates that the intention is for each proposed townhouse to be served by a single parking space (assumed to be 63no in total), whilst all apartments other than those within Phase 1D (in the southern part of the Mall site) would be served by the multi-storey car park (excluding disabled spaces), at a ratio of one space per four units (113no in total). Apartments within Phase 1D would have separate parking arrangements (44no in total). The multi-storey car park would also provide parking facilities to serve retail, leisure and office uses within the site (466no spaces), in addition to those serving residential units. Development on the Lacy Street site is anticipated to provide disabled parking spaces, with some additional general parking spaces provided within the multi-storey car park. The TA notes that the level of provision will be reviewed as each phase comes forward, to ensure that supply is provided at a level which encourages sustainable transport choice, but does not create issues on surrounding streets.
89. The Council's adopted SPD3: Parking Standards and Design includes maximum parking standards for the range of uses proposed under the application. Whilst the final split of uses and number of residential units is not known at this stage, it is clear that the number of spaces to be provided will fall considerably short of these maximum standards. This is acknowledged within the submitted TA, whilst the Design and Access Statement emphasises that *"movement priority is focused on pedestrians through managing the car"* and makes clear that low car ownership/usage is central to the overarching design concept and approach. The TA, including a Parking Strategy sets out rationale and mitigation measures to demonstrate that it would not be appropriate to seek to achieve the maximum SPD3 standards (addressed later in this report).
90. The TA highlights the highly accessible location of the application site, which is considered to be very well connected by public transport and cycle links. The Stretford Metrolink stop is located on the northern side of Edge Lane, opposite the northern boundary of the Lacy Street site with frequent trams towards Altrincham and Manchester City Centre, as well as connections to the wider Metrolink system and national rail network. Accessibility by bus is considered to be excellent, with 25no bus stops within a 640m walking distance from the site. Four of these stops

are on Kingsway to the north of the Mall site and are served by 11no bus routes, with destinations including Manchester City Centre, Stockport, the Trafford Centre, Swinton and Altrincham. The proximity of these bus stops is well within the 400m recommended by relevant guidelines.

91. The site comprises Stretford Town Centre itself, meaning these facilities are inherently accessible by pedestrians from proposed residential units within the site, as are Victoria Park, education facilities and public transport links. The TA also notes that Stretford Meadows is within a 20 minute walk of the site. With regard to accessibility by bicycle, the TA states that Trafford Park, Humphrey Park and allotments can all be accessed within a 10 minute ride, whilst Sale and Urmston town centres are accessible within 20 minutes by bike. Whilst there is some cycle infrastructure surrounding the site, it is severed to some degree by busy roads as well as limited cycle crossing points. The TA notes that a number of improvements to cycle facilities are proposed in the vicinity of the site as part of TfGM's 'Bee Network' programme, whilst proposals are also in place for improvements along the A56 and other main roads in the immediate surrounding highway network, enhancing the site's accessibility by bicycle.
92. The TA includes a Parking Strategy which provides further explanation and justification for the level of car parking proposed. Car ownership figures have been provided based on 2011 Census data for the local area. Whilst it is acknowledged that this is somewhat dated, it constitutes the most recent data of this type available and gives a useful indication of potential car ownership levels without further mitigation. This establishes that 62 per cent of apartment residents in the area do not have access to a car in their household, whilst this is 28 per cent for residents of houses. Applying these figures to the proposed development would result in 370no vehicles or 46 per cent of the proposed dwellings having a car. Whilst this is a higher proportion than the overall level of parking to be provided by the development (31 per cent – with 100 per cent provision for townhouses), the Parking Strategy provides further rationale and mitigation to demonstrate that this would be appropriate in this location. The Strategy notes the downward trend of car ownership since the 1990s and given that the most recent car ownership data is over 10 years old, may no longer be representative. It is stated that a car club can be provided as part of the development, which would be suitable for those requiring a car for occasional use, such as at evenings and weekends, shopping trips and visiting friends and family.
93. Existing Traffic Regulation Orders (TROs) in the vicinity of the application site have been identified and the Parking Strategy proposes that streets within five minutes' walk of the development (identified on a plan) are surveyed before occupation, two months after first occupation and annually thereafter. A condition should be attached to any consent issued to secure this, and to ensure that additional restrictions and potentially extensions to resident permit schemes can be implemented where necessary. This would serve to limit the potential for

disamenity to surrounding residents to arise as a result of overspill parking associated with the proposed development.

94. The Parking Strategy goes on to state that the phased nature of the development will give an opportunity for parking demand and use to be reviewed at each phase, and to use this information for the detailed proposals of future phases. This approach can be secured by planning condition. In addition a detailed Travel Plan will be produced and updated at each phase of development, building upon the submitted Framework Travel Plan and will seek to encourage residents to make sustainable travel choices.
95. The LHA advises that robust measures will be required to ensure a low level of vehicle ownership as envisaged, with no reliance on the public highway to provide on-street parking. It is noted that many of the residential roads in the surrounding area are already subject to extremely high levels of on-street parking. It is requested that a detailed parking layout and parking management strategy is provided at the reserved matters stage, to include a breakdown of residential parking (for example, driveway/podium/use of the multi-storey car park) and accessibility spaces. This should be secured by planning condition. The LHA accepts that the development is suitable for a level of parking provision below that required by SPD3, and that the detailed arrangements will need to be considered further at the reserved matters stage when the final layout has been determined.
96. In summary, Officers consider that appropriate supporting evidence has been provided to demonstrate that the anticipated level of car parking to be delivered is sufficient and would not result in an unacceptable overspill impact on surrounding streets, subject to appropriate conditions. The site is in a highly sustainable location with excellent connectivity via tram or bus, as well as being highly accessible for pedestrians and cyclists making sustainable methods of transport a realistic option for journeys to and from the site.

Disabled parking and access:

97. SPD3 includes standards for disabled parking provision and for most uses, relates to a proportion of the overall parking provision (the maximum being 6 per cent). For residential development, SPD3 states that the level of disabled parking provision will be negotiated on a case-by-case basis.
98. It is proposed to distribute disabled parking spaces throughout the site, though the exact location of these will be determined as the detailed design progresses to reserved matters stage. The TA identified that 5 per cent of the available parking for each phase of the development will be disabled spaces; based on the indicative proposals, this equates to 28no spaces across the development.
99. Officers acknowledge that suitable, well-designed access arrangements for future residents and visitors to the site is critical to ensure that the development delivered

is sustainable and inclusive. Whilst the overall number of proposed parking spaces is lower than could be expected in a less sustainable location, Officers and the LHA are satisfied that the principles established for disability access within this application will ensure that this should not be a factor for anyone deciding whether to live at or visit the completed development. It is also acknowledged that the amount of detail which can be provided at outline application stage in this respect is limited, given that the layout is not finalised. As such, it is considered that a condition should be imposed on any consent issued requiring the submission of a final strategy for inclusive access. This will be based upon the approach identified within the current application and shall ensure that sufficient provision is made for disabled parking spaces, a suitable proportion of accessible residential units is provided, as well as a good standard of accessibility throughout the site more generally.

Cycle parking:

100. SPD3 includes cycle parking standards for a variety of uses, including those proposed under this application. It also contains guidance relating to the detailed design of cycle parking facilities to ensure these are accessible and secure in the interest of encouraging sustainable travel.
101. The submitted TA notes that detailed cycle parking arrangements will be determined as part of future reserved matters applications for each phase of development, once the eventual quantum and split of uses on site has been established. It is also stated that this will be designed in accordance with the requirements of SPD3, in terms of its location, design and accessibility. For visitors to the Mall, this is proposed to be distributed across the site at regular intervals to ensure this is convenient and to help reduce overall journey times. Cycle parking facilities are also proposed to be provided for employees and residents of the proposed residential units. For the latter, Officers consider this should be provided within the apartment buildings where possible, in the interests of ensuring this is secure, weatherproof and easily accessible whilst also reducing the need for further structures within areas of public realm/amenity space. This should be specified in an appropriately worded planning condition. The TA also makes reference to the provision of 'pool bikes' which would be free to use by people working and living on site and would encourage people to cycle who don't own a bike. Arrangements for this would be developed at the appropriate reserved matters stage.
102. Officers are satisfied with the proposed approach to cycle parking provision and subject to the conditions referred to above, the application is considered to be acceptable in this respect.

Servicing:

103. The TA notes that internal access arrangement for servicing, delivery and emergency vehicles will be defined at reserved matters stage. Servicing routes through the development are not however intended to be for general vehicle use, and will be managed appropriately. Swept path analysis for large vehicles using the proposed accesses from the existing highway has been submitted, showing that a 10m rigid vehicle would be able to use all access points. Access B has also been tracked with an articulated vehicle. It is proposed that at reserved matters stage, a 'Movement, Parking and Servicing Management Strategy' and a 'Waste Management Strategy' is provided for each relevant phase, showing internal accessing, swept paths and access requirements. The Waste Management Strategy will also ensure that bins are appropriately stored and will not detract from the appearance of the development.
104. The LHA has confirmed it is satisfied with the above approach and as such, subject to appropriate conditions, the application is considered to be acceptable in this respect.

Summary of highway matters:

105. The proposed development is deemed to be in accordance with local and national planning policy in respect of highway impacts and the 'residual cumulative impacts' are not considered to be 'severe' (as set out in NPPF paragraph 109). The Local Highway Authority is satisfied with the proposed development, subject to a number of appropriately worded planning conditions. On this basis, the proposed development is considered to be acceptable in this respect.

NOISE AND VIBRATION

106. 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...noise and / or disturbance...or in any other way"*.
107. The Environmental Statement includes a section on Noise and Vibration (Chapter 9). This considers the potential impact of noise and vibration on noise-sensitive receptors during the construction and operational phases of development, as well as the suitability of the site for residential development. The nearest existing noise-sensitive receptors referred to in the assessment are residential properties off Kingsway to the north of the development, Wellington Street, Church Street and Talbot Road to the south and west, and Chester Road and Edge Lane to the north-east and east.
108. The Council's Environmental Protection service has been consulted and notes that in respect of the potential construction phase noise and vibration impact, a preliminary quantitative and qualitative assessment has been undertaken at local

existing noise sensitive receptors taking account of the guidance in BS 5228 and best practice mitigation measures. This has enabled suitable threshold limits to be identified for construction noise and vibration. Subsequent detailed submissions will allow for the fine-tuning of arrangements for monitoring of impact during demolition and construction. It is predicted that at worst, temporary, major adverse effects could arise without mitigation at the nearest existing noise sensitive receptors. Future reserved matters applications for each phase will trigger the requirement for the submission and approval of demolition and construction environmental management plans (CEMPS). These plans will explain how such impacts will be minimised by adopting best practicable means and applying appropriate mitigation, thereby reducing the residual effects to temporary, moderate adverse (at worst), for existing noise sensitive receptors. This should be secured by an appropriately worded planning condition.

109. Piled foundations may be necessary in some areas, and will be subject to the application of suitable criteria and monitoring in relation to human impact (annoyance) and effects on buildings. Suitable mitigation will be employed in accordance with relevant guidance and can be secured under the above-mentioned condition.
110. In respect of operational noise the impact of existing noise sources upon the proposed development has been examined. The dominant source of noise impacting on the site will be road traffic on surrounding highways. The report provides indicative specifications/likely glazing and ventilation requirements for the notional worst affected facades facing onto road traffic noise sources, in order to achieve suitable internal criteria (BS8233:2014), albeit detailed consideration will be given at the appropriate design stage to include all aspects such as LAFmax levels for bedrooms. It is likely that reduced specifications will be sufficient for units further away from traffic sources which benefit from shielding from the development itself. Final specifications on a plot-by-plot basis will be finalised at a later stage. An appropriately worded planning condition should be attached to any consent issued to reflect this. Consideration of the effects of tram noise will also be taken into account for the Lacy Street development.
111. The operational phase assessment considers noise from fixed plant, equipment and deliveries which will serve the proposed development. Noise level limits for fixed plant and equipment have been derived at the nearest noise sensitive receptors which if achieved would translate to a permanent, minor adverse effect at worst, which is not significant. Suitable conditions should be attached in relation to subsequent reserved matters applications for fixed plant criteria to account for the cumulative effect of all installations, and to control delivery and waste collections timings.
112. The assessment considers the change in noise levels at existing and proposed sensitive receptors which will occur as a result of the development generated road traffic. These levels have been predicted for the local road network using traffic

data provided for the year 2036 (with the proposed development in place). The predicted noise impact indicates at worst, a permanent, negligible adverse effect which is not significant at noise sensitive receptors and is deemed to be acceptable.

113. Subject to the conditions referred to above, the proposed development is considered to be acceptable in terms of noise and vibration impacts.

AIR QUALITY

114. Policy L5 of the Trafford Core Strategy states that *“development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place”*. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it.
115. Paragraph 186 of the NPPF seeks to ensure that opportunities to improve air quality or mitigate impacts are identified, with the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones being taken into account. Parts of the application site are within the Greater Manchester AQMA, which is designated for the potential exceedance of the annual mean nitrogen dioxide (NO₂) air quality objective, with the adjacent part of Chester Road also identified on the Greater Manchester Clean Air Zone map for this reason.
116. Chapter 8 of the Environmental Statement includes an Air Quality Assessment which considers the potential effects of construction phase dust and operational phase road traffic emissions on air quality at identified existing receptor locations.
117. This concludes that, with the implementation of dust management mitigation measures to be set out within a Construction Environmental Management Plan (CEMP), the impact of construction phase dust emissions is ‘not significant’ in accordance with Institute of Air Quality Management guidance. In terms of air quality impacts of the facility during the operational phase of the development, a detailed emissions assessment was undertaken to consider the impact of development-generated road traffic emissions on local air quality at identified existing receptor locations. The impact of the development on local air quality is predicted to be ‘negligible’ and ‘not significant’ overall in accordance with relevant guidance.
118. The Council’s Environmental Protection service has been consulted and advises that it is satisfied with the above conclusions, subject to the imposition of a number of conditions. It is advised that if any substantial combustion processes (such as combined heat and power) are to be used, then a condition should be attached requiring an updated air quality assessment to be provided to reflect this. Other recommended conditions relate to the provision of electric vehicle charging points and the submission of a Construction Environmental Management Plan.

119. Overall, the proposed development is considered to be acceptable with regard to air quality impacts subject to the conditions referenced above.

FLOODING AND DRAINAGE

120. 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.
121. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of sea and river flooding. The proposed uses are considered to constitute a combination of ‘less vulnerable’ and ‘more vulnerable’ uses in flood risk terms, as defined by the NPPG. The flood risk vulnerability and flood zone compatibility table contained within NPPG identifies all forms of development proposed as being ‘appropriate’ in this location in flood risk terms.
122. The application is accompanied by a Flood Risk Assessment (FRA) and Outline Drainage Strategy. The outline drainage strategy states the preference is to provide a scheme which is wholly inclusive of SuDS, likely to comprise largely of permeable paving. The use of underground tanks will only be used if all other alternatives have been explored and deemed unsuitable. The drainage hierarchy has been considered, as required by the NPPF. This identifies that infiltration into the natural strata is not likely to be feasible due to made ground found on site and potential contamination pathway risks to groundwater. Discharge to a suitable water body is also not deemed to be an option. As such, it is likely that discharge to surface water sewers within the site will be the best option for surface water disposal. Further investigation will however be required to determine the final drainage strategy for the site, and this will also need to be informed by the detailed layout and design of the scheme.
123. The FRA concludes that the site is at low risk from most forms of flooding, including from rivers, seas, reservoirs and public sewers. This does note that there are some minor localised low spot areas of higher risk of surface water flooding, however these can be ‘designed out’ at the detailed design stage.
124. The Lead Local Flood Authority (LLFA) has been consulted on the application and has not raised any objections to the development, noting that further information will be required at a later stage as the detailed design progresses. The LLFA response recommends that a final detailed FRA and drainage strategy is submitted at reserved matters stage, to build on the current version and include some additional information. This includes a BRE365 investigation, geotechnical investigation and CCTV survey. A condition to this effect should be attached to any

consent issued. United Utilities has also commented on the application and does not raise any objections subject to the imposition of appropriate planning conditions.

125. 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, subject to appropriately worded planning conditions.

TREES AND LANDSCAPING

126. 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.
127. The application is accompanied by an Arboricultural Statement, including a Tree Survey Schedule and Tree Removal Plan. This identifies all existing trees within and adjacent to the site and categorises them based upon their quality and value. Potential tree removals to accommodate the indicative masterplan are identified, however it is noted that this is subject to development of the final layout and design of the scheme. Three tree groups within the site are given the highest category 'A' rating, although none of these are proposed to be removed. A number of trees are classified as category 'B', having moderate value though only part of one group of these is identified for removal as part of the development (at the north-west boundary of the Mall site). Part of a single group of low quality category 'C' trees is also identified for removal (adjacent to Wellington Street), whilst all other trees proposed for removal are those likely to have a short life span, irrespective of whether the proposed development proceeds (category 'U').
128. As the final layout and design of the proposed development is not yet known, a detailed tree retention plan and landscaping scheme are not yet available. The site does not lie within a Conservation Area, nor does it contain any Tree Preservation Orders (TPOs).
129. The Council's Arboriculturist has been consulted and whilst no objections to the development are raised, it is emphasised that a Tree Protection Plan should be submitted for the retained trees, particularly for the high quality trees to be retained at Lacy Street and off-site mature trees adjacent to St Matthews Church. A comprehensive landscaping scheme has also been requested, including a planting schedule, whilst details of the proposed tree pit design and soil volume have been requested in respect of all trees planted within areas of hardstanding. A high quality rooting zone in adequate soil volume is required to allow planted trees to survive and thrive.

130. Conditions should therefore be attached to any consent issued requiring the submission of a detailed tree retention and protection plan, along with a fully detailed landscaping scheme to ensure the site is enhanced in this regard. Subject to these conditions, the application is considered to be acceptable in this respect.

OPEN SPACE

131. 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.
132. The proposed on-site open space provision, as described in the Design and Access Statement and Green Infrastructure Statement comprises public squares throughout the site (King Street Square, Broady Square and Church Square), as well as substantial parks and green spaces (Lacy Street Waterfront, Wellington Street Gardens and Watson Gardens). Watson Gardens is a large area of open space situated centrally within the Mall site, and is proposed to include a series of open spaces offering different experiences to residents and visitors to the site. The Lacy Street waterfront is intended to 'open up' the canal and help integrate it with the town centre, and includes a series of new interlinked public realm spaces. King Street Square is proposed to serve as the 'dynamic centre of Stretford' where there is a focus on culture and community. Broady Square is situated in the north-west part of the Mall site and is intended to become a key gateway into the town centre for people approaching from the west. These areas are proposed to be supplemented with primary and secondary 'green links' through the site, along with pocket green spaces, communal gardens and potentially green roofs.
133. In total, the area of this new public realm space equates to approximately 9,000sqm, which is the equivalent of approximately one and a half football pitches. The Design and Access Statement notes that all dwellings within the masterplan area would be within a five minute walk of public open space. This significant amount of public open space and public realm is considered to be sufficient and appropriate for a site of this scale and would address the aims of Core Strategy Policies R3 and R5. The detailed design of these spaces and the specific landscape treatment would be developed at the appropriate reserved matters stage.
134. As the development exceeds 300no residential units, Sport England has been consulted to assess demand against information contained within the Council's adopted Playing Pitch Strategy, in order to determine whether and how the additional demand arising from the development can be accommodated locally. No on-site sport provision is proposed, which is deemed to be a reasonable approach in this instance given the town centre location of the scheme, the size of the site and the amount of public realm being delivered.

135. Sport England state that they object to the application on the basis that they are not aware of a financial contribution being proposed towards improvements to off-site indoor and outdoor sports facilities. The response includes a calculation for a financial contribution towards indoor and outdoor sport, inclusive of costs for a range of facilities including swimming pools, changing rooms and playing pitches. These comments are currently under consideration and an assessment of this issue will be provided via an Additional Information Report.
136. With regard to semi-natural greenspace, SPD1 defines this as including areas of countryside close to residential areas, urban fringe, linear countryside routes, woodlands and nature reserves. This document seeks mitigation measures associated with new development, however there is not deemed to be a requirement for these in respect of the current application given the town centre location of the site and the lack of any impact on existing semi-natural greenspace.
137. Given the scale of the development there is also a requirement for children's play provision with a Neighbourhood Equipped Area for Play (NEAP) standard play area and an additional Locally Equipped Area of Play (LEAP) standard play area, in line with the standards adopted in SPD1. The space available within the indicative landscape masterplan suggests that this provision can be delivered, however further details of this provision will be required at the reserved matters stage. A condition to this effect should be attached to any consent issued.

ECOLOGY

138. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 180 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"*. Policy R2 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 protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
139. The application is accompanied by an Extended Phase 1 Habitats Survey and a Protected Species Survey Report. The Phase 1 Survey identifies that there is one statutory designated wildlife site within 1km of the site (Broad Ees Dole LNR – 950m to the south-east) whilst the nearest Site of Special Scientific Interest (SSSI) is 6.6km away. Five Greater Manchester Sites of Biological Importance (SBIs) are identified as being within a 2km radius of the site, the nearest being the Bridgewater Canal SBI adjacent to the Lacy Street site.
140. The Phase 1 Survey concludes that the overall nature conservation interest of the site is low at the local level and negligible at the regional level. This also concludes

that the risk to statutory wildlife sites is negligible with no special mitigation measures being required. With the exception of the Bridgewater Canal SBI, the risk to local wildlife is determined to be negligible; mitigation measures relating to the development of the Lacy Street site are recommended in the interests of eliminating the risk of any harmful impacts on the Bridgewater Canal wildlife corridor. The risk to roosting bats is deemed to be negligible and that to amphibians is deemed to be low. Despite this, mitigation measures relating to these species, as well as to birds are recommended

141. The Greater Manchester Ecology Unit (GMEU) has been consulted and confirms that the supporting information identifies no significant ecological issues. Any issues relating to bats, nesting birds, the proximity to the Bridgewater Canal and biodiversity enhancement measures can be resolved via condition and or informative.
142. A number of comments from local residents raise concerns regarding the loss of the existing hedge on Wellington Street and the potential impact on biodiversity as a result. Officers are satisfied that there are no overriding ecological reasons for this hedge to be retained and a condition should be attached to any consent issued to ensure this (along with other trees and vegetation within the site) is inspected for the presence of any nesting birds before any removal occurs. In addition, as part of a landscaping scheme to be secured by condition, Officers would be seeking a good level of replacement planting along the Wellington Street frontage as well as within the site more generally.
143. Subject to the recommended conditions, the application is deemed to be acceptable with regard to matters of ecology.

ENERGY USE AND CARBON REDUCTION

144. Policy L5.1 of the Core Strategy states that new development should maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation. L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO2 emissions within the Borough. Policy L5.12 recognises the role that commercial and community low carbon, renewable and decentralised energy generation and distribution facilities can play in reducing CO2 emissions and providing viable energy supply options to serve new and existing developments. It is considered that Policies L5.1 to L5.11 are out-of-date as they do not reflect NPPF guidance on climate change, whilst the remainder of the policy is compliant with the NPPF and remains up-to-date.
145. The application is accompanied by a Carbon Budget Statement, which provides guidance for achieving a low carbon redevelopment and sets out energy targets to achieve as part of the future design of the scheme. The report suggests suitable low carbon technologies for the site, including air source heat pumps, ground

source heat pumps, water source heat pumps, photovoltaics and ambient loop/district heating systems. It proposes that electricity will be used to provide all regulated building loads, which is anticipated to reduce the carbon emissions of the development; carbon emissions associated with grid-supplied electricity are predicted to reduce over time as electricity is provided from increasing proportions of clean and renewable sources. The statement also recommends other measures such as the use of highly efficient building fabric, the use of balconies to provide shading and high efficiency lighting.

146. Whilst the final layout, design and appearance of the development is not yet known, it is considered that the Carbon Budget Statement can be used to guide the approach to carbon reduction taken as the scheme progresses with future reserved matters applications. On this basis, Officers are satisfied that the proposed development will be able to achieve the goals of Core Strategy Policy L5 and the NPPF in this respect. It is however recommended that a condition is attached to any consent issued requiring the submission of a final energy strategy for the proposed development, ensuring that the aims of the submitted statement are carried through to the detailed design stage. Subject to this, the application is considered to be acceptable with regard to energy use and carbon reduction.

DEVELOPER CONTRIBUTIONS

Community Infrastructure Levy (CIL):

147. The proposed development would be liable to a CIL rate of £20 per sqm for private market houses and £10 per sqm for any 'leisure' uses. All other proposed uses have a CIL rate of £0 per sqm.

Affordable Housing:

148. As noted earlier in this report, the site falls within a 'Moderate' market location for the purposes of applying Core Strategy Policy L2 and with the Borough now in 'Good' market conditions, this relates to a requirement for 25 per cent of the proposed residential units provided to be delivered on an affordable basis. The submitted Planning Statement identifies that a policy compliant level of affordable housing will be delivered on site. It is proposed that this is secured through the imposition of a planning condition to require the provision of 25 per cent affordable housing provision and the submission of an affordable housing scheme for each reserved matters planning application for residential development.
149. Officers are satisfied with the 25 per cent provision of on-site affordable housing. Given that the application seeks consent for up to 800no residential units, this equates to a potential 200no new affordable housing units which would represent a very significant contribution towards the identified affordable housing need in the Borough. The affordable housing scheme to be secured by condition shall specify the mix and tenure of this provision, however this will be required to reflect

the overall mix of unit types delivered (including in terms of the number of bedrooms) and will also be required to be reflective of planning policy in respect of the tenure split. On this basis, Officers are satisfied that the proposed development is acceptable in this respect.

Healthcare provision:

150. Policy L2.2 of the Core Strategy states that residential development will be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to health facilities.
151. No healthcare facilities are proposed as part of the development and as such, it is necessary to consider whether a financial contribution towards off-site improvements would be appropriate.
152. Trafford CCG has been consulted and advises that there are not any health implications as a consequence of the development and as such, no requirement for a financial contribution towards off-site facilities. This is on the basis that the 800no residential units comprise a mixture of dwelling types and sizes, and that they are not all released at the same time. This reflects the approach taken to the proposed development and as such, the application is considered to be acceptable in this respect.

Education:

153. Policy L2.2 of the Core Strategy states that residential development will be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to schools.
154. The Council's Education service has been consulted and has provided a calculation for a contribution towards improvements to educational facilities, which is necessary to support the pupil yield of the proposed development. This calculation shows that the expected primary pupil yield of the development would equate to a contribution of just over £1.8m, whilst the secondary pupil yield would equate to just over £1.8m. The applicant has agreed to the provision of this financial contribution and this should be secured by an appropriate legal agreement. On this basis, the application is acceptable in this respect.

Summary of developer contributions:

155. Officers are satisfied that the developer contributions that have been secured from the application are substantial and will help to deliver a range of benefits associated with the development. These contributions comprise 25 per cent on-site affordable housing provision, to reflect the overall mix of dwelling types across the development as a whole and split between tenure types, together with a

substantial financial contributions towards off-site improvements to primary and secondary education facilities.

156. Unlike many applications for residential development received by the local planning authority, no viability case has been put forward by the applicant as an appropriate level of developer contributions will be made. This is welcomed by Officers and demonstrates that appropriate regard has been had to the need for planning obligations to be delivered as part of the development. Officers are also satisfied that this has not been achieved at the expense of design quality or other planning considerations, further demonstrating that viability need not be a restrictive factor in what is a buoyant property market within the Borough.

OTHER MATTERS

Security and safety:

157. 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. Paragraphs 92 and 130 of the NPPF require planning decisions to achieve inclusive and safe places which are *“safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”*.
158. A Crime Impact Statement (CIS) produced by Greater Manchester Police has been submitted alongside the application and notes that compared with many other town centres in Greater Manchester, Stretford Mall and its immediate environs do not generate an especially high volume of crime. Amongst the reasons given for the low crime rate are the Mall being largely closed outside of trading hours and the presence of round-the-clock management and security. This goes on to conclude that the design team has produced a well-considered Masterplan that combines appropriate town centre uses in appropriate parts of the site. Whilst the redeveloped town centre will be more intensively used, the incorporation of appropriate crime prevention interventions at the detailed design stage would ensure that the volume of crime is unlikely to increase.
159. Greater Manchester Police’s Design for Security section has been consulted and supports the application subject to the layout issues within Section 3.3 of the CIS being addressed and the physical security measures within Section 4 being conditioned. The layout issues can be addressed through subsequent reserved matters applications, whilst the physical security measures should be conditioned as recommended. Some representations raise concerns regarding the safety of residents/visitors to the site, however the submission of updated Crime Impact Statements which consider each detailed phase of development will ensure the scheme is appropriately designed in this respect. On this basis, the proposed development is considered to be acceptable in this respect.

Socio-economic issues:

160. The Place Objectives for Stretford in the Core Strategy include the need to explore opportunities to realise the full development/redevelopment potential of the town centre and surrounding area (STO6), to focus economic activity on the town centre to provide employment for local residents (STO8) and to enhance the retail offer of the town centre, maximising opportunities for the re-use or redevelopment of unused, under used or derelict land (STO9).
161. The Environmental Statement advises that the construction of up to 800no new residential dwellings, together with commercial and other proposed uses is expected to support approximately 1,440no direct and indirect jobs during the 3.5-year build period, which would also generate a gross spend of circa £127,000 per year. This is stated as representing a short-term moderate beneficial impact. The proposed housing is expected to accommodate approximately 1,800no new residents, who are estimated to generate a gross additional household expenditure of just over £15m per annum, identified as being a moderate beneficial impact. There are a number of other financial benefits as a result of the scheme, including additional Council tax revenue and New Homes Bonus.
162. The proposals for Stretford Mall are intended to retain existing business and attract new ones in, the intention being for Stretford to function as a busy town centre with the right amount of shops, workspaces, cafes, restaurants and other facilities to serve the needs of local people and visitors. A more diverse offer is anticipated in this regard. The application identifies that there is a current over-provision of floorspace for retail, commercial and leisure uses within the Mall. Tenancies associated with the proposed floorspace are expected to be longer term than at present, bringing greater sustainability and permanency in terms of associated employment. Furthermore, 23 per cent of the existing floorspace of the Mall is currently vacant and therefore approximately 354no employment opportunities are not being realised at present. Overall, Officers expect there to be an increase in employment associated with the non-residential uses proposed, with an associated increase in expenditure in the local area.
163. Taken as a whole, the ES concludes that there would be no significant residual adverse socio-economic impacts of the proposed development. Significant residual beneficial effects are identified at construction stage in relation to job creation and workforce expenditure in the local economy, as well as at completed development and operational stage in relation to an increase in household spend, increase in quality and quantity of housing stock, and the provision of open and recreational space. Officers are satisfied that the scheme will deliver a range of socio-economic benefits, contributing to many of the Strategic and Place Objectives of the Core Strategy. The application is therefore considered to be acceptable in this respect.

Contaminated land:

164. The application is accompanied by a Phase 1 Geoenvironmental Desk Study & Ground Stability Risk Assessment to address matters of contaminated land. This advises of the potential presence of contamination sources which will affect the site including heavy metals, PAHs, sulphate, asbestos, petroleum hydrocarbons and gas (carbon dioxide, methane and depleted oxygen). The assessment recommends that further investigation will be required to inform potential pollutant linkages and the construction process.
165. The Council's Environmental Protection service has been consulted and advises that in order to ensure that this matter is fully addressed, conditions should be attached to any consent issued requiring further site investigation, remediation and verification works. Subject to these recommended conditions, the application is considered to be acceptable with regard to matters of contaminated land.

Wind microclimate:

166. The NPPG notes that *'some forms [of development] pose specific design challenges for example how taller buildings meet the ground and how they affect local wind and sunlight patterns should be carefully considered'*. This also states that *'account should be taken of local climatic conditions, including daylight and sunlight, wind, temperature and frost pockets'*.
167. Although no assessment accompanies the application in this respect, it is acknowledged that no meaningful conclusions could be drawn until the final scale, layout and design of the scheme has been progressed. Once this is finalised at reserved matters stage, some mitigation may be necessary in the form of planting and/or screens. As such, a condition should be attached to any consent issued requiring an assessment to be undertaken at the appropriate stage of development, with mitigation provided where necessary. Subject to this condition, Officers are satisfied that the final development will be acceptable in this respect.

External lighting:

168. Given the Outline nature of the application, no details of any proposed external lighting are provided. As such, a condition should be attached to any consent issued requiring the submission of a lighting scheme before the development is first brought into use. This will ensure there is no harm to 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.

Utilities and services:

169. Policy L7 of the Core Strategy states that development must be satisfactorily served in terms of key utilities such as water, electricity, gas and telecommunications; and be satisfactorily served in terms of the foul sewer system. The application does not specify how the development will be served by electricity, gas or water. No objections to the application have been received from the relevant utilities companies, including United Utilities, Electricity North West and Cadent. Officers are satisfied that the proposed development is acceptable in this respect.

Other issues raised in representations:

170. Most of the concerns raised by respondents to the public consultation have been addressed in the appropriate sections of this report above, however a number of other concerns not covered are considered below.

171. Some representations raise concerns that damage could be caused to existing properties during the construction of the development. Officers are satisfied that a condition requiring the submission of a management plan for demolition/construction will provide appropriate assurance that such issues should not arise. Another representation states that elevation drawings should be provided. Given the outline nature of the development, the external appearance and layout of buildings has not yet been determined and detailed elevations will be required at reserved matters stage. Another comment suggests the development does not require with certain UDP policies, however those policies quoted have been superseded by strategies in the Core Strategy.

CUMULATIVE IMPACTS

172. Cumulative impacts have been considered in relation to all relevant matters within the Environmental Statement, with 8no sites being identified for assessment. These impacts have been assessed within a specific chapter of the Environmental Statement, together with effects associated with the combination of impacts from the proposed development, known as 'synergistic effects'.

173. Other developments considered cumulatively with the proposals include mixed use development at the former Kellogg's site, residential development at the former Itron site and at Royal Works in Stretford.

174. This chapter of the ES concludes that that there is unlikely to be any significant adverse cumulative construction effects, though there may be some minor adverse impacts associated with construction noise and impacts on the Bridgewater Canal, though these can be mitigated to some degree by appropriate method statements. Regarding the operational phase of development, the ES also concludes that there is unlikely to be any significant adverse cumulative effects, with some beneficial impacts in terms of socio-economics.

175. In terms of synergistic effects, the ES acknowledges the potential for some impacts to occur during the construction phase in respect of construction noise, though it also identifies some beneficial economic impacts which offset this to some degree. These impacts are not deemed to render the development unacceptable in planning terms. Operationally, there are not predicted to be any significant synergistic cumulative effects of the development.
176. In summary, Officers are satisfied that potential cumulative impacts have been appropriately considered within the application with mitigation recommended as necessary. As such, the application is considered to be acceptable in this respect.

ENVIRONMENTAL EFFECTS AND MONITORING

177. The significant effects of the proposed development have been considered in the Environmental Statement, and through the analysis carried out throughout this report. It is concluded from this information and analysis that there would be no significant effects on the environment arising from this scheme, with the exception of construction noise impacts on existing sensitive receptors. These effects can be controlled and mitigated to some extent by the provision of an appropriate Construction Environmental Method Statement required by planning condition. The only adverse impact identified during the operational phase relates to noise from fixed plant at the site, however mitigation measures are proposed to minimise effects on existing and future residents and users of the site, and the residual effect is not significant.
178. Subject to the 'embedded' mitigation measures and further mitigation being secured by appropriate planning conditions, there is not deemed to be any reason to withhold planning permission on the basis of the environmental impact of this development. A number of monitoring measures are required to ensure that some of the environmental impacts of the scheme identified in the ES and summarised in this report are mitigated. The majority of these would be brought forward through planning condition, including in respect of air quality and noise impacts.

EQUALITIES

179. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.
180. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty

comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

181. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.
182. The applicant has provided an Equality Impact Assessment which sets out how the application has addressed matters associated with the above-mentioned protected characteristics. This identifies that there is no clear relationship or direct impact on equal opportunities from the development proposals with regard to equality groups gender reassignment; marriage and civil partnership; race; religion or belief; sex/gender; and sexual orientation. This states that there are potential impacts for people from the equality groups age; disability; and pregnancy and maternity.
183. For the construction phase, it is identified that people from the age (younger and older) and disability (physical and mental) protected groups are likely to be more affected by disturbance, noise, and dust. The effects from demolition and construction are however temporary and have been identified as 'not significant'. In addition, such effects will be minimised and mitigated through a Construction Environmental Management Plan.
184. Once completed, the proposed development is deemed to enhance access, movement and use of the new and regenerated retail, housing and leisure facilities, through pedestrianisation, the provision of green spaces, and public realm improvements. These are identified as having positive effects for all people, including all groups with protected characteristics. The proposed diverse mix of housing and facilities would allow for different age demographics within the community, and encourage different people to live in more inclusive neighbourhoods. The change from an unattractive and underused shopping mall back into a town centre with a diversity and mix of uses will create a more vibrant and safer atmosphere with places that people will want to use. The proposed development when completed is identified as having positive effects for residents, workers, and visitors, including those people with protected characteristics.
185. The Assessment concludes that no significant disproportionate or differential negative impacts on groups with protected characteristics have been identified, whilst no options have been missed to promote equality of opportunities. From the

information submitted with the application, Officers are satisfied that no adverse impact on protected groups will arise as a result of the development.

PLANNING BALANCE AND CONCLUSION

186. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
187. 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. As the Council does not have a five year supply of housing land, the tilted balance in Paragraph 11 of the NPPF is engaged. An assessment of the scheme against Paragraph 11(d)(i) does not suggest that there is a clear reason for refusal of the application when considering habitat protection, heritage or flood risk.
188. The proposal complies with the development plan which would indicate that planning permission should be granted. There are no material considerations, either in the NPPF or otherwise which would suggest a different decision should be reached. However, as the tilted balance in Paragraph 11 of the NPPF is triggered it is necessary to carry out an assessment of whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

Adverse impacts:

189. The following adverse impacts of granting permission have been identified:

- Less than substantial harm to designated heritage assets in NPPF terms and minor harm to non-designated heritage assets.
- Loss of trees and vegetation within the site, although this would be mitigated as far as possible by replacement planting and biodiversity enhancement measures.

190. The main benefits that would be delivered by the proposed development are considered to be as follows:

- The transformational regeneration benefit to the town centre, including the Lacy Street site. This is associated with the reintroduction of the historic street pattern, the creation of new townscape, significant public realm improvements, job creation and improved accessibility.
- The provision of new local centre facilities which has the potential to contribute to the enhanced sustainability of the local community and the creation of a sense of place.

- The delivery of up to 800no new homes in a highly sustainable location. The proposals would contribute significantly towards addressing the identified housing land supply shortfall and substantial weight has been given to this benefit.
- 25 per cent of the total number of dwellings will be delivered as affordable units on site.
- A financial contribution towards off-site improvements to education facilities.
- The proposals would maximise the benefits associated with a brownfield site in a highly accessible location, re-using significant areas of previously developed land, including for housing which will contribute positively to the Council's policy aspiration to maximise the use of previously developed land for housing.
- The construction phase is anticipated to support 1,440no direct and indirect jobs which would also generate a gross spend of circa £127,000 per year.
- Once built, the proposed housing is estimated to generate a gross additional household expenditure of just over £15m per annum.
- Improved appearance to and interaction with surrounding land and routes, including the A56, Bridgewater Canal, Edge Lane and Kingsway and the re-integration of the town centre with its surroundings.
- Delivery of a high quality development, secured by a condition requiring compliance with the submitted Design and Access Statement.
- Recreational, social and environmental benefits associated with the provision of on-site publicly accessible open space and public realm.
- New Homes Bonus.

Conclusion:

191. The main adverse impacts identified above are the less than substantial harm to designated and non-designated heritage assets and the loss of some trees and vegetation (albeit mitigated) from within the site.
192. Substantial weight is however given to the contribution the scheme will make to the transformational regeneration of the town centre, the Council's five year housing land supply and the high quality development of previously developed land in a highly sustainable location. Substantial weight is also afforded to the delivery of 25 per cent on-site affordable housing and the significant developer contributions towards enhancements to off-site primary and secondary education facilities. Significant weight is also given to the economic benefits of the scheme, arising both during construction and following completion of the development. Weight is also afforded to the other benefits listed above.
193. Having carried out the weighted balancing exercise under Paragraph 11 (d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. Indeed the benefits of the scheme are considered to significantly outweigh the adverse impacts identified above. 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 nomination rights for on-site affordable housing;
 - A financial contribution towards improvements to off-site primary and secondary education facilities;
- (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:

For the purposes of all relevant conditions below, 'phase' is defined as (a) the phases shown within the phasing plan submitted in relation to Condition 9, or (b) a reserved matters application for buildings or infrastructure.

'Full' component of development:

1. The commencement of the 'Full' component of the development hereby approved 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All works of demolition shall be carried out in accordance with drawing ref. 1988/P/00006 (Demolition Plan).

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

3. No phase of works of demolition shall take place unless and until a Demolition Method Statement for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors;
 - (ii) the loading and unloading of plant and materials, including times of access/egress;
 - (iii) the storage of plant and materials;
 - (iv) demolition methods to be used, including the use of cranes and piling;
 - (v) measures to control the emission of dust and dirt during demolition;
 - (vi) measures to prevent disturbance to adjacent dwellings from noise and vibration;
 - (vii) measures to protect and stabilise all designated and non-designated heritage assets within the site;
 - (viii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (ix) wheel washing facilities, including measures for keeping the highway clean;
 - (x) a scheme for recycling/disposing of waste resulting from demolition works;
 - (xi) information to be made available for members of the public; and
 - (xii) contact details of the site manager to be advertised at the site in case of issues arising

The approved Statement shall be adhered to throughout the demolition phase of development.

Reason: To ensure that appropriate details are agreed before works start on site, in the interests of highway safety, heritage protection and to safeguard the amenities of the locality, having regard to Policies L4, L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

4. No phase of demolition or development ground-works shall take place unless and until a Written Scheme of Investigation (WSI) to secure the implementation of a programme of archaeological works for that phase has been submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:
- (i) A phased programme and methodology to include:
 - a) evaluation through trial trenching within the Phase 2 area of the development
 - b) informed by (a), a watching brief during the removal of foundation slabs beneath Phase 3 to determine the extent of truncation/disturbance and to assess the potential for further remains
 - c) evaluation through trial trenching within the Phase 1E area of the development

- d) informed by (a) (b) and (c), more detailed targeted excavation in any areas of the site where significant archaeological remains are encountered (subject of a separate WSI).
- (ii) A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records and finds
 - b) production of a final report on the significance of the heritage interest represented.
- (iii) Deposition of the final report with the Greater Manchester Historic Environment Record.
- (iv) Dissemination of the results of the site investigations commensurate with their significance, including popular and/or academic publication, public engagement, information panels, on-site heritage display.
- (v) Provision for archive deposition of the report, finds and records of the site investigation.
- (vi) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI(s).

The programme of works shall be implemented in accordance with the approved details.

Reason: In order to record and advance understanding of the significance of any heritage assets to be lost, in accordance with Policy R1 of the Trafford Core Strategy and Paragraph 205 of the National Planning Policy Framework. This work/information is required prior to commencement as any work on site could cause harm or damage to potential archaeological assets.

5. No clearance of trees or shrubs, or demolition of buildings H or P as identified in the 'Buildings Protected Species Survey Report' – Sensible Ecological Survey Solution Feb 2021, 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.

6. Demolition work shall be limited to the following hours:

07.30-18.00 Monday – Friday (excluding heavy plant/machinery until 08.00)
 09.00-13.00 Saturdays

No demolition 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.

'Outline' component of development:

Time limits/phasing/quantum:

7. Application for approval of reserved matters in respect of the first phase of development must be made no later than the expiration of three years beginning with the date of this permission and the first phase of development must commence no later than whichever is the later of the following dates:

- (a) The expiration of three years from the date of this permission; or
- (b) The expiration of two years from the final approval of reserved matters in respect of the first phase of development

Application(s) for the approval of reserved matters for all other phases must be made no later than the expiration of ten years beginning with the date of this permission. Development associated with all other phases must commence no later than the expiration of two years from the date of approval of the last of the reserved matters for that phase.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

8. For each phase of development, the approval of the Local Planning Authority shall be sought in respect of the following matters before development first takes place in that phase:

- (a) Appearance
- (b) Landscaping
- (c) Layout
- (d) Scale

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the details of the matters referred to in the condition have not been submitted for consideration.

9. Any reserved matters application(s) shall be accompanied by a Phasing Plan (updated as necessary) for all approved development which has not yet been

delivered on site. Development shall thereafter take place in accordance with the approved details.

Reason: To ensure that development is brought forward in an appropriate manner, and to ensure that utility infrastructure is delivered in a coordinated and planned way, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. Any reserved matters application(s) shall be brought forward in accordance with the details shown on the following submitted plans:

Plan Number	Drawing Title
1988/P/00002 (Rev A)	Land Use Parameter Plan
1988/P/00003 (Rev C)	Maximum Heights Parameter Plan
1524-01-CIV-XX-XX-TR-0040 (Rev P02)	Overview of Site Accesses

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

11. The development hereby approved shall be limited to the following maxima (all figures Gross External Area):

- (i) 800no residential units (Use Class C3)
- (ii) 13,000m² for commercial, business and service uses (Use Class E)
- (iii) 2,800m² for public house/drinking establishment uses (sui generis)
- (iv) 720m² for learning and non-learning institutions (Use Class F1)
- (v) 2,400m² for local community uses (Use Class F2)

Reason: To set appropriate parameters for future reserved matters applications and to ensure an appropriate mix of uses, having regard to Policies L1, L2, L4, L7 and W2 of the Trafford Core Strategy and the National Planning Policy Framework.

Reserved matters submission:

12. Any application for reserved matters shall be accompanied by a Statement that provides details of the following, both for the proposed phase and the cumulative total from any previously approved/developed phases:

- Quantum of development falling within each use class;
- Mix of residential units, including the number of which are suitable for family living as required by Condition 16;
- Number of accessible residential units to be delivered;
- Quantum of Specific Green Infrastructure provided including tree planting and metrics of qualifying alternative treatments;

- Number of residential units occupied across the whole site at the time of submission.

Reason: To ensure that the development proceeds in accordance with the requirements of this permission and is in accordance with Policies L2, L7, R5 and other relevant policies of the Trafford Core Strategy and the National Planning Policy Framework.

13. All development proposed under future reserved matters applications shall be designed in general accordance with the design principles established within the submitted Design and Access Statement (DAS), prepared by Feilden Clegg Bradley Studios, dated June 2021. Any future reserved matters application(s) shall be accompanied by a Statement of Compliance to demonstrate how the application generally accords with the principles established within the DAS.

Reason: In order to ensure a high quality design and 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 and National Design Guide.

14. Notwithstanding any description of materials in the application, any reserved matters application(s) relating to 'appearance' shall be accompanied by a detailed façade schedule for all elevations of all buildings proposed within that phase. The schedule shall be provided in tabulated form with cross referencing to submitted drawings. Further drawings and cross sections (at a scale of 1:20) shall be submitted to illustrate the following details:

- (i) All brickwork detailing;
- (ii) All fenestration details and recesses, including frame profile;
- (iii) All balcony details;
- (iv) All terrace details;
- (v) All entrances into the building(s);
- (vi) The siting of any equipment on the roofs of the development;
- (vii) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building(s); and
- (viii) The siting of any external façade structures such as meter boxes.

Details of any lift overruns to be provided on buildings within that phase shall also be provided. All buildings shall be designed to incorporate any lift overrun within the building envelope.

Reason: In the interests of visual amenity and to ensure that the quality of the applicants original design intent is not diminished between approval and delivery, having regard to Core Strategy Policy L7 and paragraph 135 of the National Planning Policy Framework. The scheme is required prior to the commencement of development to ensure that the substructure is appropriately designed to

accommodate the approved scheme and the developer and contractor are aware of the construction and cost implications of the design intent.

15. The development shall provide 25 per cent affordable housing across the development as a whole and the first application for reserved matters in respect of any residential development hereby approved shall be accompanied by an Affordable Housing Scheme which shall include the following:
 - (i) the number, tenures, types and locations of the affordable housing to be provided in the development comprised in those reserved matters;
 - (ii) details which demonstrate that the affordable housing shall be designed, constructed and completed in accordance with the requirements of the Design and Quality Standards dated April 2007 published by Homes England as amended or replaced from time to time;
 - (iii) the timing of the construction of the affordable housing comprised in those reserved matters by reference to the occupation of the market housing;
 - (iv) details of who shall own and operate the affordable housing comprised in those reserved matters, whether or not it is to be a Registered Provider; and
 - (v) confirmation of where and how the remainder of the affordable housing in the development is proposed to be provided so as to demonstrate to the Local Planning Authority's reasonable satisfaction that the overall 25 per cent affordable housing requirement shall be met.

Each subsequent application for reserved matters in respect of any residential development hereby permitted shall be accompanied by an updated Affordable Housing Scheme which shall include the details set out in parts (i)-(v) of this condition.

Where an Affordable Housing Scheme has been submitted to the Local Planning Authority in accordance with the above parts of this condition, no development comprised within the relevant reserved matters may be commenced unless and until the Affordable Housing Scheme for those reserved matters has been approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved Affordable Housing Scheme(s).

Reason: To secure a policy compliant level of on-site affordable housing provision, in accordance with Policy L2 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Any application for reserved matters in respect of residential development shall be accompanied by a Strategy for delivering residential units suitable for family living within that phase. In determining whether a residential unit is suitable for family living, regard shall be paid to particular needs in relation to the size of residential units, as identified within the Development Plan or any recognised local/national

standard that is in place at the time of any application for reserved matters. The development shall be carried out in accordance with the approved details.

Reason: To ensure the housing needs of the Borough are adequately met and in accordance with Policy L2 of the Trafford Core Strategy.

17. Any application for reserved matters shall be accompanied by an updated Flood Risk Assessment and Drainage Strategy for that phase, which builds upon the submitted version (Flood Risk Assessment and Outline Drainage Strategy / Date: 17th February 2021 / Author: Civic Engineers / Ref: 1524-01). This shall include the following elements:

- A BRE365 investigation;
- A Geotechnical Investigation to confirm the risk of groundwater flooding;
- A CCTV survey to confirm connection points and to help establish relevant catchments and discharge rates; and
- Confirmation that foul and surface water shall be drained on separate systems.

The development shall proceed in accordance with the approved Drainage Strategy and any identified mitigation measures.

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

18. Any reserved matters application(s) relating to 'landscaping' shall be accompanied by a Tree Retention and Protection Plan for that phase. This shall demonstrate that all trees that are to be retained within or adjacent to the reserved matters application site will be 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 and adjacent to 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.

19. (a) Any reserved matters application(s) relating to 'landscaping' shall be accompanied by full details of both hard and soft landscaping works for that phase. These details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials (including access roads, footways, and areas of the site designated for car parking), boundary treatments, 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. Any trees to be planted must have adequate rooting volume available to so that they can grow for the whole of their lifespan. Where this is not possible, raft systems shall be used, details of which shall be provided, including technical drawings of the type of system to be used, the area that the system will cover and the type and volume of soil to be used (structural soils will not be acceptable).

(b) The landscaping works for each phase 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 relevant phase of the development 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 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.

20. Any reserved matters application(s) shall be accompanied by a Movement, Parking and Servicing Management Strategy for that phase. This shall include plans showing details of the areas for the movement, loading, unloading and parking of vehicles within that phase and shall include a review of parking demand and use for any earlier operational phases. The submitted Strategy shall also include details of how any parking spaces will be allocated and appropriately managed and shall include details for the provision, access and management of disabled parking facilities and servicing arrangements for that phase, including hours of servicing.

The approved Strategy shall be implemented upon that phase of the development being brought into use and adhered to at all times thereafter.

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, Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

21. The first application submitted for approval of reserved matters shall be accompanied by a survey of existing Traffic Regulation Orders (TROs) and occupancy of on-street parking facilities within a 5-minute walk of the application site (as defined in Figure 2 of the submitted Parking Strategy, ref. 1524-01, dated March 2021), which has been undertaken within 6 months of the submission date

of that application. This shall be accompanied by a strategy for the review of existing TROs and resident parking schemes within the defined area, including a process for identifying and securing any necessary mitigation measures, additional TROs or resident parking schemes.

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

22. Notwithstanding any details submitted with the application, including the approved Overview of Site Accesses and details contained within the Transport Assessment, any reserved matters application(s) shall be accompanied by detailed designs of all access points and an associated Access Strategy for that phase. The designs shall include technical drawings of all proposed accesses/junctions and shall include all necessary vehicle tracking information. The Access Strategy shall detail the anticipated nature and frequency of use of all access points, and shall detail any necessary measures for retaining or relocating existing on-street parking provision. The development shall proceed in accordance with the approved details.

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

23. Any reserved matters application(s) shall be accompanied by a Strategy for Inclusive Access and Accessibility Statement for that phase. The submitted Strategy shall be based upon the principles established within the application documents, shall commit to a minimum of 10 per cent of all units on site being accessible (meeting the requirements of Part M4(2) of the Building Regulations), shall detail measures taken to ensure that the level of disabled parking provision is sufficient and shall include measures for ensuring accessibility to and within the site for all visitors and residents. The submitted Accessibility Statement shall indicate how accessible units have been provided for, or otherwise explain and justify why their provision is not appropriate in that phase, and shall explain how accessible provision will be included in future reserved matters applications. The approved Strategy and Statement shall be implemented upon that phase of the development being brought into use and adhered to at all times thereafter.

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

24. Any reserved matters application(s) relating to the construction of new buildings shall be accompanied by a scheme for secure cycle storage for that phase of development. The scheme shall ensure that cycle storage provision is made inside the building for apartment buildings. The scheme shall include details of the location and design of cycle storage facilities, shall be implemented before the

relevant phase of development is first brought into use 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.

25. Notwithstanding the details submitted, any reserved matters application(s) relating to 'layout' or 'appearance' shall be accompanied by a Waste Management Strategy for that phase. This Strategy shall demonstrate that all bin stores shall be internalised within the fabric of the buildings and shall include proposed hours for waste and recycling collections from any commercial premises within that phase. Thereafter, waste and recycling bins shall be stored and made available for collection and return in accordance with the approved Strategy for each phase.

Reason: In the interests of highway safety and residential amenity and to ensure that satisfactory arrangements are in place for the disposal of refuse (including recyclables), having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

26. Any reserved matters application(s) relating to 'appearance' shall be accompanied by an Energy Strategy for that phase. This shall build upon the aims established within the submitted Carbon Budget Statement (ref. 1620011392, dated February 2021). The approved strategy for each phase shall be implemented in full.

Reason: In the interests of achieving a reduction in carbon emissions, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

27. Any reserved matters application(s) relating to 'appearance' shall be accompanied by a glazing, ventilation and M&E strategy for that phase. The approved strategy for each phase shall be implemented and retained for the lifetime of the development.

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

28. Any reserved matters application(s) shall be accompanied by a detailed Crime Impact Statement for that phase, produced in accordance with the principles and recommendations established within the submitted Crime Impact Statement (ref. 2015/0350/CIS/03, dated 02/03/2021). The Statement(s) shall demonstrate how Secured by Design principles and specifications will be incorporated into the design of the development to prevent crime and enhance community safety and

shall also include details of any necessary counter-terrorism measures. Thereafter development of that phase shall proceed in accordance with the approved details, which shall be retained thereafter.

Reason: To ensure that appropriate details are incorporated into the design stage of the development, 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.

29. Any reserved matters application(s) relating to 'layout', 'scale' and 'appearance' shall be accompanied by a Daylight, Sunlight and Overshadowing Assessment, or a statement detailing why such an assessment is not required (which will only be accepted for phases where development does not give rise to such impacts), for that phase. The Assessment shall consider potential impacts on any approved or proposed sensitive receptors within and adjacent to the application site, as well as potential impacts of overshadowing on proposed amenity areas.

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

30. Any reserved matters application(s) relating to 'layout' and 'scale' shall be accompanied either by a Wind Microclimate Assessment or a statement detailing why such an assessment is not required for that phase. Any Assessment shall consider potential impacts on sensitive receptors and shall include a scheme of mitigation measures where necessary. Any required mitigation shall be implemented before that phase of development is brought into use.

Reason: In the interests of ensuring pedestrian comfort and safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

31. Any reserved matters application(s) shall be accompanied by a further Heritage Assessment, or a statement detailing why a further full assessment is not required (which will only be accepted for phases where development does not give rise to potential heritage impacts), for that phase. The Assessment shall consider potential impacts on designated and non-designated heritage assets and shall include measures taken to minimise any harm caused by the development.

Reason: In order to minimise any harm which may be caused to the setting of designated and non-designated heritage assets, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

32. Any reserved matters application(s) relating to a phase that includes a Locally Equipped Area of Play (LEAP) or a Neighbourhood Equipped Area of Play (NEAP) shall include full details of the play area facilities within that phase, including location, size, specification for the play equipment to be installed, full landscaping

details and a maintenance regime for the lifetime of the development. The play area facilities shall be provided before that phase is occupied and subsequently maintained for the lifetime of the development in accordance with the approved details.

Reason: To ensure that children within the development have reasonable access to good quality play space, in accordance with Policy R5 of the Trafford Core Strategy and SPD1: Planning Obligations.

Pre-construction:

33. No works associated with each phase of the development shall take place unless and until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning. The Plan(s) shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) the loading and unloading of plant and materials, including times of access/egress;
- (iii) the storage of plant and materials;
- (iv) construction and demolition methods to be used, including the use of cranes and piling;
- (v) measures to control the emission of dust and dirt during demolition;
- (vi) measures to prevent disturbance to adjacent dwellings from noise and vibration;
- (vii) measures to protect and stabilise all designated and non-designated heritage assets within the site;
- (viii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (ix) wheel washing facilities, including measures for keeping the highway clean;
- (x) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (xi) measures to protect the Bridgewater Canal from accidental spillages, dust and debris;
- (xii) information on how any asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors;
- (xiii) information to be made available for members of the public; and
- (xiv) contact details of the site manager to be advertised at the site in case of issues arising

The approved Plan shall be adhered to throughout the construction period of the relevant phase of development.

Reason: To ensure that appropriate details are agreed before works start on site, in the interests of highway safety, heritage protection and to safeguard the

amenities of the locality, having regard to Policies L4, L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

34. Construction work shall be limited to the following hours:

07.30-18.00 Monday – Friday (excluding heavy plant/machinery until 08.00)
09.00-13.00 Saturdays

No 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.

Pre-above ground construction:

35. No above-ground construction work associated with each phase of the development shall take place unless and until an investigation and risk assessment in relation to contamination on site (in addition to the phase 1 assessment completed) has been submitted to and approved in writing by the Local Planning Authority for that phase. 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 above-ground construction work 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, ground waters 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;
- (iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- (v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The approved remediation strategy/strategies shall be implemented in full.

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. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

36. No above-ground construction works associated with each phase of the development shall take place unless and until a report detailing all fixed plant for that phase has been submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate that all endeavours have been made to internalise plant within the fabric of the buildings where possible, and shall include details of noise levels from any necessary external fixed plant installations (including in combination). Noise measurements and assessments shall be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".

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

37. Where any substantial combustion processes (such as combined heat and power) are to be utilised as part of any phase of the development and where there is a risk of impacts at relevant receptors, no above-ground construction work for that phase shall take place unless and until an updated Air Quality Assessment which takes into account the proposed combustion processes has been submitted to and approved in writing by the Local Planning Authority. Any identified mitigation measures shall be implemented in full.

Reason: In the interests of protecting amenity and air quality, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

38. Notwithstanding any description of materials in the application and any subsequent reserved matters applications, no above-ground construction works associated with each phase of the development shall take place unless and until:
- a) Brick sample panels have been provided on site in agreement with the Local Planning Authority to aid the selection of materials for that phase, and shall include the type of joint, the type of bonding and the colour of mortar to be used;
 - b) Samples and full specifications of all materials to be used externally on all parts of the buildings, including bricks, windows, doors and rainwater goods for that phase, have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials;

- c) Sample panels for the materials agreed under (a) and (b) for that phase have been provided on site and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details and the sample panels required by (c) above shall be thereafter be retained on site throughout the construction of each phase.

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

- 39. No above-ground construction work associated with each phase of the development shall take place unless and until a scheme for Biodiversity Enhancement Measures for that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the relevant phase of development is brought into use/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. These details are required prior to commencement as some measures may need to be incorporated within the building design.

Pre-occupation/use:

- 40. No phase of the development hereby approved shall be occupied/brought into use unless and until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that phase has been submitted to and approved in writing by the Local Planning Authority. The report(s) 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.

- 41. No phase of the development hereby approved which includes landscaping shall be brought into use unless and until a schedule of landscape maintenance for that

phase, 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. Maintenance 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 L5, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

42. No phase of the development hereby approved shall be brought into use unless and until a scheme for any external lighting to be installed on buildings or elsewhere on site within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be accompanied by an assessment to demonstrate that the impact of new external lighting into habitable windows, either within or off-site, would be within acceptable margins, following the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The scheme(s) shall also be accompanied by an assessment of the impacts of any external lighting on biodiversity. Thereafter the site shall only be lit in accordance with the approved scheme(s).

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

43. No phase of the development hereby approved shall be brought into use/occupied unless and until a Travel Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- Realistic and quantifiable targets to reduce car travel and increase use of non-car modes;
 - Targets to be continuously reviewed and monitored against the baseline which will be established within 3 (three) months of the first date of occupation/use;
 - Effective measures and incentives to promote sustainable transport options for residents, employees and visitors;
 - Details of car club provision within the site;
 - Residents travel surveys to be completed every 12 months from the date of first occupation;
 - Appointment of a travel plan co-ordinator;
 - The production and provision of welcome packs;
 - The production of an action plan which sets out how any missed targets will be addressed;
 - The production of an Annual Monitoring Report which shall be made available for inspection by the Local Planning Authority upon request.

The approved Travel Plan shall thereafter be implemented for a period of not less than 10 (ten) years from the first date of operation of any development within that phase.

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.

44. The parking facilities for each phase of development shall not be brought into use unless and until a scheme for the installation of electric vehicle charging points for that phase (minimum 7kWh), in accordance with the most up to date local or national guidance, or IAQM guidelines, has been submitted to and approved in writing by the Local Planning Authority. The charging points shall be installed prior to the parking facilities being brought into use and made available for use thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

45. The existing taxi rank on Kingsway shall not be removed unless and until details of a replacement facility within or adjacent to the application site have been submitted to and approved in writing by the Local Planning Authority. The existing tank rank shall not be removed until the approved replacement location has been brought into use.

Reason: In order to ensure sufficient accessibility by taxi, having regard to Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

Control conditions for operation:

46. Any part of the development falling within Use Class E(b) of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or constituting a public house/drinking establishment (sui generis), shall only be open for trade or business between the following hours:

08.00 – 22.00 Monday to Thursday
08.00 – 23.00 Friday and Saturday
10.00 – 22.00 Sunday and Bank Holidays

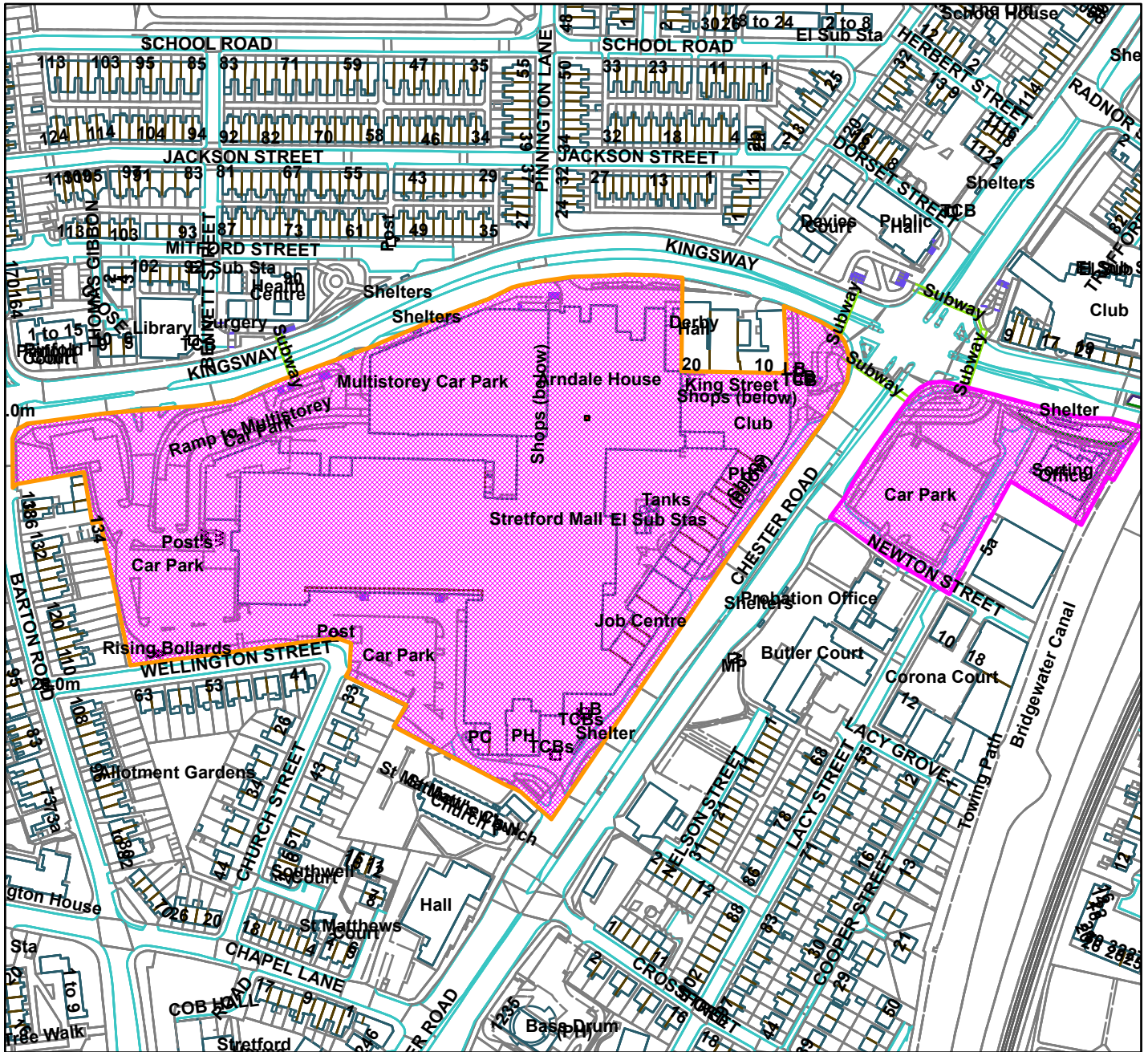
Any furniture shall be removed from the area within 30 minutes of closing time on each day and not set out until the following day. Prior to any such areas being brought into use, signs indicating the restrictions of use shall be placed in a prominent position adjacent to the entrance and exit and retained at all times thereafter.

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

JD



Land at Stretford Mall and Lacy Street, Chester Road, Stretford (site hatched on plan)



Scale: 1:3,000

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Gorse Hill

104811/FUL/21

DEPARTURE: No

Demolition of existing office building and erection of 169 bed hotel, comprising between 4 and 10 storeys of hotel accommodation and ancillary uses including ground floor café, plus basement with pool and gym and screened rooftop plant area and tower feature. Associated parking and servicing areas with main vehicular access off Hornby Road and associated changes to the public realm. Use of No. 2 Hornby Road for hotel staff accommodation.

City Point And 2 Hornby Road, 701 Chester Road, Stretford, Manchester, M32 0RW

APPLICANT: Acre Manchester Ltd

AGENT: Brian Madge Ltd

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

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

EXECUTIVE SUMMARY

Planning permission is sought for the demolition of the existing office building and the erection of 169 bedroom hotel with vehicle access to 22 no. parking spaces from Hornby Road and various public realm improvements. No. 2 Hornby Road which is one half of a pair of existing residential properties, forms part of the application site and would be used as staff accommodation.

A previous scheme for a hotel on this site between 2 and 16 storeys high (98676/FUL/19) was refused by the Council and the subject of an appeal, with the Inspector concluding that the design and impact on the character and appearance of the area and the impact on the setting of the listed building were acceptable but dismissing the appeal due to the impact on living conditions and highway safety and parking including provision of accessible parking. There has been a significant evolution in the scheme since that time to reduce scale, increase on-site parking and address issues of layout, massing, elevational details and the impact on adjacent occupiers.

Objections received relate primarily to the principle of the hotel use, residential amenity impacts, inappropriate scale and design, heritage impacts and parking and highway safety. The representations received have been duly noted and the issues raised considered as part of the application appraisal.

The site lies within the setting of various designated and non-designated heritage assets. It is concluded that the development would not result in any harm to any

designated heritage assets and would result in minor harm in heritage terms to the properties on Hornby Road which have been identified as non-designated heritage assets. In accordance with para 203 of the NPPF a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. It is concluded that there would be no clear reason for refusal of permission on heritage grounds.

All other detailed matters have been assessed and the proposal is considered to be acceptable in policy terms and in terms of design, residential amenity, parking, highway safety, ecology, and flood risk, drainage and contamination.

The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition, and the proposal complies with the development plan and guidance in the NPPF in relation to these matters.

When taking into account the overall basket of policies, it is considered that the scheme complies with the development plan as a whole. When a straightforward balancing exercise of the benefits and harms of the proposals is undertaken, the benefits of the scheme significantly outweigh any harm which would arise. The application is therefore recommended for approval, subject to appropriate conditions.

SITE

The application relates to a 0.15 ha site currently comprising a six storey office building with surface level parking beneath, accessed off Hornby Road to the south.

The site is bounded by Chester Road to the north, Warwick Road to the east and Hornby Road to the south. On the western side the site adjoins the side boundary of No. 2, Hornby Road which is a two storey semi-detached dwelling and Halfords Autocentre (MOT Servicing and Repairs) which fronts Chester Road.

The existing office building has a flat roof and an L-shaped footprint with main elevations onto Warwick Road and Chester Road which have a bronze tinted glass curtain wall façade. To the rear the building elevations include alternate bands of ribbon windows and dark brick with a lighter brown brick with punched windows on the Hornby Road elevation. The building has an undercroft car park supported on concrete columns. There is a low brick wall demarcating the curtilage predominantly topped by railings with some areas of planting focussed at the main entrance on Chester Road and at the junction of Hornby Road and Warwick Road. There are freestanding advertisement hoardings on the Chester Road frontage and security gates at the Hornby Road access.

The character of the area is mixed, comprising residential, retail, food and drink, offices, light industrial uses and sporting venues.

To the south are residential properties on Hornby Road, Barlow Road and Warwick Road. These are predominantly two storey red brick houses. To the southeast is Warwickgate House, an eleven storey apartment building and four storey apartment blocks at Bowden Court. There are various office and apartment buildings close to the junction of Warwick Road and Talbot Road. To the south beyond Barlow Road is Trafford Town Hall, a Grade II Listed building and associated car park and gardens. Further south beyond Talbot Road is Lancashire County Cricket Club and the Old Trafford Metrolink Station.

To the north, across Chester Road is a parade of retail and takeaway units, some of which have residential uses on the upper floors. To the rear of this parade are residential properties on Partridge Street, Railway Road and Sir Matt Busby Way. Across the railway line to the north of these houses is Manchester United's Football Ground at Old Trafford. Diagonally opposite the site to the northeast is a Ford Car Dealership and to the northwest is the Bishops Blaize Public House and a large area of car parking associated with the twelve storey Trafford House office building. To the east of the site, across Warwick Road is The Trafford Public House and associated external yard area. There are hotel rooms at first floor level at the premises.

To the east of the pub is a vacant and dilapidated 6 storey apartment block (Charlton House), beyond which is White City Retail Park. There are vacant, levelled sites to the south of the Trafford Public House opposite the application site.

To the west are two storey residential properties fronting Hornby Road and predominantly single storey commercial buildings fronting Chester Road comprising car repair, MOT and car rental uses. Further west is Tesco Extra Stretford and associated public realm linking Chester Road and the Town Hall and Talbot Road.

PROPOSAL

Planning permission is sought for the demolition of the existing office building and the erection of 169 bedroom hotel (Use Class C1). The application states that the intended operator is Novotel.

The footprint of the building broadly reflects the L-shaped layout of the existing office building, with the building set away from the boundary with No. 2, Hornby Road and an intervening parking and servicing courtyard.

The building is broken up into three sections of varying heights stepping up from Hornby Road to Chester Road. At Hornby Road the building would be four storeys high which then steps up to a central wedge shaped section comprising nine floors of guest accommodation with a setback tenth floor containing the restaurant with an associated external viewing deck to the Warwick Road frontage. Screened rooftop plant would be located above the restaurant level set back from but enclosed within a brick frame. The highest section of the development is focussed on the Chester Road frontage and the Chester Road / Warwick Road corner. This would again comprise nine floors of guest

accommodation with a setback tenth floor containing the restaurant with an associated external viewing deck to the Chester Road and Warwick Road frontages. Above this would be screened plant. The restaurant floor and rooftop plant would be contained within an extruded brick frame however this would extend above the screened plant to 12 storeys high with open sky visible through the topmost section of the frame. Site levels slope gently up from south to north but the predominant height of the building varies from 14.7m above Hornby Road street level at the southern end of the development, to 34.84m in the middle 'wedge' up to a maximum height of 41.34m above Chester Road street level to the top of the brick crown feature.

A basement area accessed by lifts and stairs would comprise a mix of 'back of house' areas, such as plant rooms and refuse storage and also facilities for guests including swimming pool, fitness area and treatment and changing rooms. The 'front of house' activities are at ground level with access via a welcome lobby into a larger gathering area served by a café bar. Close to the southern end of the building is an enclosed electrical substation and incoming gas room.

At first floor level there are two rooms relating to staff administration but this floor otherwise comprises bedrooms, lift and stair core and circulation space. The second floor to the eight floors also largely comprise bedrooms, lift and stair core and circulation space but due to the decreasing mass of the building from south to north the number of bedrooms per floor decreases accordingly.

The main public space containing the restaurant and kitchen, bar and lounge is located above the bedroom accommodation on the 9th floor (10th storey) to take advantage of the views and an external viewing and seating deck is included along the edge of the Warwick Road and Chester Road elevations. There is no additional accommodation at tenth floor level as this comprises screened roof plant and lift overrun. As indicated above, an extruded open brick frame forms the focus of the north-eastern corner of the building.

A green roof is proposed above the four storey section of the building (at the Hornby Road end) and this is included for biodiversity purposes and will not be publicly accessible by hotel users.

Vehicular access would be via a gated access off Hornby Road as existing, leading to a service yard and parking areas. A drop off zone is proposed on the Warwick Road frontage and hatched areas are also indicated as match day bays for use by street vendors. 22 no. on-site parking spaces are proposed in total operated under a valet parking system for guests arriving by car. Three of these spaces are allocated as accessible parking spaces. The car parking spaces would be split between undercroft and fully external areas. Eighteen cycle parking spaces and five motorcycle parking spaces are also provided at ground level.

The main visitor entrance to the hotel would be via a welcome lobby off Warwick Road close to the corner of Chester Road with a secondary entrance off Chester Road. Six

trees are proposed on site, two adjacent to the main entrance, two on Hornby Road near the Warwick Road junction and two on the boundary with No. 4, Hornby Road. A cured raised planter is proposed on the Chester Road frontage in addition to other areas of ornamental shrub planting around the site boundaries. Active frontages have been maximised at ground level onto Warwick Road and Chester Road with views into the reception areas and café. However where undercroft parking is provided, perforated metal infill panels have been utilised to provide the required ventilation.

The three sections of the building are articulated differently in order to break up the apparent mass. The facades of the taller two sections are articulated within a darker brick frame, within which a lightweight brick grid divides the façades into bays. The tenth storey is a simple glass box set in from the main brick elevations, above which is screened plant. These elements are framed by a brick decorative 'crown' feature at the main road junction. The four storey element onto Hornby Road is designed as a weightier section of the building with a textured brick pattern and punched windows with green roof above. The treatment of the rear (western) elevation includes angled, projecting oriel windows which prevent direct overlooking through alignment and obscured glazing.

No. 2 Hornby Road which is one half of a pair of existing residential properties, now forms part of the application site and would be used as staff accommodation.

The application form indicates that the development would employ 40 full time employees and up to 22 part time employees.

The total floorspace of the proposed development (GIA) would be **8665.98 m²**.

Value Added: - The current application was validated in July 2021. There has been a significant evolution in the scheme since that time to reduce scale and address issues of layout, massing, elevational details and the impact on adjacent occupiers.

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

SL3 – Lancashire Cricket Club Quarter
W1 – Economy
W2 – Town Centres and Retail
L3 – Regeneration and Reducing Inequalities
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R6 – Culture and Tourism

PROPOSALS MAP NOTATION

Priority Area for Regeneration (Gorse Hill)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

SPG1 New Residential Development (2004)
Revised SPD1: Planning Obligations (2014)
SPD3: Parking Standards and Design (2012)

OTHER RELEVANT DOCUMENTS

Draft Land Allocations Plan: LAN1 – Lancashire County Cricket Club Quarter Strategic Locations

Draft Civic Quarter Area Action Plan (Submission Draft) November 2021

PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance.

OTHER RELEVANT LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING HISTORY

98676/FUL/19 - Demolition of existing office building and erection of 190 bed hotel, varying in height from 2 - 16 storeys of accommodation plus basement and screened rooftop plant area and tower feature. Associated parking and servicing areas with main vehicular access off Hornby Road associated changes to the public realm - Refused and Appeal Dismissed 2020

95591/FUL/18 - Demolition of existing office building and erection of 212 bed hotel, varying in height from 3 - 16 storeys with screened rooftop plant areas and including roof top bar, restaurant and associated changes to the public realm – Withdrawn 2019

87743/PRO/16 - Change of use of existing office building from office (Use Class B1(a)) to residential (Use Class C3) to create 35 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 2016

APPLICANT'S SUBMISSION

The applicant has submitted the following information in support of the application. A number of these reports have been updated during the course of the application. The content will be referred to as necessary within this report:-

- Planning Statement and Sequential Test

- Design and Access Statement
- Heritage Statement including Visual Impact Assessment
- Wind Microclimate Study
- Flood Risk Assessment and Drainage Strategy
- Transport Assessment and Supplementary Technical note
- Noise Assessment
- Daylight and Sunlight Report
- Crime Impact Statement
- Preliminary Roost Assessment and additional Bat Survey report of Outbuilding at 2 Hornby Road
- Air Quality Screening and Dust Risk Assessment
- Carbon Budget Statement
- Stakeholder Engagement Results Statement
- Glazing Guidance Notes

CONSULTATIONS

Cadent Gas – While there is no objection in principle to the planning application they advise that the development is in the vicinity of medium and low pressure assets and as such an informative should be attached to prevent damage to their assets or interference with their rights.

City Airport – No objections.

Electricity NW – Consider that the application could impact on their infrastructure and the applicant should be advised and referred to relevant documents relating to underground services and overhead electric lines.

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

GM Archaeological Advisory Service (GMAAS) – Confirm they are satisfied that the proposed development does not threaten the known or suspected archaeological heritage and there is no reason to seek to impose any archaeological requirements upon the applicant.

GM Ecology Unit (GMEU) – No objection subject to appropriate conditions and informatives. Comments are discussed in more detail in the Observations section of the report.

GMP (Design for Security) – No objection subject to an appropriate condition. Comments are discussed in more detail in the Observations section of the report.

GM Fire and Rescue Service (Fire Safety) – No objection stated. The response sets out standard requirements for Fire Service Access as per Approved Document B and

state that the Fire and Rescue Service should have the opportunity to make further representations during consultation under the Building Regulations in due course.

Lead Local Flood Authority (LLFA) – No objection subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Local Highway Authority (LHA) – No objection subject to recommended conditions and legal agreement. Comments are discussed in more detail in the Observations section of the report.

Manchester Airport Aerodrome Safeguarding - No objection but advise the applicant's attention is drawn to the procedures for crane and tall equipment notifications.

National Air Traffic Services (NATS) – No safeguarding objection.

Trafford Council, Arboriculturist – No objection subject to appropriate landscaping condition incorporating a requirement for raft systems for the trees. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Heritage Development Officer – No objection. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Air Quality) - No objection subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Contaminated Land) – No objection.

Trafford Council, Pollution & Housing (Nuisance) – No objection subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Strategic Planning and Developments – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Street Lighting – No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Trafford Council, Trading Standards and Licensing - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Trafford Council, Waste Management – Do not wish to make any comments on the application.

United Utilities - No objection subject to appropriate drainage conditions. Comments are discussed in more detail in the Observations section of the report.

REPRESENTATIONS

Neighbours: - In relation to the first consultation, objections were received from the occupiers of 8 separate addresses (5 on Hornby Road and 3 at Warwickgate House). A petition signed by residents of 18 properties on Hornby Road has also been received. A letter of objection and a 'Critical Appraisal on Highway Matters' have also been received on behalf of LCCC. Grounds of objection summarised below:

Residential Amenity

- Building is too big and imposing on residents
- Will result in overshadowing and loss of sunlight
- Loss of privacy
- General noise and disturbance from restaurant / bar, deliveries, refuse collections and general comings and goings on a 24/7 basis
- Residents already have to put up with stress and disruption on match days and when there are concerts, this will add to it
- Will be too bright at night
- Noise and dirt during construction process
- Increase in pollution
- Concerns about impacts on TV Reception

Design and Heritage

- Building is too big and ugly – previous design was better
- Building will be visible from surrounding streets.
- Will dominate adjacent housing – impact on Hornby Road not properly assessed in heritage terms
- Not in keeping with the historic quarter the Council say they want to create

Highway and Parking Issues

- Will result in an increase in traffic including delivery and collection vehicles causing congestion and possible accidents
- Lack of parking will result in parking on street at all times by people attracted to the various facilities and blocking of driveways causing issues for residents
- Damage to Hornby Road and pavement due to additional vehicles.
- Roads will be congested during construction
- No one except possibly some staff will travel to a hotel by bike
- Taxis are supposed to pull up in the drop off bay but it is closed off during match days.

Other Matters

- It will lower property values in the area
- There is no need for another hotel, there are already lots in the area
- Difficult to forecast visitor levels due to Covid

- Will change the residential status of Hornby Road
- Will upset local wildlife – bats, birds and insects
- This is yet another hotel application when residents have made it clear they aren't happy with it
- The statements omit to mention the developers have bought No. 2 Hornby Road when discussing overall use of the site
- Some of the information provided as part of the application is not believed or there is too much of it.

LCCC

- Proposal is contrary to L7 of the Core Strategy as it is not compatible with the surrounding area and will prejudice amenity which was a principle issue in the appeal. Notwithstanding the reduction in the maximum height from the Appeal scheme, the building will still have a stark visual impact which will severely detract from the outlook of local residents and their living conditions, particularly as the current application is not stepped as was the case previously
- In relation to demand for hotel provision, LCCC considers there are alternative and preferable locations within the wider area which are available to meet that demand. They consider that the sequential assessment submitted is unduly restrictive in its approach and should include Manchester City Centre and that its conclusions flawed and cannot be relied on to demonstrate that there are no sequentially preferable sites for the development proposed. The application is, therefore, contrary to the NPPF and policy W2.12 of the Core Strategy.
- Contrary to Policy W1.12 of the Core Strategy as it has not been demonstrated that there is no need for the site to be retained for employment purposes; the sports related demand for hotels is already catered for in the locality. In relation to the demand for hotels in the wider area, there are more appropriate sites available in the wider area and the development would compromise the neighbouring residential occupiers

Summary of Critical Appraisal on Highway Matters' by Axis on behalf of LCCC

- Lack of scoping with the LHA prior to the TA work, as per best practice;
- No swept path analysis of refuse collections or details on frequency of refuse collection vehicle access to the site
- Inadequate swept path analysis of the 7.5T van and large hotels often require servicing by significantly larger vehicles
- The proposed car parking provision is considered insufficient for staff and guest demand and the justification for the provision within the TA is flawed.
- Whilst it is accepted that the site is in a reasonably sustainable location, the TA infers guests would walk, with heavy bags from the nearest tram stop to the site Which is unrealistic;
- Insufficient details are provided with regard to what measures would be provided to mitigate against overspill parking demand on the local highway network; No swept path analysis of the car park is provided in the TA

- No assessment has been provided with regard to the tandem parking. No details on how vehicles using the drop off bay would turn around on Warwick Road, and how this might affect traffic movements through the adjacent Chester Road signalised junction.

Three further objections have been received from the occupiers of No's 4, 6 and 11 Hornby Road following the second neighbour notification carried out. Some original grounds of objection were reiterated (as summarised above) and the additional points made:

- The amendments have made it even more objectionable to residents.
- If No. 2 Hornby Road is to be used as indicated it can hardly be described as residential with the back garden used as car parking and staff using the building resulting in noise on a 24/7 basis.
- No's 2 & 4 are joined so work on the roof structure would affect the other property.
- There are other tall buildings in the area but not so close to houses – many of the tall buildings referred to have no visual intrusion due to their location and land levels.
- How will match day road closures be managed if coaches and taxis are to drop off customers at the hotel during the times of the closure?
- The proposals will worsen the amenity of Hornby Road residents by being taller than the previous plans and the existing office building.
- No benefit to the community

A further objection has been received from LCCC in relation to the amended plans which is again accompanied by a review of highways issues by Axis. The main concerns are re-iterated with any additional points made summarised below:

- The amended details submitted by the applicant represent another articulation of the applicant's proposed overdevelopment of the site which is sensitive having regard to its juxtaposition with the nearby residential properties in Hornby Road
- The Robin Hood Hotel, Barton Road was one of the sites considered in the assessment and discounted because it would not meet the needs to serve the international sports venues. Given that a hotel on the application site would not be limited to catering solely for guests from the sporting venues that cannot be a reason for discounting that site. Secondly, the applicant has discounted the site due to the surrounding residential uses and the visual and environmental conflicts that would arise and yet this is disregarded on the current site.
- Still insufficient parking and a failure to identify details of any appropriate and workable mitigation measures to address any overspill parking demand that is anticipated to occur on the local highway network;
- Still unclear whether appropriate means of car and cycle parking can be satisfactorily accommodated on site;
- A number of unresolved concerns relating to servicing arrangements causing detriment to the safety and operation of the local highway network.

OBSERVATIONS

BACKGROUND

1. An initial application (95591/FUL/18) for a 212 bed hotel, at 3 - 16 storeys was withdrawn in 2019. Following this, an amended application (98676/FUL/19) for a 190 bed hotel, at 2 - 16 storeys was submitted and subsequently refused by the Planning and Development Management Committee for the following reasons:
 - *The proposed development, by reason of its design, siting, scale, height and massing would result in an unduly dominant and obtrusive form of development, which would be out of keeping with the character of the surrounding area. As such, the proposed development would have a detrimental impact on the character and visual appearance of the street scene and the surrounding area. It is therefore considered that the proposed development does not represent good design and would fail to comply with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework*
 - *The proposed development by reason of its height, scale and massing in close proximity to adjacent residential properties, would give rise to an unduly overbearing and overdominant impact, to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy and the National Planning Framework.*
 - *The proposed development would generate an additional demand for car parking which cannot be accommodated on this site in a satisfactory manner with the result that vehicles would be forced to park on surrounding highways to the detriment of residential amenity. In addition the development would provide insufficient parking space for disabled persons, which is below the minimum standards set out in SPD3. The proposal is therefore contrary to Policies L4 and L7 of the Trafford Core Strategy, SPD3: Parking Standards and Design and the National Planning Policy Framework.*
 - *The proposed development would have a detrimental impact on the setting of the Grade II heritage asset, Trafford Town Hall, by virtue of its design, siting, scale, massing and height. By failing to preserve the setting of the listed building and in turn its significance, the proposed scheme is considered to have a less than substantial impact upon the designated heritage asset which is not outweighed by the public benefits of the proposal and therefore is contrary to the National Planning Policy Framework, Policies L7 and R1 of the Trafford Council Core Strategy.*
2. The Council's refusal of the application was then appealed by the applicant. The Inspector's report sets out the main issues for consideration of the appeal application to be the effect of the proposal on:-

- (i) the living conditions of the occupiers of adjacent residential properties, in particular on Hornby Road, by way of visual impact and outlook;
 - (ii) highway safety, concerning the proposed parking arrangements and the parking provision for disabled persons;
 - (iii) the character and appearance of the area; and,
 - (iv) the setting of a listed building, Trafford Town Hall.
3. The Inspector considered the design and impact on the character and appearance of the area and the impact on the setting of the listed building were acceptable but dismissed the appeal on living conditions and highway safety and parking including provision for disabled persons, concluding:-
4. *The proposal would bring regenerative and economic benefits to the area, and make use of previously developed land. In character and appearance terms, it would be an improvement compared to the existing building and have a landmark presence on the site that would add favourably to the mix and the identity of buildings in the area. It would support accommodation needs arising from the cultural and leisure facilities in the area, and demand from the hotel sector market in general. I also understand there would be biodiversity enhancements and that the proposal would achieve a BREEAM 'Very Good' rating. In total, these would be significant benefits.*
5. *The proposal would preserve the setting of Trafford Town Hall. Submissions have also referred to the listed Entrance Portal and Lodges to White City. With their separation from the site and the intervening buildings, the proposal would also preserve the setting of this listed building. Matters in relation to noise and disturbance, odour, air quality and glare would also not be unacceptable, as would the effect on the living conditions of the occupiers of residential properties on Warwick Road. This is due to their greater separation from the proposed tower than the adjacent properties on Hornby Road. These matters attract neutral weight.*
6. *In relation to the harm that arises, this concerns both living conditions and highways safety. The effect on the occupiers of the adjacent residential properties on Hornby Road by way of their outlook and the visual impact would be stark with the height, scale and massing of the proposed tower. It would be an omnipresent and enduring feature that would, in my view, severely detract from their living conditions on a day-to-day basis.*
7. *The proposed parking arrangements would compound such effects, in particular with the divergence between the number of rooms and the spaces proposed, and the resultant reliance on on-street car parking, even with the accessibility of the location. The one space that would be proposed would not adequately cater for disabled persons, based on the Council's standards, and would result in an inconvenient reliance on-street parking for such persons.*
8. The Inspectors comments will be further referenced, where appropriate, under the relevant sections of the report.

9. The documentation submitted in support of the current application states that the current scheme seeks to address the concerns of Members and the Inspector. In addition and on advice from officers, further amendments have been made since the submission of the current application and the current scheme has therefore been significantly amended compared to the scheme in front of the Inspector in the 2020 appeal decision.

PRINCIPLE OF DEVELOPMENT

10. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
11. 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.
12. Policies relating to town centres, employment, design, amenity, parking and highway safety impacts and impacts on heritage are considered most important in determining this application. These are primarily policies L4, L7, W1, W2 and R1 of the Trafford Core Strategy. Policies L7, W1 and W2 of the Core Strategy are consistent with the NPPF and therefore considered to be up-to-date.
13. Whilst R1 is inconsistent with the NPPF as the policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF, it is not considered to be out of date for the purposes of the determination of this planning application. In relation to way Policy L4 it is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up to date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'. Nevertheless it is considered that Policy L4 can be afforded substantial weight.
14. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that L4.7-L4.8 is out of date however the parking standards are considered to be consistent with the NPPF. When considering the overall basket of policies, the "tilted balance" referred to in NPPF paragraph 11 is therefore not engaged.

Lancashire County Cricket Club Strategic Location

15. The Core Strategy (2012) identifies five Strategic Locations in the borough as key areas for change. This site is located in Strategic Location 3 (SL3) 'Lancashire

Cricket Club Quarter' and the Core Strategy states that the Lancashire County Cricket Club Quarter and surrounding area is one of the most visited places in the Borough.

16. This location covers the Old Trafford cricket ground and is also close to Old Trafford football ground. SL3.1 states that, *"A major mixed-use development will be delivered in this Location to provide a high quality experience for visitors balanced with a new, high quality residential neighbourhood centred around an improved stadium at Lancashire County Cricket Club"*
17. Policy SL3 requires development to 'incorporate features to enhance the level of biodiversity such as green roofs and appropriate landscaping'. The built up nature of this area has resulted in limited green infrastructure, but this proposal should seek to address this. Policy SL3 also seeks to deliver a strategic processional route as part of the redevelopment of the strategic location area. The route will be created along the length of Sir Brian Statham Way and Warwick Road to Old Trafford football stadium and beyond, the route will include high quality surfacing and materials and incorporate green infrastructure and provision for walking and cycling. Further consideration will be given to this under the 'Design' section of this report.
18. Core Strategy Policy R6 'Culture and Tourism' lists the Lancashire County Cricket Club Strategic Location as an area where the Council will encourage and continue to support the culture and tourism and this proposal could help to enhance the offer in this strategic location. The location of the site, between Old Trafford football club and Old Trafford cricket ground, could be a significant draw for visitors.

Draft Civic Quarter Area Action Plan

19. The Council has prepared a Civic Quarter Area Action Plan and submitted it to the Secretary of State. Once adopted, the AAP will form part of Trafford's Development Plan and will replace Core Strategy Policy SL3. In January 2021 a further consultation commenced in relation to the Draft CQAAP under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. As a result of this consultation there have been some modifications to the plan and reference to the Draft CQAAP in this report will refer to the most up to date version which was submitted to the Secretary of State on 26th November 2021 (Regulation 22), with the hearing sessions scheduled for April 2022. Given the stage the document has reached, it is considered appropriate to afford it moderate weight.
20. The document sets out the *'The development of the Civic Quarter area has been a long-standing regeneration priority for Trafford Council (the Council). Its strategic location provides an opportunity that can act as a catalyst for the regeneration and renewal...'* and goes on to state that the intention of the Area Action Plan (AAP) is to *'provide clarity and increase certainty about how the opportunities can be realised. It establishes a vision, masterplan and strategy for how the area could be revitalised*

over the next 15 plus years, to create Trafford's newest, greenest and most vibrant neighbourhood for local residents, businesses and visitors alike.'

21. The application site is identified as being in the 'Western Neighbourhood' at a 'Gateway Location' and suitable for development of up to 12 storeys in height. This site and the adjoining commercial site along the Chester Road frontage to the west has been identified as appropriate for mixed use development. Policy CQ3 states that Hotels/aparthotel accommodation to meet market demand will be encouraged.

Loss of Employment Use

22. Policy W1.12 requires an Employment Land Statement to be submitted for applications that would result in the loss of an existing employment use in specific locations. These locations are unallocated employment sites, sites outside of Strategic Locations and sites within an employment place as defined at Policy W1.3.
23. The application site is currently in employment use on an unallocated employment site, within a Strategic Location (Lancashire County Cricket Club Quarter) and therefore an Employment Land Statement is not required for this application and the loss of the employment use is support subject to an appropriate replacement use.

Principle of Town Centre Use

24. This proposal is for a 'main town centre' use outside of a town centre, as defined in the NPPF and is therefore not in accordance with the NPPF or Core Strategy policies SL3 and W2. Policy W2.12 states 'there is a presumption against the development of retail, leisure and other town-centre type uses except where it can be demonstrated that they satisfy the tests outlined in current government guidance'. A hotel is considered to be a main town centre use, as defined in the NPPF. Paragraph 86 of the NPPF, states that a sequential test is required for main town centre uses that are not in an existing centre and which are not in accordance with an up-to-date Local Plan. It goes on to state that 'Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.' The use classes proposed as part of this development (C1) is considered to fall within the definition of 'main town centre uses' in the NPPF.
25. A sequential test was submitted in support of this planning application. The submitted assessment has been considered by officers and found to be appropriate in scope. It is concluded that the applicant has demonstrated that no sequentially preferable alternative sites are available for this proposal. The application site is considered to be in a sustainable location, within Greater Manchester Accessibility Level (GMAL) 7, close to bus routes on Chester Road and the Old Trafford Metrolink Stop, which provide connections to Stretford town centre and the regional centre.

26. On the basis that it has been demonstrated that there are no sequentially preferable sites (either within or closer to established retail centres) that could accommodate the proposed hotel it is considered that the proposal is an appropriate use within this location and is compliant with Policy SL3, W2 and the NPPF.

Conclusion on Principle of Proposed Uses

27. As set out above the site is in a prominent location within the proposed Civic Quarter. For the foregoing reasons it is considered that the principle of a hotel development in this location is acceptable and in compliance with the development plan and national policy. Analysis in the subsequent sections will further consider the proposed development in relation to heritage impacts and design, residential amenity, highways impacts and other relevant matters.

HERITAGE

28. In determining this application there is a statutory duty under section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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.

29. The Government has set out its planning policies for design and the historic environment in the NPPF and the accompanying National Planning Practice Guidance. Both the NPPF and the NPPG are material considerations relevant to this application 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.

30. In relation to Heritage assets, Para 194 states that "*local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*"

31. Also of relevance to the determination of this application is paragraph 195 of the NPPF: "*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*".

32. Paragraph 199 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.'

33. Para 203 states "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that 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.*"
34. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness (R1.1) 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. Whilst R1 is inconsistent with the NPPF it is not considered to be out of date for the purposes of the determination of this planning application.
35. It is also noted that the Draft CQAAP states '*It is not envisaged that the maximum height parameters will be achieved within the setting of heritage assets or adjacent to existing residential communities*'

Significance of the affected Heritage Assets

Designated Heritage Assets

Trafford Town Hall, Grade II listed

36. Trafford Town Hall is an important local and distinctive landmark. The clock tower assists in orientating residents and visitors. A clock face is intentionally visible on all four elevations of the tower emphasising the importance and visibility of this civic building at the time of construction in 1933 and this remains the case today.
37. There are key views of the clock tower along Brian Statham Way from the south east (historically the Manchester, South Junction and Altrincham Railway now Metrolink); across the car park at LCCC and from the north-west along Warwick Road. There are also wider, dynamic views outside the masterplan boundary including along Chester Road and the junction of Talbot Road & Chester Road (bridge over the Bridgewater Canal).

Entrance portal and lodges to White City, Grade II

38. The White City entrance portal is significant for its aesthetic, illustrative historical, evidential and communal values. The structure is a distinctive landmark.

Gorse Hill Park Entrance Portal and Lodges, Grade II

39. Significant for their aesthetic and illustrative historical values. Formerly one of the entrances to Trafford Hall, the mid-19th century portal and lodges are constructed from ashlar stone with ornate detailing in a classical style with decorative cast iron gates. The Gates occupy a prominent position on Chester Road and the imposing structure has landmark quality.

The Great Stone, Grade II

40. Lies at the entrance to Gorse Gill Park Gates. 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

Stretford War Memorial, Grade II

41. Erected in 1923, designed by sculptors J. and M. Patterson sculptors and constructed from ashlar stone with bronze inscriptions. The Memorial is dedicated to the First World War and occupies a prominent position on Chester Road opposite the Gorse Hill Park Gates. The structure is significant for its aesthetic, illustrative and communal values.

Non Designated Heritage Assets

Lancashire County Cricket Club pavilion & ground

42. The pavilion was constructed in 1895 however it was substantially bombed in the Manchester Blitz of 1940, rebuilt and more recently extended. Nevertheless, it is still a recognisable and distinctive landmark and it has heritage value simply from its long standing presence at the site and contribution to the sporting heritage of Old Trafford.

Trafford Pub & semi-detached residences to Hornby Road as identified in the Draft CQAAP.

Trafford PH

43. The building dates to the mid-to-late 19th century, but has been subject to extensive alteration. The building is a purpose-built public house and still remains strongly associated with the sports heritage, which is prevalent in Trafford, in particular serving on match days. While notably altered with respect to its interior, windows and other features, the building retains its fundamental historic character and mock Tudor exterior.

Houses on Hornby Road

44. Dating from the early 20th century the buildings retain group value, as they are viewed in conjunction with one another and contribute to the historic character of the area. Whilst the wider setting has been subject to continual change and

redevelopment over the past few decades, the collection of residential buildings maintains their relative heritage interest from short-to-mid range views along Hornby Road.

45. Whilst the site lies within the setting of the above assets, it is considered by the Heritage Development Officer that that the proposed development has the potential to impact only on the clock tower of Trafford Town Hall (Grade II) and the Trafford Public House and residences on Hornby Road (Non-Designated Heritage Assets).

IMPACT ON HERITAGE ASSETS

Summary of Inspectors Comments on 98676/FUL/19

46. In relation to the scheme for a 190 bed hotel, at 2 - 16 storeys, the Inspector commented that *'From where the proposal would be visible with Trafford Town Hall, at the junction of Warwick Road and Talbot Road, a clear degree of separation would be maintained, so that it would not compete with the listed building'* He goes on to state *'the design, siting, scale, massing and height of the proposal would not have a detrimental effect on the significance of the setting.'* Furthermore that *'No harm would occur to the significance of the designated heritage asset for the purposes of the Framework. As a result I do not have cause to weigh harm against public benefits.'*

Assessment of Impact of Current Scheme

47. The existing building has no particular architectural or historic merit and the site is identified in the Draft CQAAP as comprising *'Negative impact buildings on under-utilised site'*. Therefore there is no objection in principle to its demolition subject to an appropriate replacement.
48. In relation to the current application the Council's Heritage Development Officer has been consulted on the application both when originally submitted and following submission of amended plans and documents. The comments in relation to the amended plans are set out below but the Heritage Development Officer introduces these comments by summarising her initial concerns with the application as originally submitted (all comments in italics) although no objection is raised to the amended plans for the reasons given.
49. *'In summary I raised concerns regarding the increase in height and massing to the Warwick Road elevation; the relationship of the proposed development with properties on Hornby Road; lack of articulation and roofline and the requirement for a visual impact assessment. Each of these issues are discussed below;*
50. *The revisions to the overall design are welcomed and in particular to the Warwick Road elevation. The height has been reduced to 4 storeys at the southern end of the development respecting the scale of properties on Hornby Road. This in turn has*

reduced the overall massing of the development to Warwick Road resulting in a defined tower to the northern end, addressing the junction with Chester Road. The crown adds some interest to the silhouette of the building and contributes to its landmark presence. The introduction of brick detailing and perforated metal cladding adds to the articulation of the elevations; the rooftop landscaping also softens the appearance of the development. It is advised that materials; elevational treatment including reveals etc; window and door detailing and rooftop plant are conditioned to ensure the quality of the development.

51. *An amended Heritage Statement was submitted on 17th January. This includes additional views of the proposed development in the context of Trafford Pub, semi-detached residences to Hornby Road and Trafford Town Hall, Grade II listed. Given the substantial changes to the design, I agree with the conclusions of minor harm to properties on Hornby Road and no harm to the Trafford Pub and Trafford Town Hall.*
52. *In accordance with para 203 NPPF, this harm should be taken into account in determining the application. In 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.*
53. The GM Archaeological Advisory Service have also been consulted on the application and confirm that they are satisfied that the proposed development does not threaten the known or suspected archaeological heritage.

Consideration of Harm to Heritage Assets and Conclusion

54. The Heritage Development Officer has concluded that the development would not result in any harm to any designated heritage assets and would result in minor harm in heritage terms to the properties on Hornby Road which have been identified as non-designated heritage assets.
55. Since the original submission, the scheme has been revised in order to reduce the level of impact upon the adjacent heritage asset by breaking up the massing and introducing a four storey stepped approach down to Hornby Road. As a result, while minor harm is still identified, the level of harm has been reduced considerably and the Heritage Development Officer has confirmed there is no objection to the proposal on this basis. This is included in the consideration of the overall planning balance.

DESIGN

56. Paragraph 126 of the NPPF states: *“The creation of high quality, beautiful and sustainable 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.”*

57. Paragraph 134 states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*
58. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing. This states at para 122 that *‘Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by.’*
59. 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.
60. Policy CQ6 of the Draft CQAAP states that developments should *‘Deliver architecturally innovative design which will raise design standards within the area whilst preserving existing residential amenity standards...; Provide taller buildings, in line with the massing principles and specific Neighbourhood Area Policies set out in the AAP, ensuring that such proposals are sensitively designed; Limit the provision of new areas of open surface car parking and consolidate existing; Provide new areas of public realm and green space, incorporating quality hard and soft landscape treatments.’*

Summary of the Inspectors Comments on 98676/FUL/19

61. *‘The area in the vicinity of the site is mixed, both in terms of the types of uses and the buildings. An area of 2 storey residential properties are found along and off Warwick Road. Otherwise along this road, there are some considerably larger buildings. Chester Road contains yet more of a variety of types of buildings Some of these buildings are sizeable. Manchester United football ground is also a large and distinct feature in the area. Lancashire County Cricket Ground is also close by.’*
62. *The site is prominently located and at an important focal point in the area.....The draft AAP identifies the opportunity for a landmark building on the site. When these*

factors are taken together, the site is one that lends itself to accommodating such a building in character and appearance terms.'

63. *'The vertical emphasis of the proposed tower would result in the proposal having a landmark form, as approached around the Warwick Road and Chester Road junction. This aspect of the design would also result in the overall scale and massing of the building appearing fairly comfortable in these varied surroundings, as would the use of the proposed different brick finishes and the predominance of glazing in these elevations. The siting of the proposed building is also reflective of that of the existing building on the site.'*
64. *'It would no doubt be a bold addition, but not in a way that would cause it to be unduly dominant and obtrusive in respect of character and appearance.....The proposal also seeks to break down its scale and massing through incorporating considerably smaller elements away from the corner of the site.....The difference in the palate of materials from the main tower would also assist in this part of the proposed building acting as a transition in the streetscene.'*
65. *'This is not a location that lends itself to a pastiche development. The identity of the area is varied and the NDG acknowledges creating a new character is not to be discounted, including where the scale of development may differ.'*
66. The Inspector noted that the site is located on a strategic processional route and stated that *'Rather than taking a prescriptive approach to height, it seems to me what is of more relevance is a consideration of what the effects would be on the character and appearance of the area. When the totality of the evidence is considered together, I find this would not be untoward.'*
67. *The Inspector concluded that 'the proposal would not have an unacceptable effect on the character and appearance of the area.'*

The Current Proposals

68. The current application proposes a reduced scheme of between 4 and 10 storeys of hotel accommodation topped with screened roof plant and with an extruded brick crown at the north-eastern corner.
69. The site is located at the junction of Chester Road and Warwick Road on a key arterial route through Trafford into Manchester City Centre. The site is currently occupied by a six storey office building, which is proposed for demolition as part of this scheme, with accommodation over floors one to six and parking and limited reception space at ground floor level. The building has an L-shaped footprint and the two main frontages onto Chester Road and Warwick Road comprise a copper tinted glass curtain wall facade. The rear elevations are made up of ribbon style windows set in brown brick. There is a small, open triangular yard area to rear.

70. It is not considered that the existing office building on the site contributes positively to the streetscene or the character of the area due to its scale, massing and design. The building has no particular architectural or historic merit and the site is identified in the Draft CQAAP as comprising '*Negative impact buildings on under-utilised site*'. Therefore there is no objection in principle to its demolition subject to an appropriate replacement.
71. As acknowledged by the Inspector, the site has significant visible presence and is a focal point at the junction of the main roads. The area is mixed in character ranging from 1970's high rise offices such as Trafford House to the west which utilise ribbon style windows and brown brick to two storey red brick residential stock to the north and south. There are also examples of more modern development such as Warwickgate House to the southeast which includes glazing and white painted brick as well as the largely clad retail units at White City Retail Park to the east.
72. Given its position on a main arterial route in a 'Gateway Location' the site is identified in the Draft CQAAP as being suitable for a landmark building.

Height, Form and Layout

73. As stated above, the area around the site is mixed in character and use. The surrounding buildings are generally low to medium rise buildings but with some significant taller buildings in the landscape both within Trafford and more distant in the Manchester and Salford City areas.
74. It is considered that a building of some height is appropriate for this prominent site at a junction on a main arterial route through the Borough and this was stated by the Inspector who did not object on the proposed 16 storey height of the previous scheme in terms of the design and impact on the character of the area.
75. The footprint of the building broadly reflects the L-shaped layout of the existing building and this serves to retain the building as a cornerstone at the main road junction. Vehicular access is retained from Hornby Road and the retention of the open courtyard to the rear for parking and servicing provides breathing space for residential properties to the southwest.
76. The Draft CQAAP identifies the site as suitable for a development of up to 12 storeys although it goes on to state that it is not envisaged that the maximum height parameters will be achieved within the setting of heritage assets or adjacent to existing residential communities. To address this the building steps down from a maximum of 12 storeys at the junction of Chester Road and Warwick Road to four storeys adjacent to the residential properties at the southern end. At four storeys the hotel building would be lower than the existing office building at the Hornby Road end of the site.

77. The building has been designed with both horizontal and vertical variation. The building steps up from the four storey Hornby Road end to a central wedge shaped section comprising nine floors of guest accommodation with a setback tenth floor containing the restaurant with an associated external viewing deck to the Warwick Road frontage. Screened rooftop plant would be located above the restaurant level set back from but enclosed within a brick frame.
78. The highest section of the development is focussed on the Chester Road frontage and the Chester Road / Warwick Road corner. This would again comprise nine floors of guest accommodation with a setback tenth floor containing the restaurant, rooftop plant and viewing deck to the Chester Road and Warwick Road frontages. Again the restaurant floor and rooftop plant would be contained within an extruded brick frame however this would then extend above the screened plant to the equivalent of 12 storeys high with open sky visible through the topmost section of the frame or crown. This 'crown' feature focuses the height and emphasis at the main road junction.
79. Site levels slope gently up from south to north with a difference of approximately one metre in street level across the length of the site. The height of the building varies from 14.7m above Hornby Road street level at the southern end of the development, to 34.84m in the middle 'wedge' up to a maximum height of 41.34m above Chester Road street level to the top of the brick crown feature. The central wedge has what the architect terms a 'cranked' geometry with the tower section in that it has an angled rather than flat relationship to the tower on the Warwick Road elevation.



80. In addition to the variation across the building from south to north the composition of the elevations is based on the standard architectural convention of a 'base', 'middle' and 'top'. The 'base' comprises ground and first floor areas which are defined by framing on the main Warwick Road and Chester Road elevations. The framing defines a two storey base element, with emphasised openings and includes large areas of active frontage. The 'middle' section comprises a more regular elevational grid for the main areas of guestrooms. The 'top' provides a varied silhouette with glazed setback restaurant and screened plant set within a brick crown. A key aspect of the design was to provide an interesting roofspace and a silhouette that would create a landmark feature on this prominent junction. The crown projects above the main roofscape creating an interesting termination to the building and glimpses of

the sky beyond. The restaurant and viewing deck and landscaping at ninth floor level provides high level activity and interest.

81. It is considered that the three stepped form of the development contains variety and interest, is well conceived and responds to the site and context. The design approach results in a reduction in mass at height, so that the development does not appear squat or bulky and successfully provides a focal point for the site in both short and long range views. It is acknowledged that due to scale and height of the tower element it will be visible from all the surrounding streets and from certain viewpoints in the wider area as demonstrated by the TVIA work undertaken. However being visible is not in itself problematic subject to appropriate design quality and this can assist in creating an interesting townscape. Indeed the Draft CQAAP states that *'There is both a need and opportunity to better define places and urban grain in the area, including opportunities for gateway buildings to arterial routes...'*

External Appearance

82. The three sections of the building are articulated differently in order to break up the apparent mass. The four storey element onto Hornby Road is designed as a weightier section of the building 'rooted to the ground' with a textured brick pattern and punched windows with a significant area of green roof above. The external appearance of this four storey section cuts horizontally into the central 'wedge shaped' section. The raised pattern is proposed to appear as stitched leather sporting equipment/ the mesh of the cricket practice nets or goal netting. The diamond motif is also seen on sports coats and shoes and was selected for its buildability in practice, using the stretcher faces of the brickwork. It is considered that this adds local distinctiveness to the design reflecting the importance of the sporting venues in this area. This textured brick treatment is repeated on the Chester Road frontage on a slim vertical section adjacent to the commercial uses to the southwest (Halfords Autocentre) which provides some additional interest to the main road frontages.
83. Above this the facades of the taller two sections are articulated within a brick frame, within which a lightweight brick grid divides the façades into bays. From the second to the ninth storey, the framing encloses the bedrooms within the lighter brick grid, utilising glazing and perforated bronze panels to emphasize verticality.
84. The central wedge is visually separated from the tallest section by a vertical hit and miss brick strip and the different height and proportions of the extruded brick frame at the top of the building. The tenth storey is a simple glass box set in from the main brick elevations, above which is screened plant. These elements are framed by a brick column and beam exoskeleton to form a decorative crown feature at the main road junction. This corner feature responds to the prominent corner context with scale and elegant articulation of form.

85. The treatment of the rear (western) elevation attempts to balance the need to screen views from the hotel into adjacent residential properties while also ensuring visual interest when approached from the southwest along the A56. This is achieved through the use of angled, projecting oriel windows which prevent direct overlooking through alignment and obscured glazing. Distant views still benefit from a varied and interesting silhouette through the use of the extruded brick crown, structural planting on the tenth floor terrace and textured and grid framed brickwork.
86. Active frontages have been maximised at ground level onto Warwick Road and Chester Road with views into the reception areas and café. However where undercroft parking is provided, perforated metal infill panels have been utilised to provide the required ventilation. A double height surround has been introduced on the corner of Warwick and Chester Roads to identify and highlight the importance of the main entrance.
87. The scheme uses changes in façade articulation, materials and texture to break up the mass of the building, provide visual interest and give the impression of three linked but separate sections to the building. This results in harmonious and contrasting elements through good detailing and materials.

Public Realm and Processional Route

88. Policy SL3 seeks to deliver a strategic processional route as part of the redevelopment of the strategic location area, to be created along the length of Sir Brian Statham Way and Warwick Road to Old Trafford football stadium and beyond. The route should include high quality surfacing and materials and incorporate green infrastructure and provision for walking and cycling.
89. Policy L7.1 of the Core Strategy states that development must 'Enhance the street scene or character of the area by appropriately addressinghard and soft landscaping works and boundary treatment'
90. The Draft CQAAP at Policy CQ9 states '*Development proposals on sites that adjoin the route should ensure that development addresses Brian Statham Way and Warwick Road, generating active street frontages, providing public art, new and enhanced quality landscaping and ensuring a cohesive approach to development.*'
91. It is considered that this proposal responds to this policy objective by providing an enhanced footway along Warwick Road through the removal of the existing railings and walls around the building and extension of public areas of paving into the site effectively giving part of the site back to the processional route. A drop off zone is proposed on Warwick Road which is bordered by stainless steel bollards. Stainless steel metal studs are proposed to be inserted into the new paving to define 'zones for traders' on match days.

92. Large areas of active frontage are proposed onto Warwick Road with views into the hotel lobby and café. Where active frontages cannot be provided due to the need for ventilation and extraction grilles to the undercroft parking, these elevations are treated with high quality detailing and material (bronze spandrel panels with circular perforations) as set out in the draft CQAAP. In addition, the raised diamond pattern of the areas of textured brick in the four storey section on Warwick Road are proposed to appear as stitched leather sporting equipment to tie into the sporting heritage of the area and provide visual interest at street level and local distinctiveness.
93. The proposals incorporate green infrastructure along the street frontages in the form of tree and shrub planting. This would include 2 no. Acer campestre 'Elsrijk' (Field Maple) at the Hornby Road corner and 2 no. Liquidambar styracifiva 'Slender Silhouette' (columnar Sweet Gum) adjacent to the main entrance to the hotel which is located on the Warwick Road frontage close to the junction with Chester Road. A curved feature entrance planter and a further shrub bed continue on the Chester Road frontage. Additional areas of planting are proposed on the boundary with Halfords Autocentre and No. 4, Hornby Road in addition to roof planting at 4th floor level and structural planting on the western section of the decked area at 9th floor level. All these areas can glimpsed from the adjacent streets.
94. The proposed landscaping would more than compensate for the small number of trees and shrubs to be lost as a result of the development which are considered of relatively poor quality. The proposed enhancements to the hard and soft landscaping of the site can be secured through an appropriate landscaping condition and in combination with the elevational detailing and active frontages it is considered that this will contribute to the streetscene and processional route in accordance with Policies SL3 and L7 of the Core Strategy and the aspirations of the Draft CQAAP.

Crime Prevention and Security

95. Core Strategy Policy L7.4 states that In relation to matters of security, development must: demonstrate that it is designed in a way that reduces opportunities for crime; and not have an adverse impact on public safety.
96. A Crime Impact Statement (CIS) has been submitted with the application. Greater Manchester Police's Design for Security section has been consulted and support the application subject to the recommendations within the report being followed (these relate primarily to access control into and around the hotel and CCTV coverage of external spaces) and that a condition to reflect the physical security specifications set out in the Crime Impact Statement is attached to any consent issued. On this basis, the proposed development is considered to be acceptable with regard to matters of security and safety.

Accessibility

97. Policy L7.5 of the Core Strategy states that development must be fully accessible and useable by all sections of the community.
98. The Design and Access statement includes a detailed section setting out proposals to ensure ease of access and comfort for persons with disabilities. This covers areas such as arrival / check in, internal circulation and access, bedroom facilities, design principles for public areas such as dining rooms, bars and lounges and fire escape and evacuation strategies.
99. The statement also provides coloured floor plan layouts indicating accessible bedrooms, wheelchair accessible areas, fire / emergency refuge points, accessible lifts and WCs. It identifies the provision of 11 no. bedrooms within the hotel which are proposed to be constructed to meet the accessible requirements for wheelchair users (this represents 6.5% of the total (5% required under the Part M Regulations). The main public gathering points at ground floor and ninth floor level (café, bar and restaurant) are all identified as wheelchair accessible. Direct level access is provided into the main arrival lobby with a secondary stepped access from Chester Road. Improvements to both the public realm and internal public spaces will be fully accessible to all sectors of the community.

Fire Safety

100. The Design and Access Statement sets out the Fire Strategy for the building and this sets out that fire-fighting personnel would access the building via Chester Road into a dedicated fire-fighting lobby, lift and protected stair. This can be controlled by fireman's switch to open into different demises on every floor level. In the event of a fire, the dry riser inlet is to be located off-street near the service yard to avoid vehicles having to reverse into the courtyard. Two fire escape stairs provide two directions of protected escape for all hotel guests which discharge into the service yard and on to Chester Road and onto Warwick Road. GM Fire Safety have been consulted on the application and have not raised any objections but set out standard requirements for Fire Service Access as per Approved Document B and state that the Fire and Rescue Service should have the opportunity to make further representations during consultation under the Building Regulations in due course.

Sustainability

101. Core Strategy Policy L5 states that 'New development shouldmaximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.' While it is noted that Policy L5 is out of date in relation to NPPF guidance on Climate Change it is considered that the environmental efficiencies that the scheme seeks to achieve is in accordance with the general thrust of the NPPF guidance.
102. Policy CQ4 of the Draft CQAAP states that '*All development proposals within the AAP area should* achieve the highest levels of energy and water efficiency that is

practical and viable, and should maximise opportunities to incorporate sustainable design features where feasible’.

103. BREEAM is an international scheme that provides independent third party certification of the assessment of the sustainability performance of individual buildings, communities and infrastructure projects. The supporting information in the Design and Access Statement states that the development would aim to achieve a BREEAM ‘Very Good’ rating. This is achieved by the top 25% of buildings and indicates advanced good practice. The achievement of this rating was also included as part of the appeal proposal with the Inspector listing this is a significant benefit of the scheme.
104. A Carbon Budget Statement has been submitted in support of the application. This sets out that the BREEAM rating would be based on a drive to reduce energy demands through use of:
- highly insulated building fabric to ensure heating and cooling loads are minimised,
 - use of high-efficiency heating, ventilation and air conditioning (HVAC) equipment with heat recovery and use of variable speed pumps and,
 - highly efficient lighting with time scheduling and passive infrared activated occupancy sensors.
105. A large area of green roof would also improve SUDs capacity and biodiversity on the site. A condition is recommended to ensure the BREEAM rating is achieved.

Conclusion on Design

106. As set out in the NPPF, NPPG and the National Design Guide, good quality design is an integral part of sustainable development. It is considered that careful consideration has been given to the design of this hotel building and that the plans and supporting visuals demonstrate that the building will fit into its context and has an acceptable appearance in both short and long terms views from the surrounding area. It is considered that attempts to break up the scale of the building through articulation, massing and elevational treatment would result in well composed, locally distinctive, elevations with greater scale focussed appropriately at the northern end of the site and more domestic scale at the southern end of the site.
107. The proposed development at a maximum height of 41.34m would be a significant building in the streetscene. However there is some precedent for tall buildings in the area with a 15 storey building to the southeast on Talbot Road (Oakland House) a 12 storey building to the west on Chester Road (Trafford House) and an 11 storey building to the southeast on Warwick Road (Warwickgate House). The current proposal represents a material reduction from the Appeal proposal and both the Inspector and the Draft Civic Quarter AAP conclude that this site is appropriate for a high quality development of some height at a focal corner on the main arterial route through Trafford.

108. The hotel would be a landmark building in a gateway location and would result in an improved public realm providing a high quality experience for visitors to the area travelling between the tram and the various sporting and cultural attractions in the area. It is considered important to the successful outcome of the development that conditions are used to retain control of the detailing, quality materials and the original architects. Subject to this, it is concluded that development would meet the requirements of Policy L7 and the NPPF.

RESIDENTIAL AMENITY

109. In addition to ensuring that developments are designed to be visually attractive Para 130 of the NPPF advises that planning decisions should ensure that developments:-

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

110. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.

111. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put into place.

Summary of the Inspectors Comments on 98676/FUL/19

112. *'The tower element of the proposal would reach a height of 16 floors, or storeys, with an open feature on top. With the confines of the site, it would be located in close proximity to the nearest properties on Hornby Road, in particular their rear gardens, even with its siting towards the Chester Road and Warwick Road junction. When its scale and massing is also considered, it would appear as a stark feature from the rears of those properties. It would undoubtedly draw the eye of the occupiers, significantly detracting from their outlook with its size.'*

113. *'The neighbouring property, No 2, would be most impacted as its shares a common boundary with the site. The height of the proposed tower element compared to the more diminutive properties on Hornby Road would, though, mean the harmful effect on the adjacent residential properties would be more widespread....The siting of the proposed tower would be more in line with the outlook from the rear of these properties and, hence, its height would appear*

oppressive.' No. 2 Hornby Road now forms part of the development and is included within the red line boundary as a single dwelling for use as staff accommodation.

114. The Inspector concludes that *'the proposal would have an unacceptable effect on the living conditions of the occupiers of adjacent residential properties, in particular on Hornby Road, by way of visual impact and outlook.'*

Daylight and Sunlight

115. The application is accompanied by a Daylight/Sunlight assessment by Hollis to determine the effects upon the daylight and sunlight amenity of the existing surrounding buildings which may arise from the proposed development.

116. Daylight is the level of diffuse natural light from the sky that enters a building to provide satisfactory illumination of internal accommodation between sunrise and sunset. Sunlight refers to direct sunshine and is much brighter than ambient daylight. A key difference is that sunlight is highly dependent on orientation whereas this has no effect on daylight. Overshadowing is a consequence of the loss of daylight and sunlight and can occur when buildings are in close proximity relative to their size.

117. The report states that the daylight and sunlight calculations have been undertaken in accordance with the methodologies set out in the Building Research Establishment (BRE) report 'Site layout planning for daylight and sunlight - A guide to good practice' 2nd edition 2011. It should however be noted that the numerical values in the BRE guide are not mandatory and should not be used as instruments of planning policy. This is stated in the guide itself.

118. The report refers to two measures to consider the potential for loss of daylight, Vertical Sky Component (VSC) and Daylight Distribution - No-Sky Line (NSL). Sunlight is measured as Annual Probable Sunlight Hours (APSH).

119. Obstructions, such as new development, can limit access to the light from the sky. The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen, converting it into a percentage. The BRE Report recommends a target figure of 27% as a relatively good level of daylight. If it is less than 27% then the diffuse daylighting of the existing building may be adversely affected. The BRE have determined that in existing buildings daylight (and sunlight levels) can be reduced by approximately 20% of their original value before the loss is materially noticeable. It is for this reason that they consider that a 20% reduction is permissible in circumstances where the existing VSC value is below the 27% threshold. For existing buildings, once this has been established it is then necessary to determine whether the distribution of daylight inside each room meets the required standards.

120. NSL is a measure of daylight distribution within an existing building/room. The NSL divides points on the working plane which can and cannot see the sky. In housing, the working plane is assumed to be horizontal and 0.85 metres above the floor. The effect on daylight distribution is quantified by ascertaining the reduction in room area which can receive direct daylight as a result of new development. The BRE guide suggests that areas beyond the NSL may look dark and gloomy compared with the rest of the room. For existing buildings the BRE guide states that if, following the construction of a new development, the NSL moves so that the area beyond the NSL increases by more than 20%, then this will be noticeable to the occupants, and more of the room will appear poorly lit. The guide suggests that in houses, living rooms, dining rooms and kitchens should be tested: bedrooms are deemed less important, although should nevertheless be analysed. In other buildings each main room where daylight is expected should be investigated.

121. Annual Probability of Sunlight Hours (APSH) is a measure of sunlight that a given window may expect over a year period. Unlike daylight the availability of sunlight is dependent on direction. When assessing the impact of APSH in existing developments, BRE guidelines state that if a living room of an existing dwelling has a main window facing within 90 degree of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window, then the sunlighting of the existing dwelling may be adversely affected. The room may appear colder and less pleasant.

122. Compliance will be demonstrated where a room receives:

- At least 25% of the APSH (including at least 5% in the winter months 21 September to 21 March), or
- At least 0.8 times its former sunlight hours during either period, or
- A reduction of no more than 4% APSH over the year.

123. For a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21 March. In addition, if, as result of new development, an existing garden or amenity area does not reach this area target and the area which can receive two hours of direct sunlight on 21 March is reduced by more than 20% this loss is likely to be noticeable.

Daylight Impacts

124. The Report identifies 47 windows within surrounding properties as sensitive receptors due to their proximity to the site and their use. These windows have been assessed for Vertical Sky Component (VSC) in line with the BRE guidance. Of these windows, 36 (77%) will meet the targets for daylight.

VSC Analysis Summary Table

Building Address	No. of Windows Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
1 Hornby Road	6	6	0	100
4 Hornby Road	6	6	0	100
6 Hornby Road	6	6	0	100
8 Hornby Road	5	5	0	100
8 Warwick Road	8	8	0	100
The Trafford PH	14	3	11	21
674 Chester Road	2	2	0	100
Totals	47	36	11	77

125. This demonstrates that the majority of sensitive receptors surrounding the site will comfortably meet the BRE's target values. The 11 windows that fall short of the numerical targets are all on the first floor of The Trafford PH. However, the shortfalls are marginal, as the windows retain levels of daylight between 0.62 and 0.75 times their former value (BRE target is 0.8.) in addition this is a non-residential building and the impact will be limited.

126. The Daylight Distribution (DD) of the rooms surrounding the proposed development has also been assessed, using the No Sky Line (NSL) method. Of the 26 rooms assessed, 21 rooms (81%) will receive adequate daylight distribution as defined by the BRE guide. 5 rooms within The Trafford PH fall short of the targets. The 5 rooms will retain daylight distribution values between 0.64 and 0.76 times their former value (0.8 times being the BRE target) with the proposed development in place.

Daylight Distribution Summary Table (Using NSL)

Building Address	No. of Rooms Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
1 Hornby Road	2	2	0	100
4 Hornby Road	4	4	0	100
6 Hornby Road	4	4	0	100
8 Hornby Road	4	4	0	100
8 Warwick Road	3	3	0	100
The Trafford PH	7	2	5	29
674 Chester Road	2	2	0	100
Totals	26	21	5	81

127. The Trafford PH is not a residential dwelling. The ground floor is a public house and the upper floor of the property appears to serve as short term hotel accommodation (Old Trafford Stadium Hotel), it is considered that these minor

shortfalls would not be material to the use of the building or result in any significant harm.

Sunlight Impacts

128. The BRE guidelines state that loss to sunlight should only be considered for windows which serve either living rooms or conservatories and which face within 90 degrees of due south. The Hollis report states that 12 windows surrounding the site require assessment for sunlight availability.

Building Address	No. of Windows Analysed	BRE Compliant		Total Percentage BRE Compliant
		Yes	No	
The Trafford PH	10	8	2	80
674 Chester Road	2	2	0	100
Totals	12	10	2	83

129. Of these 12 windows assessed for Annual Probable Sunlight Hours (APSH), 10 windows (83%) will meet the target values as set out in the BRE guidelines. Two windows on the first floor of The Trafford PH fall short of the targets. The windows in question will both comfortably meet the winter sunlight targets by retaining 6% and 10% of available hours against the 5% BRE target, but will fall marginally short of the annual sunlight target by retaining 20% and 24% of available hours against a 25% BRE target. Again, these minor shortfalls are not considered to be material given the use and context of the property.

Overshadowing

130. Overshadowing assessments have been carried out in relation to the amenity areas associated with the adjacent residential properties, namely 4, 6, and 8 Hornby Road.

Building Address	Floor ref	Existing %	Proposed %	Pr/Ex	Meets BRE
4 Hornby Road	Ground	58.78%	58.77%	1	YES
6 Hornby Road	Ground	61.71%	61.71%	1	YES
8 Hornby Road	Ground	60.34%	60.34%	1	YES

131. The results demonstrate that all of the gardens and amenity areas assessed meet or exceed the BRE target criteria for sunlight because at least 50% of their area receives at least two hours of direct sunlight on 21 March and will experience no reduction in the areas receiving sun with the proposed development in place.

Conclusion on Daylight / Sunlight impact on existing properties

132. An assessment of the daylight, sunlight and overshadowing impacts of the proposed development has been carried out in accordance with BRE Guidelines. Of the properties assessed, all are compliant except for The Trafford Public House. However this is a non-domestic building and it is not therefore considered that the affected windows, some of which contain obscure glazing, have the same 'reasonable expectation of daylight' as residential properties. In any event, the shortfalls in the BRE guidelines in relation to this building are minor. It is therefore considered that the impact of the development on the amenity of existing adjacent residential properties is acceptable in terms of daylight, sunlight and overshadowing.

Overlooking

133. Whether a new development would impact negatively on existing residential properties through adverse overlooking is an important consideration. Where there is the potential for direct interlooking between proposed windows and those in adjacent residential properties or between proposed windows and areas of private amenity space, consideration must be given to the separation distances, angles and any proposed methods of screening or obscuration proposed in order to protect the privacy of occupiers of adjacent residential properties.

134. Although the application does not relate to new Residential Development it is considered that the Council's New Residential Development Planning Guidelines document (PG1) is of some relevance in considering the distances necessary to maintain good standards of residential amenity although it carries only limited weight in relation to the current scheme for a hotel building. The guidance document does not include specific guidelines for tall buildings but it does state that for development of four or more storeys where there would be major facing windows, flats should retain a minimum distance of 24m across public highways and 30m across private gardens.

135. The current building on site is an L-shaped 6 storey office building. This is of relevance as the building has significant amounts of glazing in all of the elevations providing clear views directly out of the offices into neighbouring houses, gardens and other premises. In the southern and western elevations the glazing predominantly takes the form of continuous bands of strip glazing. An internal inspection of the existing building demonstrates that while there is some low level obscure glazing in the bands of glazing, there are clear direct views at close proximity into properties to the west on Hornby Road.

136. It is noted that the Inspector did not dismiss the previous appeal due to overlooking or loss of privacy. The current scheme seeks to replicate a number of the design details included in the previous scheme, such as angled oriel windows and obscure glazing to prevent overlooking into neighbouring properties and their gardens.

137. The impacts of the proposed openings in each elevation on the amenity of adjacent properties are considered in more detail in turn below.

Northern Elevation

138. Opposite the northern elevation of the proposed building is a parade of retail and takeaway units, some of which have residential uses on the upper floors. These properties would be approximately 40m away from the hotel frontage, across a major road and given the distances involved it is not considered that meaningful views could be gained into any of the residential units in the parade. To the northwest of the parade is a public house and to the northeast, across Sir Matt Busby Way, is a car dealership.

Eastern Elevation

139. The eastern elevation of the building would be opposite the Trafford Public House with Charlton House further east. The Trafford Public House is a commercial building which itself has an element of hotel accommodation in addition to the pub use and associated external yard on the southern side. While the hotel would be taller than the existing offices there is an existing established level of interlooking between the 6 storeys of the office building and the Public House. The hotel building would not be materially closer to the Public House than the offices and it is not considered that a commercial use could reasonably expect levels of privacy that would be afforded to private residential properties.

140. Charlton House is unoccupied and in a semi-derelict state, however even if it were to be brought into residential use the distances involved (approximately 55 - 60m) are such that again it is not considered that meaningful views could be gained into the building from the hotel windows.

Southern Elevation

141. Due to the L-shaped and staggered nature of the proposed hotel footprint, there are effectively various southern elevations to the building. Directly to the south of the application site is No. 8 Warwick Road which is in residential use and is a corner plot at the junction of Hornby Road and Warwick Road. The main front elevation of No. 8 faces east onto Warwick Road but there are windows in the northern elevation facing the site. At the present time there are relatively large stair windows on 5 floors (floors 1-6) at the southern end of the office building which have views onto Hornby Road and the northern boundary of No. 8 Warwick Road. There are also office windows in the southern (rear) elevation of the Chester Road wing of the office block. The nearest windows at the present time from which there is a view towards No. 8 Warwick Road are therefore approximately 18-19 metres away from the northern side boundary of No. 8, Warwick Road up to six floors in height.

142. The nearest windows proposed in the southern elevation of the four storey section of the hotel (nearest to Hornby Road) would be obscure glazed as these are secondary hotel bedroom windows. Other south facing windows in the four storey section of the hotel would be 24 metres away from the side elevation of No. 8 Warwick Road and therefore comply with the relevant guidelines for separation distances in relation to the house and garden. Above third floor height, the southern elevation of the 'central wedge' of the development is brick and no public access is allowed to the southern section of the viewing deck serving the restaurant on the top floor. There are a row of windows in the southern elevation of the Chester Road element of the hotel, but these are angled oriel windows so as to prevent any view to the south. In addition these windows would be 50m away from the northern curtilage No. 8 Warwick Road. The clear glazed element of these windows would be small and the angle of view very acute so that meaningful views into the houses and gardens of properties on Hornby Road would not be possible either due to the angle or the distances involved.

143. A flat green roof is proposed above the third floor level at the southern end of the hotel adjacent to Hornby Road. However this is included only for sustainability and visual amenity purposes and does not have a balcony function for users of the hotel. As such this area would only be accessed for maintenance purposes and not publicly accessible. Therefore subject to a condition preventing general public access it is considered that this element of the scheme would not result in loss of privacy and would provide a pleasant visual addition for neighbouring properties. The privacy levels for No. 8 Warwick Road as a result of the development are therefore acceptable.

Western Elevation

144. As indicated above, where separation distances require it, the design incorporates measures to protect the privacy of adjacent residential properties through the use of obscure glazing or the use of Oriel windows to angle views away from windows and gardens. This is particularly necessary in the west facing elevations in view of the adjacent residential properties on the northern side of Hornby Road.

145. The Oriel windows are clad with a bronze metal panel with a section of frosted glass facing the housing and clear glazing on the second face to afford an angled view outwards and away from the adjacent housing. In the western elevation, frosted glass is also provided to the lift lobby and bedroom corridor to permit some natural light in these spaces without impact on privacy. As a result of this approach there are no direct views from the western elevation of the hotel into the gardens and houses to the west on Hornby Road. This is considered to represent an improvement on the current situation where these gardens and houses are directly overlooked over a short distance by a large number of office windows.

146. It is also noted that since the previous scheme was determined, No. 2 Hornby Road now forms part of the application site and is proposed to be utilised as staff accommodation for the hotel. The rear garden is to be largely converted into accessible parking spaces for the hotel but there is a landscaped strip that includes two trees along the boundary with No. 4 Hornby Road and this will assist with any perceived sense of overlooking into the garden of that property, notwithstanding the fact that as stated above, views into the garden would be possible.

147. As stated in the foregoing section no public access is allowed to the western section of the viewing deck serving the restaurant on the 9th floor and the green roofed area is also not publicly accessible.

Conclusion on Privacy and Overlooking

148. It is accepted that the proposed development will have a number of windows and other openings in the various elevations and residents' concerns in relation to the privacy impacts of this are noted. However at the present time there is established direct overlooking into the adjacent residential properties from all of the office elevations. The hotel building has been designed to reduce the potential for overlooking and loss of privacy to adjacent residential properties. In addition, as a result of the inclusion of No. 2 Hornby Road into the hotel development the distances into the nearest residential garden to the west has increased since the previous application and there are two trees on the boundary of the site at this point which will provide further screening. For the foregoing reasons overall it is considered that the proposed development would not result in any undue overlooking or harm to privacy subject to appropriate conditions.

Overbearing/Outlook

149. New development should not have an overbearing impact on adjacent residential occupiers or result in a material loss of outlook as these are important residential amenity considerations. Loss of outlook can occur where development as a result of the impact of its height, scale, massing and proximity to adjacent residential occupiers can have an adverse overbearing effect resulting in unduly oppressive living conditions.

150. This was a significant issue in the appeal and formed one of the two reasons that the Inspector dismissed the appeal - *'the proposal would have an unacceptable effect on the living conditions of the occupiers of adjacent residential properties, in particular on Hornby Road, by way of visual impact and outlook.'*

151. It is considered that the hotel building would not be viewed as overbearing in relation to the residential properties to the north on the opposite side of Chester Road due to the degree of separation involved. The nearest building to the east is a Public House and Hotel. However there are residential properties to the west and south on Hornby Road and Warwick Road which are in close proximity, with No. 2 Hornby adjoining the site and being domestic in scale at two storeys in height. The

impact on this property specifically and adjacent properties on Hornby Road more generally was mentioned by the Inspector in the appeal decision.

152. A significant change since that time is that No. 2 Hornby Road now forms part of the application site and is proposed to be utilised as staff accommodation for the hotel. The property would retain the same internal layout and external appearance as at present but the majority of the rear garden would be converted into accessible parking spaces with an acoustic fence and tree planting on the boundary with No. 4.

153. In addition to this the maximum height of the building has been reduced from 16 storeys of accommodation plus screened rooftop plant area and tower feature (max height of 56.88) to 10 storeys plus screened rooftop plant area and tower feature (max height of 41.34m above Chester Road street level).

154. There is no doubt that the proposed hotel building would still be evident in views from surrounding properties. However the significantly reduced scale in combination with the fact that No. 2 Hornby Road would no longer be occupied by a permanent resident unrelated to the hotel operation would significantly alter the position in relation to the amenity impacts when compared to the appeal scheme.

155. The nearest residential properties are now No. 4, Hornby Road to the west (attached to No. 2) and No. 8, Warwick Road to the south. The main elevation of No. 8 Warwick Road faces east onto Warwick Road and while there are some windows in the northern elevation of this property, these would look directly on to the lowest section of the building at four storeys and would be set approximately 19 metres away. It is not considered that the impact on No. 8 would be overbearing or that the proposal would have a detrimental impact on the outlook of the occupiers of that property.

156. At the present time the rear windows of No. 4 Hornby Road face northwest onto the rear elevation of the Halfords Autocentre building. This is then adjoined by the existing 6 storey office building to the north. This is therefore the outlook from the rear windows and garden of No. 4 at the present time. As No. 4 is attached to No. 2 on the western side, it would be offset in relation to the hotel building. Due to this orientation therefore would only be oblique views of the building to the north from the rear windows at No. 4 at a distance of approximately 27 metres. The view from the front windows of the property would be unaffected. While it would be evident in views from the garden area and oblique views from the rear windows that the hotel would be a taller building than the existing offices, it is not considered due to the orientation and separation that it would be overbearing or result in an unacceptable reduction in outlook to No. 4 Hornby Road.

Conclusion on Overbearing Impact / Outlook

157. The design of the proposed hotel building has been amended a number of times and these changes have sought to address concerns about the bulk, massing and scale of the building and the resultant impact on neighbouring houses. In addition

the applicant has included the previously most affected property at No. 2 Hornby Road within the application site. It is considered that the latest iteration has reached a reasonable balance between the stated desire for a landmark building in this location as set out in the Draft CQAAP and the need to protect the outlook and visual amenity of nearby residential properties.

Glare

158. The existing building has two highly reflective, fully glazed elevations onto Warwick Road and Chester Road. These elevations comprise bronze tinted reflective curtain walling. The southern and western elevations of the building comprise continuous lines of strip glazing set within a brick wall.

159. By contrast the proposed hotel building has substantial areas of brick and recessed windows, reducing the potential for glare. Compared with the existing situation there would be reduced extent of glazing in the western podium elevation facing onto No. 2 Hornby Road. In addition the two main elevations onto Chester Road and Warwick Road would, due to the significant change in materials and design, also result in reduced potential for glare, particular at road level.

160. Any external lighting would be subject to a condition requiring details to be submitted to ensure that it is compliant with the relevant guidelines on light pollution so that the amenity impacts are minimised.

Conclusion on Glare

161. It is not considered that the hotel building would result in any material increase in glare given the nature of the existing building and the materials and design of the proposed hotel building

Wind Microclimate

162. Wind environment is defined as the wind flow experienced by people and the subsequent influence it has on their activities. It is concerned primarily with wind characteristics at pedestrian level.

163. A Wind Microclimate Study has been submitted in support of the planning application. The assessment consists of three main parts: calculation of the urban environment's aerodynamic effect on the wind; which is then combined with historical wind data; and, finally, compared against criteria to quantify the discomfort and/or level of distress caused by the wind. CFD (computational fluid dynamics) simulations have been used to compute the aerodynamic effect for two scenarios: 'Baseline' - the existing site conditions and 'Proposed' - the proposed development within the context of existing surrounds

164. The study has been produced using the widely applied wind environment criteria for pedestrian comfort and safety developed by T.V. Lawson (Building

Aerodynamics, 2001). The Lawson Criteria have been applied to determine the acceptability of wind conditions for pedestrian safety and comfort.

165. Pedestrian comfort is assessed against wind speed and duration and is split into five 'comfort categories':

Criteria	Suitability	Threshold mean wind for 5% of hours [ms ⁻¹]
Pedestrian sitting	Outdoor seating and areas one can occupy comfortably for long periods	4
Pedestrian standing	Main building entrances, pickup/drop-off points	6
Pedestrian walking	Appropriate for strolling	8
Business walking	Can be tolerated if one's objective is to walk, run or cycle without lingering	10
Unsuitable	Nuisance for most pedestrian activities	>10

166. Additionally, the Lawson criteria identifies safety criteria defined based on approximately two hours' exceedance per year. These are areas where someone could find walking difficult or even lose their footing. An additional "warning" criteria has been introduced which shows areas which are close to exceeding the S15 criteria.

Criteria	Description	Threshold mean wind speed for 2.2hr/year [ms ⁻¹]
S15	Unsuitable for frail persons, cyclists etc	15
S20	Unsuitable for all pedestrians	20

Baseline scenario

167. Results show that conditions around the site are relatively calm, being generally suitable for sitting or standing. Offsite there are localised regions of walking but these are generally away from building entrances and drop-off points, where sitting conditions would be required. Results are significantly calmer in the summer months, with most of the site and surrounding area being suitable for sitting. The scenario was analysed for pedestrian safety, but no exceedances were recorded and overall, conditions in the baseline scenario are suitable for their intended purpose.

Proposed Scenario

168. Results show that conditions around the site are relatively calm, being generally suitable for sitting or standing. In some locations, conditions are windier than in the baseline case, with an increased area of standing conditions, and the presence of walking conditions on Warwick Road. However, this region of walking conditions does not extend to building entrances at the Trafford Pub on Warwick Road, and is therefore acceptable for the intended usage. The scenario was analysed for pedestrian safety, but no exceedances were recorded and although conditions in the proposed scenario are windier than in the baseline scenario, all areas are suitable for their intended usage.

Cumulative Scenario

169. Approved cumulative schemes within the 500m of the proposed development were also considered but due to their distance from the site were considered unlikely to have a material impact on the wind conditions around the proposed development. Therefore, the conclusions drawn for the proposed scenario remain valid for the cumulative scenario

Conclusion on Wind Microclimate

170. The report concludes that as a result of the proposed development wind conditions are still acceptable in terms of pedestrian comfort, for the desired usage of the areas. There are no exceedances of safety criteria in any scenario and therefore the wind conditions generated would be acceptable.

Noise, Disturbance and Odour

171. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put into place. A Noise Assessment has been submitted in support of the proposal and subsequently updated to address queries from the Pollution and Housing section and to reflect the changes to the scheme. The Pollution and Housing section have been consulted and have not raised any objection to the development subject to conditions to ensure that the development has acceptable amenity impacts for existing adjacent residents and for the future occupiers of the hotel.

Noise and Disturbance

172. Some residents have raised concerns about noise from additional footfall and are unhappy the vehicular access is on Hornby Road. In terms of pedestrian footfall, the main guest / customer entrances to the site are on Chester Road and Warwick Road near the junction with Chester Road and therefore set away from and screened in relation to, Hornby Road. With regards to the vehicular access, this already exists on Hornby Road and it is likely given the reduced number of parking spaces compared to the existing offices, that the use of the access by vehicles will actually be reduced.

Deliveries and refuse collections would be at restricted days and times as recommended by the Pollution and Housing section (07:00 to 19:00 hrs on Mondays to Saturdays).

173. A condition is also recommended to ensure that the cumulative impact of all fixed plant associated with the development doesn't exceed the prevailing background noise level at adjacent receptor locations and in addition, at the façade of the hotel itself.
174. In relation to concerns about the operation of the restaurant / bar at 9th Floor level, the Noise Assessment finds that the risk of adverse impact to the nearest sensitive receptor would be low if bar/restaurant external doors are kept closed between 23:00 – 07:00 and internal reverberant noise levels in the bar and restaurant are limited to 85dBA. However the assumed internal noise levels may not be relevant to louder, more raucous conversation and laughter associated with a drinking establishment. Such effects are likely to occur later in the evening, coinciding with reduced background noise levels and a greater sensitivity of receptors to adverse impacts. Additionally, the assessment has only considered the impact of background music rather than performances of live or recorded music which have the potential to cause much more disturbance. It is the case that external openings could be closed at a reasonable hour to minimise noise breakout and a noise limiter could also be installed to ensure that musical entertainment does not become too loud.
175. The updated Noise Assessment also considers the impact of noise from people using the external viewing / seating deck and finds that impacts will be acceptable providing such uses can be restricted to daytime hours (07:00-23:00). Only the areas of deck adjacent to the Chester Road and Warwick Road frontages would be accessible to the public and a condition is recommended accordingly. The Noise Assessment suggests that the provision of amplified music to the external area may require further mitigation measures but it is not considered that the use of any such entertainment provision in external areas is appropriate if noise from the external deck is to be minimised. This and other points in relation to noise management can be agreed via a suitable Noise Management Plan condition.
176. In relation to service yard activity the agent has confirmed that the valet parking service relates only to the parking of guests cars by hotel staff and car cleaning will not be offered as part of that service.
177. There were initially concerns about the impact of the use of No. 2 Hornby Road as staff accommodation on the attached property at No. 4. This was due to the potential that the rooms in the staff accommodation may not be in sync with the usual lifestyle of the neighbouring domestic property, for example, a first floor living/dining room could be very active at times the directly adjoining next door bedroom would be typically used for sleeping. The plans have since been amended to retain the dwelling in its current layout and a condition is attached accordingly. In

addition it is recommended that the 1.8 metre boundary fence to the garden at No. 4, Hornby Road should be of an acoustic design to mitigate against any potential service yard activity and a condition is recommended on this basis.

Noise for Hotel Guests

178. The updated Noise Assessment also considers noise break-in from the current environmental noise climate to the most noise-affected hotel bedrooms and to No. 2 Hornby Road. A specification for glazing and mechanical ventilation has been discussed to ensure that applicable standards, particularly BS 8233: 2014 *Guidance on sound insulation and noise reduction for buildings* are achieved. As this is currently indicative with final details yet to be confirmed, the matter will need to be addressed via a suitable planning condition

Odours

179. In relation to the potential for odours, a condition is recommended to ensure that the ground floor café and 9th floor kitchen should not be brought into operation until the details of the kitchen extract-ventilation and exhaust systems have been submitted to, approved in writing by the Local Planning Authority and fully installed to ensure that cooking odours do not cause a nuisance.

180. All refuse storage is located within the hotel basement to prevent nuisance noises, smells and vermin impact on the residential neighbours. This will be brought up to the courtyard level on collection days where it will be held in a designated hardstanding off the pavement on Hornby Road.

Lighting

181. To prevent the potential for unacceptable lighting impacts, a condition requiring an exterior lighting impact assessment is also recommended to demonstrate that lighting impacts into habitable windows would be within acceptable margins, with reference to the Institution of Lighting Professionals' Guidance Note for the reduction of obtrusive light.

Construction Impacts

182. Concerns have been raised regarding the construction impacts of the development. This is an inevitable effect of new development however a Construction and Pre-Construction Environmental Management Plan condition is recommended to manage and mitigate the main environmental effects of the demolition and construction phase. This would cover issues such as hours of demolition and construction works, areas for parking of site operatives' vehicles, measures to control dust and dirt emissions and wheel washing facilities to keep the highway clean and provision of information for members of the public.

Conclusion on Noise, Disturbance and Odour

183. The agent for the application has stated that the suggested conditions are accepted. Subject to these conditions and for the foregoing reasons it is considered that the construction or operational phase of the development would not result in unacceptable levels of noise or disturbance or that it would result in odours to the detriment of amenity in accordance with Policies L5 or L7 of the Core Strategy.

Air Quality

184. The site lies partly within the Greater Manchester Air Quality Management Area (AQMA), declared for exceedances of the annual mean NO₂ objective. The A56 is a source of air pollution. Policy L5 requires developers to adopt measures identified in the Greater Manchester Air Quality Action Plan, to ensure that their development would not have an adverse impact on the air quality.

185. An Air Quality Screening and Dust Risk Assessment has been submitted in support of the application. This concludes that

- the Institute for Air Quality Management (IAQM) threshold for construction Heavy Duty Vehicles is not expected to be exceeded
- the IAQM threshold for development generated Light Duty Vehicles is not expected to be exceeded
- Construction activity associated with the proposed development is assessed to be:
 - medium risk for dust soiling
 - low risk for human health effects
 - low risk for ecological effects. Through good site practice and by adopting suitable mitigation measures, the residual effects are likely to be low

186. The supporting documents have been reviewed by the Pollution and Housing section and they have stated that in relation to the operational phase of development, the results of the assessment predict that changes in annual mean concentrations of nitrogen dioxide do not lead to a significant impact at any receptor in the Air Quality Management Area. However, incorporating mitigation into the scheme will help to reduce any increase in emissions associated with development traffic flows and it is recommended that a condition is attached requiring the installation of at least one Electric Vehicle (EV) “fast charge” point per 1000m² of commercial floorspace.

187. In relation to the construction phase, the qualitative construction dust risk assessment shows that the site is medium risk for adverse impacts during demolition and construction, in the absence of mitigation. To effectively reduce the risk of impacts to negligible, appropriate mitigation measures are required to be adopted to ensure that the development does not present a nuisance risk or impacts on the wider environment. It is recommended that mitigation measures are included in the Construction Environmental Management Plan condition.

Conclusion on Air Quality

188. No objection has been raised by the Pollution and Housing section subject to appropriate conditions and it is also noted that a Framework Travel Plan has been produced which supports the use of sustainable travel options and on-site green infrastructure is proposed in the form of boundary planting and two areas of roof garden which are positive aspects of the scheme in relation to air quality impacts. Therefore subject to the aforementioned conditions it is considered that the proposal would be compliant with Policy L5 in relation to Air Quality.

Conclusion on Residential Amenity Impacts

189. The application is supported by a suite of documents and detailed plans which consider and address the various potential impacts on residential amenity. These have been considered in detail in the foregoing sections and as a result of the design of the development and subject to the recommended conditions, the impacts of the development on the amenity of nearby residential properties is concluded to be acceptable and compliant with Policies L5 and L7 of the Core Strategy.

HIGHWAYS ISSUES, PARKING AND SERVICING

190. 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”*.

191. Policy L4 also states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices. The aim of the policy to deliver sustainable transport is considered to be consistent with the NPPF.

192. Para 105 of the NPPF states *‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.’*

193. Paragraph 111 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”*. Policy L4 is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be

fully up to date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'. Nevertheless it is considered that Policy L4 can be afforded substantial weight.

194. Core Strategy Policy L7 states: In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.

Summary of the Inspectors Comments on 98676/FUL/19

195. The Inspector noted that *'off-street car parking for the customers and staff at the proposed hotel would be limited to one space for use by disabled persons. A drop off area that would be available for use by taxis or similar would be created on Warwick Road.'*
196. He noted that the parking standards set out in SPD3 *'is to a maximum and SPD3 also states that these applications will be assessed individually on a case by case basis. The parking standards for disabled persons are expressed as a minimum, namely 3 bays or 6% of total capacity whichever is greater, for developments with less than 200 spaces.'* He also noted that the draft CQAAP considers there to be an overprovision of parking in the Civic Quarter.
197. *'On-street parking opportunities in the area to accommodate the associated parking for guests and staff would be constrained due to the restrictions that are in operation and, unlike the existing building, no on-site parking spaces would be provided, apart from the one space for disabled persons.'*
198. The development *'would have ready access to frequent public transport services, including recent improvements. This is reflected in the Greater Manchester Accessibility Level'....'There are also a number of destinations close by that would no doubt be the purpose of the visits by some of the guests. As such, it would lend itself to a substantively lower car parking provision than the maximum standards'*
199. *'However, this does not justify having no off-street car parking provision, apart from one space for disabled persons'....* In addition he states that in relation to parking provision for disabled persons *'The proposed provision would be insufficient'*. He concludes that *'the proposal would have an unacceptable effect on highway safety concerning the proposed parking arrangements and parking provision for disabled persons.'*

Assessment of the Current Development

200. A number of objections have been raised in relation to the parking and highways impacts of the proposed development.

Vehicle and Pedestrian Access

201. Vehicle access to the proposed shared use car park and servicing area will be off Hornby Road, as at the current time. A separate footway and gated entrance will be provided for pedestrians, to include the provision of an internal walkway.

Servicing

202. It is proposed to provide a bin collection area at the Hornby Road vehicle access (prior to the gates) to accommodate a kerbside bin collection service. The applicant has provided information relating to the type and size of vehicles required to service the site and demonstrated that this is possible through the provision of swept path information. The LHA is satisfied with this subject to a Service Management Plan to be secured by condition.

Car Parking

203. The site has a GM Accessibility Level of 7 with 8 being the most accessible possible.

204. The Draft CQAAP states: 'The proportion of land dedicated to car parking in the area is high compared to both buildings and the public realm. Survey data associated with the transport assessment *carried out to inform the AAP suggests that there are circa 4,731 parking spaces, including both public and private spaces, located within the Civic Quarter.... . It also represents an inefficient use of land. The AAP therefore seeks to address this existing issue*' and that there is an opportunity to 'encourage a modal shift to sustainable modes of transport'

205. The car parking standards as detailed within Supplementary Planning Document 3 (SPD3) state that for this location the proposed use requires one space per bedroom including staff parking provision (two bedrooms for staff accommodation will be provided at the premises known as 2 Hornby Road, which is included within the development site and proposals).

206. The proposed development includes a 22-space car park in the service yard (including three accessible spaces). The majority of spaces would be operated via a valet parking system and the LHA initially queried how vehicles will be managed within this area, advising that movement of vehicles should be viable within the site. In relation to this point, two additional temporary storage stacking spaces have been provided to allow the retrieval of guest vehicles from any of the valet spaces. This is the maximum number of cars that would need to be moved in order to access another car and this relates only to space nos. 17 and 20. Sample vehicle tracking has been provide and a guest car arrival point has also been identified. The supporting information advises that both the guest car drop-off and the stacking spaces would only ever be in use for very short periods, with cars being taken /

returned immediately to a parking bay. The revised tracking information provided demonstrates that manoeuvring is possible without encroaching into any of the parking bays.

207. The LHA are satisfied that the hotel operation will be able to stack and turn vehicles in order to accommodate the proposed 'stacked' car park space layout and servicing arrangements within the curtilage of the development.

208. Appendix G of the Interim Travel Plan, states a car park space booking system will be employed-

"Within all AccorHotels, we have an online CRM system called TARS which gives real time connectivity to all our properties for booking bedrooms, restaurant/bars and other facilities including parking. This is then connected to our various Property Management System which controls the inventory and the live booking process on site. An example of a third party Parking System that we use at our hotels is Parking Eye which provide hotels with monitoring and payment systems to manage their parking facilities. The property management systems coupled with staff training work seamlessly at all our properties that provide parking across the UK"

209. Additional information has been provided to the LHA in relation to the operation of the parking management to accommodate guest bookings and subject to a Parking Management Strategy to be secured by condition this is now considered acceptable.

210. Concerns were initially raised by the LHA about the lack of EV charging points on site but the applicant have subsequently agreed to a condition requiring that these are provided.

Accessible Car Parking

211. The accessible parking standards shown in SPD3 Appendix A are minimum requirements and at this location, 3 no. accessibility spaces are required.

212. The number of accessible spaces on site has been increased from two to three at the request of the LHA and this is considered acceptable.

Request for a S106 Contribution for a TRO Review

213. The restrictions in place on local roads are mainly only during office hours and the closest side roads Hornby Road and Barlow Road have yellow lines in place 9am-5pm Monday to Saturday, meaning that outside of the restricted hours residents and other people wishing to park in the area can park on street. There is also a 'residents only' permit holders bay located on the south side of Warwick Road, and on the north side of Warwick Road there is a pay and display / permit

holders bay which is restricted Monday to Friday 9am – 5pm and unrestricted after that.

214. The LHA is aware of previous complaints received regarding parking congestion at these locations and there is a concern that the proposed development could further increase the demand for parking. A S106 contribution would therefore be sought by Trafford Council to undertake a review of parking restrictions in the immediate area, with a view to extending the existing residents' permit parking zone. The review would also include a modification of waiting restrictions for the proposed front of house loading ('drop off') bay. It is understood from information seen in the submitted Transport Assessment that the applicant would be prepared to fund this TRO review.

Proposed drop-off bay, Warwick Road

215. The proposed loading/unloading ('drop-off') bay will be located in the adopted public highway and as such available for use by anyone, including coaches, private cars, and taxis not associated with the hotel. The LHA is therefore concerned use of the bay will be difficult to manage, and there is a risk of double-parking taking place during busy periods which could impact the public highway. The management of this drop off layby will need to be carefully considered by the operators of the hotel. Details of this will be sought and secured via a Parking Management Strategy condition.

216. With regards to matchday closures, the following information is provided by paragraph 3.6 of the submitted Transport Assessment - *"As previously agreed with TBC, the operator will provide information to customers when booking on matchday access arrangements and will confirm that the drop-off bay will be inaccessible during these periods. This is the same arrangement as is currently used at Hotel Football, as this site's drop-off facility is also closed on a matchday"*.

Motorcycle Parking

217. Five motorcycle parking spaces will be provided. SPD3 states that 1 space per 25 guest rooms to be provided so this is a shortfall of one space but as this is a maximum requirement this is considered acceptable.

Cycle Parking and Storage Arrangements

218. The minimum cycle parking standards as detailed within SPD3 states that one space per 10 guest rooms will be provided which equates to just under 17 spaces, 18 have been proposed which meets the requirement.

219. It is proposed to provide a covered and secure cycle store comprising of the 18 spaces. The LHA would accept the final details for the proposed cycle storage and stand/rack type being secured by condition.

Transport Assessment

220. The LHA accept the findings of the Transport Assessment. An Interim Travel Plan has been submitted within the Transport Assessment, which alludes to the need for a Full Travel Plan being submitted later, and this will need to be conditioned.

Construction Traffic

221. A condition requiring a construction management plan is recommended to ensure that the impacts of the demolition and construction phases of development have an acceptable impact on the operation of adjacent roads. This is attached accordingly.

Waste Management

222. Refuse collections would be from Hornby Road at the kerb-side bin collection area shown on the submitted plans. All refuse would be delivered to a centralised basement store via internal means to prevent nuisance and this would be brought up to the courtyard level on collection days. The Waste Management section have been consulted on the application and have confirmed that they do not have any comments to make in relation to the application.

Conclusion on Highways Impacts and Parking

223. The proposed development is considered to be acceptable in terms of access, servicing and overall accessibility subject to various conditions as set out above. Given the sustainable location the proposed level of car, motorcycle and bicycle parking is also considered to be acceptable subject to a section 106 agreement requiring a contribution towards a review of parking restrictions in the immediate area, with a view to potentially extending the existing residents' permit parking zone to alleviate any parking overspill on street is required. The level of accessible parking on site is compliant with SPD3.

224. It is concluded that subject to appropriate conditions and a section 106 contribution that the residual cumulative impacts on the road network as a result of the development would not be severe and there would not be an unacceptable impact on highway safety. The development is therefore considered to comply with the requirements of Core Strategy Core Strategy Policies L4, L7 and the NPPF.

TREES, LANDSCAPING AND ECOLOGY

225. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Both

policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.

226. Paragraph 180 d) of the NPPF states: *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

227. Core Strategy Policy SL3 requires development to ‘incorporate features to enhance the level of biodiversity...such as green roofs and appropriate landscaping’.

228. The proposals incorporate green infrastructure along the street frontages in the form of tree and shrub planting. This would include 2 no. *Acer campestre* ‘Elsrijk’ (Field Maple) at the Hornby Road corner and 2 no. *Liquidambar styracifiva* ‘Slender Silhouette’ (columnar Sweet Gum) adjacent to the main entrance to the hotel which is located on the Warwick Road frontage close to the junction with Chester Road. A curved feature entrance planter is proposed on Chester Road and landscaped beds are proposed in various locations around all of the site boundaries with an additional 2 no. *Betula utilis* ‘Jacquemontii’ multistemmed trees on the garden boundary with No. 4 Hornby Road.

229. In addition a sizable green roof area is included within the scheme at 4th floor level at the Hornby Road end of the development. This area would be inaccessible except for biannual maintenance purposes and would provide biodiverse habitats for wildlife. The Design and Access Statement sets out that the chosen roof system and seed mix is a blend developed to meet the needs of exposed and dry rooftop conditions in inner city locations, delivering maximum biodiversity enhancements. The multiplicity of wildflowers within the seed mix provide a nectar and pollen rich habitat for priority pollinators, larval food plants for butterflies and a foraging habitat for birds and will support Biodiversity Action Plan (BAP) priority species. The natural habitats created are designed to support a variety of plants, birds, animals and invertebrates. With additional aggregate (stone and sand) organic matter (dead wood, site harvested topsoil and dew ponds) these green roofs are designed to form a matrix of different habitats ideally suited to insect life. The green roof would also improve SUDs capacity. High level planters are also proposed to provide screening and visual interest to the western balcony on the 10th storey.

Trees

230. The Council’s Arboriculturist has raised no objection to the proposed development and has stated that an Arboricultural Impact Assessment is not required as none of the existing vegetation on site is being retained and there are no statutory protections in place and therefore there is no objection to the site being cleared. This is subject to the implementation of the proposed landscaping scheme which would more than mitigate for the loss of the existing trees and vegetation on site. Although there is mention of trees being planted in planters it would be

preferable for them to be planted within the ground in order to ensure their longevity and survival. The landscape architects for the development have confirmed that this is acceptable and that they are happy to accept a condition requiring this and providing details of a raft system if necessary, to ensure appropriate rooting volume for the species under any areas of hardstanding.

231. The application is also supported by a Preliminary Roost Assessment and additional Bat Survey report of Outbuilding at 2 Hornby Road which have been considered by the GM Ecology Unit (GMEU).

Bats

232. Internal inspections of 701, Chester Road (City Point), 2, Hornby Road and the associated outbuilding were carried out and as was the case in previous applications, the City Point building was assessed as having negligible bat roosting. The current application also includes 2, Hornby Road and outbuilding and following these inspections the initial report assessed the house as moderate risk and the outbuilding as low risk. Following consideration of this report the GMEU recommended that an emergence survey should be carried out for the dwelling as well as the outbuilding prior to determination. As a result an activity survey was undertaken on the outbuilding at No 2 Hornby Road in July 2021. Although the survey focused on the outbuilding, due to site layout and the location of the surveyors, the main building at No. 2 Hornby Road was covered by default. No bats emerged from or entered the outbuilding (or the main building) during the surveys carried out.

233. In relation to this additional assessment the GMEU have commented that the building was visually assessed and one dusk survey carried out. No evidence of bats roosting was located in the building proposed for demolition and only low numbers of bats were recorded flying by. The consultants have concluded that demolition of the outbuilding is very unlikely to impact on any bats species and the GMEU state they have no reason to doubt the findings of the report and accept that the demolition of the outbuilding is very unlikely to impact on the favourable conservation status of bats. They confirm that no further information on bats is therefore required.

234. However as individual bats can, on occasion, turn up in unexpected locations and potential bat roosting features have been identified, an informative is recommended to remind the applicant that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

Nesting Birds

235. In relation to nesting birds, the GMEU comment that there is some dense ornamental planting around along one part of the boundary of the site and within the

garden of No. 2 Hornby Road which could be potential bird nesting habitat. All British birds' nests and eggs (with certain limited exceptions) are protected by the Wildlife & Countryside Act 1981, as amended. A condition is recommended preventing works to trees or shrubs between the 1st March and 31st August unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided to the LPA and agreed that no active bird nests are present.

Biodiversity Enhancements

236. In relation to biodiversity the GMEU comment that currently the site has very low ecological value, the only areas with any ecological value restricted to the boundary planting which appears to be primarily, if not totally, ornamental and the garden of the dwelling with a small amount of bird nesting potential. Given the existing value of the site, the GMEU are satisfied that the proposed landscape planting provides scope to mitigate for what will be lost and the inclusion of bat and bird boxes on 2 Hornby Road are also recommended.

Conclusion on Trees, Landscaping and Ecology

237. The application proposes to significantly increase the level of planting on the site through the use of green roofs and tree and shrub planting, this is considered beneficial to the green infrastructure network and subject to a landscaping condition is compliant with Policy R3. In addition, the proposed areas of landscaping would result in an uplift in biodiversity and subject to the recommended conditions relating to nesting birds, biodiversity enhancements and landscaping it is considered that the scheme would also be compliant with Policy R2 of the Trafford Core Strategy and the NPPF.

FLOODING, DRAINAGE AND CONTAMINATION

238. Policy L5 states that *'Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place'*.

239. The Council's Pollution and Housing section have commented that having reviewed the information they hold including historical maps there are no objections in relation to contaminated land.

240. 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 167 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.

241. The LLFA have considered the updated information and plans and have commented that they are satisfied with the development subject to compliance with the updated Flood Risk and Drainage Strategy Report. A condition is attached accordingly. United Utilities have also commented that the development should be in accordance with the FRA and Drainage Strategy and also request a condition in relation to the drainage arrangements for the swimming pool as this would discharge to foul and combined networks.

242. It is therefore considered that in relation to flood risk, drainage and contamination the development is acceptable and compliant with Core Strategy Policy L5 and the NPPF.

Equalities

243. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

244. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

245. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.

246. The supporting information submitted with the application states that both the public realm and internal public spaces will be fully accessible to all sectors of the community. 3 no. of the proposed 22 no. parking spaces will be designed as 'accessible spaces' and specific consideration is given to accessibility for persons with disabilities within the 'Design' section of this report.

247. The measures in place to provide a facility accessible to all, including those with a protected characteristic, are considered to be, on balance, an appropriate, practical and reasonable response to the equalities impacts of the scheme.

Other Matters

248. The concerns raised in relation to the television reception impacts are noted. Given the height and massing of the development a condition is recommended in relation to television reception in order that the impact of the proposals during construction and operation phases on television reception is assessed and any mitigation required is identified.
249. The impact of the development on property values is not a material planning consideration.

DEVELOPER CONTRIBUTIONS

250. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'hotel' development, consequently the development will be liable to a CIL charge rate of £10 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
251. A contribution is also required via S106 Agreement for a review of parking restrictions in the immediate area with a view to potentially extending the residents' permit parking area to protect amenity of local residents and prevent overspill parking. The review would also include a modification of waiting restrictions for the proposed front of house loading ('drop off') bay.
252. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide tree and shrub planting and green roof areas.

PLANNING BALANCE AND CONCLUSION

253. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
254. The proposal complies with the development plan as a whole which would indicate that planning permission should be granted. There are no material considerations, either in the NPPF or otherwise which would suggest a different decision should be reached.

Adverse Impacts

255. The following adverse impacts of granting permission have been identified:

- Minor Harm to a Non-Designated Heritage Asset

256. These adverse impacts must be assessed as to whether they outweigh the benefits of granting permission when assessed against the policies in the NPPF as a whole.

Scheme Benefits

257. The main benefits that would be delivered by the proposed development are considered to be as follows: -

- Removal of a building identified in the CQAAP as having a '*Negative Impact*' and replacement with a significantly improved design of building and public realm in a sustainable and prominent location
- Investment into the Civic Quarter - regenerative and economic benefits to the area, making use of a previously developed site identified as an '*under-utilised site*' in the Draft CQAAP
- Supports accommodation needs arising from the cultural and leisure facilities in the area
- Improved green infrastructure, landscaping and biodiversity
- Assist in meeting climate change objectives through sustainable building design and achieving BREEAM 'Very Good' rating

258. The main adverse impact, relates to the minor harm to the non-designated heritage asset (Hornby Road properties). However the benefits arising from the scheme are numerous and can be given significant weight. Having carried out the balancing exercise and considering the basket of development plan policies as a whole it is concluded that the benefits of granting planning permission outweigh the harms of doing so.

259. All other planning matters have been assessed, including the principle of the hotel use, impact on heritage assets and the character of the area, parking and impacts on the highway network, amenity, ecology and green infrastructure, drainage and contamination. No conflict with the development plan or the NPPF have been found in respect of any of these issues, which have been found to be acceptable, with, where appropriate, specific mitigation to be secured by planning condition.

260. Given the above, the application is recommended for approval.

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

That Members resolve that they would be **MINDED TO GRANT** planning permission for this development and that the determination of the application hereafter be 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:
 - An appropriate financial contribution towards a review of parking restrictions in the area
 - The retention of Stride Treglown in the role of design certifier throughout the construction period, or alternatively to secure a commuted sum to cover the professional fees required to enable the local planning authority and developer to work together to secure the involvement of an architectural practice of their choice in the role of design certifier;
- (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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Plans

- Site Location Plan - 154317-STL-ZZ-ZZ-DR-A-00001 PL02
- Site Plan (From Roof Level) - 154317-STL-ZZ-ZZ-DR-A-00002 PL02
- Land Adoption Plan - 154317-STL-ZZ-ZZ-DR-A-A-00003 PL02
- Basement Floor Plan - 154317-STL-ZZ-B1-DR-A-1000B PL02
- Ground Floor Plan - 154317-STL-ZZ-00-DR-A-10000 PL02
- First Floor Plan - 154317-STL-ZZ-01-DR-A-10001 PL02
- Second - Third Floor Plan - 154317-STL-ZZ-XX-DR-A-10002 PL02
- Fourth – Seventh Floor Plan - 154317-STL-ZZ-07-DR-A-10003 PL02
- Eighth Floor Plan - 154317-STL-ZZ-08-DR-A-10004 PL02
- Ninth Floor Plan - 154317-STL-ZZ-09-DR-A-10005 PL02
- Tenth Floor Plan - ZZ-07-DR-A-10006 PL02
- Overlooking Plan and Elevations - 154317-STL-ZZ-ZZ-DR-A-90001 PL03
- GIA Area -154317-STL-ZZ-XX-SC-A-70002 PL02
- GEA Area - 154317-STL-ZZ-XX-SC-A-70003 PL02
- Topographical Survey of Land at HBH Hotel Manchester - A1 17H251/001

2 Hornby Road Topographical Survey – SSL:20351:100:1:1:TOPO
Outline Drainage Strategy Basement Floor Level - 066231 CUR 00 XX DR C
92501 P08
Outline Drainage Strategy Ground Floor Level - 066231 CUR 00 XX DR C 92502
P08

Elevations / Sections

Warwick Road Elevation - 154317-STL-ZZ-ZZ-DR-A-20000 PL03
Rear Elevation - 154317-STL-ZZ-ZZ-DR-A-20001 PL02
Hornby Road Elevation - 154317-STL-ZZ-ZZ-DR-A-20002 PL02
Chester Road Elevation - 154317-STL-ZZ-ZZ-DR-A-20003 PL02
Existing Elevations - 154317-STL-ZZ-ZZ-DR-A-20100 PL02
Contextual Elevations - 154317-STL-ZZ-ZZ-DR-A-20200 PL02
Section A-A - 154317-STL-ZZ-ZZ-DR-A-30001 PL02
Section B-B - 154317-STL-ZZ-ZZ-DR-A-30002 PL02

Details / Views

Detail 01 - 154317-STL-ZZ-01-DR-A-40001 PL02
Detail 02 - 154317-STL-ZZ-01-DR-A-40002 PL02
Detail 03 - 154317-STL-ZZ-01-DR-A-40003 PL02
Detail 04 - 154317-STL-ZZ-01-DR-A-40004 PL02
Detail 05 - 154317-STL-ZZ-01-DR-A-40005 PL02
3D Views - 154317-STL-ZZ-ZZ-DR-A-80000 PL02
Contextual Aerial Views - 154317-STL-ZZ-ZZ-DR-A-80001 PL02
Street Views 01 - 154317-STL-ZZ-ZZ-DR-A-80002 PL02
Street Views 02 - 154317-STL-ZZ-ZZ-DR-A-80003 PL02
Comparative Elevational Study - 154317-STL-00-ZZ-DR-A-90002 PL02

Landscaping

Landscape General Arrangement - 154317-STL-00-XX-DR-L-09000 L04
Soft Landscape Plan - 154317-STL-00-XX-DR-L-09140 L04
Hard Landscape Plan - 154317-STL-00-XX-DR-L-09160 PL04
Landscape Paving and Boundary Treatments - 154317-STL-XX-XX-DR-L-09410

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

3. Notwithstanding any description of materials in the application, no above-ground construction works shall take place until samples and full specifications of all materials to be used externally on all part of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of all proposed brickwork illustrating the type of joint, the type of bonding and the colour of the mortar to be used, with these panels available on site for inspection, and retained for the duration of the build. 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.

4. No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the building (including sections and details at 1:20) has first been submitted to and approved in writing by the local planning authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:
 - (i) Location of materials and brick detailing
 - (ii) All fenestration details including projections and recesses/window reveals
 - (iii) All entrances into the buildings including gates
 - (iv) Elevation details of lift overruns and plant enclosures
 - (v) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building
 - (vi) The siting of any external façade structures such as meter boxes
 - (vii) Any external balconies / walls around terraces
 - (viii) Trim and coping details to the top of all buildings
 - (ix) A methodology for the means by which the appointed Design Certifier will check the first introduction of each design detail to the building as it is being built out.

Development shall proceed in accordance with the approved detailed façade schedule and as approved on site by the Design Certifier.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policies L7 and R1 and the National Planning Policy Framework

5. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include a full specification for the following:-
 - Details of all proposed trees, including species and size on planting and how all the proposed trees at ground level will be planted in the ground, including the raft system to be used in the tree planting areas, the manufacturer of the raft system, area and specification of the raft system and soil rooting volume, soil specification and permeable paving above
 - a plan showing the location of the trees planting pits/ raft system, overlaid with utility / services drawings (including depths) to demonstrate that they can be successful installed

- Details of all other areas of hard surfaced and soft landscaping including materials, boundary treatments, any fixed seating, tables and planters, planting plans, specifications and schedules (including planting size, species and numbers/densities)

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.

6. The development hereby approved shall not be occupied until a schedule of landscape maintenance 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 design, 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.

7. There shall be no public access to the flat green roofed area above the four storey element at the southern end of the development on drawing ref. 154317-STL-ZZ-ZZ-DR-A-00002 Rev PL02 'Site Plan (From Roof Level)', or the southern and western sections of external balcony area at ninth floor level as shown on drawing ref. 154317-STL-ZZ-09-DR-A-10005 Rev PL02 'Ninth Floor Plan', at any time. Details of the method of preventing public access to these areas shall be submitted to and approved in writing by the Local Planning Authority and the approved measures shall be installed before the hotel is first brought into use and retained thereafter.

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

8. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading and unloading of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

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.

9. No above ground construction works shall take place until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include full details of the operation of the parking areas including the operation of the valet parking service and the 'drop off layby' on Warwick Road. The parking areas and 'drop off layby' shall be operated in accordance with the approved detail thereafter.

Reason: In the interests of highway safety and to ensure the free flow of traffic having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The development hereby approved shall not be occupied / brought into use 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.

11. Notwithstanding the details shown on the approved plans the development hereby permitted shall not be brought into use until details of the proposed secure cycle and motorcycle parking and storage for the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle 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.

12. Upon first installation all windows / balustrades / openings in the southern and western elevations of the hotel development hereby approved shall be installed in full accordance with the design and materials shown on drawing ref. 154317-STL-ZZ-ZZ-DR-A-90001 PL03 'Overlooking Plan & Elevations' and shall be 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.

13. The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Ref: 066231-CUR-00-ZZ-RP-D-500_FRA/ODS Rev V08 by Curtins which includes the following:

- Limiting the surface water run-off generated by the 1 in 100 +CC critical storm so that it will not exceed 19.0 l/s and not increase the risk of flooding to highway or any third-party land off-site.
- Critical storms calculations for proposed network to be provided. No surcharge in the 1 in 1, no flooding in the 1 in 30. The calculations must also demonstrate the storms for the 1 in 100 + CC proposed network at a restricted rate of 19.0 l/s.
- Provision of up to 45m³ attenuation flood storage on the development area to a 1 in 100 +CC standard.

The approved flood risk and drainage strategy shall be implemented in full and retained thereafter.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. No above ground construction works shall take place until a Drainage Management and Maintenance plan for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. This shall provide the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements for securing the operation of the drainage scheme throughout the lifetime of the development. The development shall subsequently be completed, maintained and managed in accordance with the approved details.

Reason: To ensure that suitable management arrangements are in place for the drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. No development shall take place until the details of the drainage for the proposed swimming pool have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
- (i) rate of discharge;
 - (ii) volume of discharge; and
 - (iii) timings for emptying of the swimming pool.

The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure that the swimming pool can be properly emptied without damage to the local water environment and to manage the risk of flooding having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-August 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 clearance 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.

17. No above ground construction works shall take place unless a scheme and plan detailing Biodiversity Enhancement Measures proposed for the site, which shall include bat and bird boxes / bricks and pollinator bricks, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and retained thereafter.

Reason: In order to enhance the biodiversity of the site and to mitigate any potential loss of habitat having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within sections 3.3 of the submitted Crime Impact Statement Version A: 14th August 2019: 2018/0906/CIS/01 and the physical security specifications set out in section 4 of that document. Prior to the development being brought into use, a verification report shall be submitted to and approved in writing by the Local Planning

Authority which shall confirm that the above recommendations of the Crime Impact Statement have been implemented in full. Thereafter, the development shall be maintained in accordance with the approved details for the lifetime of the development.

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

19. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition/construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) hours and location of proposed deliveries to site
- iii) loading and unloading of plant and materials including times of access/egress
- iv) storage of plant and materials used in constructing the development
- v) the erection and maintenance of security hoardings including decorative displays and information for members of the public, including contact details of the site manager
- vi) wheel washing facilities and any other relevant measures for keeping the highway clean
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- viii) proposed days and hours of pre-construction (including demolition) and construction activity (in accordance with Trafford Councils recommended hours of operation for construction works)
- ix) measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions, having regard to the recommended dust mitigation measures detailed at section 5.4 of the supporting Air Quality Screening and Dust Risk Assessment ref. 15559-SRL-RP-YQ-01-S2-P2 prepared by SRL
- x) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity and noise from plant, in accordance with the principles of Best Practicable Means as described in BS 5228: 2009 (parts 1 and 2)
- xi) information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors

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 Policies L4, L5 and L7 of the Trafford Core

Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

20. The development hereby approved shall not be occupied or brought into use until full details of the provision of at least one electric vehicle (EV) 'fast charge' point for every 1000 m² of commercial floorspace have been submitted to and approved in writing by the Local Planning Authority. The EV charging facilities shall thereafter be installed in accordance with the approved details before the development is first occupied or brought into use and retained thereafter in working order.

Reason: In the interests of environmental protection having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

21. No occupation of any part of the development shall take place until a full external lighting scheme and a Lighting Impact Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of exterior lighting installations in order to demonstrate compliance with the Institution of Lighting Professionals' Guidance Note 01/21 for the reduction of obtrusive, including details of any necessary mitigation measures. 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 residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

22. Servicing, deliveries and refuse / recycling collections to the development hereby approved shall only take place between the hours of 07:00 and 19:00 hours on Mondays to Saturdays (including Bank Holidays) and at no other time.

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

23. No above ground construction works shall take place until a glazing and ventilation strategy for the hotel hereby approved and No. 2 Hornby Road, has been submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate compliance with the recommendations of section 4 of the supporting Noise Assessment prepared by SRL Technical Services Ltd dated 13 December 2021 Ref. 15559-SRL-RP-YA-001-S2-P3. In addition, the strategy shall demonstrate the provision of adequate means of ventilation (without causing overheating or excessive noise) to habitable rooms whilst keeping windows closed. The development shall not be occupied until a verification report has been submitted to and approved in writing by the Local Planning Authority, to demonstrate that the glazing and ventilation scheme has been installed in

accordance with the approved details and the approved scheme shall be retained thereafter in good working order.

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

24. The combined noise level from all building services plant and equipment (when rated in accordance with BS 4142: 2014) shall not exceed 47dB (LA_r 1 hour) between 0700-2300h and 41 dB (LA_r 15 minutes) between 2300-0700h on any day at the façade of the nearest residential receptors on Hornby Road and shall not exceed 51dB (LA_r, 1 hour) between 0700-2300h and 44dB (LA_r, 15 minutes) between 2300-0700h on any day at the façade of the approved Hotel development. The development shall not be occupied until a verification report, which shall provide sufficient information to demonstrate compliance with these noise levels, including any necessary mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. Any approved mitigation measures shall be retained thereafter in good working order.

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

25. Prior to the hotel development being brought into use, a 1.8m solid acoustic fence of minimum 10kg/m² superficial mass shall be installed along the boundary with the rear external area to No. 4 Hornby Road in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be retained and maintained in good order thereafter.

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

26. a) No above-ground development shall take place until the potential impact area in which television reception is likely to be adversely affected by the development hereby approved, during its construction and operational phases is identified, and details are provided to the Local Planning Authority of when in the construction process an impact on television reception might occur;
- b) The existing television signal reception within the potential impact area identified in (a) above shall be measured before above ground works first takes place, and details provided to the Local Planning Authority of the results obtained.
- c) The construction and operational impacts of the development on television signal reception shall be assessed within the potential impact area identified in (a) prior to any above ground development within the relevant phase first taking place. Such assessment shall identify measures to maintain at least the pre-existing level and quality of signal reception identified by the measurements undertaken in accordance with (b) above, and such measures shall be submitted to and approved in writing by the local planning authority prior to any above ground development within first taking place. The approved measures shall be

implemented within a timescale that shall have first been agreed in writing with the Local Planning Authority and retained and maintained thereafter.

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

27. Prior to the development being brought into use, a Waste Management and Delivery Strategy including servicing arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include a strategy for the appropriate management of deliveries and waste removal. The servicing provision shall be provided before the development is first brought into use and deliveries shall thereafter take place in accordance with the approved plan.

Reason: To ensure that the site is properly and safely serviced in the interests of highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

28. The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'very good'. Post construction review certificate(s) shall be submitted to, and approved in writing by the Local Planning Authority, before the development hereby approved is first occupied.

Reason: In order to minimise the environmental impact of the development, having regard to Policy L5 of the Core Strategy and the National Planning Policy Framework.

29. The ground floor café and / or 9th floor kitchen shall not be brought into operation until a scheme(s) showing details of the means of proposed kitchen extract-ventilation and exhaust systems, including details of the finish of any external flue(s), manufacturer's operating instructions and a programme of equipment servicing/maintenance have been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme(s) shall be implemented in full before the use hereby permitted first takes place and shall remain operational thereafter.

Reason: In order to ensure the efficient dispersal of cooking odours from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to appearance of the building and the surrounding area having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

30. There shall be no public access to or use of the swimming pool, fitness suite, sauna, steam room or treatment rooms shown on drawing ref. 54317-STL-ZZ-B1-

DR-A-1000B Rev PL02 'Basement Floor Plan' which shall be for the sole use of guests staying at the hotel.

Reason: In the interest of residential amenity and highway safety in accordance with Policy L7 of the Trafford Core Strategy.

31. The property known as No. 2 Hornby Road, shall only be occupied as a single dwelling (Use Class C3) for staff accommodation ancillary to the hotel hereby approved in accordance with the internal layout shown on the approved Ground Floor Plan ref. 154317-STL-ZZ-00-DR-A-10000 PL02 and First Floor Plan 154317-STL-ZZ-01-DR-A-10001 PL02.

Reason: In order to prevent the property being occupied as a separate dwelling unrelated to the hotel use resulting in unacceptable amenity levels for prospective occupants or in a manner that may result in unsatisfactory amenity levels for the occupiers of No. 4 Hornby Road having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

32. A Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority at least 6 weeks prior to the 9th Floor restaurant / bar and external viewing / seating deck first being brought into operation to address potential impacts of customer and entertainment noise. The NMP shall include as a minimum, written details of the following information;

- i. Organisational responsibility for noise control;
- ii. Hours of operation and locations for music production;
- iii. Imposed planning conditions controlling noise/disturbance;
- iv. Physical and managerial noise controls processes and procedures;
- v. Timings for the closure of all external doors and windows
- vi. Music noise level controls including music noise limiter settings and any external noise limits;
- vii. Details of how compliance with control limits is achieved and procedure to address non-compliance;
- viii. Details of review of NMP;
- ix. Details of community liaison and complaints logging and investigation

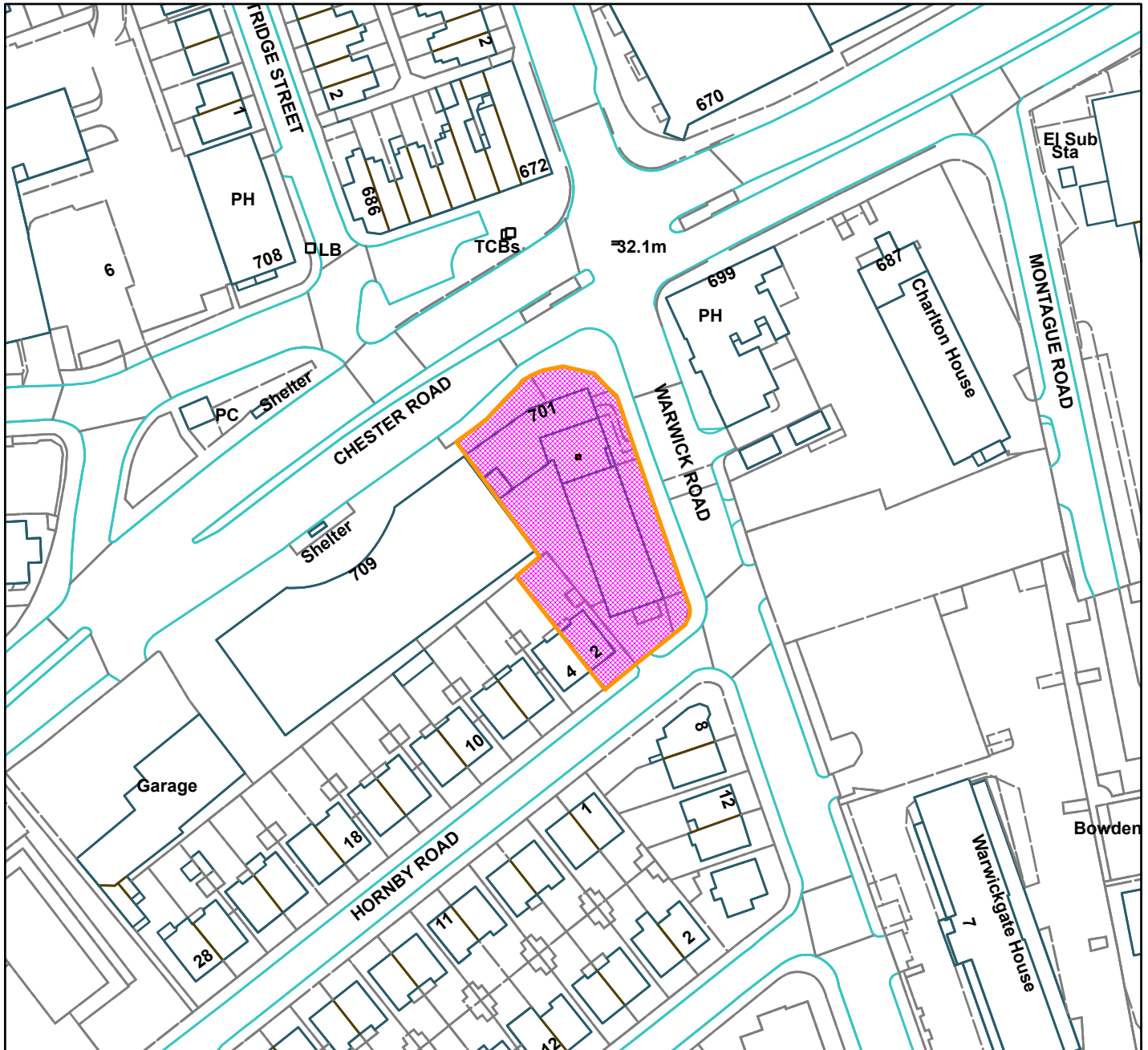
The 9th floor restaurant / bar and external viewing / seating deck shall thereafter be operated in full accordance with the approved NMP (or any subsequent NMP that has been approved in writing by the Local Planning Authority).

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

JJ



City Point and 2 Hornby Road, 701 Chester Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Bowdon

105247/HHA/21

DEPARTURE: NO

Erection of a two storey corner infill extension, two single storey side extensions. Erection of a new detached garage and creation of a new vehicular access. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door to side and a new door to the front elevation and other external alterations.

Moss Cottage, South Downs Road, Bowdon, Altrincham, WA14 3DR

APPLICANT: Ms. Patricia Harrison

AGENT: None

RECOMMENDATION: REFUSE

The application has been reported to the Planning and Development Management Committee as it has been called in by Cllr Whetton and six letters of support have been received contrary to the officer recommendation.

SITE

This application relates to a corner plot to the east side of the South Downs Road-Marlborough Road junction in Bowdon. The site is currently occupied by a detached single storey cottage and a detached single storey double garage. Vehicular access is taken from Marlborough Road with a setted driveway leading to the garage. Pedestrian access is taken from South Downs Road. The site has large gardens surrounding which surround the dwelling and include a number of mature trees; particularly to the east site boundary.

Moss Cottage is a single storey red-brick structure with a thatched roof. It contains additional accommodation within its roof space. The building has a dormer to its front bearing the date 1666. The cottage comprises two ranges; the front range is the original building whilst the rear range is a 1960s extension. The rear extension is reflective of the original building in terms of its dimensions and materials.

Moss Cottage is a Grade II listed building and is also situated within the Ashley Heath Conservation Area.

PROPOSAL

Planning permission is sought for the erection of a two storey infill extension, two single storey side extensions, erection of a detached garage with associated driveway, creation of a link between the roofs of the two ranges and alterations to doors and windows.

The two storey infill extension would have a footprint of 4m x 2m. It would continue the existing roof plane and therefore have matching eaves and ridge heights.

The side extension to the south side would be a conservatory with a projection of 3.2m and a width of 4.8m. It would have a lean-to roof with a maximum height of 2.9m and an eaves height of 2.3m.

The side extension to the north side would have a projection of 3.4m and a width of 4.5m. It would have a lean-to roof with a maximum height of 3.5m and an eaves height of 2.3m.

The proposed garage would be built close to the east boundary of the site. It would have a footprint of 6m x 5.4m. Its main structure would have a dual pitched roof with a maximum height of 4.1m and an eaves height of 2.5m. It would have a lean-to structure to one side which would connect to the main roof structure and have an eaves height of 1.3m. Only a front and side elevation have been submitted. It would be accessed by a 39m long driveway.

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 AND OBJECTIVES

L4 – Sustainable Transport and Accessibility

L7 – Design

R1 – Historic Environment

SUPPLEMENTARY PLANNING DOCUMENTS

SPD5.8 – Ashley Heath Conservation Area- Conservation Area Appraisal

SPD5.8a – Ashley Heath Conservation Area- Conservation Area Management Plan

POLICIES MAP NOTATION

Ashley Heath Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

105589/LBC/21- Listed building consent sought for the subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn- 09.09.2021

102712/LBC/20- Listed building consent sought for the erection of a two storey corner infill extension, excavation of a new lower ground floor level with external access to the rear, erection of a part single/part two storey rear extension with a side dormer and a new detached garage. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door. Internal works comprising amongst other things the removal of walls and the removal and replacement of the internal staircase. Withdrawn 13.04.2021

102711/HHA/20- Erection of a two storey corner infill extension, excavation of a new lower ground floor with separate access to the rear, erection of a part single/part two storey rear extension with side dormer and a detached garage. External alterations to

include a new link between the two ranges at first floor and roof level, replacement of a window with a new door and other external alterations. Withdrawn 13.04.2021

102710/LBC/20- Listed Building Consent sought for the subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn- 13.04.2021

102709/FUL/20- Subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn – 13.04.2021

95326/LBC/18- Listed building consent sought for the erection of a two storey corner infill extension. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door. Internal works comprising amongst other things the removal of walls and the removal and replacement of the internal staircase. Alterations to the boundary treatments and landscaping. Approved with Conditions- 04.04.2019

95325/HHA/18- Erection of a two storey corner infill extension. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door and other external alterations, alongside alterations to the sites boundary treatments and landscaping. Approved with Conditions- 04.04.2019

91271/LBC/17- Listed Building Consent for alterations to thatched roof profile, installation of additional fenestration to rear elevation and other external alterations. Withdrawn- 12.06.2018

91270/HHA/17- Alterations to thatched roof profile of Listed Building, installation of additional fenestration to rear elevation and other external alterations. Withdrawn- 12.06.2018

91974/LBC/17- Listed Building Consent for: extension of existing garage/studio building to rear of property to form new dwelling with own curtilage, alongside sub-division of existing plot; with other ancillary hardstanding works. Refused- 10.10.2017

91973/FUL/17- Works to include: extension of existing garage/studio building to rear of property to form new dwelling with own curtilage, alongside sub-division of existing plot; with other ancillary hardstanding works. Refused- 10.10.2017

82433/LB/2014- Listed building consent for external and internal works which include alterations to internal layout and 20th century staircase; extension of thatched roof and installation of additional fenestration to elevation. Approved with Conditions- 16.04.2014

82432/HHA/2014- External works to Listed Building to include alterations to extension of thatched roof and installation of additional fenestration to elevation. Approved with Conditions- 16.04.2014

77965/HHA/2012- Erection of detached outbuilding to form garage and garden studio. Approved with Conditions- 09.08.2012

74797/FULL/2010- Erection of detached dwellinghouse, detached garage and shed within rear garden area of Moss Cottage following demolition of existing outbuildings. Withdrawn- 20.05.2010

H/CC/71717- Conservation Area Consent for demolition of outbuildings in rear garden area. Approved with Conditions- 16.09.2009

H/LB/71716- Listed Building Consent for demolition of outbuildings in rear garden of Moss Cottage. Approved with Conditions- 16.09.2009

H/71718- Erection of detached dwelling house, detached garage and shed within rear garden area of Moss Cottage following demolition of existing outbuildings. Refused- 16.09.2009. Appeal dismissed – 18.05.2010

H/70456- Erection of greenhouse within rear garden area. Approved with Conditions- 19.12.2008

H/66662- Erection of single garage. Refused- 11.05.2007

H41650- RENL OF PLANNING PMSN FOR ERCN DET HOUSE & GARAGE, ERECTION OF GARAGE FOR MOSS COTTAGE & FORMATION NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD- Approved with Conditions- 03.01.1996

H32452- RENEWAL OF CONSENT FOR THE ERECTION OF A DETACHED HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE, CONSTRUCTION OF NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD. Approved with Conditions- 29.11.1990

H22659- REN OF CONSENT FOR THE ERECTION OF DET HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE. CONSTRUCTION OF NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD. Approved with Conditions- 16.01.1986

H17707- LISTED BUILDING CONSENT FOR THE DEMOLITION OF TWO EXTENSION BAYS AND REPLACEMENT WITH THE INSTALLATION OF OLD STYLE WINDOWS. Approved with Conditions- 06.06.1983

H17708- DEMOLITION OF TWO EXTENSION BAYS AND REPLACEMENT WITH THE INSTALLATION OF OLD STYLE WINDOWS. Prior Approval Not Required- 17.03.1983

H15807- ERECTION OF DETACHED HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE. Approved with Conditions- 11.02.1982

APPLICANT'S SUBMISSION

Bat Scoping Report – Additional surveys recommended.

Heritage Statement - In summary, the proposed development will sustain and enhance the significance of Moss Cottage and the special character and appearance of the Ashley Heath Conservation Area. There will be no erosion of their respective heritage values.

CONSULTATIONS

Greater Manchester Ecology Unit – Further bat surveys are recommended prior to determination. Nesting bird and ecological enhancement conditions are recommended.

Heritage Development Officer –

Two storey corner infill extension; new link between the two ranges at first floor and roof level; insertion of window and door to the north west elevation & reconfiguration of internal layout to the 20th century range at ground floor and first floor to create new staircase, additional bedroom, bathroom & storage.

The principle of these works was established under previous applications [nos 82433/LB/2014 & 82432/HHA/2014; 95325/HHA/18 & 95326/LBC/18] but the approvals were not implemented and no longer extant. The proposed two storey extension to the 20th century range creates a bathroom upstairs with the conversion of the existing office to a third bedroom. The link provides access at first floor between the two ranges. This does result in an alteration to the original north east elevation and potentially the timber frame and alteration of the thatch roof, no details are provided. Previous applications provided a detailed drawing of the alteration; a number of sections and a roof plan to adequately illustrate the works and to avoid any unnecessary impact on historic fabric. Should the applications be recommended for approval, this information is required prior to determination to fully understand the works. Whilst this is clearly an intervention into the historic fabric it was previously justified to create access to the proposed extension and additional accommodation at first floor.

Further details regarding materials, ventilation etc. would be required via condition. There are minor concerns regarding a number of other external alterations, amendments are required should the applications be recommended for approval. The design of the proposed door to the north-west elevation should be a solid ledged and braced door rather than incorporating glazing. The proposed wc window should be a side hung casement rather than a top hung opening light. The proposed window to the north east elevation does not reflect proportions of existing window openings and should be reduced.

Additional plans submitted in Nov 2021 were requested to illustrate the proposed works. Nevertheless, there is still a general concern about the submitted drawings which fall short of the level of detail required. The proposed plans are missing several

internal doors; the proposed window to the north east elevation doesn't match the proposed ground floor plan; the south east elevation of the conservatory indicates a door not shown on the ground floor plan; the scale provided is insufficient to illustrate details for proposed works such as windows/doors/cills/thresholds etc.

Two, single storey lean to extensions to north-west and south-east elevations & re-introduction of door to south west elevation

The applications also seek permission for the addition of two, single storey lean to extensions to the north-west and south east gables of the 17th century range. The north-west extension comprises of waney lap boarding, slate with a brick plinth; the conservatory proposed to the south east elevation comprises of a timber frame with glazing also with a brick plinth. Two doorways, one to each gable, are proposed through existing 17th century fabric, no details are provided of these alterations. It is considered that the proposed extensions will cause unjustified harm to the aesthetic, historic and evidential values of Moss Cottage. The original footprint of the cottage has already been significantly extended in the 20th century; arguably this large addition has already had a substantial visual impact on the historic appearance of the listed building. The siting of the extensions will partially obscure the 17th century gables of the listed building, impacting on its modest vernacular appearance, diminutive scale and historic plan form. The extension of the listed building in these locations will alter the proportions, scale and massing of the Cottage resulting in an unwieldy appearance. The insertion of openings into possible 17th century fabric is also a concern. It is noted the proposed doorway to the north-west elevation will open onto an existing supporting timber post. The structural impact of this intervention on the existing timber frame to both elevations is therefore unclear. There is concern that opening up the listed building in these two locations will also alter the internal character and modest proportions of the two rooms at ground floor. It is also considered that the style and materiality of the additions does not complement the vernacular appearance of the listed building.

The concept of authenticity demands that proposals for restoration always require particularly careful justification. The submitted Heritage Statement has sought to justify the extensions to the listed building on the basis they will "reinforce the history of Moss Cottage as a pair of farm labourers' cottages". This relies upon mapping and photographic evidence from the late 19th century, which appears to show a store and greenhouse in situ supporting the use(s) of the building at that time. However, these ancillary structures were no longer in place by the early 20th century and there is no evidence to indicate they formed part of the original 17th century design of the building. Moreover, the appearance of the extensions is conjectural based on a partial image. Whilst the occupation of the building as two dwellings during the 19th century contributes to its historic interest, the appearance and use of Moss Cottage has evolved following significant extension and alteration during the 20th century to form a single dwelling. The proposed extension and alteration of the building in this manner not only belies the current use of the Cottage, but is at the expense of its integrity and quality as a 17th century vernacular building, an earlier and more important phase in the evolution of the heritage asset. The proposed extensions are therefore considered unacceptable and will cause harm to the significance of the listed building.

The introduction of a false door to the south-west elevation will be of little benefit to the appearance of the listed building bearing in mind the building has been converted to form one dwelling. It is noted that the ground floor window was also altered in 20th century. Sufficient ghosting of the historic opening remains in the brickwork to provide evidential value of this phase. The reinstatement of this door (the proposed plan shows this as an opening) in such close proximity to the proposed doorway on the north-west elevation also seems of little merit.

New detached garage and creation of a new vehicular access

Planning permission is sought for the erection of a large detached garage to the east of the site with separate vehicular access leading to Marlborough Road. The site currently benefits from garaging permitted under application no. 77965/HHA/2012. The requirement for this additional garage is due to the proposed subdivision of the site sought under app no. 105249/FUL/21. Hedging has recently been planted demarking the proposed subdivision of the site. This results in the vehicular access sited in close proximity to the north east elevation, cutting across the existing garden to the proposed building and resulting in the loss of the winding footpath, an attractive feature of the site, several trees and soft landscaping. The movement of vehicles across the width of the plot will also impact on the character of the site.

Notwithstanding the lack of detail shown on the proposed elevations, the garage appears as a large structure and is sited in close proximity to the Cottage. It is likely the building will be conspicuous in key views of the site from South Downs Road and views of Moss Cottage from Marlborough Road as well as views within the site. The proposed garage and vehicular access is considered to harm the setting of the Grade II listed building and the contribution the site makes to Ashley Heath Conservation Area.

Based on the current proposals, it is considered that the development would cause major harm to the significance of Moss Cottage, Grade II listed, and moderate harm to its setting and the Ashley Heath Conservation Area.

I consider the harm is unjustified and does not meet the requirements of the Act, NPPF or the Core Strategy as detailed above. As such I would support a recommendation for refusal on heritage grounds.

REPRESENTATIONS

Six letters of support were received in response to a neighbour consultation exercise. The following reasons are given:

- The current and previous proposals have suggested sympathetic ways for turning this into a viable dwelling for modern living without harming the charming characteristics of the original building.
- Officers refuse to recognise that such buildings will become derelict if they become unviable.
- Trafford officers have simply objected without any suggestions of how Moss Cottage might be sympathetically converted into a useful dwelling.

- The changes to Moss Cottage are minor and would help to illustrate its heritage as a pair of simple farm workers dwellings as well as modernise the interior to a more acceptable level for present day requirements.
- The applicant has been known to the resident for about 15 years and the resident finds the design of the extensions acceptable.
- The small extensions to Moss Cottage would not compromise its heritage as a listed building, being sympathetically designed to maintain the integrity of the property.
- The modest extension to Moss Cottage would emphasise its heritage as a farm worker's dwelling and would modernise its interior.

The suggestion that Moss Cottage is unviable as a dwelling is considered further in 'Other Considerations' below.

The application was called into the Planning and Development Committee by Cllr Whetton who makes the following comments in support:

- The proposed design is acceptable.
- The proposals present no harm to the listed building
- The size of the overall site is more than sufficient to provide for the proposals without adverse impact on the listed building.
- The basic proposals have in essence been approved by Trafford Council previously.

A letter from Sir Graham Brady MP was also submitted by the applicant however this relates to earlier applications at the site and so should not be given any weight.

OBSERVATIONS

POLICY CONTEXT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 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. Policy R1, relating to the protection of heritage assets, is considered to be the most important policy in determining this application. Policy R1 does not reflect the NPPF test of “substantial” and “less than substantial” harm. It also does not reflect case law. Policy R1 is therefore inconsistent with the NPPF and considered out of date. Paragraph 11) d) is therefore engaged.
5. Designated heritage assets are identified at footnote 7 of the NPPF as being “assets of particular importance”. Harm to either the significance or setting of the Grade II listed Moss Cottage or to the character and appearance of the Ashley Heath Conservation Area could (and in officers’ view, do) provide a clear reason for the refusal of the application. Where this is the case Paragraph 11(d) is taken no further and the tilted balance is not engaged.

IMPACT ON HERITAGE ASSETS

Relevant Policy and Legislation

6. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*
7. 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.
8. Policy L7 of the Trafford Core Strategy is consistent with the NPPF and therefore considered up to date. It 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”.
9. Policy R1 of the TBC Core Strategy advises that Trafford’s historic environment makes a major contribution to the attractiveness and local distinctiveness of the Borough. Heritage assets are buildings, monuments, sites, or landscapes of historic, archaeological, architectural or artistic interest whether designated or not. It states that the significance, character, and appearance of these heritage assets are qualities that will be protected, maintained and enhanced. It is recognised that Policy R1 of the Core Strategy is out of date so it has been given limited weight. This policy does not reflect case law or the tests of ‘substantial’

and 'less than substantial harm' in the NPPF. Thus, Core Strategy Policy R1 is out-of-date and can be given limited weight.

10. 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.
11. Of relevance to the determination of this application is paragraph 195 of the NPPF: *"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"*.
12. Paragraph 197 of the NPPF states that *"In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness"*.
13. Paragraph 199 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. 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'.
14. Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
15. Paragraph 202 of the NPPF states that, where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the benefits of the proposal including, where appropriate, securing its optimum viable use.

Significance of the Heritage Assets

16. Significance (for heritage policy) 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.
17. The setting of a heritage asset is defined 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.

Moss Cottage

18. The application property is a Grade II listed building situated within the Ashley Heath Conservation Area. The listing description is as follows:

Cottage. "RL 1666 HL" (Robert and Helen Lewis) on dormer window although the rear range was added in c.1960. Whitewashed brick, timber frame and thatch roof. 2-unit, 1- storey plus attic, a parallel range having been added at the rear. Door to right unit with 2-light C20 casement to either side. A former door has been blocked up to the extreme left. The pitched dormer window has 4 lights and inscribed tie beam. Gable ridge stacks and exposed framing to right gable. The interior has exposed timber-framed internal walls chamfered beams and roof members. Built for farm labourers by the occupants of Moss Farm (q.v.).

19. Moss Cottage was erected in the mid-17th century and possibly incorporates earlier fabric. A tie beam to the dormer window on the south west (principal) elevation is inscribed with "RL 1666 HL" (Robert and Helen Lewis). It is believed to have been built for farm labourers by the occupants of Moss Farm, located to the south west of the Cottage. However, the connection of Robert & Helen Lewis to Moss Farm is unclear. It is conceivable that the original subdivision of the building may have related to domestic and agricultural use and was later converted to multiple occupancy/dwellings.
20. The significance of Moss Cottage lies in its aesthetic value, in particular its diminutive scale, modest form, vernacular appearance and fabric, construction, siting and spacious landscape setting. The historic value of the Cottage is illustrated through its age and plan form as a 17th century dwelling, the use of local building traditions and materials and the contribution made to the development of Ashley Heath as a rural settlement as well as social hierarchies and farming practices in Cheshire. Significant evidential value is found in the remaining historic fabric, plan form, construction and historic alterations.

Ashley Heath Conservation Area

21. The Ashley Heath Conservation Area Management Plan (SPD 5.8a) identifies the significance of the Conservation Area as being: “primarily rooted in its evolution from an area of agriculture through the latter half of the 19th century into a residential suburb of Altrincham. The buildings retain a high level of architectural detail, which chart the influx of wealth into the area. Both the high quality of the architecture and the attractiveness of the natural environment within the Conservation Area combine to create a high aesthetic value which contributes strongly to the overall significance of the Conservation Area.”
22. There are a number of key views identified in the Conservation Area Appraisal. These include the view along the north section of South Downs Road. The rise in the road to the northwest and its winding nature adds to the secluded character of the area.

Conservation Area Policy

23. The Ashley Heath Conservation Area Management Plan (SPD 5.8a) identifies the following as harmful development within the conservation area:
- Side and/or rear extension which will significantly reduce the intervening space between the existing building and plot boundary.
 - Extension which is not respectful of the established architectural style of the house.
 - Alteration, re-building or new development which is stylistically inappropriate and/or comprises an inappropriate palette of materials (as set out in section 2.2- 2.3).
 - Development which will diminish the contribution of the identified landmarks and key views/vistas within the Conservation Area.
24. SPD 5.8a also contains the following policies of particular relevance:

Policy 5

Each proposal for change should be informed by an assessment of the existing building and its wider context in line with the requirements of national guidance. Proposals for change will be assessed on a case-by-case basis.

Policy 6

Materials and design should be appropriate to each individual property. The characteristic palette of materials and design features are set out in section 2 of this Management Plan.

Policy 9

Where original timber doors and windows survive these should be retained. If refurbishment is required this should be done in a like-for-like manner and replacing the minimum fabric necessary to make the repair. If thermal upgrading is required, secondary glazing with a frame that follows the glazing bars of the external window should be used.

Policy 15

Established architectural detailing and features should not be removed or replaced, unless on a like-for-like basis.

Policy 35

Any new development should take inspiration from the established architectural styles within the Conservation Area. Appropriate features, materials and detailing are to be integrated into the design (see 2.2 of this Management Plan and the extended discussion in the accompanying Appraisal). Modern design is not prohibited within the Conservation Area but should be: sympathetic to its historic context; of a high standard; of an appropriate scale; and use appropriate, high-quality materials.

Policy 36

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

Policy 38

The scale of any new development (including extensions and hard surfacing) should abide by the parameters set out in paragraph 2.7.3 of this Management Plan.

Impact upon Heritage Assets

Impact on Listed Building

Two storey corner infill extension; new link between the two ranges at first floor and roof level; insertion of window and door to the north west elevation

25. The principle of these works was established under previous applications [nos 82433/LB/2014 & 82432/HHA/2014; 95325/HHA/18 & 95326/LBC/18] but the approvals have not yet been implemented. The proposed two storey extension to the 20th century range creates a bathroom upstairs with the conversion of the existing office to a third bedroom. The link provides access at first floor between the two ranges. This does result in an alteration to the original north east elevation and potentially the timber frame and alteration of the thatch roof, no details are provided. Previous applications provided a detailed drawing of the alteration; a number of sections and a roof plan to adequately illustrate the works and to avoid any unnecessary impact on historic fabric. Insufficient information has been submitted at this stage to fully understand and justify this element of the works.
26. There are concerns that the proposed door to the north-west elevation incorporates glazing rather than being a solid ledged and braced door. Similarly, the proposed w.c. window is proposed as a top hung opening light rather than a side hung casement. The proposed window to the north east elevation does not reflect the proportions of existing window openings and would need to be reduced to be acceptable.

Side Extensions

27. Permission is sought for the addition of two single storey lean-to extensions to the north-west and south east gables of the 17th century range. The north-west

extension comprises of waney lap boarding, slate with a brick plinth; the conservatory proposed to the south east elevation comprises of a timber frame with glazing also with a brick plinth. Two doorways, one to each gable, are proposed through existing 17th century fabric, no details are provided of these alterations.

28. It is considered that the proposed extensions will cause unjustified harm to the aesthetic, historic and evidential values of Moss Cottage. The original footprint of the cottage has already been significantly extended in the 20th century; arguably this large addition has already had a substantial visual impact on the historic appearance of the listed building. The siting of the extensions will partially obscure the 17th century gables of the listed building, impacting on its modest vernacular appearance, diminutive scale and historic plan form. The extension of the listed building in these locations will alter the proportions, scale and massing of the Cottage resulting in an unwieldy appearance. The insertion of openings into possible 17th century fabric is also a concern. It is noted the proposed doorway to the north-west elevation will open onto an existing supporting timber post. The structural impact of this intervention on the existing timber frame to both elevations is therefore unclear. It is considered that the style and materiality of the additions does not complement the vernacular appearance of the listed building.
29. The concept of authenticity demands that proposals for restoration always require particularly careful justification. The submitted Heritage Statement has sought to justify the extensions to the listed building on the basis they will “reinforce the history of Moss Cottage as a pair of farm labourers’ cottages”. This relies upon mapping and photographic evidence from the late 19th century, which appears to show a store and greenhouse in situ supporting the use(s) of the building at that time. However, these ancillary structures were no longer in place by the early 20th century and there is no evidence to indicate they formed part of the original 17th century design of the building. Moreover, the appearance of the extensions is conjectural based on a partial image. Whilst the occupation of the building as two dwellings during the 19th century contributes to its historic interest, the appearance and use of Moss Cottage has evolved following significant extension and alteration during the 20th century to form a single dwelling. The proposed extension and alteration of the building in this manner not only belies the current use of the Cottage, but is at the expense of its integrity and quality as a 17th century vernacular building, an earlier and more important phase in the evolution of the heritage asset. The proposed extensions are therefore considered unacceptable and will cause harm to the significance of the listed building.
30. The introduction of a false door to the south west elevation will be of little benefit to the appearance of the listed building bearing in mind the building has been converted to form one dwelling. It is noted that the ground floor window was also altered in 20th century. Sufficient ghosting of the historic opening remains in the brickwork to provide evidential value of this phase. The reinstatement of this door (the proposed plan shows this as an opening) in such close proximity to the proposed doorway on the north-west elevation also seems of little merit.

New detached garage and creation of driveway

31. Planning permission is sought for the erection of a large detached garage to the east of the site with separate vehicular access leading to Marlborough Road. The site currently benefits from garaging permitted under application no. 77965/HHA/2012. The requirement for this additional garage is due to the proposed subdivision of the site sought under app no. 105249/FUL/21. Hedging has recently been planted demarking the proposed subdivision of the site. This results in the vehicular access sited in close proximity to the north east elevation, cutting across the existing garden to the proposed building and resulting in the loss of the winding footpath, an attractive feature of the site, several trees and soft landscaping. The movement of vehicles across the width of the plot will also impact on the character of the site.
32. The provision of a new vehicular access alongside the existing vehicular access would result in the loss of approximately 4m of hedging from the site boundary. The widening of the access would also increase views into the application site to increase views through to Moss Cottage; rather than the 'glimpsed' views that are possible at present. The glimpsed views currently possible give Moss Cottage an air of seclusion which contributes to its rural and sylvan setting.
33. Notwithstanding the lack of detail shown on the proposed elevations, the garage appears as a large structure and is sited in close proximity to the Cottage. It is likely the building will be conspicuous in key views of the site from South Downs Road and views of Moss Cottage from Marlborough Road as well as views within the site. The proposed garage and vehicular access is considered to harm the setting of the Grade II listed building.

Impact on Listed Building Summary

34. The proposed works will introduce major harm to the significance of Moss Cottage and moderate harm to its setting. In both cases, these would be categorised as "less than substantial" harm in NPPF terms. These harms are given great weight and weighed in the Heritage Conclusion below.

Impact on Ashley Heath Conservation Area

35. The proposed side extensions and detached garage would not respect the established architectural style of the house for the reasons set out above. The siting of the extensions would impact on the modest vernacular appearance of Moss Cottage and its diminutive scale and historic plan form. The extension of the building in these locations will alter the proportions, scale and massing of the Cottage resulting in an unwieldy appearance. The extensions and alterations would be stylistically inappropriate and so would comprise harmful development in the Conservation Area. This is contrary to policies 5, 6, 35, 36 and 38 of the Management Plan.
36. The proposed side extensions would potentially remove elements of 17th century fabric and would obscure the timber frame of the property. This is contrary to policies 15 and 36 of the Management Plan.

37. The proposed new vehicular access onto Marlborough Road would require the loss of approximately 4m of hedging. This would be harmful to the green character of this section of Marlborough Road. It would also increase views into the site; both of the proposed dwelling and of Moss Cottage. This would be at odds with the character of the Conservation Area where views through to historic dwellings are often just glimpses.
38. The proposed driveway would introduce a substantial area of hardstanding to what is currently a lawn area. The proposal would result in the vehicular access being sited in close proximity to the north east elevation, cutting across the existing garden to the proposed building and resulting in the loss of the winding footpath, an attractive feature of the site, several trees and soft landscaping. The movement of vehicles across the width of the plot will also impact on the character of the site. The garage would be a large structure and is sited in close proximity to the Cottage. It is likely the building will be conspicuous in key views of the site from South Downs Road and views of Moss Cottage from Marlborough Road as well as views within the site.
39. This would be at odds with the sylvan character of the site and would diminish the contribution it makes to the Conservation Area.
40. The proposed development would cause moderate harm to the character and appearance of the Ashley Heath Conservation Area. In NPPF terms, this would be categorised as “less than substantial”. Great weight is given to this harm.

Heritage Conclusion

41. The proposed development, for the reasons set out above, would cause major harm to the significance of Moss Cottage and moderate harm to its setting. The application would also cause moderate harm to the character and appearance of the Ashley Heath Conservation Area. These harms are significant and would be categorised as “less than substantial” in NPPF terms at the upper end of the scale. Great weight is given to the harm.
42. The submitted heritage statement states that “the building’s viability as a desirable family residence would be notably enhanced along with the prospect of securing its long term beneficial use” and that this should be considered a public benefit. The viable use of Moss Cottage as a family dwelling is not dependent on this application. It has not been demonstrated that Moss Cottage is currently unviable as a family dwelling; in fact, it is currently in use as a dwelling. Nevertheless, permission has previously been granted for “liveability” improvements under applications 95325/HHA/18 and 95326/LBC/18 which have not been implemented. This is therefore not considered to be a public benefit of the scheme as the building has an ongoing residential use that would not cease in the absence of additional development.
43. It is suggested that the proposed extensions would better reveal and reinforce the historic character of Moss Cottage as a pair of farm labourers’ cottages. However, the scale and massing of the extensions would be at odds with the

diminutive scale of the Cottage. The proposed extensions would increase the footprint of the dwelling to approximately 450% of that of either of the original two dwellings. The design and materiality of the extensions would be at odds with the vernacular character of the original dwelling. Consequently, the extensions are not considered to comprise a public benefit.

44. It is also suggested that the reinstatement of the entrance door to the front elevation would be a public benefit on heritage grounds as it is “an important element of the building’s original design and for the legibility of its historic function as a pair of lower status dwellings...”. It is recognised that Moss Cottage was originally two dwellings but the use of the building has evolved and it has been converted to form a single dwelling. Sufficient ghosting of the historic opening remains in the brickwork to provide evidential value of the earlier phase. The reinstatement of this door will therefore be of little benefit to the appearance of the listed building. The fact it would be so close to the proposed doorway to the north-west elevation also seems of little merit. This is not considered to be a public benefit of the scheme.
45. The proposed development would provide a minor economic boost during construction works. This is considered to be the only public benefit of the scheme due to the private nature of house extensions.
46. When assessing the harm to designated heritage assets under paragraph 202 of the NPPF, it is considered that the harm significantly outweighs the public benefits of the scheme. The application is therefore contrary to Policies L7 and R1 of the Core Strategy, as well as national guidance relevant to the protection of designated heritage assets.

DESIGN AND VISUAL AMENITY

47. Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable 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 134 states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...”
48. Policy L7 of the Core Strategy requires that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
49. SPD4 states that “Side extensions 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
 - Detract from a dwelling’s character.

- Adversely affect the amenities of neighbouring properties.”

50. SPD4 also states that “All side extensions should have regard to the following aims:

- Proposals should be proportionate and complementary, in height and width, to the size of the original dwelling.
- Generally, side extensions that are over half the width of the original property can appear prominent in relation to the main dwelling. Side extensions should not be so wide that they detract from the original dwelling.
- Extensions should be in keeping with the prevailing pattern of residential development and not erode the amount of space surrounding the dwelling.
- Roof designs should match and complement the existing roof and should not consist of awkward roof detailing.
- Side extensions that are out of character with the original style and scale of the dwelling, e.g. irregularly shaped or contrived, will not be looked upon favourably by the Council.
- The front wall of an extension should not usually be flush with the front wall of the house as the tothing of old and new brickwork usually looks unsightly. A setback of as little as half a brick length will allow a neat join.
- The architectural style, materials and window design should match and complement the original house. “

51. The scale and massing of the proposed extensions would be out of keeping with the modest scale of the original dwelling at Moss Cottage, which has previously been significantly extended to the rear. The additions would appear unwieldy and would interfere with the proportions, scale and massing of the cottage.

52. The side extensions would be out of keeping with the style and materiality of Moss Cottage. This is with particular regard to its vernacular character and diminutive scale.

53. It is considered that the proposed development would be out of keeping with the character of Moss Cottage and so would be harmful to it and to the visual amenity of the area. The proposal is contrary to Policies L7 and R1 of the Core Strategy, SPD4 and relevant national guidance in this regard.

AMENITY

54. 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”.

55. SPD4 sets out the Council’s guidance on designing house extensions.

56. The proposed side extensions would be situated in excess of 21m away from the nearest neighbouring dwellings. The proposed garage would be 2.5m from the site boundary and 16m from the closest neighbouring property. There are no concerns on visual intrusion or loss of light grounds.
57. The two side extensions are both single storey. There are sufficient separation distances and boundary treatments to ensure no loss of privacy.
58. The proposal is acceptable in amenity terms with regard to Policy L7 of the Core Strategy and SPD4.

ECOLOGY

Bats

59. Paragraph 180 of the NPPF states: When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
60. Policy R2 of the Core Strategy states: To ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate through a supporting statement how their proposal will:
 - Protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and

- Protect the natural environment throughout the construction process.
61. The applicant has submitted a bat survey which assesses Moss Cottage as having moderate to high bat roosting potential. It recommends that further emergence surveys are conducted. The Ecology consultee agrees with this assessment and states that the surveys should occur prior to determination as current guidance states that it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.
 62. Bats are a European Protected Species which enjoy full protection under The Conservation of Habitats and Species Regulations 2017. It is an offence to deliberately capture, injure or kill, or deliberately disturb EPS. Where a protected species licence is required, planning permission should only be granted where the local planning authority is satisfied that the 3 licensing tests are met. Government guidance makes clear that local planning authorities should not usually attach planning conditions that ask for surveys. This is because the LPA needs to consider the full impact of the proposal on protected species before granting planning permission.
 63. The applicant has not provided the required bat surveys and it would not be appropriate to secure these by planning condition. This is considered in the “Conclusions and Planning Balance” below.

OTHER MATTERS

Quality of Submission

64. Additional plans were submitted in November 2021 to illustrate the proposed works. Nevertheless a general concern about the submitted drawings remains and it is considered that they fall short of the level of detail required to support an application for a listed building.
65. The proposed plans are missing several internal doors; the proposed window to the north-east elevation doesn't match the proposed ground floor plan; the south east elevation of the conservatory indicates a door not shown on the ground floor plan; the scale provided is insufficient to illustrate details for proposed works such as windows/doors/cills/thresholds etc.
66. It is recommended that this forms a reason for refusal.

Unsuitability for Modern Living

67. It is suggested by the applicant and respondents that Moss Cottage is unsuitable for modern living and that Council would not allow any alterations to the application. Planning permission was granted in 2019 (95325/HHA/18 & 95326/LBC/18) for the erection of a two storey infill extension (as in this

application) and the construction of a link between the two roof ranges. These works have not been implemented. Permission for the erection of a detached garage and studio space was also granted under 77965/HHA/2012.

68. Moss Cottage is a two bed property with an internal floor area of approximately 130m². This is well in excess of the nationally described space standard of 79m² for two-bed two-person dwellings. It is recognised that there are liveability issues associated with the lack of a link between the two roof ranges and with a staircase. Planning permission has already been granted for these alterations but the permission has not been implemented.

Comparison with Neighbouring Properties

69. Comparison has been drawn with nearby development within the Conservation Area including “Woodend” and “Woodside” two detached dwellings immediately to the east of the application site.
70. Planning permission for the replacement of a single dwelling with two detached dwellings was granted in 1988 with Woodend being the property to the rear (north). A series of applications for the redevelopment and replacement of Woodend were granted between 2016 and 2018.
71. It is recognised that Woodend is a substantial dwelling however it is positioned to the rear of Woodside which reduces its prominence within the Conservation Area. In contrast, the application site has roads running along its front and side frontages. Although within the Conservation Area, significantly, Woodend is not within the setting of a listed building. Consequently, the characteristics of the application site are materially different to those of Woodend/Woodside and the additional statutory duty relating to listed buildings is engaged (i.e. that special regard is given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses).

DEVELOPER CONTRIBUTIONS

72. The proposed development will increase the internal floor space of the dwelling by less than 100m² and therefore will be below the threshold for CIL charging.

CONCLUSION

73. The application contains insufficient information to fully assess the impact of the proposed works on the special architectural character and historic interest of Moss Cottage and on the character and appearance of Moss Cottage. The submitted drawings fall short of the level of detail required to support a listed building consent application. It is recommended that this forms a reason for refusal.
74. The proposed development would cause major harm to the significance of the Grade II listed Moss Cottage, moderate harm to the setting of Moss Cottage and moderate harm to the character and appearance of the Ashley Heath Conservation Area. Great weight is given to these harms. The harms are not

outweighed by the public benefits of the scheme. This is contrary to Policy R1 of the Core Strategy and relevant national policy.

75. The applicant has not provided sufficient information to assess the impact of the proposal on bats.
76. It is considered that the harm to the Grade II listed Moss Cottage and to the Ashley Heath Conservation Area provide a clear reason for the refusal of the application under NPPF paragraph 11) d) i). Notwithstanding the clear reason for refusal identified above, it is considered that the lack of suitable bat surveys would also weigh significantly against the scheme. The application is also clearly contrary to Policies R1 and L7 of the Core Strategy and the development plan when taken as a whole.
77. It is therefore recommended that the application is refused.

RECOMMENDATION:

REFUSE

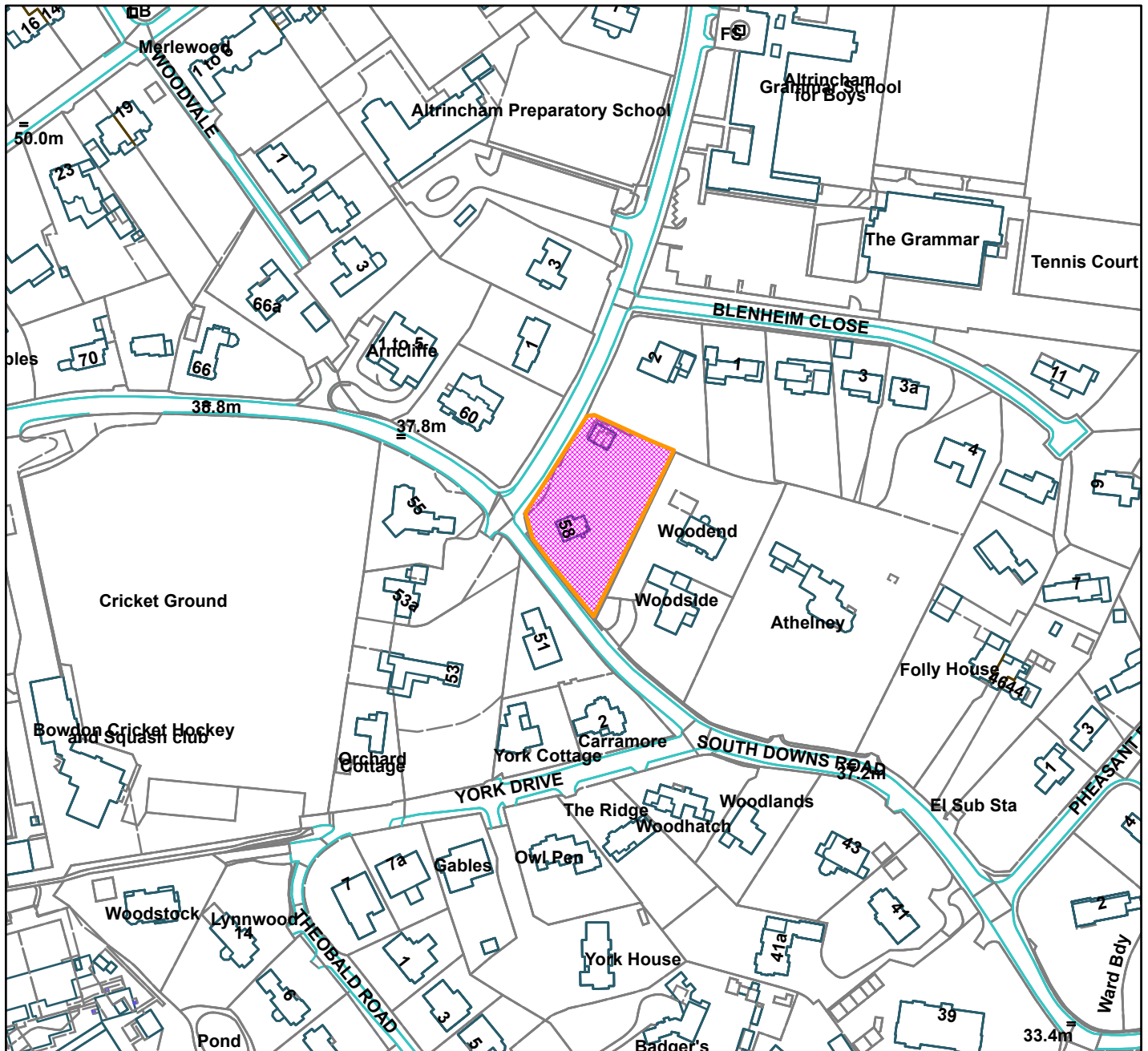
1. The submitted drawings contain inaccuracies and are not sufficiently detailed to fully assess the impact that the proposal would have on the special architectural character and historic interest of the Grade II listed Moss Cottage and on the character and appearance of the Ashley Heath Conservation Area. This would be contrary to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.
2. The proposed extensions and alterations, by reason of their size, scale, massing, design, siting and materiality, and the proposed vehicular access, driveway and detached garage, by reason of their impact on spaciousness, increase in hard landscaping, loss of soft landscaping and opening up of views into the site, would fail to respect the special architectural character and historic interest of the Grade II listed Moss Cottage. The development would cause major harm to the significance of Moss Cottage and moderate harm to its setting. These impacts would be categorised as “less than substantial” harm in NPPF terms, with the harm to the listed building’s significance being at the higher end of “less than substantial” harm. The public benefits of the scheme would not outweigh this harm. The proposal therefore fails to comply with Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.
3. The proposed extensions and alterations, by reason of their size, scale, massing, design, siting and materiality, and the proposed vehicular access, driveway and detached garage, by reason of their impact on spaciousness, increase in hard landscaping, loss of soft landscaping and opening up of views into the site, would cause moderate harm to the character and appearance of the Ashley Heath Conservation Area. This would be categorised as “less than substantial” harm in NPPF terms and, in a sliding scale, it would sit towards the middle of this category. The public benefits of the scheme would not outweigh this harm. The proposal therefore fails to comply with Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

4. Moss Cottage is assessed as having medium-high potential to support roosting bats which are a European Protected Species. The application is not supported by adequate bat surveys. It is therefore not possible to understand the extent that bats may be affected by the development and the application therefore fails to demonstrate that there would not be an unacceptable impact on bats, a protected species. As such, the proposed development would be contrary to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.
-

JW



Moss Cottage, South Downs Road, Bowdon (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Bowdon

105248/LBC/21

DEPARTURE: NO

Listed Building Consent sought for the erection of a two storey corner infill extension and two single storey side extensions. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door to side and a new door to the front elevation and other external alterations. Internal alterations comprising reconfiguration of internal layout to the 20th century range at ground and first floor to create new staircase, additional bedroom, bathroom and storage.

Moss Cottage, South Downs Road, Bowdon, Altrincham, WA14 3DR

APPLICANT: Ms. Patricia Harrison

AGENT: None

RECOMMENDATION: REFUSE

The application has been reported to the Planning and Development Management Committee as it has been called in by Cllr Whetton and has received six representations contrary to officer recommendation.

SITE

This application relates to a corner plot to the east side of the South Downs Road-Marlborough Road junction in Bowdon. The site is currently occupied by a detached single storey cottage and a detached single storey double garage. Vehicular access is taken from Marlborough Road with a setted driveway leading to the garage. Pedestrian access is taken from South Downs Road. The site has large gardens surrounding which surround the dwelling and include a number of mature trees; particularly to the eastern site boundary.

Moss Cottage is a single storey red-brick structure with a thatched roof. It contains additional accommodation within its roof space. The building has a dormer to its front bearing the date 1666. The cottage comprises two ranges; the front range is the original building whilst the rear range is a 1960s extension. The rear extension is reflective of the original building in terms of its dimensions and materials.

Moss Cottage is a Grade II listed building and is also situated within the Ashley Heath Conservation Area.

PROPOSAL

Listed building consent is sought for the erection of a two storey infill extension, two single storey side extensions, creation of a link between the roofs of the two ranges, alterations to doors and windows, and internal alterations comprising reconfiguration of internal layout to the 20th century range at ground and first floor to create new staircase, additional bedroom, bathroom and storage.

The two storey infill extension would have a footprint of 4m x 2m. It would continue the existing roof plane and therefore have matching eaves and ridge heights.

The side extension to the south side would be a conservatory with a projection of 3.2m and a width of 4.8m. It would have a lean-to roof with a maximum height of 2.9m and an eaves height of 2.3m.

The side extension to the north side would have a projection of 3.4m and a width of 4.5m. It would have a lean-to roof with a maximum height of 3.5m and an eaves height of 2.3m.

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 AND OBJECTIVES

L7 – Design

R1 – Historic Environment

POLICIES MAP NOTATION

Ashley Heath Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight

should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

105589/LBC/21- Listed building consent sought for the subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn- 09.09.2021

102712/LBC/20- Listed building consent sought for the erection of a two storey corner infill extension, excavation of a new lower ground floor level with external access to the rear, erection of a part single/part two storey rear extension with a side dormer and a new detached garage. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door. Internal works comprising amongst other things the removal of walls and the removal and replacement of the internal staircase. Withdrawn 13.04.2021

102711/HHA/20- Erection of a two storey corner infill extension, excavation of a new lower ground floor with separate access to the rear, erection of a part single/part two storey rear extension with side dormer and a detached garage. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door and other external alterations. Withdrawn 13.04.2021

102710/LBC/20- Listed Building Consent sought for the subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn- 13.04.2021

102709/FUL/20- Subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn – 13.04.2021

95326/LBC/18- Listed building consent sought for the erection of a two storey corner infill extension. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door. Internal works comprising amongst other things the removal of walls and the removal and replacement of the internal staircase. Alterations to the boundary treatments and landscaping. Approved with Conditions- 04.04.2019

95325/HHA/18- Erection of a two storey corner infill extension. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door and other external alterations, alongside alterations to the sites boundary treatments and landscaping. Approved with Conditions- 04.04.2019

91271/LBC/17- Listed Building Consent for alterations to thatched roof profile, installation of additional fenestration to rear elevation and other external alterations. Withdrawn- 12.06.2018

91270/HHA/17- Alterations to thatched roof profile of Listed Building, installation of additional fenestration to rear elevation and other external alterations. Withdrawn- 12.06.2018

91974/LBC/17- Listed Building Consent for: extension of existing garage/studio building to rear of property to form new dwelling with own curtilage, alongside sub-division of existing plot; with other ancillary hardstanding works. Refused- 10.10.2017

91973/FUL/17- Works to include: extension of existing garage/studio building to rear of property to form new dwelling with own curtilage, alongside sub-division of existing plot; with other ancillary hardstanding works. Refused- 10.10.2017

82433/LB/2014- Listed building consent for external and internal works which include alterations to internal layout and 20th century staircase; extension of thatched roof and installation of additional fenestration to elevation. Approved with Conditions- 16.04.2014

82432/HHA/2014- External works to Listed Building to include alterations to extension of thatched roof and installation of additional fenestration to elevation. Approved with Conditions- 16.04.2014

77965/HHA/2012- Erection of detached outbuilding to form garage and garden studio. Approved with Conditions- 09.08.2012

74797/FULL/2010- Erection of detached dwellinghouse, detached garage and shed within rear garden area of Moss Cottage following demolition of existing outbuildings. Withdrawn- 20.05.2010

H/CC/71717- Conservation Area Consent for demolition of outbuildings in rear garden area. Approved with Conditions- 16.09.2009

H/LB/71716- Listed Building Consent for demolition of outbuildings in rear garden of Moss Cottage. Approved with Conditions- 16.09.2009

H/71718- Erection of detached dwelling house, detached garage and shed within rear garden area of Moss Cottage following demolition of existing outbuildings. Refused- 16.09.2009. Appeal dismissed – 18.05.2010

H/70456- Erection of greenhouse within rear garden area. Approved with Conditions- 19.12.2008

H/66662- Erection of single garage. Refused- 11.05.2007

H41650- RENL OF PLANNING PMSN FOR ERCN DET HOUSE & GARAGE, ERECTION OF GARAGE FOR MOSS COTTAGE & FORMATION NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD- Approved with Conditions- 03.01.1996

H32452- RENEWAL OF CONSENT FOR THE ERECTION OF A DETACHED HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE, CONSTRUCTION OF NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD. Approved with Conditions- 29.11.1990

H22659- REN OF CONSENT FOR THE ERECTION OF DET HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE. CONSTRUCTION OF NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD. Approved with Conditions- 16.01.1986

H17707- LISTED BUILDING CONSENT FOR THE DEMOLITION OF TWO EXTENSION BAYS AND REPLACEMENT WITH THE INSTALLATION OF OLD STYLE WINDOWS. Approved with Conditions- 06.06.1983

H17708- DEMOLITION OF TWO EXTENSION BAYS AND REPLACEMENT WITH THE INSTALLATION OF OLD STYLE WINDOWS. Prior Approval Not Required- 17.03.1983

H15807- ERECTION OF DETACHED HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE. Approved with Conditions- 11.02.1982

APPLICANT'S SUBMISSION

Heritage Statement - In summary, the proposed development will sustain and enhance the significance of Moss Cottage and the special character and appearance of the Ashley Heath Conservation Area. There will be no erosion of their respective heritage values.

CONSULTATIONS

Heritage Development Officer –

Two storey corner infill extension; new link between the two ranges at first floor and roof level; insertion of window and door to the north west elevation & reconfiguration of internal layout to the 20th century range at ground floor and first floor to create new staircase, additional bedroom, bathroom & storage.

The principle of these works was established under previous applications [nos 82433/LB/2014 & 82432/HHA/2014; 95325/HHA/18 & 95326/LBC/18] but the approvals were not implemented and no longer extant. The proposed two storey extension to the 20th century range creates a bathroom upstairs with the conversion of the existing office to a third bedroom. The link provides access at first floor between the two ranges. This does result in an alteration to the original north east elevation and potentially the timber frame and alteration of the thatch roof, no details are provided. Previous applications provided a detailed drawing of the alteration; a number of sections and a roof plan to adequately illustrate the works and to avoid any unnecessary impact on historic fabric. Should the applications be recommended for approval, this information is required prior to determination to fully understand the works. Whilst this is clearly an intervention into the historic fabric it was previously justified to create access to the proposed extension and additional accommodation at first floor.

Internal alterations such as the removal of existing walls, cupboards and staircase are proposed to the 20th range in order to reconfigure existing accommodation. It is considered these works will not impact on the significance of the listed building. Further details regarding materials, ventilation etc. would be required via condition. There are minor concerns regarding a number of other external alterations, amendments are required should the applications be recommended for approval. The design of the proposed door to the north-west elevation should be a solid ledged and braced door rather than incorporating glazing. The proposed wc window should be a side hung casement rather than a top hung opening light. The proposed window to the north east elevation does not reflect proportions of existing window openings and should be reduced.

Additional plans submitted in Nov 2021 were requested to illustrate the proposed works. Nevertheless, there is still a general concern about the submitted drawings which fall short of the level of detail required to support a listed building consent application. The proposed plans are missing several internal doors; the proposed window to the north east elevation doesn't match the proposed ground floor plan; the south east elevation of the conservatory indicates a door not shown on the ground floor plan; the scale provided is insufficient to illustrate details for proposed works such as windows/doors/cills/thresholds etc.

Two, single storey lean to extensions to north-west and south-east elevations & re-introduction of door to south west elevation

The applications also seek permission for the addition of two, single storey lean to extensions to the north-west and south east gables of the 17th century range. The north-west extension comprises of waney lap boarding, slate with a brick plinth; the conservatory proposed to the south east elevation comprises of a timber frame with glazing also with a brick plinth. Two doorways, one to each gable, are proposed

through existing 17th century fabric, no details are provided of these alterations. It is considered that the proposed extensions will cause unjustified harm to the aesthetic, historic and evidential values of Moss Cottage. The original footprint of the cottage has already been significantly extended in the 20th century; arguably this large addition has already had a substantial visual impact on the historic appearance of the listed building. The siting of the extensions will partially obscure the 17th century gables of the listed building, impacting on its modest vernacular appearance, diminutive scale and historic plan form. The extension of the listed building in these locations will alter the proportions, scale and massing of the Cottage resulting in an unwieldy appearance. The insertion of openings into possible 17th century fabric is also a concern. It is noted the proposed doorway to the north-west elevation will open onto an existing supporting timber post. The structural impact of this intervention on the existing timber frame to both elevations is therefore unclear. There is concern that opening up the listed building in these two locations will also alter the internal character and modest proportions of the two rooms at ground floor. It is also considered that the style and materiality of the additions does not complement the vernacular appearance of the listed building.

The concept of authenticity demands that proposals for restoration always require particularly careful justification. The submitted Heritage Statement has sought to justify the extensions to the listed building on the basis they will “reinforce the history of Moss Cottage as a pair of farm labourers’ cottages”. This relies upon mapping and photographic evidence from the late 19th century, which appears to show a store and greenhouse in situ supporting the use(s) of the building at that time. However, these ancillary structures were no longer in place by the early 20th century and there is no evidence to indicate they formed part of the original 17th century design of the building. Moreover, the appearance of the extensions is conjectural based on a partial image. Whilst the occupation of the building as two dwellings during the 19th century contributes to its historic interest, the appearance and use of Moss Cottage has evolved following significant extension and alteration during the 20th century to form a single dwelling. The proposed extension and alteration of the building in this manner not only belies the current use of the Cottage, but is at the expense of its integrity and quality as a 17th century vernacular building, an earlier and more important phase in the evolution of the heritage asset. The proposed extensions are therefore considered unacceptable and will cause harm to the significance of the listed building.

The introduction of a false door to the south-west elevation will be of little benefit to the appearance of the listed building bearing in mind the building has been converted to form one dwelling. It is noted that the ground floor window was also altered in 20th century. Sufficient ghosting of the historic opening remains in the brickwork to provide evidential value of this phase. The reinstatement of this door (the proposed plan shows this as an opening) in such close proximity to the proposed doorway on the north-west elevation also seems of little merit.

Based on the current proposals, it is considered that the development would cause major harm to the significance of Moss Cottage, Grade II listed.

I consider the harm is unjustified and does not meet the requirements of the Act, NPPF or the Core Strategy as detailed above. As such I would support a recommendation for refusal on heritage grounds.

REPRESENTATIONS

Six letters of support were received in support of the application for listed building consent. The following points were made:

- The respondent finds it surprising that officers at Trafford have blocked any updating of Moss Cottage as the current and previous proposals suggest sympathetic ways for turning Moss Cottage into a viable dwelling for modern living without harming the charming characteristics of the original building.
- Officers repeatedly refuse to recognise that such buildings will simply become derelict if they become unviable.
- These buildings need to be made habitable.
- From correspondence the respondent has seen, it appears that Trafford officers have simply objected without any suggestions of how Moss Cottage might be sympathetically converted into a useful dwelling. This is in complete contrast to experiences in Oxfordshire and Gloucestershire.
- It seems brutal and unreasonable to deny these applications on the grounds that have been put forward to date and it does call into question the foresight of the officers concerned.
- The changes to Moss Cottage are minor and would help to illustrate its heritage as a pair of simple farm workers dwellings as well as modernise the interior to a more acceptable level for present day requirements.
- The applicant has been known to the respondent for about 15 years and the proposed design is found acceptable. It would not damage the existing building.
- The size of the site allows for expansion.
- The small extensions to Moss Cottage would not compromise its heritage as a listed building, being sympathetically designed to maintain the integrity of the property. The works would enhance the property and make it more accommodating for modern day living.
- The modest extension to Moss Cottage would emphasise its heritage as a farm worker's dwelling and would modernise its interior.

The application has been called into the Planning and Development Committee by Cllr Whetton who has provided the following reasons for supporting the application:

- The proposed design is acceptable.
- The proposals present no harm to the listed building
- The size of the overall site is more than sufficient to provide for the proposals without adverse impact on the listed building.
- The basic proposals have in essence been approved by Trafford Council previously.

The applicant has provided a letter of support from Sir Graham Brady MP. This relates to an earlier set of applications however so can be given limited weight.

OBSERVATIONS

LEGISLATIVE AND POLICY BACKGROUND

1. Section 16 (2&3) of the Planning (Listed Building and Conservation Areas) Act 1990 advises *'In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any listed building consent shall (except in so far as it otherwise provides) enure for the benefit of the building and of all persons for the time being interested in it.*
2. In determining applications for listed building consent the Local Planning Authority is required to do so in accordance with the statutory duty set out above, which takes primacy. The development plan is a material consideration, as are the heritage policies of the NPPF. Specifically, footnote 57 of the NPPF states that the policies set out in [the heritage] chapter relate, as applicable, to the heritage related consent regimes for which LPAs are responsible. However, Paragraph 11 of the NPPF in respect of decision making does not apply.
3. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness (R1.1) 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 (R1.2). Accordingly developers will be required, where appropriate, to demonstrate how their development will protect, preserve and enhance listed buildings and their wider settings (R1.6). This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF.
4. Of relevance to the determination of this application is paragraph 195 of the NPPF: *"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"*.
5. Paragraph 197 of the NPPF states that *"In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness"*.
6. Paragraph 199 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. 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'.

7. Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings should be exceptional. Paragraph 201 goes on to say that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 - (a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - (d) the harm or loss is outweighed by the benefit of bringing the site back into use.
8. Paragraph 202 of the NPPF states that, where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the benefits of the proposal including, where appropriate, securing its optimum viable use.
9. The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the 'preservation' or 'enhancement' of the special architectural or historic interest of the heritage asset or its character and appearance. The NPPF sets out in Chapter 16 of the document decision-making policies using different terminology, referring in particular to 'conservation of significance'. It is important to note that 'conservation' and 'preservation' are concerned with the management of change in a way that sustains a heritage asset's special interest or significance. However, 'conservation' has the added dimension of taking opportunities to enhance significance where opportunities arise and where appropriate.

Significance of the Heritage Asset

Moss Cottage

10. The application property is a Grade II listed building situated within the Ashley Heath Conservation Area. The listing description is as follows:

Cottage. "RL 1666 HL" (Robert and Helen Lewis) on dormer window although the rear range was added in c. 1960. Whitewashed brick, timber frame and thatch roof. 2-unit, 1- storey plus attic, a parallel range having

been added at the rear. Door to right unit with 2-light C20 casement to either side. A former door has been blocked up to the extreme left. The pitched dormer window has 4 lights and inscribed tie beam. Gable ridge stacks and exposed framing to right gable. The interior has exposed timber-framed internal walls chamfered beams and roof members. Built for farm labourers by the occupants of Moss Farm (q.v.).

11. Moss Cottage was erected in the mid-17th century and possibly incorporates earlier fabric. A tie beam to the dormer window on the south west (principal) elevation is inscribed with "RL 1666 HL" (Robert and Helen Lewis). It is believed to have been built for farm labourers by the occupants of Moss Farm, located to the south west of the Cottage. However, the connection of Robert & Helen Lewis to Moss Farm is unclear. It is conceivable that the original subdivision of the building may have related to domestic and agricultural use and was later converted to multiple occupancy/dwellings.
12. The significance of Moss Cottage lies in its aesthetic value, in particular its diminutive scale, modest form, vernacular appearance and fabric, construction, siting and spacious landscape setting. The historic value of the Cottage is illustrated through its age and plan form as a 17th century dwelling, the use of local building traditions and materials and the contribution made to the development of Ashley Heath as a rural settlement as well as social hierarchies and farming practices in Cheshire. Significant evidential value is found in the remaining historic fabric, plan form, construction and historic alterations.

Impact on Listed Building

Two storey corner infill extension; new link between the two ranges at first floor and roof level; insertion of window and door to the north west elevation & reconfiguration of internal layout to the 20th century range at ground floor and first floor to create new staircase, additional bedroom, bathroom & storage.

13. The principle of these works was established under previous applications [nos 82433/LB/2014 & 82432/HHA/2014; 95325/HHA/18 & 95326/LBC/18] but the approvals have not yet been implemented. The proposed two storey extension to the 20th century range creates a bathroom upstairs with the conversion of the existing office to a third bedroom. The link provides access at first floor between the two ranges. This does result in an alteration to the original north east elevation and potentially the timber frame and alteration of the thatch roof, no details are provided. Previous applications provided a detailed drawing of the alteration; a number of sections and a roof plan to adequately illustrate the works and to avoid any unnecessary impact on historic fabric. Insufficient information has been submitted at this stage to fully understand and justify this element of the works.
14. Internal alterations such as the removal of existing walls, cupboards and staircase are proposed to the 20th range in order to reconfigure existing accommodation. It is considered these works will not impact on the significance of the listed building. Further details regarding materials, ventilation etc. could be secured by condition.

15. There are concerns that the proposed door to the north west elevation incorporates glazing rather than being a solid ledged and braced door. Similarly, the proposed wc. window is proposed as a top hung opening light rather than a side hung casement. The proposed window to the north east elevation does not reflect the proportions of existing window openings and would need to be reduced to be acceptable.

Side Extensions

16. The applications also seek permission for the addition of two, single storey lean to extensions to the north-west and south-east gables of the 17th century range. The north-west extension comprises of waney lap boarding, slate with a brick plinth; the conservatory proposed to the south east elevation comprises of a timber frame with glazing also with a brick plinth. Two doorways, one to each gable, are proposed through existing 17th century fabric, no details are provided of these alterations.
17. It is considered that the proposed extensions will cause unjustified harm to the aesthetic, historic and evidential values of Moss Cottage. The original footprint of the cottage has already been significantly extended in the 20th century; arguably this large addition has already had a substantial visual impact on the historic appearance of the listed building. The siting of the extensions will partially obscure the 17th century gables of the listed building, impacting on its modest vernacular appearance, diminutive scale and historic plan form. The extension of the listed building in these locations will alter the proportions, scale and massing of the Cottage resulting in an unwieldy appearance. The insertion of openings into possible 17th century fabric is also a concern. It is noted the proposed doorway to the north-west elevation will open onto an existing supporting timber post. The structural impact of this intervention on the existing timber frame to both elevations is therefore unclear. There is concern that opening up the listed building in these two locations will also alter the internal character and modest proportions of the two rooms at ground floor. It is also considered that the style and materiality of the additions does not complement the vernacular appearance of the listed building.
18. The concept of authenticity demands that proposals for restoration always require particularly careful justification. The submitted Heritage Statement has sought to justify the extensions to the listed building on the basis they will “reinforce the history of Moss Cottage as a pair of farm labourers’ cottages”. This relies upon mapping and photographic evidence from the late 19th century, which appears to show a store and greenhouse in situ supporting the use(s) of the building at that time. However, these ancillary structures were no longer in place by the early 20th century and there is no evidence to indicate they formed part of the original 17th century design of the building. Moreover, the appearance of the extensions is conjectural based on a partial image. Whilst the occupation of the building as two dwellings during the 19th century contributes to its historic interest, the appearance and use of Moss Cottage has evolved following significant extension and alteration during the 20th century to form a single dwelling. The proposed extension and alteration of the building in this manner

not only belies the current use of the Cottage, but is at the expense of its integrity and quality as a 17th century vernacular building, an earlier and more important phase in the evolution of the heritage asset. The proposed extensions are therefore considered unacceptable and will cause harm to the significance of the listed building.

19. The introduction of a false door to the south west elevation will be of little benefit to the appearance of the listed building bearing in mind the building has been converted to form one dwelling. It is noted that the ground floor window was also altered in 20th century. Sufficient ghosting of the historic opening remains in the brickwork to provide evidential value of this phase. The reinstatement of this door (the proposed plan shows this as an opening) in such close proximity to the proposed doorway on the north-west elevation also seems of little merit.

Heritage Conclusion

20. The proposed development, for the reasons set out above, would cause major harm to the significance of Moss Cottage and moderate harm to its setting. These harms are significant and are categorised as “less than substantial” in NPPF terms, at the upper end of the scale. Great weight is given to the harm.
21. The submitted heritage statement states that “the building’s viability as a desirable family residence would be notably enhanced along with the prospect of securing its long term beneficial use” and that this should be considered a public benefit. The viable use of Moss Cottage as a family dwelling is not dependent on this application. It has not been demonstrated that Moss Cottage is currently unviable as a family dwelling; in fact, it is currently in use as a dwelling. Nevertheless, permission has previously been granted for “liveability” improvements under applications 95325/HHA/18 and 95326/LBC/18 which have not been implemented. This is not considered to be a public benefit of the scheme.
22. It is suggested that the proposed extensions would better reveal and reinforce the historic character of Moss Cottage. The scale and massing of the extensions would be at odds with the diminutive scale of the Cottage. Their design and materiality would be at odds with its vernacular character. Consequently, the extensions are not considered to comprise a public benefit.
23. It is also suggested that the reinstatement of the entrance door to the front elevation would be a public benefit on heritage grounds as it is “an important element of the building’s original design and for the legibility of its historic function as a pair of lower status dwellings...”. It is recognised that Moss Cottage was originally two dwellings but the use of the building has evolved and it has been converted to form a single dwelling. Sufficient ghosting of the historic opening remains in the brickwork to provide evidential value of the earlier phase. The reinstatement of this door will therefore be of little benefit to the appearance of the listed building. The fact it would be so close to the proposed doorway to the north-west elevation also seems of little merit. This is not considered to be a public benefit of the scheme.

24. The proposed development would provide a minor economic boost during construction works. This is considered to be the only public benefit of the scheme due to the private nature of house extensions.
25. When assessing the harm to designated heritage assets under paragraph 202 of the NPPF, it is considered that the harm significantly outweighs the public benefits of the scheme. The application is therefore contrary to Policy R1 of the Core Strategy and relevant national policy.
26. The proposal would have an adverse impact on and would not preserve the architectural and historic importance of the listed building and its setting.

OTHER MATTERS

Quality of Submission

27. Additional plans were submitted in November 2021 to illustrate the proposed works. Nevertheless a general concern about the submitted drawings remains and it is considered that they fall short of the level of detail required to support a listed building consent application.
28. The proposed plans are missing several internal doors; the proposed window to the north-east elevation doesn't match the proposed ground floor plan; the south-east elevation of the conservatory indicates a door not shown on the ground floor plan; the scale provided is insufficient to illustrate details for proposed works such as windows/doors/cills/thresholds etc.
29. It is recommended that this forms a reason for refusal.

CONCLUSION

30. The application contains insufficient information to fully assess the impact of the proposed works on the special architectural character and historic interest of Moss Cottage. The submitted drawings fall short of the level of detail required to support a listed building consent application. It is recommended that this forms a reason for refusal.
31. Notwithstanding concerns with the submitted drawings, the proposed development would cause major harm to the significance of the Grade II listed Moss Cottage and moderate harm to the setting of Moss Cottage. Great weight is given to these harms. The harms are not outweighed by the public benefits of the scheme. This is contrary to Policies L7 and R1 of the Core Strategy and relevant national guidance, which is material to the consideration of the listed building consent. When considering the proposals against the test in the Act, the works would have an adverse impact on and would not preserve the architectural and historic importance of the listed building and its setting.
32. It is recommended that the application for listed building consent is refused.

RECOMMENDATION:

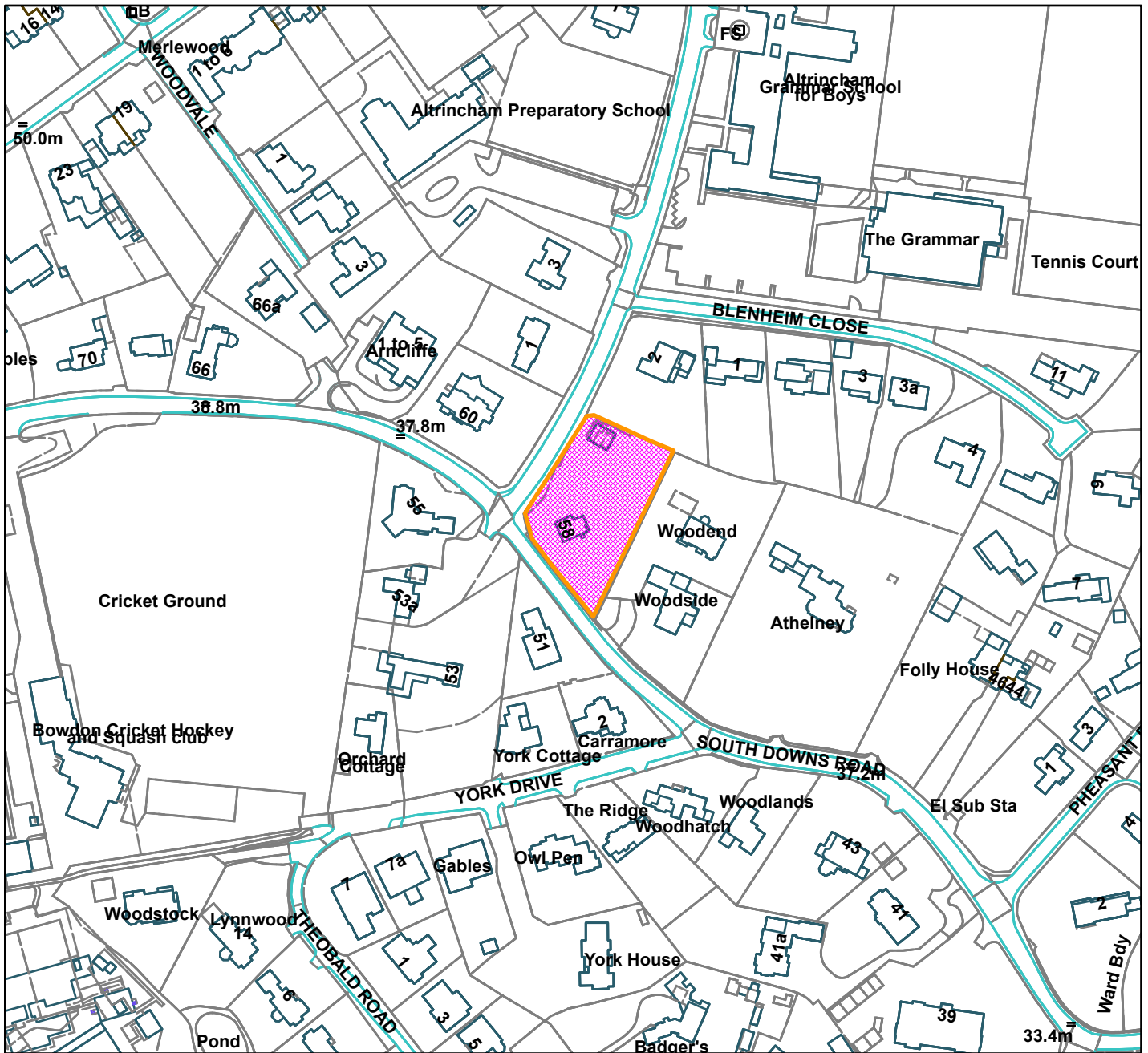
REFUSE

1. The submitted drawings contain inaccuracies and are not sufficiently detailed to fully assess the impact that the proposal would have on the special architectural character and historic interest of the Grade II listed Moss Cottage. This would be contrary to Policies L7 and R1 of the Trafford Core Strategy and NPPF policy relevant to the protection of designated heritage assets.
2. The proposed works, by reason of their size, design, siting and materiality, would fail to respect the special architectural character and historic interest of the Grade II listed Moss Cottage. The works would cause major harm to the significance of Moss Cottage and moderate harm to its setting. These impacts would be categorised as “less than substantial” harm in NPPF terms, with the harm to the listed building’s significance being at the higher end of “less than substantial” harm. The public benefits of the scheme would not outweigh this harm. The proposal would have an adverse impact on and would not preserve the architectural and historic importance of the listed building and its setting. The proposal therefore fails to comply with Policies L7 and R1 of the Trafford Core Strategy and NPPF guidance relating to the protection of designated heritage assets.

JW



Moss Cottage, South Downs Road, Bowdon (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Bowdon

105249/FUL/21

DEPARTURE: NO

Subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road to be retained and shared with Moss Cottage.

Moss Cottage, South Downs Road, Bowdon, Altrincham, WA14 3DR

APPLICANT: Ms. Patricia Harrison

AGENT: None

RECOMMENDATION: REFUSE

The application has been reported to the Planning and Development Management Committee as it has been called in by Councillor Whetton and six letters of support have been received contrary to the officer recommendation.

SITE

This application relates to a corner plot to the east side of the South Downs Road-Marlborough Road junction in Bowdon. The site is currently occupied by a detached single storey cottage and a detached single storey double garage. Vehicular access is taken from Marlborough Road with a setted driveway leading to the garage. Pedestrian access is taken from South Downs Road. The site has large gardens surrounding which surround the dwelling and include a number of mature trees; particularly to the east site boundary.

Moss Cottage is a single storey red-brick structure with a thatched roof. It contains additional accommodation within its roof space. The building has a dormer to its front bearing the date 1666. The cottage comprises two ranges; the front range is the original building whilst the rear range is a 1960s extension. The rear extension is reflective of the original building in terms of its dimensions and materials.

Moss Cottage is a Grade II listed building and is also situated within the Ashley Heath Conservation Area.

PROPOSAL

Planning permission is sought for the subdivision of the application site and extensions to the existing garage to form a detached 1.5 storey dwelling.

The site would be subdivided through the planting of laurel hedging running through the site. It was noted that this hedging was already in situ at the time of a site visit.

The extensions to the garage would consist of a 6m side extension, with a large gable feature projecting a further 2.5m, a 7.4m front extension and the addition of three dormers to the roof. It would have a maximum ridge height of 5.2m and an eaves height of 2.5m. The dwelling would contain an integral garage with space for one car

and would retain the existing vehicular access and driveway from Marlborough Road. The dwelling would be constructed in red brick with a slate roof and timber windows and doors.

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 AND OBJECTIVES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport and Accessibility
L7 – Design
R1 – Historic Environment
R2 – Natural Environment

SUPPLEMENTARY PLANNING DOCUMENTS

PG1: New Residential Development
SPD5.8 – Ashley Heath Conservation Area- Conservation Area Appraisal
SPD5.8a – Ashley Heath Conservation Area- Conservation Area Management Plan

POLICIES MAP NOTATION

Ashley Heath Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October

2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

105589/LBC/21- Listed building consent sought for the subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn- 09.09.2021

102712/LBC/20- Listed building consent sought for the erection of a two storey corner infill extension, excavation of a new lower ground floor level with external access to the rear, erection of a part single/part two storey rear extension with a side dormer and a new detached garage. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door. Internal works comprising amongst other things the removal of walls and the removal and replacement of the internal staircase. Withdrawn 13.04.2021

102711/HHA/20- Erection of a two storey corner infill extension, excavation of a new lower ground floor with separate access to the rear, erection of a part single/part two storey rear extension with side dormer and a detached garage. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door and other external alterations. Withdrawn 13.04.2021

102710/LBC/20- Listed Building Consent sought for the subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights.

Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn- 13.04.2021

102709/FUL/20- Subdivision of the site with extensions and alterations to the existing garage to form a separate 1.5 storey dwellinghouse. Works to the existing garage include 1.5 storey front, side and rear extensions, addition of three dormer windows and the addition of four rooflights. Existing vehicular access from Marlborough Road would be retained and shared with Moss Cottage. Withdrawn – 13.04.2021

95326/LBC/18- Listed building consent sought for the erection of a two storey corner infill extension. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door. Internal works comprising amongst other things the removal of walls and the removal and replacement of the internal staircase. Alterations to the boundary treatments and landscaping. Approved with Conditions- 04.04.2019

95325/HHA/18- Erection of a two storey corner infill extension. External alterations to include a new link between the two ranges at first floor and roof level, replacement of a window with a new door and other external alterations, alongside alterations to the sites boundary treatments and landscaping. Approved with Conditions- 04.04.2019

91271/LBC/17- Listed Building Consent for alterations to thatched roof profile, installation of additional fenestration to rear elevation and other external alterations. Withdrawn- 12.06.2018

91270/HHA/17- Alterations to thatched roof profile of Listed Building, installation of additional fenestration to rear elevation and other external alterations. Withdrawn- 12.06.2018

91974/LBC/17- Listed Building Consent for: extension of existing garage/studio building to rear of property to form new dwelling with own curtilage, alongside sub-division of existing plot; with other ancillary hardstanding works. Refused- 10.10.2017

91973/FUL/17- Works to include: extension of existing garage/studio building to rear of property to form new dwelling with own curtilage, alongside sub-division of existing plot; with other ancillary hardstanding works. Refused- 10.10.2017

82433/LB/2014- Listed building consent for external and internal works which include alterations to internal layout and 20th century staircase; extension of thatched roof and installation of additional fenestration to elevation. Approved with Conditions- 16.04.2014

82432/HHA/2014- External works to Listed Building to include alterations to extension of thatched roof and installation of additional fenestration to elevation. Approved with Conditions- 16.04.2014

77965/HHA/2012- Erection of detached outbuilding to form garage and garden studio. Approved with Conditions- 09.08.2012

74797/FULL/2010- Erection of detached dwellinghouse, detached garage and shed within rear garden area of Moss Cottage following demolition of existing outbuildings. Withdrawn- 20.05.2010

H/CC/71717- Conservation Area Consent for demolition of outbuildings in rear garden area. Approved with Conditions- 16.09.2009

H/LB/71716- Listed Building Consent for demolition of outbuildings in rear garden of Moss Cottage. Approved with Conditions- 16.09.2009

H/71718- Erection of detached dwelling house, detached garage and shed within rear garden area of Moss Cottage following demolition of existing outbuildings. Refused- 16.09.2009. Appeal Dismissed- 18 May 2010.

H/70456- Erection of greenhouse within rear garden area. Approved with Conditions- 19.12.2008

H/66662- Erection of single garage. Refused- 11.05.2007

H41650- RENL OF PLANNING PMSN FOR ERCN DET HOUSE & GARAGE, ERECTION OF GARAGE FOR MOSS COTTAGE & FORMATION NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD- Approved with Conditions- 03.01.1996

H32452- RENEWAL OF CONSENT FOR THE ERECTION OF A DETACHED HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE, CONSTRUCTION OF NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD. Approved with Conditions- 29.11.1990

H22659- REN OF CONSENT FOR THE ERECTION OF DET HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE. CONSTRUCTION OF NEW VEHICULAR ACCESS TO MARLBOROUGH ROAD. Approved with Conditions- 16.01.1986

H17707- LISTED BUILDING CONSENT FOR THE DEMOLITION OF TWO EXTENSION BAYS AND REPLACEMENT WITH THE INSTALLATION OF OLD STYLE WINDOWS. Approved with Conditions- 06.06.1983

H17708- DEMOLITION OF TWO EXTENSION BAYS AND REPLACEMENT WITH THE INSTALLATION OF OLD STYLE WINDOWS. Prior Approval Not Required- 17.03.1983

H15807- ERECTION OF DETACHED HOUSE & GARAGE. ERECTION OF GARAGE FOR MOSS COTTAGE. Approved with Conditions- 11.02.1982

APPLICANT'S SUBMISSION

Bat Scoping Report - The buildings on site have a medium to high bat roosting potential. Further surveys are recommended.

Heritage Statement - The proposed development will not adversely affect the setting

of Moss Cottage or the special character and appearance of the Ashley Heath Conservation Area.

CONSULTATIONS

Greater Manchester Ecology Unit – The garage has negligible potential for hosting roosting bats. No further surveys are required.

Environmental Health (Contaminated Land) – No objection.

Local Highway Authority – No objection subject to conditions.

Heritage Development Officer-

The principle of subdividing the site and the erection of a detached dwelling is considered unacceptable. Permission was sought under app no. H/71718 for a similar proposal albeit a smaller dwelling of different style and located slightly to the east. The application was refused and dismissed on appeal in 2010. The Inspector concluded “I consider the spaciousness of the site and its well landscaped mature is an important part of the setting of the listed building”. Furthermore, he considered “the proposal to divide the existing garden and introduce a new dwelling would have a significantly adverse impact on this prominent corner site in the conservation area. The new dwelling, by reason of its competing scale and proximity to Moss Cottage would, in my view, be at odds with the prevailing character of the area.”

There have been no substantive changes in legislation or policy since this decision which would alter this view. Permission was also refused in 2017 for a slightly smaller proposal. In comparison with both of these applications, it is noted the existing proposal is larger in footprint; lacks architectural interest and detailing, increases hard landscaping and the proposed site boundary is drawn closer to Moss Cottage. In 2016, the Ashley Heath Conservation Area Management Plan was adopted [SPD5.8a]. This provides a definition of harmful development i.e. that which will have a negative impact on the ability to appreciate its architectural history and special interest. This includes the following;

“The subdivision of an existing plot into multiple plots and infill development will generally not be permitted due to the impact on the spacious character of the Conservation Area and the prevalence of surviving historic plots throughout the Conservation Area”. “...new development which is stylistically inappropriate and/or comprises an inappropriate palette of materials”

Of relevance to this application are policies 35, 36 & 38. Of particular concern is the subdivision and subsequent increase in density and built form which will erode the spacious, landscape character of the site. It is clear from the submitted plan that the existing building will be substantially demolished to accommodate the proposed dwelling; the description of development should be amended to reflect this. The architectural style of the proposed dwelling is non-descript as well as unsympathetic to the vernacular character of Moss Cottage and the sylvan appearance of the site. The subdivision of the site and additional dwelling in this manner would start to resemble the closely spaced houses on Blenheim Close which have been specifically

excluded from the Conservation Area. As such the variety and historic character of the Conservation Area would be diminished in an unacceptable way. The proposed development in terms of its siting, scale, height, footprint, massing, architectural style and materiality will harm the setting of the listed building and the contribution the site makes to the Ashley Heath Conservation Area.

Based on the current proposals, it is considered that the development would be conspicuous by virtue of its siting, scale, height, footprint, massing, architectural style and materiality and would result in an unacceptable increase in density, increase in hard landscaping and a loss of spaciousness and soft landscaping. As such the proposed development would cause major harm [202 NPPF] to the setting of Moss Cottage, Grade II listed building and Ashley Heath Conservation Area.

I consider the harm is unjustified and does not meet the requirements of the Act, NPPF or the Core Strategy as detailed above. As such I would support a recommendation for refusal on heritage grounds.

Arboriculturist – Insufficient information submitted.

REPRESENTATIONS

Seven letters of representation were received in response to a neighbour consultation exercise.

Six letters of support were received, which made the following points:

- No objection to increase of one parking space.
- No high volume of traffic is expected.
- No noise is expected with current building regulations.
- There will be minimal effect on the listed building.
- The design, appearance and materials are all in keeping with the Conservation Area.
- The extensions to Moss Cottage will emphasise its heritage as a farm worker's dwelling.
- The extensions will modernise the interior of Moss Cottage.
- The size of the site allows expansion.
- There has historically been permission for a similar proposal.
- The conversion of the garage into a low level small independent dwelling would be aesthetically in keeping with the heritage of the large plot.
- Moss Cottage has disproportionately large gardens.
- The gardens would have been smaller in the past and the subdivision will return the boundaries to their original level.
- Small family homes are in short supply.
- The proposed dwelling would use recycled materials.

The letter of objection raises the following concerns:

- The proposed works will result in a new building which will extend along the boundary between the application site and the neighbouring plot.

- The proposed dwelling would extend along the boundary for the whole length of the neighbouring house and dominate views from it.
- The proposed dwelling will be built within a few yards of the site boundary.
- The property will overlook the neighbour's garden, as well as several habitable rooms at the neighbour's property.
- This will harm the neighbour's amenity and privacy.
- Whilst trees will reduce the impact in summer, there will be full visibility between the properties for 5 months of the year when there are no leaves on trees.
- The impact will be worse in autumn and winter but there will be impact year-round.
- There are concerns that the proximity of the building to the boundary will harm the trees, shrubs and hedges that form it.
- There are doubts that the proposed development will be in keeping with the principles and practice of conservation.

Councillor Whetton supports the application on the following grounds:

- The proposed design is acceptable.
- The proposals present no harm to the listed building
- The size of the overall site is more than sufficient to provide for the proposals without adverse impact on the listed building.
- The basic proposals have in essence been approved by Trafford Council previously.

A letter of support from Sir Graham Brady MP was also submitted by the applicant however this related to an earlier planning application and so should not be given any weight.

OBSERVATIONS

BACKGROUND

1. The application site has an extensive planning history which is set out in full above. Of particular relevance to the current application is the planning permission and associated renewals for the subdivision of the application site and erection of a detached dwelling in its grounds.
2. Planning permission for the subdivision of the site, erection of a detached dwelling and erection of garages to the proposed dwelling and to Moss Cottage was granted in 1982. This permission was subsequently renewed in 1986, 1990 and 1996 - following which the permission lapsed.
3. A subsequent application for the subdivision of the site and the erection of a new dwelling, H/71718, was refused on 16.09.2009 and an appeal against this decision was dismissed on 18.05.2010. Following this appeal decision, three further planning applications seeking consent for the subdivision of the site have either been refused or withdrawn in 2010, 2017 and 2020.

4. There have been significant changes to national and local planning policy and guidance since permission was originally granted in 1982 and since the renewals in the 1990s, including the publication of the National Planning Policy Framework and the Trafford Core Strategy in 2012 and the Ashley Heath Conservation Area Appraisal and Management Plan - adopted in July 2016.
5. Legislation requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise and the changes to national and local planning policies and guidance represent a significant material change in circumstances since the original permissions were granted.

POLICY CONTEXT

6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
7. 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.
8. The Council does not, at present, have a five year housing land supply. The most recent figure is 4.24 years. The most recent Housing Delivery Test (HDT) from 2021 is 79%. This automatically triggers Paragraph 11d) of the NPPF which 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 (*the 'tilted balance'*).
9. Paragraph 11) d) of the NPPF is therefore engaged. Designated heritage assets are identified at footnote 7 of the NPPF as being "assets of particular importance". Harm to either the significance or setting of the Grade II listed Moss Cottage or to the character and appearance of the Ashley Heath Conservation Area could (and in officers' view, do) provide a clear reason for the refusal of the application. Where this is the case Paragraph 11(d) is taken no further and the tilted balance is not engaged.

PRINCIPLE OF DEVELOPMENT

10. Policy L1 of the Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. It states that this will be achieved through new-build, conversion and sub-division of existing properties.

11. Policy L1.10 states “Where development proposals would involve the use of domestic gardens, due regard will need to be paid to local character, environment, amenity and conservation considerations.”
12. Policy L2 of the 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 and the wider aspirations of the Council’s Sustainable Community Strategy.
13. Policy L2 also states that “All new development will be required to be:
 - (a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents;
 - (b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure (schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development;
 - (c) Not harmful to the character or amenity of the immediately surrounding area; and
 - (d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.”
14. The proposed subdivision of the site will provide one additional dwelling. The dwelling would have four bedrooms and, alongside its plot, be of a sufficient size to provide family accommodation. The site is close to primary and secondary schools and is half a mile (or a 10 minute walk) from the centre of Hale. The site is considered to be sustainably located.
15. There are significant concerns about the impact of the proposal on the local character of the area and on the significance and setting of the Grade II listed Moss Cottage and the Ashley Heath Conservation Area. These are set out in the ‘Impact on Designated Heritage Assets’ and ‘Design’ sections below. This is contrary to Policies L1 and L2 of the Core Strategy.
16. It is recognised that Policies L1 and L2 of the Core Strategy are out of date in terms of controlling the number and location of new housing development in the Borough and so they are given limited weight in this regard. The provision of one additional family home in a sustainable location is a benefit of the scheme which is considered further in the conclusions.

IMPACT ON DESIGNATED HERITAGE ASSETS

Relevant Policy and Legislation

17. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

18. 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.

19. Policy R1 of the TBC Core Strategy advises that Trafford’s historic environment makes a major contribution to the attractiveness and local distinctiveness of the Borough. Heritage assets are buildings, monuments, sites, or landscapes of historic, archaeological, architectural or artistic interest whether designated or not. It states that the significance, character, and appearance of these heritage assets are qualities that will be protected, maintained and enhanced. It is recognised that Policy R1 of the Core Strategy is out of date so it has been given less weight. This policy does not reflect case law or the tests of ‘substantial’ and ‘less than substantial harm’ in the NPPF.

20. 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.

21. Of relevance to the determination of this application is paragraph 195 of the NPPF: *“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”*.

22. Paragraph 197 of the NPPF states that *“In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness”*.

23. Paragraph 199 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. 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’.

24. Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
25. Paragraph 202 of the NPPF states that, where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the benefits of the proposal including, where appropriate, securing its optimum viable use.

Significance of the Heritage Assets

26. Significance (for heritage policy) 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.
27. The setting of a heritage asset is defined 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.

Moss Cottage

28. The application property is a Grade II listed building situated within the Ashley Heath Conservation Area. The listing description is as follows:

Cottage. "RL 1666 HL" (Robert and Helen Lewis) on dormer window although the rear range was added in c.1960. Whitewashed brick, timber frame and thatch roof. 2-unit, 1- storey plus attic, a parallel range having been added at the rear. Door to right unit with 2-light C20 casement to either side. A former door has been blocked up to the extreme left. The pitched dormer window has 4 lights and inscribed tie beam. Gable ridge stacks and exposed framing to right gable. The interior has exposed timber-framed internal walls chamfered beams and roof members. Built for farm labourers by the occupants of Moss Farm (q.v.).

29. Moss Cottage was erected in the mid-17th century and possibly incorporates earlier fabric. A tie beam to the dormer window on the south west (principal) elevation is inscribed with "RL 1666 HL" (Robert and Helen Lewis). It is believed to have been built for farm labourers by the occupants of Moss Farm, located to the south west of the Cottage. However, the connection of Robert & Helen Lewis to Moss Farm is unclear. It is conceivable that the original subdivision of the building may have related to domestic and agricultural use and was later converted to multiple occupancy/dwellings.
30. The significance of Moss Cottage lies in its aesthetic value, in particular its diminutive scale, modest form, vernacular appearance and fabric, construction, siting and spacious landscape setting. The historic value of the Cottage is illustrated through its age and plan form as a 17th century dwelling, the use of local

building traditions and materials and the contribution made to the development of Ashley Heath as a rural settlement as well as social hierarchies and farming practices in Cheshire. Significant evidential value is found in the remaining historic fabric, plan form, construction and historic alterations.

31. Moss Cottage occupies a corner plot and there are clear views allowing the cottage and its landscape setting to be appreciated from South Downs Road and Marlborough Road. Kinetic views are also possible when travelling along these routes. Despite extensive mature landscaping on the south side of South Downs Road, there is inter-visibility between the Cottage, Moss Farm and Barn, all Grade II listed, resulting in a visual connection as well as a historic relationship. The landscape character of the application site also positively contributes to the significance of these designated heritage assets.

Ashley Heath Conservation Area

32. The Ashley Heath Conservation Area Management Plan (SPD 5.8a) identifies the significance of the Conservation Area as being: “primarily rooted in its evolution from an area of agriculture through the latter half of the 19th century into a residential suburb of Altrincham. The buildings retain a high level of architectural detail, which chart the influx of wealth into the area. Both the high quality of the architecture and the attractiveness of the natural environment within the Conservation Area combine to create a high aesthetic value which contributes strongly to the overall significance of the Conservation Area.”
33. There are a number of key views identified in the Conservation Area Appraisal. These include the view along the north section of South Downs Road. The rise in the road to the northwest and its winding nature adds to the secluded character of the area. Moss Cottage is one of only four listed buildings which form a significant group within the Conservation Area; all date from the 16th and 17th centuries and document the former agricultural nature of the area. The size, maturity and quality of the many gardens and the plants and trees they contain are a significant asset to the views from the street, particularly along South Downs Road, where the trees create a rural, secluded character.
34. Paragraph 4.3.3 of the Conservation Area Appraisal states that “The area is purely residential in character with large detached and semi-detached dwellings sited at a low density, most within substantial gardens...Mature gardens with a variety of trees and shrubs are also a common feature throughout the area.”

Conservation Area Policy

35. The Management Plan also contains the following policies of particular relevance:

Policy 32

The Council will seek to maintain and enhance existing tree cover in the area together with established boundary planting. New planting should be in character with other planting in the area.

Policy 33

The Council will seek to avoid opening up frontages by new or wider accesses and avoid the siting of any new buildings or other development close to trees or boundary planting.

Policy 35

Any new development should take inspiration from the established architectural styles within the Conservation Area. Appropriate features, materials and detailing are to be integrated into the design (see 2.2 of this Management Plan and the extended discussion in the accompanying Appraisal). Modern design is not prohibited within the Conservation Area but should be: sympathetic to its historic context; of a high standard; of an appropriate scale; and use appropriate, high-quality materials.

Policy 36

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

Policy 38

The scale of any new development (including extensions and hard surfacing) should abide by the parameters set out in paragraph 2.7.3 of this Management Plan.

Impact upon Heritage Assets

Impact on Setting of Listed Building

36. Moss Cottage was erected in the mid-17th century and possibly incorporates earlier fabric. It is believed to have been built for farm labourers by the occupants of Moss Farm, located to the south west of the Cottage. The significance of Moss Cottage lies in its aesthetic value, in particular its diminutive scale, modest form, vernacular appearance and fabric, construction, siting and spacious landscape setting.

Loss of Spaciousness

37. The applicant's heritage statement makes clear that the agricultural associations of Moss Cottage, as farm hand accommodation, contributes to its significance. An agricultural setting typically consists of open fields and a large degree of spaciousness. A review of historic mapping reveals that this was clearly the setting of Moss Cottage until at least the 1930s. Neighbouring plots have been developed throughout the 20th century such that there are no longer open fields neighbouring the site. As such, a significant degree of the site's retained rural and agricultural character is derived from its large garden and the degree of spaciousness that it provides.

38. The subdivision of the site would halve the garden space of Moss Cottage from 2800 sq. m to 1400 sq. m. The proposal would also introduce a boundary as close as 4.5m from Moss Cottage; reduced from 27m at present. This clearly represents a substantial reduction in the space around Moss Cottage.

39. Correspondingly, the bulk of the proposed dwelling represents a significant increase over the existing garage. Its footprint would increase from 60 sq. m to 162 sq. m. Its bulk would be further increased through the addition of dormers to the roof. Its front extension would bring the structure approximately 7.5m closer to Moss Cottage than is currently the case. This significant increase in scale and massing, occupying what is currently garden space, further reduces the space around Moss Cottage.
40. The proposed site plan indicates a new garage within the curtilage of Moss Cottage which would further reduce the spaciousness of the site. This is applied for under application 105247/HHA/21 and considered in full in the corresponding report on that application.
41. Planning permission for the subdivision of the site and the erection of a detached dwelling was sought under application H/71718. This application was refused and dismissed at appeal in 2010. It is considered that the Inspector's following comments are of particular relevance:
- *"I consider the spaciousness of the site and its well-landscaped mature appearance is an important part of the setting of the listed building."*
 - *"I consider the proposal to divide the existing garden and introduce a new dwelling would have a significantly adverse impact on this prominent corner site in the conservation area."*
42. It is also noted that an appeal was dismissed on 27 January 2022 in relation to a proposal for sub-division of the plot and the erection of a new dwelling at Bowdon Old Hall (also a Grade II listed building). The Inspector concluded in that case that the proposal would introduce a functionally separate residential unit and the domestic activity associated with it into the grounds of the existing property and would therefore harm the setting of the listed building and the character and appearance of the Bowdon Conservation Area.
43. Similarly, the current proposal represents a significant reduction in spaciousness around Moss Cottage through a substantial decrease in its garden space and the erection of a large structure within its current curtilage as well as the creation of a site boundary close to the listed building. The proposal would result in an unacceptable increase in the density of development, increase in hard landscaping and loss of spaciousness and soft landscaping. This loss of spaciousness would significantly detract from the agricultural and rural character of Moss Cottage and its setting.

Design of the Proposed Dwelling

44. The proposed dwelling lacks architectural interest and would be unsympathetic to the vernacular of Moss Cottage and the sylvan appearance of the site. It also does not appear to take inspiration from the architectural style or character of other historic properties within the Conservation Area. It is considered that the elevation facing the listed building, in particular, would have a non-descript, bland appearance with an integral garage and an overlarge projecting gable extending towards Moss Cottage. Large rooflights would be included on three elevations

including those facing the listed building and Marlborough Road. It is considered that the design would lack coherence with overlarge gable elements, an integral garage, large rooflights and different styles of fenestration (with a number of windows with shallow arched brick headers but the doors in particular lacking in any architectural character or detail). The significant increase in the bulk of the building would detract from the soft and spacious appearance of the site and the siting of the dwelling close to the Marlborough Road boundary would also mean that it would be prominent in the street scene. It is considered that the development would be conspicuous by virtue of its siting, scale, height, footprint, massing, architectural style and materiality and that this would be harmful to the setting of the listed building.

Trees

45. The application site is well landscaped with mature hedging to the site boundaries and a combination of mature trees and established shrubs to the remainder of the site. The trees and other established vegetation at the site provide it with a green and pleasant character which is reflective of the wider area; particularly along South Downs Road. This contributes positively to the setting of the listed building.
46. The application requires the removal of at least three trees which would harm the leafy character of the application site. Harm to trees at the site could also be caused through construction works. The Inspector commented at the time of the 2010 appeal decision that the loss of trees and other vegetation would *“detract from the sylvan appearance of the site and surrounding area, one of the most notable characteristics of the conservation area.”*
47. A detailed tree survey and method statement has not been provided with the application. As such, it has not been possible to fully assess the impact of the proposal on the trees at the site. Inappropriate development in this regard has the potential for trees to be lost and for harm to be caused to the visual amenity of the area and to the setting of the listed building.

Impact on Setting of Listed Building Conclusion

48. It is considered that the subdivision of the site and the creation of a detached dwelling by extending the existing garage would cause major harm to the significance and setting of the Grade II listed Moss Cottage. In NPPF terms, the harm is categorised as “less than substantial” at the upper end of the scale. Great weight is given to this harm.

Impact on Ashley Heath Conservation Area

49. The Ashley Heath Conservation Area Management Plan identifies the following as harmful development within the Conservation Area:
- Extension which is not respectful of the established architectural style of the house.
 - The subdivision of an existing plot into multiple plots and infill development will generally not be permitted due to the impact on the spacious character of the

Conservation Area and the prevalence of surviving historic plots throughout the Conservation Area.

- Alteration, re-building or new development which is stylistically inappropriate and/or comprises an inappropriate palette of materials (as set out in section 2.2- 2.3).
- Development which will diminish the contribution of the identified landmarks and key views/vistas within the Conservation Area.

50. In the 2010 appeal decision, the Inspector commented that *“the character of this part of the conservation area is based on a very informal and leafy layout with varied views and irregularly sited dwellings in large plots. Extensive planting within the gardens, on boundaries and along roads is a particular feature...I consider that the proposal to divide the existing garden and introduce a new dwelling would have a significantly adverse impact on this prominent corner site in the conservation area...This would conflict with advice in the Council’s Supplementary Planning Guidance that new buildings should not reduce the space between dwellings to an extent which is out of character with the area.”* Whilst the Supplementary Planning Guidance has been updated since that time through the adoption of the Ashley Heath Conservation Area Appraisal and Management Plan, the specific guidance in relation to the sub-division of plots has not changed significantly since that time.

51. The subdivision of the site, through the creation of a new boundary within the site and the creation of a new dwelling, would increase the building density at the site and reduce the existing sense of spaciousness. The 7.5m projection of the proposed front extension to the garage would significantly increase the amount of built form along the Marlborough Road frontage. It is considered that the increased building density would start to resemble the plot layout of the more closely spaced houses on Blenheim Close to the north which have been specifically excluded from the Conservation Area. As such, the variety and historic character of the Conservation Area would be unacceptably diminished. This is a form of development which the Conservation Area Management Plan specifically seeks to resist; identifying subdivision and infill development as harmful development contrary to Policy 38 of the Management Plan. The Conservation Area Appraisal also states, at paragraph 6.3.1, that *“subdivision erodes the historic character of the area, which was traditionally one of large detached houses surrounded by substantial grounds.”*

52. The design of the proposed dwelling lacks architectural interest and is not sympathetic to its historic context. It also does not appear to take inspiration from the architectural style or character of other historic properties within the Conservation Area. The significant increase in the bulk of the building would detract from the soft and spacious appearance of the site. The siting of the dwelling close to the Marlborough Road boundary would also mean that it would be prominent in the street scene. It is considered that the development would be conspicuous by virtue of its siting, scale, height, footprint, massing, architectural style and materiality and that this would be harmful to the character and appearance of the Conservation Area. The proposal would be contrary to policies 6, 35 and 36 of the Management Plan and Policy R1 of the Core Strategy.

53. The importance of trees to the Ashley Heath Conservation Area is recognised in the Appraisal and Management Plan. The Management Plan recognises that the attractiveness of its natural environment contributes to the significance of the Conservation Area and contains policies at section 3.6 specifically relating to the protection of trees.
54. The application requires the removal of at least three trees which would cause harm to the leafy character of the application site. Construction works could also cause harm to trees at the site. Inappropriate development in this regard has the potential for trees to be lost and for harm to be caused to the character and appearance of the Conservation Area.
55. It is considered that the development would be conspicuous by virtue of its siting, scale, height, footprint, massing, architectural style and materiality. It would result in an unacceptable increase in density, increase in hard landscaping and a loss of spaciousness and soft landscaping. This would cause major harm to the character and appearance of the Ashley Heath Conservation Area. This harm would be categorised as “less than substantial” in NPPF terms.

Heritage Conclusion

56. The application will cause major harm to the setting of the Grade II listed Moss Cottage and major harm to the character and appearance of the Ashley Heath Conservation Area. Great weight is given to this harm. The harm in both cases is considered to be significant but would be categorised as “less than substantial” in NPPF terms, but at the upper end of the scale.
57. The applicant suggests that the reinstatement of the site’s historic curtilage would better reveal the historic character of the listed building as a pair of farm labourers’ cottages.
58. It is noted that this application is accompanied by an application for three extensions to Moss Cottage. It is considered that there is an inherent contradiction in the suggestion that a significant reduction in the garden of Moss Cottage is beneficial by reinforcing the “humble” status of the farm labourer’s cottages whilst also seeking substantial further extensions to Moss Cottage. The proposed extensions to Moss Cottage (considered separately under 105247/HHA/21) would increase its footprint to approximately 450% of that of either of the original two dwellings. This notwithstanding, the subdivision of the plot as proposed is unacceptable regardless of the proposals to extend Moss Cottage.
59. The application site and its wider context have clearly changed substantially since its boundaries were similar (not identical) to those proposed in this application. Moss Cottage has a footprint almost twice that of its original footprint following the 1960’s extension (with a current planning application seeking to add to this significantly though the addition of two side extensions and a rear infill extension). The wider context of the site now comprises suburban residential plots containing substantial detached dwellings rather than open agricultural fields. In reality, the subdivision of the site simply reduces the amount of space around Moss Cottage

to the detriment of its rural and agrarian character. This is considered harmful and not a public benefit of the scheme.

60. The proposal would provide one family dwelling on a sustainably located site. It would also provide a minor economic benefit associated with the construction works. These are the public benefits of the scheme.
61. It is noted that, in the recent Bowdon Old Hall appeal decision, the public benefits were considered to be similar to the above and the Inspector attributed moderate weight to these benefits including the provision of one additional dwelling but concluded that these would not outweigh the harm to the listed building, its setting and the conservation area, which in accordance with the NPPF is required to be attributed great weight. The Inspector also noted that, whilst the NPPF makes reference at paragraph 124 to making efficient use of land, it is clear that this must take into account the desirability of maintaining an area's prevailing character.
62. Weighing the harm identified in this case against the benefits of the scheme, in accordance with paragraph 202 of the NPPF, it is considered that the harm significantly outweighs the benefits identified. Consequently, the proposal is contrary to Policies L7 and R1 of the Core Strategy and NPPF guidance.

DESIGN AND VISUAL AMENITY

63. Paragraph 126 of the NPPF states that "The creation of high quality, beautiful and sustainable 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 134 states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes..."
64. Policy L7 of the Trafford Core Strategy is consistent with the NPPF and therefore considered up to date. It 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".
65. The proposed development would significantly reduce the amount of space around the site through introducing a new boundary sub-dividing the site and through significantly extending the existing garage building. This would be detrimental to the spacious character of the area.

66. The proposed extensions to the existing garage would be disproportionate in their scale and massing. The proposed dwelling lacks architectural interest and would be unsympathetic to the vernacular of Moss Cottage and the sylvan appearance of the site. It also does not appear to take inspiration from the architectural style or character of other historic properties within the Conservation Area. It is considered that the design would lack coherence with overlarge gable elements, an integral garage, large rooflights and different styles of fenestration. The siting of the dwelling close to the Marlborough Road boundary would mean that it would be prominent in the street scene. It is considered that the development would be conspicuous and would appear incongruous within the context of the listed building by virtue of its siting, scale, height, footprint, massing, architectural style and materiality

67. In design terms, it is considered that the proposed development would cause significant harm to the visual amenity of the area. This would be contrary to Policies L7 and R1 of the Core Strategy and NPPF guidance.

AMENITY

68. 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”.

Amenity of Neighbours

69. The proposed dwelling would be positioned approximately 27m away from the dwelling at no. 2 Blenheim Close. At its closest, the structure would be approximately 1m from the shared rear boundary. The proposed dwelling is to the south of no. 2.

70. It is recognised that no. 2 Blenheim Close has a large rear garden and that the shared boundary has substantial vegetation. Whilst there would be some visual impact and some limited loss of sunlight to a part of the garden of this neighbouring property, due to the size and positioning of the proposed dwelling, it is not considered to be to an excessive degree. It is considered that the proposed extensions to the garage would not introduce unacceptable overbearing impacts or loss of light to the neighbouring property.

71. The proposed dwelling has one first floor window in the rear elevation facing no. 2 Blenheim Close. This opens from a bedroom which also benefits from a similarly sized window to its side elevation. It is considered that the rear facing window could reasonably be required to be in obscure glazing by condition. This would be acceptable in overlooking terms.

72. The proposed dwelling has a separation distance of 17m to the side boundary with Woodend. The distance to the dwelling at Woodend is in excess of 21m. There are no harms in residential amenity terms anticipated in this regard.

73. The closest element of the proposed dwelling would not contain habitable room windows at first floor facing Moss Cottage. Rooflights in the proposed dwelling would have a separation distance of at least 21m to the proposed boundary with Moss Cottage and so would not introduce overlooking.

74. A distance of 20m would be retained between the proposed dwelling and Moss Cottage which is considered sufficient to avoid the introduction of overbearing impacts or loss of light.

Amenity of Future Occupiers

75. The proposed dwelling would have an internal floor space of 250 sq. m which exceeds the technical housing standard of 102 sq. m. The dwelling would have 1250 sq. m of garden space. It is considered that habitable rooms at the dwelling would have adequate outlook and that the garden space would provide an acceptable amount of private amenity space.

Amenity Conclusion

76. The proposed dwelling would not result in any unacceptable impact on the residential amenity of neighbours. Future occupiers would also have an acceptable level of amenity. The proposal complies with policy L7 of the Core Strategy in this regard.

PARKING AND HIGHWAY SAFETY

77. Core Strategy Policy L4 states that the Council will prioritise the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as part of a package of measures to promote sustainable transport choices.

78. Core Strategy Policy L7 states that in relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and to provide sufficient off-street car and cycle parking, manoeuvring and operational space.

79. The Parking SPD's objectives include ensuring that planning applications accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.

80. 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.*"

81. The proposed dwelling would make use of the existing vehicular access from Marlborough Road. The LHA raises no objection to this arrangement but, given that this would remove the existing parking arrangements for Moss Cottage, the

LHA would request the addition of a pre-commencement condition requiring the creation of suitable access and parking arrangements for the existing dwelling.

82. A new vehicular access (immediately adjacent to the existing access) taken from Marlborough Road to serve the existing dwelling of Moss Cottage is proposed under 105247/HHA/21 which is before the committee on the same agenda.
83. The LHA also recommend conditions relating to refuse/recycling storage and cycle parking.
84. Sufficient space is provided to both dwellings for the off-street parking of at least three cars. This is the maximum required by SPD3 and so is considered to be acceptable.
85. Subject to conditions, the application is acceptable on parking and highway safety grounds with regard to Policies L4 and L7 of the Core Strategy, SPD3 and relevant national guidance.

ECOLOGY

Bats

86. Policy R2 of the Core Strategy states: To ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate through a supporting statement how their proposal will:
- Protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and
 - Protect the natural environment throughout the construction process.
87. The applicant has submitted a bat scoping report which assesses the garage as having negligible bat roosting potential. Consequently, further bat surveys are not considered necessary and the application is acceptable in this regard.

Nesting Birds

88. No evidence of nesting birds was found on the building however it was not possible to rule out of the possibility that birds could nest on the building. The ecology consultee recommends a condition restricting works during the bird nesting season unless a bird nest survey is submitted. Subject to this condition, the proposal would not have an unacceptable impact on nesting birds.

Contributing to and Enhancing the Natural Environment

89. Section 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Ecological impacts to habitats should be limited to the loss of trees and shrubs in close proximity to the house and for species to the loss of associated bat and bird nesting opportunities. The ecology consultee is satisfied that mitigation and enhancement

on site should be relatively easy to achieve given the extent of the garden and recommends a condition to secure this.

Ecology Conclusion

90. The proposal is acceptable in terms of its impact on bats, nesting birds and biodiversity enhancement measures could be conditioned. This is in accordance with Policy R2 of the Core Strategy and relevant national guidance.

DEVELOPER CONTRIBUTIONS

91. The site is in a hot charging zone where a CIL charge of £80 per sq. m applies.

PLANNING BALANCE AND CONCLUSION

92. Paragraph 11) d) of the NPPF is engaged as the Council does not have a five year housing land supply.

93. The proposal would cause major harm to the setting of the Grade II listed Moss Cottage and major harm to the character and appearance of the Ashley Heath Conservation Area. These impacts would be categorised as “less than substantial” harm in NPPF terms but at the higher end of the scale of “less than substantial” harm. Great weight is given to this harm. The harm has been weighed against the public benefits of the scheme which do not outweigh the harm. This is contrary to Policy R1 of the Core Strategy and relevant national guidance. It is considered that these harms provide clear reasons for the refusal of the application and should form reasons for refusal.

94. The application is not supported by a suitable arboricultural impact assessment or method statement. Excessive harm to the trees at the site would harm the visual amenity of the area, the character and appearance of the Ashley Heath Conservation Area and the setting of the Grade II listed Moss Cottage. This would be contrary to Policies L7 and R1 of the Core Strategy and NPPF guidance.

95. The proposal would provide one family dwelling on a sustainably located site which would contribute, albeit in a very small way, to addressing the Council’s housing land supply shortfall, which should be given moderate weight. There would also be minor economic benefit associated with the construction process, which should also be given moderate weight. These are considered to be the public benefits of the scheme. These benefits are significantly outweighed by the clearly identified major harm to heritage assets – less than substantial in NPPF terms – which provides a clear reason for refusal of the proposals when considered against Paragraph 11d) of the NPPF. The proposal is also clearly contrary to Policies R1, L1, L2 and L7 of the adopted Core Strategy and the development plan when taken as a whole.

96. It is therefore recommended that the application is refused.

RECOMMENDATION:

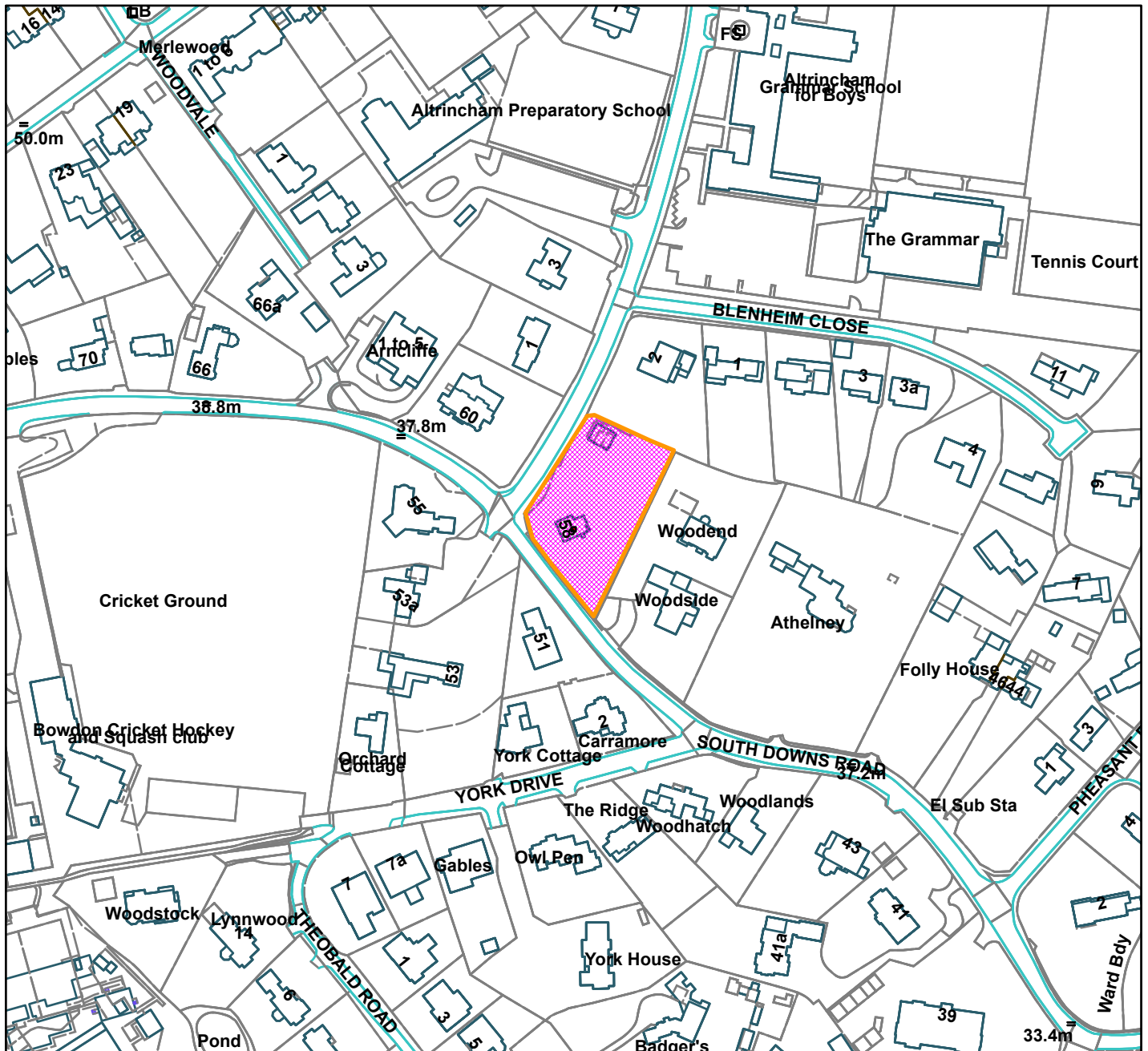
REFUSE

1. The proposed subdivision of the application site would result in the loss of garden space associated with the Grade II listed Moss Cottage. This would cause an unacceptable loss of spaciousness around the listed building and an increase in hard landscaping and would erode the sylvan character of its setting. The proposed dwelling, by reason of its siting, scale, height, footprint, massing and architectural style, would appear incongruous and unsympathetic in the context of the listed building and would fail to respect the special architectural character and historic interest of the Grade II listed Moss Cottage. The proposed development would cause major harm to the setting of Moss Cottage. These impacts would be categorised at the higher end of “less than substantial” harm in NPPF terms. The public benefits of the scheme would not outweigh this harm. The proposal therefore fails to comply with Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.
2. The proposed subdivision of the application site would cause an unacceptable increase in building density, a loss of spaciousness, an increase in hard landscaping and loss of soft landscaping which would be at odds with the green and spacious character of the Ashley Heath Conservation Area. The proposed dwelling would represent an incongruous form of development in a prominent position within the Conservation Area and would be conspicuous by virtue of its siting, scale, height, footprint, massing and architectural style. This would cause major harm to the character and appearance of the Ashley Heath Conservation Area. This harm would be categorised at the higher end of “less than substantial” in NPPF terms. The public benefits of the scheme would not outweigh this harm. This is contrary to Policies L7 and R1 of the Trafford Core Strategy, SPD 5.8 and the National Planning Policy Framework.
3. The application is not supported by adequate arboricultural information. There is therefore a failure to demonstrate that the proposal would have an acceptable impact on trees within and adjacent to the application site. An unacceptable impact would harm the green and leafy character of the application site and the contribution that it makes to the wider Ashley Heath Conservation Area. This would likely lead to “less than substantial” harm to the setting of Grade II listed Moss Cottage and to the character and appearance of the Ashley Heath Conservation Area. The lack of arboricultural information means it is not possible to ascertain the extent of these impacts (on a sliding scale within “less than substantial” harm) and it is therefore not possible to weigh the impacts against the public benefits of the scheme with sufficient accuracy. The proposal is contrary to Policies L7, R1 and R2 of the Core Strategy and the National Planning Policy Framework.

JW



Moss Cottage, South Downs Road, Bowdon (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Hale Barns

105905/OUT/21

DEPARTURE: Yes

Outline planning application for up to 116no. residential dwellings with all matters reserved aside from access, for which detailed consent is sought.

World Of Pets , Thorley Lane, Timperley, WA15 7PJ

APPLICANT: Harlex (RLP Timperley) LLP

AGENT: Rapleys

RECOMMENDATION: REFUSE

This application has been reported to the Planning and Development Management Committee due to six or more representations being received contrary to Officer recommendation and also a call in request by Councillor Butt.

The Secretary of State for Levelling Up, Housing & Communities has received a request to call in the above application. In the event that the Planning & Development Management Committee resolve to grant planning permission contrary to the officers recommendation, the Secretary of State reserves the right to consider the call in request prior to the Local Planning Authority issuing the decision notice.

Executive Summary

This application relates to the proposed residential development of the former World of Pets and World of Water site located on the west side of Thorley Lane (A5144) Timperley. The application has been submitted at outline for a total of 116no. dwellings with consent sought for access only at this stage with all other matters reserved.

The proposal site is located within the Green Belt. National and local planning policy dictates that the construction of new buildings should be regarded as inappropriate development and which is, by definition, harmful to the Green Belt. The applicant has advanced a number of 'very special circumstances' which they contend outweigh the harm to the Green Belt by reason of inappropriateness. Paragraph (d)(i) of the NPPF is clear that the application of policies in the Framework that protect areas or assets of particular importance (Green Belt) provides a clear reason for refusing the development. Policy R4 of the Core Strategy is a determinative in the consideration of this application and is up to date.

As part of the Places for Everyone (PfE) plan, the proposal site is located within one of the two PfE strategic locations within Trafford, namely Timperley Wedge. The Timperley Wedge allocation would include the application site and other identified areas of land being released from the Green Belt. The Plan has now been submitted

(14.02.22) to the Secretary of State for Levelling up, Housing and Communities so that it can be assessed through an examination in Public. Due to its advance stage in the planning making process limited weight can now be afforded to policy within the plan.

It is considered that the proposed development would have a greater impact on the openness of the Green Belt than the existing buildings on site, and would also conflict with one of the five purposes of Green Belt, in that it would represent encroachment into the countryside. None of the arguments advanced by the applicant including the limited weight afforded to the PfE plan are considered to constitute the 'very special circumstances' which might outweigh the identified harm to the Green Belt by reason of inappropriateness, harm to openness and encroachment into the countryside, contrary to the purposes of including land within the Green Belt. This therefore provide a clear reason for refusal in accordance with paragraph 11 (d) i of the NPPF.

SITE

The site subject to this proposal is located on the west side of Thorley Lane Timperley and extends to approximately 3ha in area. Most recently the site has been occupied by three separate businesses, The World of Pets, The World of Water and a car body repair business.

The vehicular access to the overall site is from Thorley Lane (east side of the site); a second vehicular access is from Wood Lane to the north side of the site which is used for staff access and deliveries only.

The site is surrounded predominantly to the north and west by residential developments along Wood Lane and Green Lane respectively; garden nursery sites are located to the south of the application site and on the opposite side of Thorley Lane (to the east of the application site). Timperley Brook extends across the southern side of the application site with an earth bund along part of its embankment on the application side of the brook.

At the time of this application submission it is understood that the World of Pets and World of Water businesses have ceased trading at the site. During the officers visit to site it was observed that the building used by the World of Pets is currently being used for the storage and sale of wood burning logs and the site is open to the public.

The main buildings used by World of Water and World of Pets when in operation are converted horticultural type 'glass houses'. The World of Pets building is located centrally within the application site and has a hard surfaced external display/storage area enclosed by approximately 2.5m high metal security fencing. The World of Water building is located towards the north side of the site and includes an external display and storage area, which includes feature ponds and hard soft landscaping as part of the display. The World of Water business has two external storage buildings, one small building located immediately to the west side of the main World of Water building and

one larger building located to the north-east side of the site. Both World of Pets and World of Water share a car park, which has a bitumen type surface and is located between both buildings. To the north-west side of the World of Water building is a fenced compound area used for external storage.

To the east side of the World of Water building is a vehicle repair business which is located within a Nissen hut type building, this business has its own dedicated car-park along the entire east side of the World of Water building and is accessed from the main car-park. It is understood that this business is still in operation.

The existing vehicular access at the northern side of the site onto Wood Lane is also used as a secondary access to a veterinary practice which is located adjacent to the site access on Wood Lane to the west side. Immediately to the east side of the Wood Lane access is an undeveloped area of grassed land, which forms part of the application site.

An area of tree cover is located along the west side of the site and along parts to the south-west near to Timperley Brook. A significant area of the site immediately adjacent to the Thorley Lane boundary of the site is covered in grass sward which extends across the site up to the former World of Pets building, car park and to the tree line. The land level of the site is relatively level towards the northern and central part of the site but does slope from north to south towards Timperley Brook.

As well as the entire site being within the Green Belt, the southern part of the site is allocated as a Wildlife Corridor within the Revised Unitary Development Plan (RUDP) Proposals Map. In addition to this, the site is located within a Critical Drainage Area as specified within Trafford Council's Strategic Flood Risk Assessment. Reference to the Environment Agency Flood Zone maps would suggest the site is predominantly within Flood Zone 1 (a small section of the site to the south comes within Flood Zone 2) and is located within 8m of a statutory main river, namely Timperley Brook. The site is also identified in the emerging Places for Everyone (PfE) as allocated for development and land identified to be released from the Green Belt.

Land immediately to the south side of the site and also to the east side (opposite side of Thorley Lane) is designated as Protection of Landscape Character within the Council's RUDP Proposals Map.

PROPOSAL

This application proposes the erection of 116 residential units and is submitted in outline with approval sought for access only and all other matters reserved. Vehicular access is proposed to be taken from the existing access points off Thorley Lane and Wood Lane with the provision of an additional access point from Wood Lane.

An indicative layout plan suggests a mixture of terraced; semi-detached and detached dwellings and apartment blocks with buildings indicated as 2 storeys in height around

the periphery of the site and between 2 - 4 storeys in height within the central area of the site. A total of 164 car parking spaces are proposed. Officers have raised concerns however over the four storey element within the central core of the site and this will now be reduced to 3 stories in height, an amended parameters plan is to be submitted, receipt of which will be reported on the additional information report to committee

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 & Accessibility

L5 – Climate Change

L6 - Waste

L7 – Design

L8 – Planning Obligations

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

R4 – Green Belt, Countryside and Other Protected Open Land

R5 – Open Space, Sport and Recreation

Relevant Strategic Objectives

SO1 – Meet Housing Needs

SO5 – Provide a Green Environment

SO6 – Reduce the Need to Travel

SO7 – Secure Sustainable Development

SO8 – Protect the Historic Built Environment

Place Objectives

Altrincham and Neighbouring Communities

PROPOSALS MAP NOTATION

Green Belt

Wildlife Corridor

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

C4 – Green Belt

ENV10 – Wildlife Corridors

H3 – Land Release for New Housing Development

H4 – Release of Other Land for Development

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Revised SPD1: Planning Obligations

SPD3: Parking Standards and Design

PG1: New Residential Development

PG30 – Landscape Strategy (September 2004)

Trafford Community Infrastructure Levy: Charging Schedule (July 2014)

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies.

PfE RELEVANT POLICIES

Policy JP Allocation 3.2 Timperley Wedge

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the latest version of the National Planning Policy Framework (NPPF) on the 20th July 2021. 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 was updated on 24th June 2021. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 and forms part of the Government's collection of national planning practice guidance.

RELEVANT PLANNING HISTORY

106043/EIASC/21 - Request for a screening opinion in respect of outline planning application for up to 116 no. residential dwellings with all matters reserved aside from access, for which detailed consent is sought – Screening opinion issued 30.11.2021 (EIA not required)

89944/OUT/16 - Outline application for the erection of 23 dwellings (consent is sought for access and layout with all other matters reserved) – Refused 21/02/2017 for the following three reasons:-

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development. The proposed development provides for the erection of new buildings, but is not considered to be one of the exceptions listed in Paragraph 89 of the NPPF. Moreover, the proposed development would harm the openness of the Green Belt and would fail to safeguard against encroachment into the Green Belt, contrary to the purposes of including land within it and prejudice the proper planning of the area in relation to the delivery of the Greater Manchester Spatial Framework. The applicant has failed to demonstrate that there are any very special circumstances which would outweigh the harm to the Green Belt by reason of inappropriateness and any other harm and as such the development is contrary to the National Planning Policy Framework and Policy R4 of the Trafford Core Strategy and Policy C4 of the Revised Trafford Unitary Development Plan.
2. The proposed development site is allocated as part of the Timperley Wedge, within the Greater Manchester Spatial Framework (GMSF) First Draft for release from the Green Belt. The development would prejudice the proper planning of the area as the required master planning process for GMSF has yet to be undertaken, and consequently the potential development/infrastructure needs to be delivered at this site are yet to be understood. If the premature release of this land means these are not properly provided for additional land may need to be released to make up any resulting shortfall. This would lead to further harm to the Green Belt, beyond that anticipated by the GMSF allocations and the exceptional circumstances which are currently being put forward for the release of this land. As such the development is contrary to Policy R4 of the Trafford Core Strategy; Policy C4 of the Revised Trafford Unitary Development Plan and Policies AG3 and GM25 of the Greater Manchester Spatial Framework (GMSF) and advice contained within the NPPF.
3. The applicant has failed to demonstrate that the proposed development can take place without any harm to a protected species, namely Great Crested Newts, protected under Annexes II & IV of the EC Habitats Directive 1992. In the absence of information to the contrary, the proposed development would conflict

with the provisions of Policy R2 of the Trafford Core Strategy and advice contained within the NPPF.

78180/FULL/2012 – Alterations to sales building including timber cladding of existing elevations and installation of new windows and doors – Approved 10/04/2012

77607/CLEUD/2011 – Application for Certificate of Lawfulness for existing use of site for retail sales (Class A1) – Approved 22/12/2011

76696/CLEUD/2011 – Application for Certificate of Lawfulness for existing use of the site for retail sales (Use Class A1). (Resubmission of 75590/CLEUD/2010)

75590/CLEUD/2010 – Application for Certificate of lawfulness for existing use of the site for retail sales (Use Class A1) – Appeal for non-determination September 2010, appeal withdrawn 28/07/2011

APPLICANT'S SUBMISSION

The following supporting information and reports have been submitted in support of the application and are referred to in the observations section of this report where necessary:-

- Design & Access Statement
- Planning Statement (includes relevant appeal statements to support the proposed scheme)
- Socio-Economic Statement
- Landscape Strategy
- Transport Assessment
- Interim Travel Plan
- Flood Risk Assessment
- Phase II Site Investigation Report
- Sustainability & Energy Statement
- Preliminary Aborigicultural Impact Assessment
- Ecological Impact Assessment (including updated statement)
- Desktop Archaeology Report
- Crime Impact Statement
- Noise Impact Statement
- Air Quality Assessment
- Statement of Community Involvement
- Housing Land Supply Position

The planning statement submitted as part of the application package identifies the key material benefits of the application summarised as follows:-

- The proposed development will deliver 116no. residential dwellings contributing towards Trafford Councils housing land supply figures.

- Policy compliant provision of affordable housing provision (45%) which equates to 52 dwellings on site as affordable.
- The proposed development site is part of the Timperley Wedge allocation for residential development as part of the Places for Everyone proposals.
- The development will provide a high quality, design led-led scheme.
- The development will deliver economic benefits through direct/in-direct jobs at construction stage, Council tax receipts and new resident retail expenditure of over £1m per annum.
- The scheme will provide over £500,000 in Community Infrastructure Levy payment to Trafford Council.
- Permission is sought only for access at outline stage, an indicative masterplan has been submitted demonstrating the quantum of development proposed can be achieved and includes provision of a high quality play area and two electric charging points for public use.
- The scheme will be low/zero carbon
- The development will deliver a net gain in Biodiversity and enhancement to the Timperley Brook corridor.

CONSULTATIONS

Local Highway Authority (LHA) – No objections in principle, further information requested prior to determination of this application included a traffic speed survey of Thorley Lane and amendments to the junction turning radii. The LHA have also listed the information that they would expect to see included as part of any future reserved matters applications. Further comments are discussed in the Observations section of this report.

Lead Local Flood Authority (LLFA) – No objections in principle, further comments are discussed in the Observations section of this report.

Trafford Council Strategic Growth – Recommend that the application should be refused which is not in accordance with the adopted Local Plan and very special circumstances have not been demonstrated that outweigh the harm to the Green Belt by reason of inappropriateness. A Landscape Visual Impact Assessment which assess both spatial and volume aspects of the proposed development should be submitted. Further comments are discussed in the Observations section of this report.

Trafford Council Pollution & Housing (Air) - No objections, subject to conditions relating to the provision of Electric Vehicle charging points and a Construction Method Statement, further comments discussed in Observations section of the report.

Trafford Council Pollution & Housing (Nuisance) – No objections in principle subject to conditions relating to external plant noise levels; a Construction Environmental Management Plan; details of electric vehicle charging points and an external lighting scheme. Further comments discussed in Observations section of the report.

Trafford Council Pollution & Housing (Contaminated Land) – No objection subject to contaminated land conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council Arboriculturist – No objection in principle. Comments are discussed in more detail in the Observations section of this report.

Trafford Council Education – No objections in principle, it is highlighted that both local primary and secondary schools are oversubscribed and a financial contribution is recommended to help address shortfall. Comments are discussed in more detail in the Observations section of the report

Trafford Council Waste Management – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Trafford Council Clinical Commissioning Group – No objections, there is sufficient primary care capacity for this area.

Trafford Council Housing Strategy – No objections, comments discussed in Observations section of the report.

Heritage Development Officer – No objections

Greater Manchester Ecology Unit (GMEU) – No objection in principle subject to conditions/Informatives with regards protected species, nesting birds, invasive species and proximity to Timperley Brook. It has been confirmed that there will be a net loss of biodiversity based on the current layout, off-site compensation or an amendment to the layout would be required. Comments are discussed in more detail in the Observations section of this report.

Greater Manchester Police (Design for Security) – No objection in principle, a number of concerns raised regarding the indicative layout. A full crime impact statement would be required at reserved matters stage. Comments discussed in more detail in Observations section of this report.

Greater Manchester Archaeological Advisory Service (GMAAS) – No objections, comments discussed in the observations section of this report.

Greater Manchester Fire and Rescue Service – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Environment Agency – No objections, recommend condition ensuring adherence with submitted FRA, further comments discussed in Observations section of this report.

United Utilities – No objections, recommend conditions regarding surface water which considers the hierarchy of drainage options; management of drainage system and separate system for foul and surface water. Further comments discussed in the Observations section of this report.

Cadent Gas – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Electricity North West (ENW) – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

National Highways – No objections

Sport England – No objections, the proposed development does not fall within the statutory remit for consultation with Sport England. General advice provided with regards the loss or provision of any sporting facilities as a result of the development. In addition if the proposal involves new housing the Local Planning Authority having regard to their Playing Pitch Strategy or Built Sports Facility Strategy to assess if existing facilities can absorb additional demand or new/additional provision required. Further comments discussed in the Observations section of this report.

Manchester Airport Group (MAG) – No objections, subject to a number of conditions, further comments discussed in the Observations section of this report.

Transport for Greater Manchester (TfGM) – No objections. Advice provided regarding trip distribution and junction assessments and mitigation; traffic regulation orders in the area; site accessibility and measures to encourage sustainable forms of transport. Comments discussed in more detail in the Observations section of the report.

Timperley Civic Society - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

REPRESENTATIONS

Neighbours: 153 letters of objection have been received in relation to the proposed development, 22 of which have been received from the same 11 addresses. The issues raised as follows:-

Green Belt

- Green Belt provides natural boundary between villages of Timperley and Hale.
- There are plenty of brownfield sites in Trafford and Greater Manchester that could be developed in preference to preserving the Green Belt. No assessment of available brown field sites has been provided.

- The proposal is contrary to two of the five purposes of Green Belt (restricting urban sprawl and preventing neighbouring towns merging).
- The applicant has failed to demonstrate any special circumstances
- Residential development is not appropriate to the important open character feature of the Green Belt.
- The site is proposed to be removed from the Green Belt, making a decision to accept this planning application would prejudice that decision and defeat purpose of PfE which will provide the necessary infrastructure required.
- House extension application nearby refused as did not comply with Green Belt regulations.
- Proposal would change purpose and function of the site from horticulture and animal husbandry in this part of the Green Belt.
- Green Belt land captures carbon and provides space for water to prevent flooding. We are in a climate emergency.
- Granting permission would set a precedent for Green Belt development
- It will create an urban sprawl with the proposed development by the airport and Wellgreen.
- Green Belt coverage across 9 Boroughs of greater Manchester is 46.7%, for Trafford it is 37.6% already too low.
- No houses should be built on Green Belt
- The prime minister has pledged recently no new homes on Green Belt
- Timperley already overdeveloped, small areas of open space are important to residents
- These houses could be included in the 1700 proposed for Timperley Wedge.
- The Labour manifesto promises to protect Green Belt Areas

Highways

- Additional traffic will be generated on surround roads which are already congested especially around peak times of travel and will add to risk for pedestrians especially children and the elderly.
- Additional traffic congestion will worsen air pollution in the area
- The crime report indicates the development accesses could cause unnecessary congestion to the detriment of the existing residents
- The landscaping plan infringes on visibility from driveway (Wood Lane) resulting in being unable to ingress/egress safely, proposed tree located beside driveway at 124 Wood Lane
- Parking on site seems insufficient and cramped, visitors parking on roads
- Wood Lane is already a dangerous road with traffic calming measures, this proposal will put residents at danger. The Council have been put on notice regarding the safety of Wood Lane.
- Public transport is not sufficient
- Better traffic calming would minimise the use of Wood Lane as a 'rat-run' for vehicles avoiding Shaftesbury Ave, such as chicanes. Also busy with traffic getting to the health club, airport and Wythenshawe hospital.

- Access onto Thorley Lane can be heavily congested at certain times of the day, with traffic turning on and off a 40mph stretch of road across oncoming traffic.
- Accidents at the junction with Shaftsbury Ave are a regular occurrence that affects all local residents, a development of this size will create 150-200 vehicles which will be extremely dangerous.
- Households will have two or more cars
- Access should be from Thorley Lane only with controlled by demand traffic lights funded by the developer.
- Traffic survey should not be done during school holidays
- The modelling results of the Wood lane roundabout within the TA cannot be relied upon and it seeks to downplay the impact of development traffic. The Transport assessment should be amended.
- The operation of the existing junction model must be calibrated to ensure a more representative level of operation is obtained upon which future scenarios should be based.
- Trip rates are based on a site in Carrington, no information provided to demonstrate these two sites exhibit similar locational characteristics.
- A speed survey is required to support the access proposals; significant shortfall in visibility
- The nature of the impact on the Wood Lane roundabout can only be considered as severe. Given the constraints around the roundabout and lack of available space there appears little can be done to this junction to provide additional capacity.
- Thorley Lane has a cycle lane, impact of new access not considered
- The footpath along Green Lane is too narrow.
- The road traffic accident report is in error, we are aware of many more accidents to that which have been reported by the developer.
- The village of Hale is already congested with no proper parking facilities
- Servicing provision and parking detail should not be dealt with in detail at outline not reserved matters stage

Impact on Residential Amenity

- Noise and light pollution will be profound and will affect residents living space.
- The development is detrimental to health and living conditions
- There are too many dwellings, too cramped and insufficient garden space for families.
- Loss of privacy to 3 Green lane
- Loss of light an overlooking from new properties towards 124 Wood Lane
- Resident at 124 Wood lane will not be able to maintain side boundary fence
- Noise from traffic results in residents having to keep windows closed (Wood Lane)
- The development will take many years with construction traffic, dirt and noise.
- 63% of residents consulted by the applicant are opposed to the development

Environment

- This site includes a wildlife corridor, the development will result in the destruction of land which is a natural habitat for wildlife and flora.
- Site contains non-native species such as Himalayan Balsam, Giant Hogweed and Japanese Knotweed, concern about their spread when the site is cleared.
- A number of ponds in residents gardens along Green Lane have Great Crested Newts, their habitats cannot be disturbed. There is also a large population of bats that live in nearby trees.
- Removal of mature trees will impact on water levels, the local area is flooded regularly.
- Increase to surface water run-off
- Suggestion that no flooding will occur, is challenged.
- Timperley Brook is a floodplain
- Commonwealth war graves at Christ Church Thorley Lane would be at risk from flooding if this development goes ahead
- Challenge the comment that an Environmental Impact assessment is not required, there will be significant environmental effects.
- This site would be better being made into woodland
- A pond and few replacement trees will not off-set large carbon gain
- Other developments along Timperley Brook have not maintained the brook and have seen proliferation of non-native species.

Other Matters

- Doctors and dental surgeries and local schools are under pressure, high demand for school places.
- Bins are not always collected, existing strain on police/utilities, the Council can't cope with street cleaning.
- Increase in burglaries in recent years, policing is non-existent, new homes will attract criminals.
- Land has been acquired for building purposes before any consultation has taken place
- The air report is not tenable as it was undertaken during lockdown thus the data is skewed and inaccurate.
- Previous application for 23 houses was refused
- Infrastructure cannot cope with current population.
- Site has historic use for market garden produce, this should be encouraged
- Forced closure and relocation of long standing business, loss of a local amenity and jobs.
- The proposed dwellings are not aesthetically in keeping with area
- 3 and 4 storey development is out of keeping with the area, should be assessed through a Landscape and Visual Impact Assessment
- Little private outdoor space properties, properties very packed together. Too much hardstanding.
- No park or childrens area in proposals
- A concern is whether these houses in WA15 will prove 'affordable'

- Value of properties would be seriously reduced
- The development will change the character of the area
- Harlex are outrageously greedy for even proposing a development of this magnitude and the Council would be letting down its residents contemplating approval.
- Council needs to sort out its schools, social services, roads, waste collection, leisure centre, town centre before increasing population
- Better mix of semi-detached and detached properties needed and develop only half the site
- The contaminated land report highlights presence of 'Red' ground gas which requires further ground assessment and/or mitigation for residential development. Insufficient ground investigation and zoning is evident and therefore not compliant with industry guidance. Report states that consultant had difficulty with Gas monitoring equipment, which questions validity of testing. It appears no calibration certificate for Gas Monitor and out of date guidance referenced. It is questioned if site poses risk to adjacent properties.
- The contaminated land report mentions asbestos within soils in background levels, would question the lack of detailed discussion on remedial measures proposed and suitability of sample frequency (difficulty in viewing sample data on the portal).
- It is suggested surface water contamination not suitably reviewed (report highlights elevated determinants (notably lead) – the Environment Agency should be consulted.
- Site notice opposite Wood Lane entrance obscured by hedge
- Lease for property on Green Lane stated there would be no building on land to the rear
- Following receipt of consultation document from the applicant, they never responded to queries raised about the development.
- Social housing plans will change once permission is granted
- Low water pressure in the area this will be made worse
- The Harlex Property prospectus outlined an intent to build around 80 residential units now increased to 116 units (+45%)
- Suggest building on where there are currently buildings on site
- Number and density of properties out of proportion.
- Empty office space with people working from home can be used for housing.
- £500k Community Infrastructure contribution not enough for the new services required
- The proposal will impact local heritage properties
- The economic benefits do not outweigh the harm caused by the development

Altrincham & Bowdon Civic Society have objected to the proposal for the following reasons:-

- Over intensive use of the site and brown field areas should only be built on
- Concern over any development given risk of flooding

- Can it be proved that insurance would be available at a reasonable cost if units built knowing existing and future flood risks

Councillor Butt has also objected to the proposed development for the following reasons:-

- Three previous reasons for refusal still apply (harm to Green Belt; prematurity with GMSF and failure to demonstrate any harm to protected species Great Crested Newts)
- Massing and intensity of housing will be disruptive to residents
- Inadequate service provision/infrastructure and will create pressure on existing schools, medical/social services
- Increase in traffic, with hazards from inconsiderate parking, pedestrian safety, local roads already congested. Traffic will also result increase in pollution levels.
- Inadequate public transport in this area necessitates high car ownership.
- Council services already struggling (refuse/road maintenance) this will compound the problem.
- Four storey apartment block out of keeping with the area
- This area around Timperley Brook will be prone to increased flood risk from the development
- The Green Belt has always been a natural habitat for wildlife.
- Existing pollution levels will be intensified with the reduction of this carbon filter
- The land has always been open green space, it cannot be regarded as a developed brownfield site.
- More effective use of under developed industrial areas and brownfield sites in Trafford can avoid harm to the Green Belt.

24 letters of support have also been received with regards the proposed development. Points raised include:-

- Will allow local residents to purchase an affordable property
- It will provide high quality homes
- It will represent significant investment into the area
- It is difficult to become a first time buyer in this area (I have lived in this area all my life)
- This represents an opportunity for many young working people within Trafford to purchase a well-designed home
- The brownfield site would be an ideal location for modern energy efficient homes and will boost local businesses.
- This site is better than other sites in Timperley Wedge as it is already half brownfield.
- This proposal considers the environment
- More bungalows for older residents would be welcome.
- No objection to the proposal, it is suggested that to improve traffic congestion at the Thorley Lane junction and access to the site that the new PfE spine road

junction and the World of Pets access be moved further down Thorley Lane which would involve reconfiguration of the housing layout.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. S.38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
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. The NPPF sets out a presumption in favour of sustainable development. Paragraph 11 (c) says for decision taking development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states 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.
3. The Councils current housing land supply figure is 4.24 years and the most recent Housing Delivery Test figure (2021) is 79%. This housing supply and delivery position automatically triggers Paragraph 11d) but does not automatically render development plan policies out of date. It is for the decision maker to determine what weight to give to development plan policies and this can take into account the specific characteristics of the housing land supply position such as the extent of the shortfall and the steps being taken to remedy it.
4. Footnote 7 of Paragraph 11(d)(i) is clear that the application of policies in the Framework that protect areas or assets of particular importance includes land designated as Green Belt.
5. Policy R4 of the Core Strategy controls development in the Green Belt and is considered to be up to date and in full accordance with the NPPF. This policy can be given full weight in the determination of this application given the protection afforded to the Green Belt by the NPPF, both via Paragraph 11d(i) and its specific Green Belt policies.

6. Policy L1 of the Core Strategy controls the number and distribution of new homes across the Borough. Given the lack of five year housing land supply, and the age of this policy (including the need to use the more recent 'standard method' of calculating housing need), it is now out of date and should be given limited weight. It does not however countenance the release of Green Belt in circumstances where there is no five year housing land supply. Policy L2 of the Core Strategy relates to meeting housing needs and remains up to date in respect of the requirement for the amount of affordable housing and in terms of site specific requirements for development (L2.2). Full weight can be given to this part of the policy. Other parts of this policy, for example in relation to dwelling mix, are not up to date and should be given limited weight.
7. The overall conclusion of this report is that there are no 'very special circumstances' that exist (including the Council's housing land supply position) which would outweigh the identified harm to the Green Belt and any other harm. Thus the proposal falls to be considered under Paragraph 11(d)(i) of the NPPF – that there is a clear reason for refusing the development proposed. The tilted balance test in Paragraph 11d(ii) is not triggered.

Green Belt

8. Paragraph 138 of the NPPF identifies that the Green Belt serves five purposes:
 - a) To check the unrestricted sprawl of large built up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
9. Paragraph 147 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
10. Paragraph 148 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
11. Paragraph 149 of the NPPF advises that the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions as follows:-

- a) Buildings for agriculture and forestry;
- b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) Limited infilling in villages;
- f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - Not have a greater impact on the openness of the Green Belt than the existing development: or
 - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

12. The Trafford Core Strategy, at Policy R4, reflects the policies in the NPPF and states: *The Council will continue to protect the Green Belt from inappropriate development. New development including buildings or uses for a temporary period will only be permitted within these areas where it is for one of the appropriate uses specified in national guidance, where the proposal does not prejudice the primary purposes of the Green Belt set out in national guidance by reason of its scale, siting, materials or design or where very special circumstances can be demonstrated in support of the proposal.* Policy R4 is up to date in NPPF terms.

Inappropriate development.

13. The application site is Green Belt land and should be assessed as such. Paragraph 149 sets out that the construction of new buildings within the Green Belt is

inappropriate development and paragraph 147 states that inappropriate development should not be approved except in very special circumstances. Paragraph 149 however does set out a number of exceptions to development in the Green Belt that could be appropriate in a-g.

14. The applicant sets out a case that some of the application site is previously developed land (PDL) and would benefit from the exception (g) of paragraph 149, and that this should be considered as a legitimate fallback position for the development of the site as a whole. Subsequent Counsel advice provided for the applicant (and shared with officers) suggests that paragraph 149(g) does not appear to be engaged and that they rely on demonstrating very special circumstances in seeking approval for the scheme.
15. The NPPF refers to PDL as *'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure...This excludes...land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*
16. Openness in Green Belt terms as stated in the NPPG (Paragraph:001 Reference ID:64-001-20190722) *'...is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume...'* It is acknowledged that the application site comprises some areas of land that would be considered as PDL. The extent of these areas are not agreed, however, as some are under tree or vegetation cover and insufficient evidence has been provided of their historic use and that use also appears to have 'blended in' over time.
17. The applicant acknowledges that developing a residential scheme only on PDL would not necessarily make best use of the land. The relatively irregular configuration of the PDL would dictate the layout of development which would not be an efficient and efficient use of land. Therefore in order to make best use of the land the applicant proposes the development of the entire application site. This would obviously involve development on undeveloped areas of the site and would be inappropriate development.
18. In addition, the applicant has not undertaken a detailed comparative assessment of the existing buildings on site and the proposed development on PDL or new buildings on areas of the site not previously developed in terms of volume and building heights to demonstrate that there would not be a greater impact on openness.
19. Nevertheless, notwithstanding the disputed extent of PDL, the development on PDL would have a greater impact on openness than the existing development at the site. Thus the first criterion of Paragraph 149(g) is not satisfied and the development falls

to be considered as inappropriate development regardless of the PDL position. With regard to the second criteria of Paragraph 149(g) the development would lead to substantial harm to the openness of the Green Belt on areas of PDL, given that, among other things, they are currently hardstanding with no built form. Additionally, the development does not provide any greater contribution to affordable housing need than planning policy already requires – i.e. it only mitigates its own impact.

20. Consequently, the development, as a whole, should be considered as inappropriate development in the Green Belt and very special circumstances are required for it to proceed.

Very Special Circumstances

21. The applicant's case further relies on a number of 'very special circumstances' which it is suggested would outweigh this harm to the Green Belt. The very special circumstances detailed are as follows:

- Significant Contribution to Housing Need and lack of five year housing land supply
- Sustainable development on brownfield land (almost half the site is PDL)
- Deliver a high quality development (design, landscaping and low/zero carbon)
- Enhancement of Timperley Brook corridor and deliver a net gain in bio-diversity.
- The proposal does not conflict with paragraph 138 of the NPPF (5 purposes of Green Belt)
- The proposed development site is well contained with a defensible boundary.
- Development site relates well to existing settlement and is a highly accessible/sustainable location
- Trafford Council have a very poor housing delivery record. The Housing Delivery Test (2020) identifies the Council only delivered 61% of the houses needed over the past three years. Trafford currently falls within the bottom 10% of local planning authorities in England for housing delivery. (Note this position was stated by applicant at time of application submission in September 2021 and is no longer the case after an improved 2021 HDT result of 79%.
- The proposed development will provide affordable housing tenure focused on local identified needs (the application is supported by interest from a number of registered providers).
- The site forms part of the Timperley Wedge allocation under PfE, identified as suitable for residential development and release from the Green Belt, supported by Trafford Council. The site is identified within phase 1 of the masterplan for Timperley Wedge which can come forward without any significant supporting infrastructure
- The development will deliver economic benefits and £500k in CIL payment;
- Provide a minimum of 2 public use electric charging points.

22. With regards the suggested very special circumstances advanced by the applicant the Council do not consider these to constitute the very special circumstances individually or cumulatively to overcome the harm to the Green Belt by reason of inappropriateness and any other harm.
23. The Council has a much improved housing land supply figure of 4.24 years. This has come about as a result of comprehensive and assertive action by the Council over the last two years – for example by granting suitable planning permissions, bringing forward infrastructure, and intervening in the market to bring forward its own exemplar schemes through its investment programme. Delivery is also much improved with the Housing Delivery Test in 2021 being 79% (from 61% in 2020), and which moved the Council out of the HDT presumption in favour of new development. A forward look at sites coming forward in the next 12 months also indicates a much improved, and improving position. The housing supply and delivery trajectory is therefore strongly and clearly moving in an upwards direction and quickly towards a position whereby the Council will be able to demonstrate a five year housing land supply. The identified sites making up the supply are also primarily brownfield, and all within the urban area and / or well established development plan allocations.
24. The applicant has provided an updated housing land supply overview which has considered the Councils recent evidence (with regards the Councils current Housing Land Supply position) in relation to the planning appeal for the Former B&Q site, Great Stone Road, Stretford. The applicant has suggested that a number of sites included within the Councils evidence do not meet the NPPF definition of deliverable sites and as such a revised housing land figure has been calculated by the applicant which equates to 2.77 years. Officers do not accept that this is the correct housing land supply position, on any assessment of the evidence.
25. During evidence given at the B&Q appeal, that appellant conceded that they agreed the Council had a deliverable housing land supply of 3.3 years. A 4.24 year housing land supply position has been agreed as common ground in another appeal in Urmston currently proceeding as an informal hearing. As such, officers consider the housing land supply position should be taken as 4.24 years, until such a point that an appeal Inspector makes a judgement that it should be considered otherwise. Notwithstanding this. even if the B&Q appellant's figure of 3.3 years is taken (and the housing land supply is certainly no less than that), it is much improved from the March 2020 position of 2.4 years, and the March 2021 figure of 2.58 years and on a clearly upward trajectory.
26. Although significant weight is given to the contribution this site would make to the Council's housing land supply position, and in addition it would make a significant contribution to affordable housing need, which is also given significant weight, the housing land supply and delivery position in Trafford is not so dire that this site must come forward now regardless of the identified in principle harm to the Green Belt

and conflict with the spatial strategy of the plan and in opposition to a fundamental tenet of both local and national policy which seeks to protect Green Belt land.

27. Indeed in the appeal at Warburton Lane, where up to 400 new homes were proposed by Redrow on Protected Open Land (which is effectively land reserved for release for future development), and which forms part of the PfE New Carrington allocation, the Council's housing land supply position, which was then just 2.4 years, did not justify the release of that land contrary to the spatial strategy of the development plan (and taking into account the other harms which arose from that scheme).
28. It is acknowledged that the proposal would bring forward development on PDL, however this relates only to part of the application site and the building on PDL does not constitute very special circumstances – national Green Belt policy sets out the circumstances in which development of PDL Green Belt sites is appropriate and the development does not accord with those.
29. The applicant refers to a biodiversity net gain to Timperley Brook but it has been established by the applicant's ecologist that there would be an overall loss of biodiversity across the site as a result of the proposals. Whilst specific enhancement and protection work can be carried out along the Brook these are works that would be required in any instance regardless if the site is within Green Belt or not and would not constitute very special circumstances.
30. The applicant has made reference to the site being located at the edge of an existing settlement and being within a highly accessible and sustainable location. The site is located adjacent to existing residential development, however a large proportion of the site which is undeveloped acts as a buffer between the built up areas of Hale and Timperley and the proposals would extend into this undeveloped area. It is not accepted that the site is in a highly accessible/sustainable location. TfGMs Greater Manchester Accessibility map identifies the site within accessible areas 2 and 3 (1 being the lowest level of accessibility 8 being the highest). The objective of creating sustainable communities is a strategic objective which is consistent with national policy and is not rendered out of date in circumstances where there is a lack of five year housing land supply. That situation may change if PfE comes forward as envisaged but there is no guarantee of that at present.
31. It is also suggested that the development does not result in material harm to the five purposes of Green Belt. It is considered that the proposal does result in encroachment into the Green Belt and the location of the site does not constitute a very special circumstance.
32. The applicant also refers to the provision of affordable housing; a play area and two public electric vehicle charging points. Whilst these measures are welcomed they are means of mitigating harm arising from the development. The affordable housing contribution (45%) is policy compliant and would therefore mitigate the quantum of

development proposed (i.e it is not proposing more affordable housing that what is required as a minimum). The affordable housing contribution therefore does not constitute a very special circumstance. Reference is made to the site being a high quality, design led scheme and zero carbon, and these are factors the Council would require on any residential site within the Borough, this application is in outline and therefore the design quality and sustainability credentials are currently unknown, as such it is considered that they do not constitute very special circumstances.

33. Similarly the applicant refers to a Community Infrastructure Levy contribution that the development would generate, this would also apply if the site was not in the Green Belt. Economic benefits from the development and Council Tax receipts are welcome in terms of benefits to the local economy and investment however these do not constitute very special circumstances and Council Tax is required to deliver essential services to the residents of new development.
34. The applicant identifies that the site is allocated as site 1 of phase 1 within the Timperley Wedge masterplan and can come forward without any significant supporting infrastructure. Whilst it is acknowledged the site is identified as one of the early sites that could come forward in the PfE Plan, these individual sites are required to contribute towards the provision of the necessary infrastructure such as the new PfE spine road and associated junction to ensure delivery of the wider plan area. In addition this application is proposed in isolation of the Timperley Wedge allocation infrastructure requirements as proposed in PfE. Whilst the policy and the evidence base are supported by the Council as the direction of travel for the Timperley Wedge area as part of PfE, there are a number of outstanding objections to the plan and in specific regard to the release of Green Belt generally and specifically in respect of this allocation which diminish the weight that can be afforded to the plan in this regard. See section below on PfE which discusses the weight to be afforded to the plan.
35. Reference is made to the Greater Manchester Green Belt Assessment Stage 2 (September 2020) commissioned as part of the evidence for the GMSF/PfE Plan to assess the potential harm to the Green Belt that could result from the release of Green Belt land within allocations proposed in the GMSF/PfE. This assessment included the application site along with surrounding land proposed for release from Green Belt as part of the proposed Timperley Wedge allocation. The applicant notes that the assessment concluded that development of this area of land as a whole would have relatively limited impact or limited/no impact on the five purposes of including land in the Green Belt, and that development would have a minor impact on adjacent Green Belt. Regardless of any conclusion reached on the condition of certain parcels of Green Belt land within the PfE designation it does not change the policy context and status of the Green Belt land nor the assessment of development within Green Belt that is required and detailed as part of Core Strategy Policy (R4) which remains up to date in NPPF terms and the policy within the NPPF.

36. Whilst the PfE Plan is now at an advanced stage and should be afforded limited weight, the current Green Belt designation of the land remains and the harm to the Green Belt by reason of inappropriate development and impact of the development on the openness of the Green Belt when assessed against its current policy is significant. With regards to the suggested very special circumstances advanced by the applicant including the allocation of the site in the PfE Plan, the Council do not consider these either individually or cumulatively to outweigh the harm to the Green Belt arising as a result of the development. For the avoidance of doubt it is considered that no other harm that cannot be mitigated arises from the development.
37. The Local Planning Authority have considered the very special circumstances advanced by the applicant. Paragraph 148 of the NPPF is clear that local planning authorities when considering any planning application should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. It is considered that none of the very special circumstances put forward by the applicant either individually or cumulatively amount to very special circumstances.
38. In assessing a previous proposal at this site for residential development (planning Ref:89944/OUT/16) one of the reasons for refusal related to the development being found to harm the openness of the Green Belt and would fail to safeguard encroachment into the Green Belt.
39. With regards encroachment, there have been no significant changes to the physical context of the site and surrounding land since the determination of planning application 89944/OUT/16. The applicant references that the sites location is such that it is separated from the Countryside. It is acknowledged that there is built development to the north (northeast and northwest) of the site. However it is disputed that Timperley Brook functions as a means of separation of the site from the countryside to the south, rather it is a natural feature within the landscape. Unlike the other four purposes listed in paragraph 138, there is no corresponding reference to a nearby town or urban area in relation to encroachment. The proposal to extend built development on the undeveloped part of the site in particular up to the southern and eastern sides of the site as detailed on the indicative layout plan would still result in encroachment into the countryside as previously concluded by the LPA.
40. The Council is very clear in its Core Strategy, spatial profile chapter, in describing the characteristics of the urban fringe “neighbourhoods” to the north of the Green Belt area. The Green Belt land in this area separates the built up area of Timperley to the north from the less built up areas and different character neighbourhood areas of Hale and Hale Barns to the south. One of the key objectives listed for this profile area is AL04 – *“to manage the potential impact of development on the urban fringes of the area.”* It is considered the proposal would impact on this character. The NPPF, at paragraph 137, states that the essential characteristics of Green Belt are their

openness and their permanence. The application site is clearly visible from the eastern boundary and the northern most section adjacent to Wood Lane, which is open and visible from the streetscene. Views into the site are less visible from the western side of the site and from the northern side beyond the gate access due to existing tree cover. However, openness in Green Belt terms is an absence of built or urbanising development as well as the visual impact of a development and therefore a loss of openness occurs from the presence of built form, regardless if this built form can readily be seen from the public realm.

41. The World of Water building to the northern side of the site is single storey glass house horticultural type building with elements of masonry throughout its construction, part of the roof ridge on the western side of the building is marginally higher than the remainder of the building; the building having been converted to use for retail of aquarium related items. A small brick constructed storage building is located to the west side of the main building, beyond which is an area to the west and north-west which is used as external display and storage. A further brick constructed building single storey with a dual pitch roof is located to the north side of the World of Water building and the Nissen Hut type structure, single storey to the east side of the building.
42. The World of Pets building is a similar glass horticultural type building which is single storey, constructed predominately of glass/translucent materials with an external display and storage area located to the west side of the building.
43. Whilst there is hardsurfaced car parking space and external storage/display areas to the west and north west of the site as well as centrally within the site the erection of new buildings in these locations which currently are not occupied by any buildings would have a greater impact on the openness of the Green Belt than the existing hardsurfaced ground cover, this is considered to be unacceptable and would have a harmful impact on the openness of the Green Belt and the purpose of including land within it.
44. In addition both main buildings are also proposed to be replaced with new buildings in lieu of the existing structures on site which are single storey and constructed in lightweight materials. Whilst both existing structures occupy larger footprints than the replacement buildings on those footprints, the new buildings will be greater in height and massing and consequently have a greater impact on the openness of the Green Belt. The proposed indicative layout would result in a greater concentration and cluster of buildings across the site and the new buildings will be higher than any existing buildings on site (up to 3 stories, but predominantly 2 storey in height) and as stated occupy parts of the site that are not currently occupied by buildings.

Places for Everyone (PfE)

45. The Publication Places for Everyone (PfE) Joint Development Plan Document has been produced by nine Greater Manchester boroughs. It proposes two allocations

for the borough of Trafford, New Carrington and Timperley Wedge. Both are proposed to be developed as mixed use areas with a significant amount of new housing, employment land and new infrastructure. Some of the land within the allocations is proposed for release from the Green Belt. The Plan has recently been subject to a Regulation 19 consultation and has now been submitted (14.02.22) to the Secretary of State for Levelling up, Housing and Communities so that it can be assessed through an examination in Public by appointed Planning Inspectors (Regulation 22).

46. The application site is within the 'Timperley Wedge' area which is proposed to deliver approximately 2,500 new homes and 60,000 sqm of office floorspace in plan period (2021 – 2037). The PfE Plan is considered to be at a relatively advanced stage in the plan making process (currently at 'Regulation 22' stage), and can therefore be afforded some weight in determination of this application. This has to be balanced against the fact that there are still unresolved objections to PfE, including in relation to the principle of releasing land from the Green Belt, both in the Timperley Wedge allocation and elsewhere. However, the land remains as Green Belt until the plan is adopted, and if PfE was found to have sufficient weight to justify the release of this land ahead of its formal adoption, this would need to form part of a Green Belt very special circumstances case, as opposed to the Green Belt allocation being set aside.
47. The site as previously stated has been identified within the Draft Development Plan PfE within Policy JP Allocation 3.2 (JPA3.2) as forming part of the 'Timperley Wedge' mixed use allocation which will also include removal of a large part of the allocation from the Green Belt. In order to help shape and phase development within the Timperley Wedge and as part of the evidence base for PfE policy JPA3.2 Timperley Wedge, the Council have prepared a concept Masterplan (September 2021) in association with local landowners and other key stakeholders.
48. Policy JPA 3.2 of PfE states any development will need to be in accordance with a masterplan or SPD agreed by the LPA to ensure the site is planned and delivered in a coordinated and comprehensive manner. The concept masterplan produced has informed the main elements that will be part of the allocation but a more detailed masterplan will be produced once the PfE Plan is adopted. Policy JPA 3.2 states that the following key elements to be delivered and these are also incorporated within the concept masterplan
 - 2,500 residential dwellings (minimum of 45% affordable)
 - 60,000sq.m employment land;
 - A comprehensive public transport strategy including bus rapid transit, walking and cycling routes;
 - Airport Metrolink Line, western leg extension;
 - Improvements to the local and strategic highway infrastructure including a new spine road and junction onto Thorley Lane;
 - A new local centre, providing community infrastructure; and

- Significant green infrastructure enhancements and rural park; retain and enhance existing sports and recreation facilities

Conclusion on Principle of Development & Green Belt

49. The PfE plan is afforded limited weight due its current position within the plan making process at regulation 22. It is recognised that this site is part of a wider allocation the Timperley Wedge. Draft Policy JPA 3.2, sets out that the allocation will be developed for a mix of uses, including residential development similar to what is proposed within this application. It is further recognised that if the plan is adopted in its current form the application site would likely be released from the Green Belt and development of this nature would likely be supported. Notwithstanding this at this time the designation of the site as Green Belt remains in accordance with the current policy context, and the weight afforded to the PfE is not considered to be such that it would be considered a very special circumstance that would outweigh Green Belt harm or the consideration of the development against Policy R4 of the Core Strategy which is up to date, or Green Belt policy in the NPPF. It has been evidenced above that the development would be inappropriate in the Green Belt, that there are no very special circumstances and that the development would have a significant impact on the openness of the Green Belt and encroachment into the countryside, contrary to the purposes of including land within the Green Belt, thus providing the Council with a clear reason for refusal in accordance with paragraph 11 of the NPPF. The development is contrary to Policy R4 of the Core Strategy and the NPPF.

Sustainability

50. The housing policy objectives within the NPPF include providing new housing in suitable locations which offer a good range of community facilities and with good access to jobs, services and infrastructure, including public transport. The Core Strategy, Policy L4 in particular, promotes development within the most sustainable locations, or where development comes forward in less sustainable locations in the Borough will deliver, or significantly contribute towards the delivery of measures to improve the sustainability of the location.

51. The application site is located close to two parade of shops located at opposite sides of the junction with Green Lane and Wood Lane. The premises are designated as Neighbourhood Shopping Centres within the UDP Proposals Map. The Neighbourhood Centres have a limited offer with no retail food service such as a supermarket the nearest being Timperley village approximately 1km from the site. Local bus services are the only method of public transport available close to the site. TfGM's Greater Manchester Accessibility Levels map identifies the site within accessible areas 2 and 3 (1 being the lowest level of accessibility 8 being the highest).

52. There is, therefore, a real lack of public transport provision and services offer in relation to the application site and at present the site is considered to be an unsustainable location without immediate access to amenities. This is contrary to the spatial strategy and objectives of the development plan which seeks to meet housing needs within the most sustainable locations and would conflict with Policy L1.

Housing Type and Mix

53. 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. Policy L2 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Councils Housing Strategy and Housing Market Assessment. 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. Policy L2 as a whole is generally consistent with the NPPF however references to housing numbers and housing land supply are out of date and less weight should be afforded to Policy L2.5.

54. The proposed development details 116 residential units, as the applicant is applying for access only with all other matters reserved they have not provided a detailed breakdown of the housing mix at this stage as the final layout is not yet known. However it is worth noting that the Councils Housing Needs Assessment (2019) identifies a particular shortage of 3 and 4 bedroom houses and 2 bedroom apartments in Altrincham. If the application were otherwise acceptable, the Council would seek to ensure that the appropriate mix of dwelling type was secured at reserved matters stage when layout detail is known and which would reflect the identified need.

Affordable Housing

55. Policy L2 of the Trafford Core Strategy seeks to secure appropriate levels of affordable housing in new developments. For the purposes of affordable housing, the proposal site falls within a 'Hot market' location (not to be confused with the CIL charging zones which differ). In these hot market locations and in 'good' market conditions, 45% affordable housing is required. It should also be noted that PfE with Policy JP Allocation 3.2 details a minimum affordable housing requirement of 45% for the Timperley Wedge allocation.

56. The applicant proposes to provide a policy compliant 45% of the residential units as affordable housing which equates to 52 units on site. The Housing Needs Assessment (2019) identifies that in Altrincham with regards affordable housing provision there is an annual net need of 114 new affordable units with 81.6% being intermediate tenure (shared ownership) and 18.4% being for affordable/social rent.

The applicant has proposed 75% intermediate tenure and 25% social rented. Advice within Policy L2 and SPD1: Planning Obligations recommends a 50:50 split between both tenures. The Housing Needs Assessment however reflects more up to date evidence that there is a particular tenure need (intermediate) in this particular part of the Borough and that a greater proportion of the units should be provided to address that need. It is considered therefore that the level of affordable housing provision (45%) and the tenure split (75% intermediate: 25% affordable/social rent) is acceptable. The applicant has also provided correspondence with two registered providers (Irwell Valley and Trafford Housing Trust) who have both indicated an interest in working with the applicant in providing affordable housing at the application site.

DESIGN - Parameters plans and Principle of scale and form of development.

57. Paragraph 126 of the NPPF states that *“The creation of high quality, beautiful and sustainable 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 134 of the NPPF states that *“Development that is not well designed, should be refused, especially where it fails to reflect local design policies and government guidance on design...”*
58. The National Design Guide was published by the Government in October 2019 and sets out how well designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing. The guide states at paragraph 120 that *‘Well designed homes and buildings are functional, accessible and sustainable’* and goes on to state at paragraph 122 that *‘Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by’*.
59. Core Strategy Policy L7 requires 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. In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety.
60. 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.

61. The applicant as part of this application is applying for detailed matters relating to access only, therefore all other matters relating to appearance; landscaping; layout and scale are to be determined as part of a future reserved matter application(s). The applicant has provided an illustrative outline masterplan to support the application submission which seeks to demonstrate how the site could be appropriately developed for up to 116no. residential dwellings. The masterplan illustrates a layout which comprise a combination of semi-detached; detached and terraced dwellings along with detached apartment buildings. A childrens play area is located to the eastern boundary as are two electric vehicle charging points. Vehicular access is taken from the existing access on Thorley Lane as well as utilising also the existing service access from Wood Lane. A stand alone vehicular access adjacent to 124 Wood Lane is also proposed to serve three buildings. An indicative landscape masterplan has also been submitted which detailed tree and shrub planting throughout, pathway network including a timber broadwalk over a new pond feature located to the south side of the site and surround by a wildlife meadow. Demarcation of streets/shared spaces is indicated with different surface materials.

62. In addition the applicant has also provided two parameter plans which seek to guide the form of development which will come forward as part of any future reserved matters applications. Parameter plan 1 details site constraints; easements and offsets and parameter plan 2 details key urban design principles. The Design and Access Statement submitted as part of the application also provides information with regards the design process and consideration of the indicative layout. Whilst no specific details on building design such as elevations and CGIs have been submitted at this stage the Design and Access Statement lists a number of core principles and objectives that the applicant proposes along with precedent images of housing developments which the applicant seeks to incorporate similar aspects. Some of the key aspects of the proposed development that would form part of a detailed master plan at reserved matters stage include:-

- A development which responds to pedestrian flow and movement through the site through the provision of hard and soft landscaping character zones comprising of shared space, network of pathways, cycle routes and greenspaces.
- Reduction in prominence of cars and car-parking; parking provided will be located on street bays and hidden parking courts removing focus of parking within curtilage of dwellings.
- Importance of interface with Green Belt to southern boundary, opportunity to create a wildlife corridor and green buffer zone. Incorporating sustainable urban drainage initiatives such as open swales and attenuation ponds.

63. The precedent images included within the Design and Access Statement with regards building design appear to be of high quality and reflect the importance of good quality designed buildings that the Local Planning Authority would seek to secure as part of any future reserved matters applications at this site.

64. The applicant has submitted two parameters plans as part of the development proposals. Parameter plan no.1 details site constraints, easements and offsets. Parameter plan no.2 details where the areas and scale of the proposed development. This plan has been amended to detail that two storey development would be located around the periphery of the site and that a central core would contain between 2 and 3 storey development. Surrounding residential development within the context of the application site (Wood Lane, Thorley Lane and Green Lane) is predominantly 1 and 2 stories in height. The PfE Timperley Wedge policy details that sites in the northern section of the allocation would be expected to achieve an average density of 35 dph given their location near existing urban areas. Based on the application site area (3ha) this would suggest approximately 105 dwellings. Advice within the Timperley Wedge Masterplan states that densities will need to reflect local constraints including the local street network.

65. The Design and Access Statement provides some aerial views of the site from different angles showing the indicative modelling of the site layout in massing terms. The images are taken from a distance and appear to show a number of different building heights within the central part of the site, but are lacking in any detail to demonstrate there would be no harm to the character of the area. The applicant as part of the pre-application discussions with the Local Planning Authority was advised that whilst there was support for appropriate density of the site, there was considered scope for three storey development within the central core of the site. Approving a parameters plan for four story development commits the LPA to that scale of development without having first seen an appropriate detail to be satisfied that it is appropriate in this location. Based on the information submitted as part of this application, it is considered that the applicant has failed to demonstrate that four storey development in this particular context would not have a detrimental impact on the character of the area. The Council have advised the applicant that up to 3 storey development within the central core is considered acceptable. An updated parameters plan has therefore been requested to reflect the building heights of between 2-3 storey, with 3 storey only within the central core of the site.

Conclusion on Design

66. The current application does not seek approval at outline stage for appearance, landscaping, layout or scale, however the applicant has provided some precedent images within the Design & Access Statement. Notwithstanding the adverse impact of the proposed development on Green Belt, with regards the approach to design is considered acceptable in principle and that the site could accommodate 2-3 storey development and up to 116 units. This also includes landscaping, road layout and connectivity through the site.

RESIDENTIAL AMENITY

67. In addition to ensuring that developments are designed to be visually attractive

paragraph 130 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.

68. Policy L7.3 requires new development to be compatible with the surrounding area and not to prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance.
69. The Council's adopted SPG for new residential development (PG1) sets out more detailed guidance and specific distances to be retained between buildings and window to window distances. The SPG refers to buildings of three or more storeys and states where there would be major facing windows; buildings should retain a minimum distance of 21m across public highways and 27m across private gardens (an additional 3m added to these figures for 3 or more stories). Distances to rear garden boundaries from main windows should be at least 10.5m for two storey houses and flats and 13.5m for house or flats with three storeys or more in order to protect privacy. With regards overshadowing, in situations where this is likely to occur a minimum distance of 15m should normally be provided between a main elevation and a blank two storey gable.
70. The Council are currently in the process of producing a Design Guide which will include updated guidance in relation to residential amenity. However until such time as the Design Guide is adopted the LPA would still revert to the advice within SPG1. The LPA will adopt a flexible approach with regards applying the above parameters in the interim particularly within new development layouts in order to encourage high quality schemes in terms of layout and design.
71. The proposed outline masterplan is an indicative layout demonstrating that the quantum of development can be achieved across the entire site and is therefore not a definitive layout plan.
72. It is acknowledged that the existing site has had a retail/commercial use for a number of years and therefore the site has been subject to associated activity of the businesses on site in terms of comings and goings including vehicle noise.
73. The nearest residential properties to the site are located along Wood Lane to the north and Green Lane to the west. A number of the indicative plots are located in relatively close positions to shared boundaries in particular with existing properties along Wood Lane which would require reconsideration when detailed layout is submitted as part of any reserved matters application stage. This would allow appropriate distance to be retained from the new dwellings to the shared boundaries. . A number of car parking courts are located adjacent to residential boundaries, this arrangement should be avoided to prevent any noise and disturbance to adjacent neighbours this will be controlled at reserve matters stage when detailed layouts will be provided.

74. 124 Wood lane is an existing residential dwelling which has its side elevation facing towards the application site with a number of windows on this elevation. The outline layout plan indicates a large dwelling and parking and maneuvering area adjacent to the boundary. This arrangement would appear to result in an overbearing impact with regards the neighboring occupant and the area of hard standing to the front for parking is likely to cause disturbance as it would serve at least three dwellings. As above this particular part of the site layout will require reconsideration to avoid adverse impacts with regards the adjoining neighbour.

Noise, Air Quality and Contaminated Land

75. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.

76. The Pollution and Housing section have been consulted on the proposed development and have considered the information submitted by the applicant in relation to contaminated land, air quality and noise.

77. Contaminated Land – The applicant has submitted a Phase 2 contaminated land site investigation. The site investigation confirms the presence of made ground across the site, with levels of contamination including lead, arsenic, polycyclic aromatic hydrocarbons (PAH) and total petroleum hydrocarbons (TPH) exceeding human health guideline values in a number of locations. Ground gas monitoring undertaken to date confirms that the gas protection measures will be required within buildings on the site with one location (north east of site) demonstrating particularly high levels which will require further investigation. The information presented confirms the site investigation undertaken has mostly been restricted to the central and eastern sections of the site with noticeable lack of investigation being provided to the west of the site. Maps available to the Councils Pollution section show former buildings in this part of the site and will therefore require further investigation. The footprints of the existing buildings have also not been investigated. Additional site investigation, including ground gas monitoring is required to ensure that the development is made suitable for future site users and does not present risks to the wider environment. In the event of planning approval it is recommended three conditions are attached and include i) a further supplementary site investigation and risk assessment with regards contaminated land; ii) submission of remediation strategy; and iii) verification report confirming remediation measures incorporated.

78. Air Quality – An air quality report has been submitted as part of the application. The report provides a review of existing air quality in the vicinity of the proposed development. It also provides an assessment of the impact of the proposed development on local air quality during both its construction and operational phases. With regards the operational phase of the development it is predicted that changes in annual mean concentrations of nitrogen dioxide do not lead to a significant impact

at any sensitive receptors and that air quality at the development site will be suitable for future site users. The report also confirms that all concentration changes are negligible with reference to the Institute Air Quality Management significance criteria. However, incorporating mitigation into the scheme will help to reduce any increase in emissions associated with traffic flows and it is recommended therefore that a condition be attached to any grant of planning permission for a scheme of electrical vehicle charging points for every new dwelling (minimum 7kWh). With regards the construction phase of the development it is recommended that a condition is attached to any grant of planning permission requiring the submission of a Construction Environmental Management Plan (including a dust management strategy).

79.Noise – The applicant has submitted a noise assessment as part of the proposed development. The assessment advises that measurements have been taken to determine the ambient noise levels affecting the proposed dwellings at the site and a noise model has been developed for the site. The report advises that further monitoring can be undertaken at reserved matters stage to confirm façade noise levels; final proposals for glazing and ventilation options would need to be reviewed as the final masterplan of the site is developed at reserved matters stage; and further advice on site reconfiguration or additional mitigation is recommended to be introduced to take account of noise in plots closest to Thorley Lane and the veterinary surgery on Wood Lane. The Councils Pollution section have reviewed the noise assessment and have no objections and request that they are consulted at reserved matter stage in order to assess the details of the suggested mitigation measures with the final site layout proposals. The Councils pollution section have also recommended a number of conditions relating to external plant noise levels; a Construction Environmental Management Plan; details of electric vehicle charging points and an external lighting scheme.

Conclusion on Residential Impact

80.The proposed use of the site for residential development is not considered to raise any overwhelming concerns with regards impacting adversely on residential amenity in relation to nearby residential properties and those within the proposed scheme that would warrant a refusal of planning permission in its own right. No detailed layout is under consideration at this stage with details of house types and final site layout to be considered at reserved matters stage to ensure no adverse impact on residential amenity would occur as a result of the development of the site for residential use.

ACCESS, HIGHWAYS AND CAR PARKING

81.Paragraph 105 of the NPPF states ‘...significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

82. Paragraph 111 of the NPPF states that ‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
83. Policy L4.7 states that ‘The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured’.
84. Policy L4 is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up to date in that it includes reference to a ‘significant adverse impact’ threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a ‘severe’ impact’. Nevertheless it is considered that Policy L4 can be afforded substantial weight.
85. Policy L4.14 to L4.16 sets out the requirement to comply with the adopted maximum car and cycle parking standards as set out in Appendix 3 to the Core Strategy and within adopted SPD3. The setting of maximum parking standards as set out in section L4.15 and Appendix 3 is inconsistent with the NPPF and in that regard is considered out of date and less weight should be afforded to this part of the policy.
86. Policy L7 states that ‘In relation to matters of functionality, development must: Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, maneuvering and operational space.
87. The applicant has provided a Transport Assessment (TA) and an Interim Travel Plan and as part of the application submission.

Access & Traffic Generation

88. This outline seeks detailed approval for access, all other matters reserved. The application site is currently accessed from two locations, Thorley Lane (A5144) to the eastern side and Wood Lane to the north of the site. The Thorley Lane access currently has a left turn only for vehicles exiting the site, this is the access that has been used by members of the public visiting the site. The Wood Lane access has been used for deliveries/servicing, it is also used by the veterinary practice.

89. It is proposed to use both the existing vehicular accesses to the site and it is suggested these would be upgraded to provide a minimum 5.5m wide carriageway (Thorley Lane would be wider to accommodate large vehicles and a centre island) with 2m wide footways on both sides of the road and 8m turning radii.
90. The LHA have been consulted on the proposed works and in relation to the access and have requested that the turning radii at each of the junctions is increased from 8m to 10m to prevent overrun of the pavement from large vehicles.
91. The existing left turn only restriction from the Thorley Lane access when exiting the site is to be removed. The applicant has included a stage 1 road safety audit which did not identify any problems with the Wood Lane or Thorley Lane junctions. The LHA have raised concerns regarding the Thorley Lane junction as it is located within a 40-mph section of relatively straight road with good visibility in both directions. They have also stated that it is understood average speeds along this section of the road are already a concern, with the 85th percentile speed (speed at which 85% of traffic will be travelling at, or below along a road under free flow conditions) believed to be circa. 48mph. The LHA have noted that the road safety audit did not include any traffic speed data or swept path vehicle analysis.
92. The LHA have stated that the proposed development will see an increase in traffic movements at the access in comparison to the permitted use, with vehicles egressing the site able to turn left and right (unlike the current left only arrangement). This access at Thorley Lane is also being made wider to accommodate larger vehicles. A further concern raised by the LHA is the use of the site as a 'rat-run' with drivers using the site as a means of avoiding the roundabout junction and increasing further traffic at both junctions of the site. It is acknowledged by the LHA that traffic calming measures as part of a site layout do not form part of this application submission. However they are concerned a road safety problem could be created where none currently exists and wish to avoid having to retro-fit highway measures following occupation of the development to address vehicle access/egress and or road safety problems at both junctions.
93. A traffic survey had therefore been requested by the LHA during the course of the application to establish the mean and 85th percentile vehicle speeds along Thorley Lane. The applicant has submitted the speed survey which has been considered by the LHA who have confirmed that it highlights the requirement for a 'ghost island' junction rather than the proposed 'T' junction with over 300 vehicle turning movements expected per day. The LHA have advised that the cost of such a 'ghost island' junction would be in the region of £105,000 excluding risk contingency considerations. In addition that have stated that the 'ghost island' junction is only required to mitigate this application as a stand-alone development. If the proposed development site were to be coming forward as part of the Masterplanned Timplerley Wedge allocation with the appropriate highway infrastructure i.e. the new proposed PfE spine road and associated roundabout junction onto Thorley Lane and

the harm to the highway network would be satisfactorily mitigated and the 'ghost island' junction would not be required.

94. The applicants transport consultant has stated in response to the request for a ghost island that the submitted Transport assessment confirms that the junction will operate with significant spare capacity in the 2026 future assessment year with no queuing on either the site access approach or for right turning vehicles on Thorley Lane. As such they suggest that there is no basis for the proposed site access junction to be amended to include a ghost island right turn facility. Discussions are still ongoing with the LHA on this matter and an update will be provided on the additional information report to committee.
95. The LHA have raised concerns regarding the use of the Wood Lane access and had recommended that the Wood Lane access be omitted from the current proposals in order to prevent the site being used as a rat run by traffic wishing to avoid queuing at the Thorley Lane roundabout. Discussions are still ongoing with the LHA on this matter and an update will be provided on the additional information report to committee. It is considered however that measures can be built into the final detailed layout of the residential development to prevent the site becoming a rat run. This application seeks approval for access only at this stage and does not propose a detailed layout which would be submitted at reserved matters stage. Any reserved matters application for layout would involve consultation with the LHA in order to ensure appropriate mitigation is built into the final layout to prevent it becoming a cut through for traffic from both Wood Lane and Thorley Lane.
96. A separate new vehicular access is also proposed adjacent to 124 Wood Lane and which would serve what is shown as three buildings, however it is unclear if these are individual dwellings or apartments. A large area of hardstanding is also shown.
97. It is intended to provide 2m pathways on both sides of the access roads leading from the junctions and linking to the internal road network of the site. There would also be dropped kerbs and tactile paving at the junctions with Wood Lane and Thorley Lane. The applicant also intends to create a new public footpath to the east side of the Wood Lane access where none exists at the moment, this would extend for a distance of 15m along the site boundary with a dropped kerb and tactile paving (opposite 117 Wood Lane) to allow pedestrians to cross to the northern side of Wood Lane.
98. As part of the Transport Assessment the applicant has considered the existing highway network with both site junctions and the Thorley Lane/Wood Lane/Clay Lane roundabout junction also assessed, the trip generation figures have utilised trip rates used in another residential development within Trafford in agreement with the LHA.

99. The forecast scenarios for 2026 (which include with and without the proposed development) show junction capacity for the existing Wood Lane and Thorley Lane accesses will remain significantly below theoretical capacity in both scenarios.
100. In relation to the Thorley Lane/Wood Lane/Clay Lane roundabout junction the ratio to flow capacity (RFC) shows that three of the four arms of the roundabout junction are above capacity during either the am or pm peak hour. The forecast increase in both traffic flow and queue length is applicable to both scenarios (with/without the development) with the exception of Clay Lane which shows an increase in the mean maximum queue (MMQ) length from 28.6 vehicles (without the development) to 40.3 (with the development). This is a concern for the LHA, given the layout of the highway at the roundabout junction any options to mitigate impact at this junction would be complex and costly. However the LHA have concluded that the development itself would not result in residual cumulative impacts on the road network would be severe..
101. The applicant as part of their proposal has submitted details of what they anticipate to be the total costings for the proposed new roundabout junction as part of the PfE infrastructure improvements which would see a section of new spine road connect onto Thorley Lane south of the existing roundabout junction and just north of the Thorley lane access to the application site. The applicant's highway consultants calculate that the cost of this new roundabout would be circa. £500,000 and suggests that based on the quantum of development for the applications site the applicant would be liable to a financial contribution of £35,000 towards the new roundabout. The LHA have considered the information provided by the highways consultant with regards the proposed costings of the new roundabout junction and have suggested that the cost for such a new roundabout junction would cost approximately £600,000 excluding risk costs/contingencies built in to deal with statutory undertaker counter measures as an example. The LHA have as detailed earlier advised that a ghost island junction is required to mitigate the impact of this development as a stand-alone development. In the event that this site secures planning permission for residential development (outside of PfE), it must be mitigated based on the individual site specific proposals. Whilst it is noted that limited weight is to be afforded to the PfE Plan at this stage, there is no means with which to contribute to the wider infrastructure required to deliver the allocation. It is envisioned that an SPD will be adopted (shortly after the PfE adoption) which will include details of a roof tax in order to deliver the appropriate infrastructure needed. In coming forward prior to the adoption of PfE plan this application should and needs to mitigate its own individual impact regardless of the emerging PfE allocation.. It has been agreed with the applicant that in the event of an approval of this stand-alone application a highways financial contribution would be required with regards either the ghost junction or other highways infrastructure works as required for the wider Timperley Wedge, dependant on when this site comes forward (i.e an approval prior to PfE plan adoption or as part of PfE plan adoption). The contribution would be secured through a Section 106 agreement with appropriate costings for either of the scenarios factored in as appropriate.

102. A significant number of local residents have raised concerns over the congestion that is experienced particularly at peak times in relation to the surrounding road network and in particular the roundabout junction. The proposed new roundabout junction which is proposed as part of PfE Timperley Wedge Allocation, infrastructure improvements is envisaged to alleviate these congestion issues, however no final scheme or costing for these works have yet been established and this does not form part of this development.

Car Parking

103. With regards parking standards as per SPD3 the application site is located within Area C whereby the parking requirements are detailed as 1 parking space for 1xbedroom properties; 2 parking spaces for 2 & 3 bedroom properties and 3 parking spaces for 4+ bedroom properties. At this stage there is no specific details of house types in terms of bedroom numbers on which the Councils parking standards are based. The indicative outline masterplan details approximately 164 car parking spaces for 116no. residential dwellings. Final parking space numbers will be determined at reserved matters stage.

104. The LHA have raised concern over the shortfall in the number of spaces however note that layout is not for consideration in this application and that an appropriate level of car parking associated with a development for this amount of dwelling could be provided within the site. An interim travel plan has been submitted which details measures to reduce car to and from the site and measures to encourage walking, cycling and use of public transport as well as car sharing. There is limited options with regards public transport, bus services are the only form of public transport located close to the site with two bus stops on Wood Lane near to the site and two located on Thorley Lane close to Ridgeway Road. Navigation Road and Altrincham would be the two nearest metro and rail stations but these are still a considerable distance from the site (approximately 2km).

105. The Local Planning Authority are supportive of a reduction in car parking spaces which will help achieve a high quality layout and reduce the over dominant impact that parking can cause in new residential developments. Details of the final parking provision would be detailed at reserved matters stage and would also include provision for accessible parking.

106. The applicant has indicated that two electric vehicle charging points will be included on site which can be used by any member of the public. In addition each individual dwelling will incorporate the necessary electric vehicle infrastructure. Details of which would form part of any reserved matters application.

Cycle Parking

107. The applicant has stated within their Transport Assessment that all new

individual dwellings will be able to accommodate bicycles within the curtilage of each dwelling. Dedicated cycle stores would also be provided at apartment blocks with one cycle parking space for each residential unit. Final details of cycle parking provision would be secured at reserved matters stage.

Servicing

108. Details of waste management for the site would be provided at reserved matters stage and would include ensuring appropriate tracking details for the type of refuse vehicle used by Trafford Council to ensure the site can be accessed safely. Details of waste collection areas for apartment buildings would also be required and form part of a wider waste management strategy for the site.

Other Highway Matters

109. The LHA have requested a number of conditions in the event planning permission is granted to include the submission of a construction method statement and a Full Travel Plan. The applicant is also advised to provide details at reserved matters stage of any areas to be offered for adoption

110. Improvements to pedestrian crossing facilities are also highlighted by TfGM as being recommended with the difficulty crossing at the roundabout. A pedestrianised signal crossing on Thorley Lane is suggested along with pedestrian refuges and zebra crossings across Wood Lane. TfGM suggest that these improvements are considered necessary to improve facilities for pedestrians that the residential development is likely to generate. TfGM also recommend that a review of Traffic Regulation Orders in the vicinity of the development is undertaken in order to restrict parking on-street. No waiting signs and double yellow lines around the site accesses will ensure sightline visibility is unimpeded. The LHA are currently considering these suggested measures and an update will be provided on the additional information report to committee. Measures to improve cycle and pedestrian access to the site and within the layout to be encouraged, the site is recognized as not being particularly well served by public transport. A robust travel plan condition should be attached to any grant of planning permission.

111. National Highways (formerly Highways England) have raised no objections to the proposal.

Conclusion on Access, Highways and Car Parking

112. The proposed Thorley Lane junction is considered acceptable subject to the provision of a ghost island junction. The LHA has raised concerns in respect to the Wood Lane junction and potential for this to result in a rat run, however officers consider that a design solution could be agreed at reserved matters stage to prevent this occurrence. The LHA are further reviewing both these matters and an update

will be provided in the additional information report. Final details of parking and servicing will be considered at reserved matters stage. There are no adverse impacts identified with regards traffic generation subject to appropriate conditions. Any highway improvement work required in order to mitigate any identified harm would be funded by the applicant and secured through a s106 legal agreement should the application be granted permission. It is concluded that the development would have an acceptable highways impact with reference to Core Strategy Policies L4 and L7 and the NPPF.

DRAINAGE AND FLOODING

113. The Policy L5.13 of the Trafford Core Strategy states that *‘Development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place’*. The policy goes on to state at L5.16 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 159 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.
114. The application site is located within a Critical Drainage Area as specified within Trafford Council’s Strategic Flood Risk Assessment. Reference to the Environment Agency Flood Zone maps would suggest the majority of the site is within Flood Zone 1 and a small area is identified as being within Flood Zone 2 alongside the brook. The site is also located within 8m of a statutory main river, namely Timperley Brook.
115. The applicant has submitted a Flood Risk Assessment (FRA) and SuDS pro-forma as part of the development proposals.
116. The LLFA have considered the submitted details and have no objection in principle to the proposals. They state that as the current application is at outline stage only seeking approval for access their comments regarding surface water flood risk and drainage are advisory. The LLFA accept the proposed surface water discharge rate as stated within the FRA and approximate attenuation figures, however as mentioned in the document, further clarification on the potential for infiltration needs to be provided.
117. The proposed SuDS at this stage as indicated in the FRA and the landscape masterplan are in accordance with the Council’s policies and the LLFA are keen to see these features progressed at the reserved matters stage.
118. Following approval of a detailed drainage design at reserved matters stage the long term management and maintenance of the sites surface water drainage would also need to be agreed.

119. United Utilities have been consulted on the proposal and have no objections, they recommend conditions in relation to a surface water scheme based on the hierarchy of drainage options; the maintenance and management of a surface water drainage scheme and foul and surface water are drained on separate systems.

120. The Environment Agency have also been consulted on the proposed development and have raised no objections. They have recommended a condition is included which requires the development to be carried out in accordance with the submitted FRA and no banks shall be raised for the development and the submitted easement plan is adhered to with a 8m easement maintained at all times to allow Environment Agency vehicles to gain access to the watercourse. The applicant is also advised that they may require an environmental permit to undertake works on or within 8m of Timperley Brook.

Conclusion on Drainage & Flooding

121. It is therefore considered that in relation to flood risk and drainage the development is acceptable and in accordance with Core Strategy L5 and the NPPF.

TREES, LANDSCAPING & OPEN SPACE

122. Policy R3 of the Core Strategy seeks to protect and enhance the Boroughs 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.

Trees & Landscaping

123. The applicant has undertaken a preliminary Arboricultural Impact Assessment which identified 19no. individual trees; 18no. groups of trees and 4no. hedgerows. There are no Tree Preservation Orders across the site. The assessment states that some trees offer a degree of maturity to the setting, none are considered to be of high arboricultural value (Category A) or of notable maturity. Several limited value (Category B) trees are located on site as are a number of lower value (category C) trees. Approximately 7 individual trees and 12 groups of trees are proposed to be removed as part of the development works.

124. The Councils Arboriculturist officer has considered the proposals and has no objections in principle to the proposals, has advised a more cohesive and realistic planting plans to be submitted at reserved matters. The indicative information provide would suggest not sufficient space to plant larger species of trees and a greater green buffer required adjacent to Timperley Brook.

125. The applicant has provide an indicative landscape strategy and master plan

although landscaping is not being applied for in detail at this stage. The details submitted provide some background on the concept the applicant wishes to establish within a residential development coming forward. This includes provision of street trees; parking areas framed by trees; green chicane(s) acting as pedestrian crossings; swale features; hedgerow planting; series of pocket parks and main amenity areas including play/park area.

Open Space

126. The Councils 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.
127. The indicative layout details a new landscaped area to the south of the site with a network of paths, new pond and soft landscaping and pocket park/landscaped area. A play park area is located on the eastern side of the site, the landscaping strategy suggest that this could incorporate a Multi-Use Games Area. The quantum of development would indicate that a Local Equipped Area of Play could be provided in this location. The applicant has indicated within the supporting planning statement the intention to provide a LEAP.

ECOLOGY AND BIODIVERSITY

128. Policy R2 of the Core Strategy seeks to protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban countryside assets and protect the natural environment throughout the construction process. Policy R2 is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPFs emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
129. Paragraph 174 of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 180 of the NPPF advises that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
130. As part of the application submission the applicant has provided an Ecological Impact Assessment (July 2020) and also an updated Ecological Impact Assessment (July 2021). The Ecology reports assessed the proposed development in relation to protected species; nesting birds; small mammals and amphibians; invasive species; Timperley Brook. The southern section of the application site is designated a wildlife corridor.

Great Crested Newts

131. One of the reasons for refusal on the previous planning application related to the failure of the applicant to demonstrate that the proposed development could be undertaken without any harm to Great Crested Newts, a protected species. The full ecology survey undertaken in 2019 found no evidence. GMEU are satisfied with the findings of the report and have advised that colonisation is extremely unlikely owing to the relatively landlocked nature of the site, with major roads to east and west providing barriers to movement. There is however hydrological linkage to Davenport Green via the Timperley Brook a known hotspot for great crested newts. Best practice is that such surveys should be updated every three years and it is therefore recommended that as part of any reserved matters application that updated amphibian surveys are provided.

Bats

132. The buildings were assessed for their bat roosting potential (roost survey 2019 and update survey 2021). The majority were assessed as having negligible risk. Emergence surveys were however carried out on several buildings, no evidence of roosting was found. One tree has been identified as having moderate potential for bats but was not surveyed due to it being proposed to be retained. The GMEU have recommended conditions to ensure a survey for bats to be undertaken on the tree if the tree is subsequently proposed for removal and also if the demolition of the buildings on site does not commence before 30th April 2023 a further reassessment survey to be undertaken and submitted for approval by the LPA. A further condition to be included for an external lighting strategy to mitigate harm to foraging and commuting bats.

Other Protected Species

133. The site was assessed for its potential for other protected species such as badger, water vole, and otter, no evidence was found. Water vole are declining nationally and across Greater Manchester with no known populations nearby, and informative to be attached to cease work if they are encountered on site and seek advice of an ecologist. The GMEU have advised that with regards otter, an informative be attached to any grant of planning approval that work cease to get appropriate advice from an ecologist, Natural England should also be informed. In relation to badger no evidence was found but badgers could colonise the site, therefore as part of any reserved matters application an updated badger survey should be provided.

Nesting Birds

134. Significant bird nesting habitat will be lost as part of the proposed development. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. The GMEU have recommended that an appropriate condition be attached to any grant of planning

permission to ensure that no works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Hedgehog, other small mammals and other amphibians

135. GMEU have advised that whilst not reasons for objection and not protected under wildlife law, the developer has a duty of care during site clearance such as a legal responsibility under the Wild Mammal (Protection) Act 1996 (an animal welfare act not wildlife protection) not to inflict unnecessary suffering to wild mammals. Given the overgrown nature of parts of the site there is a high risk of non-protected species being present. An appropriate condition to be attached to any reserved matters application to ensure that a reasonable avoidance method statement for other mammals and amphibians is submitted and agreed.

Invasive Species

136. Three invasive species included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended were found on the site, Himalayan Balsam; Japanese Knotweed and Giant Hogweed. The GMEU have recommended that an appropriate condition be attached to any grant of planning permission which will require that prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for these invasive species should be submitted to and agreed in writing by the LPA.

Timperley Brook

137. The Timperley Brook forms the southern boundary of the site. There are risks during construction and post development of negative impacts on the ecological potential of the Brook from an increase in pollutant, sediment and surface water discharge leading to flooding downstream. There is also direct hydrological connectivity via the Timperley Brook from the site to the King George V Pool a site of biological importance (SBI). Therefore any incidents would have the potential to also impact negatively on this wildlife site. GMEU accept however that risk to the SBI is very low given the distance downstream over 1 mile away and the fact that the Pool is off-stream i.e. the Brook does not flow directly through the Pool. Therefore any measures to protect the Brook would automatically protect the SBI.

138. Given a buffer is being retained the risks of overland flow during construction of pollutants and sediment is relatively low, though that assumes no existing surface water discharges from the site to the Brook. Similarly post development there will only be risks if direct surface water drainage from the site, roads etc. is directed in to the Brook. GMEU have stated that as long as best practice is followed impacts are avoidable. It is recommended that as part of reserved matters, should outline

permission be given that, full detail of measures to protect Timperley Brook during and post construction are provided.

139. GMEU have recommended that a Landscape Environmental Management Plan condition is attached to any future reserved matters application. This would include details of habitat enhancement and creation proposals along the Timperley Brook corridor and across the wider site. A bird nesting strategy; maintaining site permeability for small mammals and details of its implementation, maintenance and management.

Biodiversity Net Gain

140. An assessment undertaken by the applicant, based on the indicative layout and quantum of development, would result in a net loss of habitat value (Bio-diversity value of the site post development -4.31) and if the development were approved, off-site compensation would be required. The existing site has a baseline (area and value of habitats currently on site) of 10.15 units with the post development value at 5.84 units (-4.31 units lost). GMEU have indicated that a figure of between £9.6k and £14k per unit dependent on difficulty of the habitats/site (average figure normally agreed on is £10k) as a contribution based on a habitat unit value attributed to the trees and other habitats to be lost on site. Discussions are currently taking place with Trafford Council and the applicant with regards identifying a suitable site within the Borough to benefit from the contribution and the final financial contribution.

Conclusion on Ecology and Biodiversity Net Gain

141. Subject to appropriate on and off-site mitigation measures as detailed above, the proposed development is not considered to result in any harm to protected species or overall to biodiversity having regard to advice within the NPPF.

SUSTAINABILITY AND ENERGY EFFICIENCY

142. Policy L5.1 of the Core Strategy states that new development should maximize its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralized energy generation. L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO₂ emissions within the Borough. It is considered that policies L5.1 to L5.11 are out of date as they do not reflect NPPF guidance on climate change. Paragraph 154 of the NPPF states that new development should be planned in ways that can help reduce greenhouse gas emissions, such as through its location orientation and design.
143. The applicant has submitted a Sustainability and Energy Statement in support of the proposed development. The report identifies that the application site is outwith the four Low Carbon Growth Areas (LCGAs) within Trafford (Altrincham; Trafford Park; Old Trafford and Carrington). Development within these four spatial areas has the

potential to deliver CO₂ reduction target of up to 15% above current building regulations. Development outside these four areas has the potential to deliver CO₂ reduction target of up to 5% above current building regulations.

144. The report details some of the measures that could be incorporated as part of the build fabric to reduce heat loss and ensure efficient operation of the dwellings to have low U-values. These measures include high performance thermal insulation, thermally efficient double glazed windows and wastewater heat recovery systems. Several renewable energy options considered feasible for the development include district heating systems; photovoltaic panels and air source heat pumps. A condition would be included to ensure specific details of energy efficiency measures that would be incorporated into the development are secured.

EDUCATION

145. Policy L2 of the Core Strategy states that all new development will be required to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, including schools to ensure sustainability of the development.
146. The proposed 116 dwellings will be predominantly family accommodation, therefore a significant proportion are likely to be occupied by families with children of school age which will place additional demand on existing schools. The pupil yield of the proposed development has been calculated as 16 primary and 12 secondary school places.
147. The Councils Schools Capital Projects Team has carried out an assessment of capacity at primary schools within 2 miles walking distance from the site and 3 miles walking distance for secondary schools. In summary primary and secondary schools are oversubscribed with very little surplus and a contribution towards new school places is required. Based on the pupil yield generated by the development and applying the DfE school places score card rates as recommended by the DfE, this has been calculated at £251,792.00 for primary and £262,464.00 for secondary giving a total contribution of £514,256.00.

HEALTH FACILITIES

148. Policy L2 of the Core Strategy states that all new development will be required to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements, including in respect of health facilities. The NHS Trafford CCG has been consulted and advise that the proposed development would not generate a demand on health services in the area that would justify a financial contribution towards health provision.

EQUALITY ASSESSMENT

149. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 130 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
150. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
151. The applicant has submitted an Equalities statement in support of the proposed development. The statement identifies that no protected groups would be impacted at this stage. As the application is for access only with all other matters reserved the applicant has stated that all matters regarding accessibility will be detailed and agreed at reserved matters stage with the Local Planning Authority. If any other equalities matters arise which are unable to be identified at this stage, these will also be dealt with via reserved matters applications.

CRIME & SECURITY

152. The applicant has submitted a Preliminary Crime Impact Statement in support of the development. The statement has been considered by the Greater Manchester Police (GMP) design for security team. GMP have no objections to the outline application proposal subject to the layout issues within section 3.3 being addressed and recommend that when full permission is sought for development, a full version of the Crime Impact Statement should be submitted, in order to show how crime has been considered for the proposal and the surrounding area.
153. The matters covered within section 3.3 of the statement include consideration of matters relating pedestrian/vehicular accesses; car parking areas; boundaries and landscaping; active building frontages; physical protection measures to buildings and lighting schemes.

OTHER MATTERS

154. Manchester Airport Group have raised no objections to the proposed development but have recommended a number of conditions to be attached to any grant of

planning permission. These include further details of SuDS as open water attenuation features can attract birds increasing risk of bird strikes with aircraft, a bird hazard plan for construction and in perpetuity may be required. Control of construction related dust and smoke clouds and details of exterior lighting. No reflective materials on buildings; a Glint & Glare assessment may be required for solar photovoltaics (SP) and no SP used on site without first consulting with aerodrome safeguarding. An informative is recommended for crane and tall equipment notifications.

DEVELOPER CONTRIBUTIONS

155. The proposed development would be considered against Trafford Council's Community Infrastructure Levy (CIL) Charging Schedule (July 2014) and Supplementary Planning Document SPD1: Planning Obligations (July 2014).

CIL

156. The site falls within a 'Hot charging zone' (Hale Barns Ward) with regards Trafford Council's CIL Charging Schedule, whereby private market houses are liable for a charge of £80 per sqm (GIA) and apartments are liable for a charge of £65 per sqm (GIA).

SPD1: Planning Obligations

157. This supplementary document sets out Trafford Council's approach to seeking planning obligations for the provision of infrastructure, environmental improvements and affordable housing required in relation to new development. Contributions sought through SPD1 will be through the established mechanism of a Section 106 agreement.

158. Affordable Housing – Policy L2 of the Trafford Core Strategy seeks to secure appropriate levels of affordable housing in new developments. For the purposes of affordable housing, the proposal site falls within a 'Hot market' location (not to be confused with the CIL charging zones which differ). In these hot market locations a 40% affordable housing target would normally be sought, with the flexibility to increase this to a 45% requirement under 'good' market conditions. The housing market is currently operating under 'good' conditions therefore any residential development would be expected to provide 45% of the proposed units as affordable housing. The applicant is proposing provision 45% of residential units as affordable housing on site.

159. Specific Green Infrastructure – This section of the SPD relates to appropriate tree planting and other forms of Green Infrastructure that would be appropriate to mitigate the impact of the development. The applicant has provided an indicative landscape strategy. Appropriate soft landscaping detail would be conditioned as appropriate.

160. Spatial Green Infrastructure (Local Open Space) - Advice within SPD1: Planning Obligations states that large residential developments of more than 100 units, or that provide homes for 300 people or more, will need to provide new open space as part of the site design. Any open space provision would be expected to be of a high standard and detailed appropriately as part of any future planning application submission. Associated with this is the requirement for informal recreation and equipped play through the provision of a LEAP (Local Equipped Area for Play) an appropriate condition would be attached to any grant of planning permission to secure delivery.
161. Education – As detailed above a total contribution of £514,256.00 is required to reflect the quantum of development.
162. It is not considered that the proposed development will be liable for any other contributions under SPD1.
163. The applicant has provided a S106 draft heads of terms detailing developer contribution provision through financial contribution and/or provision on site as follows:-
- Affordable Housing – 45% provision (75% intermediate tenure/25% affordable or social rented);
 - Education Contribution;
 - Electric vehicle charging spaces for public use (minimum of 2);
 - On site childrens play area;
 - A financial contribution towards Thorley Lane transport infrastructure outlined within the Timperley wedge Master plan or provision of a ghost island junction and associated highway works

PLANNING BALANCE AND CONCLUSION

164. Section 38(6) of the Planning and Compulsory Purchase Act 2004 is clear that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF reiterates the statutory status of the development plan as the starting point for decision making. Paragraph 11 of the NPPF is a material consideration which carries significant weight in the decision-making process.
165. Given the Council cannot demonstrate a five year supply of housing land, paragraph 11 of the NPPF is engaged. Paragraph (d)(i) is clear that the application of policies in the Framework that protect areas or assets of particular importance (in this case Green Belt) provides a clear reason for refusing the development
166. Paragraph 148 of the NPPF is clear that when considering any planning application, local planning authorities should ensure that substantial weight is

given to any harm in the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

167. The starting point for decision taking is the development plan. Policy R4 is up to date, and sets out a presumption against inappropriate development within Green Belt in line with the NPPF. The development by virtue of resulting in additional built form in the Green Belt constitutes inappropriate development within the Green Belt, It has also been concluded that the development would result in an unacceptable impact on openness and would result in encroachment into the Green Belt. On this basis it is considered that the proposed development is contrary to Core Strategy policy R4 and the NPPF. The applicant has not evidenced that the development would fall within any of the exceptions identified in paragraph 149 of the NPPF, nor is it considered that any of the very special circumstances (individually or cumulatively) advanced by the applicant would overcome the harm identified to the Green Belt and any other harm and therefore there is a clear reason to refuse the application.
168. The development would also conflict with the spatial strategy of the development plan which seeks to direct new development to sustainable locations in the urban area. This would be contrary to Policy L1 of the adopted Core Strategy.
169. The applicant as stated earlier has referenced a number of appeal decisions in support of their proposals. Whilst it is acknowledged that these appeal cases include similar issues and considerations currently before the LPA, they do not set precedents and each site and proposals must be determined on their own merits. The LPA have refused planning permission in recent years for development of this site for residential purposes.
170. As detailed within the report above the PfE plan is afforded limited weight in the determination of the application having been submitted for examination. It recognised that this site is part of the wider allocation 'The Timperley Wedge' and is planned to be released from the Green Belt. Officers however considered that the weight afforded to the plan is not such that it would constitute very special circumstances and outweigh the harm identified to the Green Belt and any other harm. The weight afforded to the plan is tapered by the outstanding objections to the release of Green Belt in the Plan as a whole and specifically with regard to the Timperley Wedge allocation.
171. It has been found that the development fails to accord with Policy L1 and R4 of the Core Strategy (2012) along with the NPPF which would direct refusal of the application. Overall, it conflicts with the adopted development plan when taken as a whole. In accordance with Paragraph 11 (d)i, the failure to comply with the NPPF policy in respect of Green Belt provides a clear reason for refusal in this case. The application is therefore recommended for refusal.

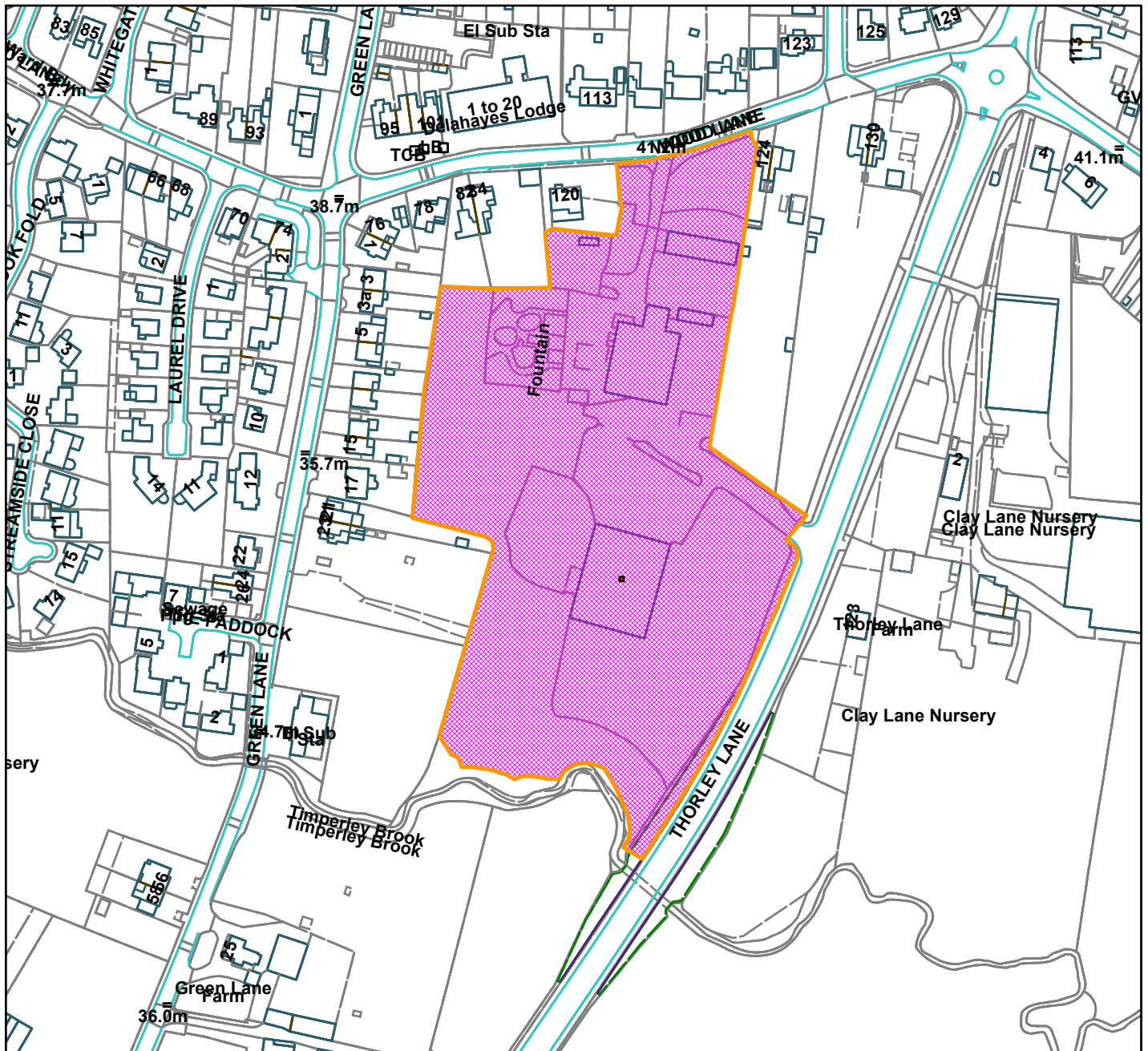
RECOMMENDATION: Refuse, for the following reason:-

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development. The proposed development provides for the erection of new buildings, but is not considered to be one of the exceptions listed in Paragraph 149 of the NPPF. Moreover, the proposed development would harm the openness of the Green Belt and would fail to safeguard against encroachment into the Green Belt, contrary to the purposes of including land within it. The applicant has failed to demonstrate that there are any very special circumstances which would outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. The development is also contrary to the spatial strategy of the development plan which seeks to direct new development to sustainable locations within the urban area. As such the development is contrary to the Policies L1 and R4 of the Trafford Core Strategy and Policy C4 of the Revised Trafford Unitary Development Plan and the National Planning Policy Framework.
-

CM



World Of Pets, Thorley Lane, Timperley (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Clifford

106476/FUL/21

DEPARTURE: No

Erection of two residential blocks (12 and 14 storeys) providing 162 residential apartments, a mix of one, two and three bedrooms, with parking, landscaping and associated works

Development Site, Waterways Avenue, Pomona, Old Trafford

APPLICANT: Peel L&P Investments and Property limited

AGENT: Turley

RECOMMENDATION: REFUSE

The application is reported to the Planning and Development Management Committee at the discretion of the Head of Planning and Development.

EXECUTIVE SUMMARY

The application seeks planning permission for two residential blocks providing 162 apartments, one 14 storeys and the other 12 storeys linked by a central single storey entrance area. The development is proposed to provide 35 no. 1-bed apartments, 78 no. 2-bed apartments and 49 no. 3-bed apartments all available for rent as part of a Private Rental Scheme.

The proposals have been amended during the consideration of the application to improve the external appearance and landscaping, increase the number of accessible parking spaces and an offer has been made toward financial contributions in relation to affordable housing.

Two letters of objection have been received in relation to the application with the main concerns relating to loss of privacy, light and view and noise pollution as a result of construction work. The representations received have been duly noted and the issues raised considered as part of the application appraisal.

The site lies within the setting of two listed structures - Railway Bridge Over Canal and Brindleys Weir (both Grade II Listed) and the Manchester Ship Canal and Bridgewater Canal (both Non Designated Heritage Assets). The development is considered to result in less than substantial harm to the significance of the Grade II listed structure Railway Bridge Over Canal in the administrative boundary of Manchester City Council however it is concluded that public benefits of the scheme would outweigh the harm identified.

The proposal does not include the provision for onsite affordable housing, and a Financial Viability Assessment (FVA) has been submitted by the applicant seeking to demonstrate that the development is unable to provide any affordable housing or other

planning obligations. The Councils Independent viability consultants have reviewed the FVA and raised a number of concerns with the inputs, concluding that the scheme could contribute the full policy compliant contributions. It was agreed that an offsite contribution would be acceptable in this case. An offer of a contribution of £406, 616 has been put forward by the applicant; the equivalent to 9 affordable units (5%). It is suggested that this is all put towards affordable housing and no contribution would be made towards education, open space or play space.

Officers consider that development would not provide sufficient contributions in order to mitigate the harm to the development and in the absence of a robust FVA development to demonstrate this is considered to be contrary to Policies L2 & L8 of the Core Strategy. Whilst below the policy compliant level, weight is afforded to the offsite contribution towards affordable housing offered in the planning balance along with the harm arising from the policy conflicts.

The Council cannot demonstrate a five year housing land supply and the presumption in favour of sustainable development applies and the tilted balance is engaged. When the tilted balancing exercise is undertaken it is considered the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so. Indeed the harm identified, by reason of failure to provide policy compliant affordable housing and other financial contributions to mitigate the harm of the development, coupled with the lack of a robust viability appraisal to support this position are considered to significantly outweigh the benefits identified.

SITE

The application relates to a roughly rectangular site of 0.45 ha which is currently vacant and comprises a mix of scrub vegetation and areas of hardstanding. The levels fall slightly across the site from southeast to northwest.

The site is located in an area known as Pomona Island in the north eastern corner of Trafford, close to the administrative boundaries with Salford and Manchester City Councils. The site itself is on a relatively narrow strip of land between the River Irwell/ Manchester Ship Canal to the northwest side and the Bridgewater Canal to the southeast. The Metrolink and railway viaduct runs close to the eastern corner of the site.

The site is accessed via Waterways Avenue to the northeast although there are currently gates and fencing preventing access to the site from this direction. Waterways Avenue currently serves a residential development of two linked tower blocks of apartments known as No. 2 Waterways Avenue. There are windows in the southwestern elevation of this building facing onto the application site. There is a communal garden area between the westernmost block of No. 2 Waterways Avenue and the application site with fencing along the shared boundary. There is a pedestrian cycleway along the north-eastern boundary of this development referred to as the Irwell

Promenade. The main parking areas serving these blocks are to the northeast of the application site, close to the viaduct.

The adjoining land to the southwest is also vacant and covered in predominantly low level self-seeded vegetation. There is also access to the site via Pomona Strand to the southwest which is a private road extending from Trafford Road to the southwest although this is currently closed to vehicles part way into the Pomona site.

The wider surrounding area is now in a state of transition and has seen a large number of residential apartment block developments in recent years including, within Trafford, on the adjacent site to the east at No. 2 Waterways Avenue and to the southwest at Pomona Strand. There are significant apartment blocks already constructed and under construction on the opposite side of the River Irwell / Manchester Ship Canal in Salford and a number of new building apartment blocks / conversions to the northeast within the Manchester City Council boundary.

To the south, on the opposite side of the Bridgewater Canal there is an operating scrap yard / recycling business. Further south is the Cornbrook Metrolink station.

The site was formerly part of Pomona Docks, a set of five docks on the Manchester Ship Canal. Work has been undertaken to 'fill in' docks 1, 2 and 3. This application relates to land close to the north-eastern extent of the former docks. Historic maps confirm there was formerly a railway line crossing this site from the docks. Any former structures associated with the docks have been cleared from the site. Prior to construction of the docks Pomona was the site of the Pomona Gardens and Pomona Palace, located south west of the application site. The gardens were closed in the 1880's as a result of the land being acquired for the extension of the docks.

There are no Tree Preservation Orders or Conservation Areas affecting the site but there are heritage assets within the setting of the site – Railway Bridge Over Canal and Brindleys Weir (both Grade II Listed) and the Manchester Ship Canal and Bridgewater Canal (both Non Designated Heritage Assets).

PROPOSAL

Planning permission is sought for the erection of two residential blocks of 162 apartments, one 14 storeys (Block A) and the other 12 storeys (Block B). The blocks would be linked by a central single storey entrance area comprising entrance lobby/reception and resident's lounge/amenity space. The rest of the ground floor of the two blocks would comprise an office, plant rooms, cycle and refuse stores and seven apartments.

Above this single storey link would be a communal roof terrace and private apartment terraces. To the north of the single storey link block is a resident's courtyard / garden area. This area can be accessed via the lobby or directly via gates from the 'Irwell

Promenade', a 3.75 m wide pedestrian cycleway which runs adjacent to the Manchester Ship Canal / River Irwell.

The development is proposed to provide 35 no. 1-bed apartments, 78 no. 2-bed apartments and 49 no. 3-bed apartments. The apartments would be available for rent as part of a Private Rental Scheme.

Vehicular access would be via Waterways Avenue. 42 car parking spaces would be provided in total at ground level either side of the building and a line of 11 spaces which include one car club space with electric charging point, adjacent to the Bridgewater Canal. Three accessible spaces are proposed and a further four spaces with electric charging points in the side car parks. 162 cycle parking spaces are provided across the two cycle stores at ground level in the two blocks.

The main elevations have a maximum height of approximately 42m from Waterways Avenue to the top of the 14 storey block and approximately 36m to the top of the 12 storey block. The proposed buildings would be positioned adjacent to the River Irwell set back approximately 5.5 metres with intervening promenade. The buildings would have a total width of approximately 55m when measured from each outer side elevation of the blocks and a depth of approximately 30 metres from the Waterway Avenue frontage to the Irwell Promenade frontage. The blocks are rectangular in form and have narrower elevations to the northwest and southeast (onto the two canals) with each block approximately 18 metres wide.

Proposed materials are primarily red brick in combination with a contrasting light grey brick. The south-eastern elevation is largely brick but the other elevations contain significant areas of glazing and projecting balconies. An active glazed frontage of approximately 19m is provided onto Waterways Avenue with views of the resident's lobby and amenity areas.

The landscaping scheme proposes vegetated boundaries between the car parking areas and the Irwell Promenade and to both side boundaries of the site. In addition, some tree and hedge planting is proposed on the land to the south of Waterways Avenue and at the entrance lobby and eastern car park entrance.

The total floorspace of the proposed development would be approximately 13,956 m².

Value Added: - Amendments have been secured by officers in relation to:-

- Additional hedge planting to eastern site boundary.
- Additional detailing to southern elevations of the blocks.
- Increase in the number of accessible parking spaces
- Provision of £405,615 of financial 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

SL1 – Pomona Island
 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
 W1 - Economy
 R1 – Historic Environment
 R2 – Natural Environment
 R3 – Green Infrastructure
 R5 – Open Space, Sport and Recreation Relevant

PROPOSALS MAP NOTATION

Strategic Development Site
 Large Sites Released for Housing Development
 Priority Regeneration Area
 Mixed Use Development
 Wildlife Corridor (River Irwell, Manchester Ship Canal and Bridgewater Canal)
 Protected Linear Open Land (small sliver of site adjacent to Bridgewater Canal)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

TP2 – Pomona Strategic Development Area
 E13 – Strategic Development Sites
 H3 - Large Sites Released for Housing Development (HOU5 Land at Pomona)
 H10 - Priority Regeneration Area: Old Trafford
 ENV10 – Wildlife Corridors
 OSR6 - Protected Linear Open Land

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

PG1 - New Residential Development

SPD1 – Planning Obligations
SPD3 – Parking Standards and Design

OTHER RELEVANT DOCUMENTS

Pomona Island Masterplan (2020)
Cornbrook Hub Regeneration Framework (2014)
Planning Guidance Irwell City Park (2008)

PLACES FOR EVERYONE

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance.

RELEVANT PLANNING HISTORY

Pomona Wharf Phase 1 (2 Waterways Avenue)

96613/FUL/19 - External alterations to the link building between the two apartment blocks at Pomona Wharf to facilitate the building's internal rearrangement at ground floor level to provide additional ancillary office and welfare accommodation in connection with the ongoing management of the residential use of the building – Approved 2019

85822/FUL/15 – Erection of 11 storey building of 86 apartments and 10 storey building of 78 apartments with ground floor link, provision of car parking, access from Hulme Hall Road, new landscaping and refurbishment of footpath alongside Manchester Ship Canal/River Irwell – Approved 2015

H41606 – Engineering works to prepare the site for future development comprising piled wall enclosing dock, extension of Cornbrook culvert, demolition of existing and construction of new Canal Bridge at Cornbrook Road, removal of concrete bases, construction of new road, provision of services and reclamation works. Approved 23/02/96

Land at the southwestern end of Pomona Island 'Pomona Strand'

103111/NMA/21 - Application for non-material amendment to planning permission 93779/FUL/18 for changes to the apartment mix and internal and external amendments to Block C, including removal of stair core and repositioning of retained stair/lift core on south elevation, alterations to window and balcony arrangement on south elevation and amended window design throughout – Approved 2021

93779/FUL/18 - 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 will comprise 15, 17 and 19 storeys respectively) with parking, landscaping and associated works – Approved 2019

90799/FUL/17 - Erection of two residential blocks providing a total of 216 no. one, two and three bedroom residential apartments (Block 1 and Block 2 will comprise 10 and 12 storeys respectively) with parking, landscaping and associated works – Approved 2017

H/58948 - Erection of residential development comprising 5 blocks (varying from 8 to 16 storeys height) to provide 546 apartments with ancillary car parking, landscaping and amenity areas – Approved 2017

APPLICANT'S SUBMISSION

The following documents have been submitted in support of the application and are referred to as appropriate in the report:

- Planning Statement (including a Heritage Statement, Housing Needs Statement and Affordable Housing Statement)
- Design and Access Statement (including Façade Design Analysis, Accommodation Schedule and Refused and Recycling Strategy)
- Accurate Visual Representations
- Transport Statement and Framework Travel Plan
- Archaeology Assessment
- Flood Risk Assessment and Drainage Statement

- Crime Impact Statement
- Noise Impact Assessment
- Air Quality Assessment
- Phase I and II Geoenvironmental Site Assessment and Remediation Strategy
- Ecological Assessment
- Carbon Budget Statement
- Fire Statement Form
- Daylight Analysis Reports
- Statement of Community Involvement
- Financial Viability Statement

CONSULTATIONS

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

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

Canal and Rivers Trust - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

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

Environment Agency - No objection in principle. Comments are discussed in more detail in the Observations section of the report.

GM Archaeological Advisory Service (GMAAS) – No Objection. Comments are discussed in more detail in the Observations section of the report.

GM Ecology Unit (GMEU) – No objection in principle subject to appropriate conditions and informatives. Comments are discussed in more detail in the Observations section of the report.

GMP (Design for Security) – No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

GM Fire and Rescue Service (Fire Safety) - No objection in principle but response sets out requirements for Fire Service access which have been provided to the applicant.

Health and Safety Executive (Planning Gateway One) - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Lead Local Flood Authority (LLFA) – No objections subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Local Highway Authority (LHA) – No objection in principle subject to conditions and a requirement for TRO's. Comments are discussed in more detail in the Observations section of the report.

Manchester City Council – No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

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

National Air Traffic Services (NATS) – No safeguarding objection.

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

Network Rail – No objection subject to the applicant submitting an Asset Protection form direct to Network Rail.

Salford City Council – No objection

Sport England – Do not consider that the proposal falls within their statutory remit

Transport for Greater Manchester (TfGM) – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Clinical Commissioning Group (CCG) – No objection and no contribution required. Comments are considered in more detail later in the report.

Trafford Council, Arboriculturist – No objection in principle subject to appropriate landscaping conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Education – No objection in principle. Contribution towards off-site school places provision requested. Comments are considered in more detail later in the report.

Trafford Council, Heritage Development Officer – No objection. Agrees with the conclusion of the supporting Heritage Statement that there will be no harm to the significance of the heritage assets in Trafford.

Trafford Council, Housing Strategy and Growth – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Air Quality) - No objection in principle subject to an appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Contaminated Land) – No objection in principle subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Nuisance) – No objection in principle subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Strategic Planning and Developments – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Waste Management - No objection in principle subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

United Utilities - No objection subject to conditions relating to surface water drainage and requiring that foul and surface water is drained on separate systems.

REPRESENTATIONS

Neighbours: Objections from 2 separate addresses at the apartment development at No. 2, Waterways Avenue have been received. Grounds of objection summarised as follows:

- The building would block light to the existing adjacent apartments
- The building would spoil the views occupiers of the adjacent apartments have from their windows
- The development would result in loss of privacy as the existing and proposed apartment windows, including bedrooms, would face onto each other
- The building work would cause much noise pollution, this is particularly a problem as people are being encouraged to work from home and for people who work anti-social hours and rest in the day

OBSERVATIONS

Background

1. The proposal will deliver a second phase of 'Pomona Wharf' which forms part of the wider Pomona Island Masterplan (2020). Phase 1 of Pomona Wharf is located to the northeast of the application site and was completed in 2017, providing 164 residential apartments. The Pomona Island Masterplan (2020) relates to the wider area of land known as Pomona Island and was prepared by Peel in consultation with the Council to deliver the comprehensive development

of this strategic location over an estimated 10 year period. This site functions as a gateway site to the wider Pomona Island area.

Principle of Development

Policy Context

2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
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. Paragraph 11 (d) states 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. Given that the Council cannot demonstrate a five year supply of housing land (the most recent calculation of supply at February 2022 gives a position of 4.24 years), Paragraph 11 of the NPPF is automatically engaged. Policies in the NPPF relating to designated heritage assets and areas at risk of flooding are specifically identified in footnote 7 of the NPPF as those which protect areas or assets of particular importance. Nevertheless, the assessment later in this report of the impact of the proposals on heritage assets and flood risk demonstrate that it is not appropriate to conclude heritage or flood risk policies within the NPPF provide a clear reason to refuse this development. Paragraph 11 c) of the NPPF therefore does not apply in this case. Accordingly, NPPF paragraph 11 d) indicates that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Policies

Trafford Core Strategy Policy SL1

5. Pomona Island is a substantial area of previously developed land that has been vacant for over 20 years following its remediation. It is one of the largest vacant sites in the Regional Centre and has been identified as a significant opportunity

for development. The area was first established as a redevelopment site at the time of the Trafford Park Development Corporation and was identified as such in the Trafford Unitary Development Plan. Its potential for redevelopment is continued in the adopted Trafford Core Strategy where it is designated a Strategic Location.

6. Policy SL1 of the Core Strategy states that a new mixed-use commercial and residential district will be created to complement the offers of the city centre and Salford Quays / Mediacity:uk. It will be a new destination for business, residential and leisure combining significant commercial and recreational development for people living in the location and for communities in the city centre and Old Trafford. Policy SL1 states the Council considers that this Location can deliver:
 - 10 Ha of employment activity;
 - 800 residential units;
 - New commercial leisure facilities, including an hotel;
 - Small scale ancillary retail and bar/restaurant uses;
 - Appropriate new community facilities to support those people using the development;
 - A substantial new area of open space for informal recreation; and,
 - New and improved pedestrian links.

Draft Trafford Local Plan

7. The Draft Trafford Local Plan has been out to two rounds of consultation, the most recent a Regulation 18 consultation running from February – March 2021. It is expected that a Publication Draft of the Local Plan (Regulation 197) will be consulted upon no earlier than autumn 2022, however this may be delayed further subject to the progression of PFE.
8. While only limited weight can be given to the Draft Trafford Local Plan, the February 2021 Regulation 18 draft identified Pomona Island as an Area of Focus (AF1) capable of delivering a range of uses to enable the creation of a new residential and business neighbourhood including around 2,400 residential units over the plan period (with a further 1,000 outside of the plan period). The development principles similar to that within Policy SL1, identified under AF1, outline that new residential development should be in the form of a high-rise apartment blocks of a density appropriate to its proximity to Manchester City Centre and be suitable for families.

Housing Land Supply, Housing Mix and Affordability

9. Policy L1 of the Core Strategy seeks to release sufficient land to accommodate a minimum 12,210 new dwellings (net of clearance) over the plan period up to 2026. However, as confirmed in more recent republications of the NPPF, this figure can no longer be relied upon given that the Core Strategy was prepared more than five years ago. The new housing requirement for Trafford, as

formulated by the Government and calculated using the standard method for 'local housing need' (LHN), is a minimum annual figure of 1,652 new homes net (which includes an additional 20% buffer to address previous under-delivery). It is evident that this LHN figure (plus buffer) is far in excess of the previous L1 requirement, therefore Policy L1 is out of date. The Council currently does not have a 5 year housing land supply and presumption in favour of sustainable development is triggered.

10. The NPPF at paragraph 62 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. Policy L2 sets out that the Council will seek to achieve a target split of 70:30; small:large (3+ beds) residential units. For the Pomona Island Strategic Location, Policy SL1 of the Core Strategy states residential development will be largely apartments, appropriate to its Regional Centre Location and that a proportion should be suitable for families, either in terms of size or type, having regard to Policy L2.
12. The proposed development would provide for a mix of 35 x 1-bed apartments, 78 x 2-bed apartments and 49 x 3-bed apartments. This equates to a split of 70:30 small:large units (113:49) and is therefore appropriate. Overall the mix of units will provide a range of new homes for families and smaller households and is considered appropriate for this Regional Centre location. Furthermore, all units will comply with the nationally described space standards and as such, officers are satisfied with the proposed housing mix.
13. Policy L2 of the Core Strategy states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve a target split of 60:40; market:affordable housing. Old Trafford is within the 'cold' market location with a requirement of 10% affordable housing under Trafford's current good market conditions. At L2.12 the policy states that 'in areas where the nature of the development is such that, in viability terms, it will perform differently to generic developments within a specified market location the affordable housing contribution will be determined via a site specific viability study, and will not normally exceed 40%. However, the NPPG states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent and that 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided. It should be noted, however, that this is guidance and the development plan remains the starting point for decision making, which suggests up to 40% affordable housing should be provided, subject to viability but does not differentiate by tenure.

14. No affordable units are proposed on site within this scheme, although a contribution of £405,615 has been offered towards the provision of off-site affordable housing. Officers consider in this instance due to tenure of affordable housing as affordable private rent that a financial contribution to off site provision would be of better value to the Council in realising its ambition to provide and build more social rent units within the Borough. On this basis it is considered an offsite contribution would be appropriate. The value of the contribution equates to approximately 9 affordable units (5%) if the full contribution went towards affordable housing. The provision of affordable housing and this contribution is considered in the Developer Contributions and Viability section of this report.
15. The NPPF requires policies and decisions to support development that makes efficient use of land; including giving substantial weight to the value of using suitable brownfield land. The application site is vacant and underutilised. Although it currently comprises vegetation it is clear that as part of the former Pomona Docks it has been previously been developed land. Historic mapping and photographs confirm a light rail system, constructed to serve the Pomona docks ran across the site and there is currently a significant area of hardstanding on the site. Furthermore the Core Strategy refers to Pomona Island as a significant area of long-term vacant brownfield land. Whilst there are no longer any buildings or structures on the land, having regard to the above it is considered the site constitutes previously developed land as defined in the NPPF and development will contribute towards the 80% target proportion of new housing to use brownfield land as set out in Policy L1.
16. The site is located within a highly sustainable location given it lies within the Regional Centre and in close proximity to both Pomona and Cornbrook Metrolink stops. Policy L2 requires development to be appropriately located in terms of access to existing community facilities to ensure the sustainability of the development.
17. With regards density Policy SL1 of the Core Strategy requires a “high density, high-rise built form” in this location. The density of the proposed development is 360 units per hectare which is considered to make effective use of this site and is appropriate in this highly sustainable location.
18. Having regard to the above, residential development in this location and in the form of high density apartments is in accordance with the Core Strategy and acceptable in principle. This application would contribute towards the delivery of the Council’s objectives for this key strategic location and make a significant contribution towards addressing the current shortfall in the supply of land for new housing.
19. The site is also identified under Policy L3 as a Priority Regeneration Area within which new development should seek to improve accessibility by a choice of modes of transport, improve the quality, appearance and safety of the local

environment and improve the quality of design and construction and range of the area's housing stock.

Conclusion on Principle of Housing

20. 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 162 no. new residential units on a site identified for regeneration in a sustainable location within the urban area. It is also considered to be supported by the provisions of Policy SL1 in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. Whilst no affordable housing will be delivered within the site the principle of an offsite affordable housing contribution is considered to be appropriate in this location, however it should be noted that this result in some conflict with policy and will be weighed in the planning balance. It is considered that in principle the proposed redevelopment of the site for housing is acceptable. However the following issues still need to be considered in detail: heritage and design, highways impacts, residential amenity impacts, flooding and drainage, contamination and ecology. These issues and others are considered in more detail in the following sections of the report.

HERITAGE

20. In determining this application there is a statutory duty under section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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.
21. The Government has set out its planning policies for design and the historic environment in the NPPF and the accompanying National Planning Practice Guidance. Both the NPPF and the NPPG are material considerations relevant to this application 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.
22. In relation to Heritage assets, Para 194 states that "*local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*"
23. Also of relevance to the determination of this application is paragraph 195 of the NPPF: "*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”.

24. Paragraph 199 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.’*
25. Paragraph 200 states that *‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’*
26. Paragraph 202 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’.*
27. Para 203 states *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that 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.”*
28. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness (R1.1) 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. Whilst R1 is inconsistent with the NPPF it is not considered to be out of date for the purposes of the determination of this planning application.
29. Policy SL1 of the Core Strategy specifically refers to Brindley’s Weir and requires development to protect, preserve and enhance its setting. Brindley’s Weir is a grade II listed structure to the north east of the site attributed to the canal engineer James Brindley, comprising a culvert basin and drain sump erected in the mid-18th century.

30. The following Heritage Assets have been identified as having the potential to be affected by the propose scheme:

Listed Buildings

Railway Bridge Over Canal, Grade II
Brindleys Weir, Grade II

Non Designated Heritage Assets

Manchester Ship Canal
Bridgewater Canal

Significance of the Heritage Assets

31. **Railway Bridge Over the Canal** - is the east of two bridges that cross the Bridgewater Canal at this point. It is a single span cast iron and red brick bridge, with cast iron girders with lattice spandrels and decorative cast iron balustrades. The bridge is skewed north-east south-west as the canal runs east-west at this location. The bridge deck is supported by six arched cast iron girders, riveted together and strengthened with cast iron ties. The brick parapet end pilasters have moulded stone corniced cap stones. The bridge is likely to have been constructed in the mid-19th century as part of the Manchester, South Junction and Altrincham Railway which runs into the centre of Manchester. The bridge is not shown on the 1848 OS map, but is shown on the 1898 OS map. A further bridge was constructed over the canal immediately west of the bridge in the late 19th century. The bridge derives significance from its historical association with the Manchester, South Junction and Altrincham Railway and the 19th century industrialisation of Manchester. It also derives some significance from its aesthetic design, which is not purely utilitarian and has some decorative elements.
32. **Brindleys Weir** - consists of a culvert basin and drain sump which dates to the mid-18th century, and which is attributed to the canal engineer James Brindley, who built the Bridgewater Canal. It is designed to allow the Corn Brook to flow under the Bridgewater Canal and is bounded on the west side by the canal and on the east by the embankment wall of the railway junction. The structure comprises a pear shaped basin which is approximately 25 m long and is enclosed by walls of regularly coursed and square sandstone setts. At the centre is a circular drain sump, about 5 metres in diameter; this is now enclosed by 20th century metal railings. The Weir has been infilled and overgrown with self-seeded trees and vegetation which conceals its features and contributes to a poor quality appearance. As such, it derives very limited significance from its aesthetic appearance. The asset derives significance from its historical interest as 'an important example an ancillary canal engineering associated with one of the most important engineers of the canal era' and from its historical association with the Bridgewater Canal, James Brindley and the Duke of Bridgewater.

33. **Manchester Ship Canal** – Manchester manufacturer Daniel Adamson, formulated the idea to connect Manchester directly to the sea, leading to the Bill for the construction of the Manchester Ship Canal being passed in May 1885. The Canal was flooded in 1893 and opened for traffic in 1894 allowing Manchester to establish itself as the third busiest port in Britain. The Canal derives significance from its historical association with Daniel Adamson and from the industrial development of Manchester in the 19th century.
34. **Bridgewater Canal** – Has substantial historic and architectural interest as one of the first canals in Britain. From 1758 to 1765, the Duke of Bridgewater employed James Brindley in its construction, its purpose being to transport coal from the Duke's mines at Worsley to Manchester. The canal was completed to Stretford by 1771 and to Castlefield Wharf by 1765 then later extended to the Mersey Tunnel to forge a link to the Port of Liverpool. The canal stretched for 65km and is built at one level to avoid the need for locks. The canal derives its chief significance from its historical association James Brindley and the Duke of Bridgewater.

Impact on the Heritage Assets and Consideration of Harm

35. The conclusion of the submitted Heritage Impact Statement by Turleys is that there would be no harm to the significance of Brindleys Weir, the Manchester Ship Canal and the Bridgewater Canal. Some harm is identified to the significance of the Grade II listed 'Railway Bridge Over Canal' due to the proposals prominence in views westwards from within the canal corridor and resultant reduction in the prominence of the listed bridge. However, they conclude that the harm is 'less than substantial' under the terms of the NPPF and specifically Paragraph 202 of the NPPF.
36. The Council's Heritage Development Officer has been consulted on the application and has stated:

I agree with the designated and non-designated heritage assets identified in the assessment. Furthermore, I agree with the conclusion "there will be no harm to the significance of Brindleys Weir, the Manchester Ship Canal and the Bridgewater Canal..... The assessment identifies some harm to the significance of the grade II listed Railway Bridge Over Canal "due to the proposals prominence in views westwards from within the canal corridor and as a resultant reduction in the prominence of the listed bridge". This designated heritage asset lies within Manchester's boundary, therefore I will leave this matter to the expertise of their Conservation Team.
37. Manchester City Council (MCC) have been consulted on the application but have not responded. Therefore in the absence of a response from MCC in relation to the impact on the Designated Heritage Asset, the Council's Heritage Development Officer has provided additional comments as follows:

'I am in agreement with the Turley Heritage Statement. I consider the development will cause some harm to the significance of the grade II listed 'Railway Bridge Over Canal'. As set out in the accompanying statement this harm is due to the proposals prominence in views westwards from within the canal corridor and resultant reduction in the prominence of the Grade II listed bridge. Turley has not quantified the level of harm other than 'less than substantial', however I consider this to be at a minor level. The harm is considered to be 'less than substantial' under para 202 NPPF taking account of s.66 P(LB&CA) Act 1990.'

Archaeology

38. GMAAS have been consulted on the application and have commented in line with the NPPF paragraph 194, the application is supported by a detailed desk-based assessment (DBA) compiled by BWB Consulting in September 2021. The DBA makes use of data obtained through the Historic Environment Record and a map regression to assess the site's archaeological potential. Having checked against their records, GMAAS agree with the results of the DBA that there is low potential for any buried remains of archaeological interest at the site, due to extensive disturbance to below-ground levels caused by numerous developments and demolition activities throughout the 19th and 20th centuries. GMAAS are therefore satisfied that the current application has no archaeological implications.

Conclusion on Heritage

39. No harm has been identified to heritage assets in Trafford. However the Heritage Statement identifies less than substantial harm to the listed *Railway Bridge Over Canal* which is within the Manchester City Council (MCC) boundary. MCC have been consulted on the application and have not responded. However, no less weight should be afforded to the impact on heritage assets outside of Trafford's administrative boundary. In the absence of a response from MCC, Trafford's Heritage Development Officer has expressed agreement with the level of harm identified in the Turley Heritage Statement in relation to *Railway Bridge Over Canal*. This level of harm equates to 'less than substantial harm' in NPPF terms, at the lower end.
40. It is noted 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). The balancing exercise should be undertaken bearing in mind the statutory duty of Section 66 (1) of the Planning (Listed Building & Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and Policies R1 and L7 of Trafford's Core Strategy.

41. As harm has been identified, a clear and convincing justification needs to be provided and a balancing exercise undertaken of the harm against the public benefits of the scheme as required by 199, 200 and 202 of the NPPF. It is considered that the redevelopment of this site has a significant number of public benefits, primarily as follows:
- 162 new homes would make a contribution towards addressing the current housing land supply shortfall
 - Re-use of previously developed, under-utilised and contaminated land.
 - Regeneration within an area identified as a Strategic Location and Priority Regeneration Area
 - Improved cycle and pedestrian access within the site and connectivity with existing routes.
 - Economic benefits that will flow from construction and occupation.
 - A financial contribution towards the provision of £405,616
42. In conclusion it is considered that in undertaking the balancing exercise required by the NPPF, that the benefits of the scheme outweigh the less than substantial harm identified to heritage assets and in heritage terms the development is considered to be acceptable. In respect of paragraph 11 (d) i. of the NPPF the development does not provide a clear reason for refusal in this respect.

DESIGN

43. Paragraph 126 of the NPPF states: *“The creation of high quality, beautiful and sustainable 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.”*
44. Paragraph 134 states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*
45. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing. This states at para 122 that *‘Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by.’*
46. Policy SL1 states the design of development proposals in this Location should reflect its Regional Centre status, with a high density, high-rise built form, largely apartments. The Justification to the Policy states that: - *“In view of the Location’s important position in relation to the Regional Centre, it will be important to secure*

high quality urban design to ensure an appropriate mix of land uses and inter-relationship of buildings/open spaces, because the appearance of this site once developed will have a significant bearing on the overall regeneration of the Priority Regeneration Area and the wider Regional Centre”.

47. 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.
48. The application proposes two residential blocks of 162 apartments, one 14 storeys (Block A) and the other 12 storeys (Block B) linked by a central single storey entrance area, associated parking and landscaping. The site is currently vacant and covered in hardstanding and scrub vegetation. The site is constrained by the canals to the north and south and as such has a prominent waterfront location.
49. The Design and Access Statement sets out that the general design approach has been influenced by the key principles set out in the 2020 Masterplan.

Layout, Scale and Height

50. The Design and Access Statement sets out that the site layout and siting is largely dictated by the fact the site is located at the narrowest point of the developable part of the masterplan area between the Manchester Ship Canal and the Bridgewater Canal. The high density approach of two linked tower blocks reflects the Masterplan aspirations and is also in keeping with the approach at the adjacent No. 2, Waterways Avenue.
51. The main elevations of the two blocks have a maximum height of approximately 42m from ground level at Waterways Avenue to the top of the 14 storey block and approximately 36m to the top of the 12 storey block and this is supported by Policy SL1 which sets out that development should reflect the regional centre location and be of a high density and high rise built form. The proposed buildings would be positioned adjacent to the Manchester Ship Canal / River Irwell, set back approximately 5.5 metres with intervening promenade. The buildings would have a total width of approximately 55m when measured from each outer side elevation of the blocks and a depth of approximately 30 metres from the Waterway Avenue frontage to the Irwell Promenade frontage. The blocks are

rectangular in form and have narrower elevations to the northwest and southeast (onto the two canals) with each block approximately 18 metres wide. The scale and massing is arranged so that narrow gable elevations face the Manchester Ship Canal and towards the tram line and recycling yard, the latter to help limit noise intrusion. However the broader side elevations allow views of the Ship Canal from all the apartments and the development rises in scale to the west in accordance with the Masterplan provisions.

52. From Waterways Avenue, a 19m wide glazed entrance pavilion provides a lightweight link framed by the two building wings either side. This entrance area includes reception and a resident's amenity area opening onto a private resident's garden with secure access to the Promenade. At first floor, doors from the lift lobbies open onto a resident's roof terrace located above the entrance and which has views over the Bridgewater Canal, the resident's courtyard garden and the Manchester Ship Canal.

External Appearance

53. The building would be constructed with a concrete frame and floor slabs with red and grey brick façades. The red brick 'grounded' side of the blocks includes a double storey fenestration grid of full height living room and narrower bedroom windows. The windows are formed in curtain walling with a metal spandrel panel at intermediate floor levels. Balconies are integrated with the design of the glazing module. The grey brick element is also formed in double storey windows and vents but the windows are arranged in a more vertically offset pattern facing downstream of the Ship Canal which the architect has stated is reflective of the waterside setting. Its 'suspended' form is clearly expressed, cantilevered out at first floor from the more solid red brick element.
54. The elevation onto Waterways Avenue includes the main entrance which is formed in an 19m wide glazed curtain wall screen and is intended to read as a lightweight element, contrasting with the more solid brick building wings to which it is linked either side. The entrance pavilion is glazed on both sides allowing views through to the courtyard garden beyond and the balustrade to the roof garden above is also glazed.
55. The brick gables are articulated with the red brick element grounded and the lighter grey brick element cantilevering out. The brick volumes of this elevation are separated by a continuous slot window. There is a double storey 'look-out' feature marking the top of the building. Although it was appreciated why this elevation was lacking in glazing, officers raised concerns about the blank and plain nature of this prominent elevation and a different design approach was requested. As a result the applicant has added a series of double height, slightly darker brick panels to the gable elevation to help bring further visual interest to this elevation. These panels define a two-storey framed grid within the brickwork that wraps around and continues on the east elevation of each block. In addition,

the recessed brick banding at ground floor has been extended up to the first floor to meet these brick panels.

56. The brickwork at ground level has also been amended in response to officer requests for a more locally distinctive solution that, for example, reflected the waterside or former industrial nature of this location. This has been targeted at the ground floor elevation of the building where design features can have most impact in activating the street scene and where pedestrians can actively engage with any such features. This seeks to animate the public realm and create interest and distinctiveness in the architecture of the building. The applicant also proposes the introduction of a number of externally mounted aluminium panels at ground floor level along the southern elevation which will be used as a canvas for information and art work which reflects and records Pomona Island's maritime history. These will be mounted to the brick façade and indicative ideas for this artwork have been submitted and can be secured via condition.
57. There is a 1.3m fall across the site from Waterways Avenue down to the Irwell Promenade, which raises the base of the building resulting in the ground floor apartment windows facing the promenade being set above eye level. The rusticated building base and ground floor apartment terraces add further interest at ground level. Above this the lighter grey brick element is 'suspended' by the red brick grounded element. Large areas of glazing are provided for these dual aspect waterfront apartments and balconies framed by lounge windows are integrated with the façade.

Balconies

58. Balconies are proposed to apartments in all elevations except the south-eastern elevation onto Waterways Avenue. Officers asked the applicant to consider if the projecting balconies could be replaced by integral balconies but at a site depth of 30m, the applicant's agent has advised that it would not be possible to achieve integral balconies without significantly reducing the internal floorspace of the development. They go on to state that outdoor space within urban settings is sought after and most tenants now demand some private space as a minimum. It is noted that the balconies have been designed as a key part of the scheme's architecture rather than presenting themselves as an afterthought. The materiality and colouring, use of soffit panels and setting them into the window reveal result in the balconies appearing as part of the elevational composition rather than being 'bolted on'. Given the constraints of the site and subject to details being secured via condition this is considered acceptable.

Landscaping

59. There are various areas of landscaping proposed across the site. This includes resident's garden and roof terrace, planting around the car parks either side of the blocks, and areas of planting to the south of Waterways Avenue.

60. Following initial concerns raised about the bland extent of the car parking areas, changes have been made to surface materials within the parking courts to soften the appearance, along with significant areas of planting to their boundaries, helping to screen views of these spaces from the wider public realm and create a natural setting to the surrounding street scene. In addition, a new hedge is proposed on the boundary with No.2 Waterways Avenue to provide screening and a softening of the boundary between the two sites.
61. Alongside Waterways Avenue and adjacent to the Bridgewater Canal, the proposals include the start of the masterplanned 'Bridgewater Park and Boulevard', a 4m wide pedestrian cycleway framed with trees and wildflowers to the canal edge. On the Manchester Ship Canal side, a new section of Irwell Promenade is created linking to the section adjacent to Pomona Wharf and eventually linking up to the rest of the masterplan waterfront as this comes forward.

Accessibility

62. The Design and Access Statement sets out that the building layout is designed to be accessible to all. All thresholds are flush for wheelchair users. From the entrance, lifts with braille signage give access to all the upper floors and apartments. Within apartments switches are located at accessible heights and the open plan layout has space to circulate freely. Bathroom doors open outwards to help wheelchair manoeuvres.

Fire Safety

63. In relation to building fire safety, planning gateway one requires that applicants demonstrate that the planning application submission incorporates thinking on fire safety. In this instance the application is supported by a fire statement form prepared by a Chartered Engineer with the Institute of Fire Engineers which sets out fire safety considerations specific to this development. In addition autotrack information has been provided in relation to emergency vehicle access. GM Fire Safety have been consulted but not response has been received at the time of writing.

Conclusion on Design

64. It is considered that the proposed development seeks to develop the site in accordance with the high density provisions of the Masterplan and Policy SL1 and has been amended to incorporate references to local distinctiveness in a contemporary manner. The scheme would deliver a secure, efficient development which uses high quality materials and detailing to create a distinct sense of place. It is therefore concluded that development would meet the requirements of Policies L5 and L7 and the NPPF.

RESIDENTIAL AMENITY

65. In addition to ensuring that developments are designed to be visually attractive Para 130 of the NPPF advises that planning decisions should ensure that developments:-
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*
66. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.
67. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put into place.
68. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines states that for new two storey dwellings, that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The SPG states that 'Where *three storey* dwellings (houses or flats) are proposed, the minimum distances are increased by 3 metres over the above figures and for *four or more storeys*, the figures as for 3 storeys apply.
69. With regard to overshadowing SPG1 states that 'In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided.' The SPG states that 'Distances to rear garden boundaries from main windows should be at least 10.5 m for 2 storey houses and 13.5 m for 2 storey flats or houses or flats with 3 or more storeys.

Daylight

70. Daylight is the level of diffuse natural light from the sky that enters a building to provide satisfactory illumination of internal accommodation between sunrise and sunset. Sunlight refers to direct sunshine and is much brighter than ambient daylight. A key difference is that sunlight is highly dependent on orientation whereas this has no effect on daylight. Overshadowing is a consequence of the loss of daylight and sunlight and can occur when buildings are in close proximity relative to their size.

71. In considering the daylight impacts of the development, it is of relevance that Policy SL1 requires proposals in this Strategic Location to utilise a high density, high-rise built form to make efficient use of land.

Daylight impacts on proposed units

72. The application is accompanied by two documents prepared by Ramboll, the first is a Daylight Analysis Report providing analysis on daylight levels for the future occupiers of proposed development.
73. This is based on the Building Research Establishment (BRE) guide “Site Layout Planning daylight and sunlight” which provides a methodology for the calculations and sets the minimum requirement that the results should strive to meet. However it is stated that the BRE guide should be applied flexibly and is guidance only. As the document is aimed predominantly at individual dwellings it is difficult to translate directly to denser, higher urban blocks such as this.
74. The report is based on the creation of a daylighting model to calculate Average Daylight Factors (ADF) for kitchen/living room/bedroom, view of sky and room depth criterion (as per the BRE guide) for a representative sample of apartments.

Average Daylight Factor (ADF)

75. To achieve a predominantly day lit appearance, it is suggested that the ADF of a room should be at least 2%. However, there are the minimum recommended ADF values for dwelling houses, based on proposed room uses as follows:
- Bedrooms 1%.
 - Living rooms 1.5%.
 - Kitchens 2%.
76. The report finds that in relation to the BRE methodology and guidance, Block A and B partially meet the requirement across all analysed apartments to provide 1.5% Average Daylight Factor (ADF) to Living Spaces. While only seven of the analysed kitchen spaces reaches the targeted 2% ADF, these kitchen spaces are directly linked to the day lit living rooms so are generally within the BRE guidance. So, although the entire living space including kitchen, dining and living may not meet the target in every single residence, the living space on the analysed residence exceeds the 1.5% ADF requirement in 75-80% cases. In addition to this the majority of bedrooms analysed are also meeting the 1% ADF guidance.
77. In regard to the room depth criteria for living spaces the middle apartments and corner apartments have been calculated separately and are all compliant. In relation to No Sky Line (NSL), all apartments do have a percentage of Skyline view, although more limited on the lower floors, but there are 37 residences

which fail to meet the NSL requirement of 80% floor area in view of Skyline. Overshadowing is unavoidable in a dense urban context such as this but has been kept to a minimum with the distance between adjacent buildings. All living spaces are positioned at the front beside the windows, which allows the living space to meet the ADF guidance in a majority of cases even when the dwelling has a deep plan.

78. The report considers that the 75-80% compliance level demonstrates the significant extent to which the careful design has enhanced the opportunities for quality daylight and the penetration of sun into the apartments. It cites other examples of development with similar or lower levels of compliance both within and outside Trafford.
79. The report concludes that the analysis of the proposed residences suggests that the overall levels of daylighting achieved for this scheme will deliver a very good level of daylighting compliance based upon the analysis undertaken with 75-80% of living spaces projected to meet the BRE Guide 'Site Layout Planning for Daylight and Sunlight', 100% of the apartments are compliant with the room depth criteria (RDC) and 77% with the NSL. Therefore, in the context of residential apartment developments, this building performs well in terms of daylight.

Sunlight - Annual Probably Sunlight Hours (APSH)

80. The BRE states that in general, a dwelling will appear reasonably sunlit provided:
 - at least one main window wall faces within 90° of due south and
 - the centre of at least one window to a main living room can receive 25% of annual probable sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March.
81. Out of 162 dwellings, 75 have the living room windows facing within 90° of due south. These have been individually assessed to see if they meet the criteria. The results show that out of 160 windows tested, only 3 do not meet the 25% of annual probable sunlight hours and only 4 do not meet the 5% of annual probable sunlight hours in the winter months. However, all the dwellings assessed comply with the criteria as at least one window to a main living room can receive 25% of annual probable sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March. Therefore, the 75 dwellings that have the living room windows facing within 90° of due south are all compliant with the criteria.
82. In considering the level of compliance with the BRE guidance, Para 125 c) of the NPPF is of relevance as it states that *'when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making*

efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

83. Also of relevance that Government Planning Policy Guidance states that *'All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings. In such situations good design (such as giving careful consideration to a building's massing and layout of habitable rooms) will be necessary to help make the best use of the site and maintain acceptable living standards.'*
84. It is noted that all of the proposed units meet the Nationally Described Space Standards for residential developments.

Impact on existing properties outside the site

85. At the request of officers a second statement by Ramboll and an additional commentary provided by the agent for the application has been submitted in relation to the impact of the proposed development on daylight to the existing adjacent residential block at No. 2 Waterways Avenue.
86. The Ramboll statement sets out that it is considered that maintaining a distance of 18 metres between buildings is usually sufficient to maintain good levels of daylight within residential buildings. This distance is exceeded in this instance with a gap of approximately 30m between the eastern façade of Pomona Wharf Phase 2 and the western façade of Pomona Wharf Phase 1. On this basis they consider that in such an urban context the provision for daylight is generous and that the daylight impact of the new development onto the existing adjacent building will be minimal.
87. Ramboll have undertaken an overshadowing assessment of the existing building under three conditions (21st December Winter Solstice, 22nd September Equinox and 21st June Summer solstice) representing the lowest, average and highest sun paths through the sky throughout the year at 3 different times of the day (9am, 12pm and 3pm) thus highlighting the levels of overshadowing throughout the year with the two extremes and average conditions. The outputs of this are demonstrated through the figures in the report. This method is the simplest way to estimate the daylight impact of the proposed building onto the existing building as the obstruction from direct sunlight from the site surroundings is the key component that mostly impacts the daylight levels.

88. The approach taken is to use sun path analysis as a screening tool to establish whether there could be any issues which warrant a more fine grained analysis. The principle being that if this shows limited levels of overshadowing by the proposed development – i.e. that the elevations have direct access to the sun on its path for a significant period of time then it follows that they will benefit from adequate access to daylight without the need for further analysis. Shadowing characteristics provide a suitable proxy in this regard.
89. This indicates that the adjacent development's direct access to sunlight will not be significantly impacted by the development due to the distance between the elevations. This provides a proxy for the extent to which the western elevation benefits from direct exposure to the sky as the source of daylight. The conclusion reached is that the daylight performance of the existing building will not be severely affected to the point of not meeting ADF requirements and a view of sky.
90. The apartments still have access to daylight even in the context of being over shadowed, just not the maximum levels enjoyed during periods when there is no overshadowing. For that reason, daylight standards are not based on the absence of shadowing but it is a given that where there is no overshadowing occurring, dwellings will benefit from maximum levels of daylight with the adjacent building having no material effect on daylight penetration during such times. The lower the occurrence of overshadowing, the greater the level of daylight which will still be received during these periods of overshadowing as there is evidently more exposure to the sky.
91. The analysis shows that there will be no shadowing effect on the existing building as measured at the following times:
- Winter solstice between – 9am to 12pm
 - September equinox – 9am to 12pm
 - Summer solstice – 9am to 12pm
92. Lower floors of the western elevation will be subject to overshadowing by the proposed development between 12pm and 3pm during the summer solstice but the sun path will mean this passes later in the day at which point there will be no overshadowing effect again. Approximately two thirds of the western elevation will be subject to overshadowing by the proposed development between 12pm and 3pm during the September equinox. The majority of the western elevation will be subject to overshadowing by the proposed development between 12pm and 3pm during the winter solstice.
93. It is also stated that No. 2 Waterways Avenue was never intended to stand alone on this plot of land and that more development is to follow in accordance with the Pomona Island Masterplan. Given the high density aspirations for this sustainable urban site a balance has to be struck between optimising the

development potential of the site and ensuring amenity conditions for existing and future residents are acceptable.

94. The Ramboll conclusion is therefore that the daylight impact of the new proposed development onto the existing building will be minimal and within the parameters of acceptable tolerance.

Conclusion on Daylight and Sunlight

95. In relation to the impacts on the adjacent existing building at No. 2 Waterways Avenue, as a result of the separation distance, scale of development and orientation, the modelling concludes that the daylight impact of the development would be minimal. In relation to the proposed units it is considered that overall, good levels of daylight penetration and sunlight occur and that incidences of units falling below the non-mandatory BRE level are limited and within the typically accepted level of tolerance in a dense urban setting in accordance with the provisions of the NPPF and NPPG.

Overlooking

96. Whether a new development would impact negatively on existing residential properties through adverse overlooking is an important consideration. Where there is the potential for direct interlooking between proposed windows and those in adjacent residential properties or between proposed windows and areas of private amenity space, consideration must be given to the separation distances, angles and any proposed methods of screening or obscuration proposed in order to protect the privacy of occupiers of adjacent residential properties.
97. The Council's New Residential Development Planning Guidelines document (PG1) is of relevance in considering the distances necessary to maintain good standards of residential amenity. The guidance document does not include specific guidelines for tall buildings and is therefore of more limited use in relation to high density development, but it does state that for development of four or more storeys where there would be major facing windows, flats should retain a minimum distance of 24m across public highways and 30m across private gardens.

Impact on Existing Offsite Properties

98. A distance of approximately 29 metres would be maintained between the outer main elevations of the proposed Block B and the adjacent facing residential block at No. 2 Waterways Avenue. Proposed balconies would reduce this distance by a further metre to 28 metres but this is still considered a reasonable distance and the relationship is across a car park and communal garden area. It is considered that the separation distances are sufficient to prevent meaningful views into adjacent apartments at No. 2 Waterways Avenue and that the development would not result in a material loss of privacy to the occupiers of that building. A

distance of approximately 18 metres would be retained between the outer elevation of Block B to the adjacent communal garden area at No. 2 Waterways Avenue and again this is considered acceptable.

Privacy levels for the Proposed Units

99. In terms of privacy levels, the proposed site layout is generally compliant with the requirements of SPG1 in terms of the relationships between the proposed residential units and adjacent buildings. The relationship with No. 2 Waterways Avenue is set out above and is acceptable. To the northwest and southeast the site overlooks the canals and the area of land to the southwest is, at the present time, undeveloped.
100. In terms of the potential for interlooking between the residential units within the site there is a separation distance of approximately 18.5 metres between the main internal elevations of the blocks. This is reduced to 16.5 metres balcony to balcony or 17.5 from a balcony to a window. This reflects the high density nature of the development. Although it represents a shortfall in the guidelines it is still considered to maintain reasonable levels of privacy and reflects the high density nature of the development. In addition, the relationships between properties would be known to any future occupier of the development at the outset.

Conclusion on Overlooking

101. It is considered that the proposed development would not result in any undue overlooking or harm to privacy in relation to existing residents adjacent to the site. As this is intended to be a high density development there are instances where separation distances between the proposed blocks do not meet the SPG1 guidelines for future occupiers of the properties. SPG1 does allow for a flexible approach within a development site, where good design or the particular circumstances of the site allow this and this is supported by the thrust of the NPPG and NPPF in relation to high density urban sites.

Overbearing/Outlook

102. New development should not have an overbearing impact on adjacent residential occupiers or result in a material loss of outlook as these are important residential amenity considerations. Loss of outlook can occur where development, as a result of the impact of its height, scale, massing can have an adverse overbearing and over dominating effect resulting in unduly oppressive living conditions.
103. SPG1 states that 'There are many possible relationships of properties with each other, and so in these matters the Council will generally adopt a flexible approach. However, dwellings should not be grouped so closely that they unduly overshadow each other, their garden areas or neighbouring property. In

situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m (49 ft) should normally be provided. It is noted that this relates to two storey walls however given the high density urban infill nature of the development it is considered that this is a reasonable approach for this development.

Impact on existing offsite buildings

104. There would be a separation distance of approximately 29 metres maintained between the outer main elevations of the proposed Block B and the adjacent facing residential block at No. 2 Waterways Avenue. Given this distance, it is not considered that the development would have an unduly overbearing impact on these properties or result in material detriment to their outlook.
105. The objections received from occupiers of the neighbouring block of apartments regarding loss of view are noted but there is no right to a particular view under planning policy.

Impact on Proposed Units

106. Again, in view of the distance to the nearest adjacent building at No. 2 Waterways Avenue of 29 metres and the otherwise open outlooks across vacant land and the canals, it is considered that the outlook for the proposed units in the outward facing blocks on the site would be acceptable and would not be overbearing.
107. The apartments facing into the central courtyard in the development would maintain separation distances of approximately 19 metres between the main internal elevations of the blocks and as such it is considered that the relationships would not be overbearing.

Conclusion on Overbearing impact / Outlook

108. It is considered that the development would not be unduly overbearing or oppressive when viewed from adjacent offsite residential properties and that an acceptable outlook would be maintained. It is also considered that the outlook for properties within the development are acceptable and would not be overbearing.

Amenity Space

109. SPG1: New Residential Development sets out the Council's standards and states that most new dwellings should provide some private outdoor space and that this is necessary for a variety of functional requirements such as sitting out and children's play. The guidance sets out recommended garden area sizes and advises that for flats, 18 sq. m of adequately screened communal area is considered generally sufficient for these functional requirements.

110. The proposed landscaping scheme seeks to provide balcony areas for 101 of the flats, external terraces, communal external hard and soft landscaped areas in the centre of the development and an internal residents lobby. The total amenity space across the site is 958 sq. m.
111. While the provision is not fully compliant with the guidelines in SPG1, all residents will have access to amenity areas and given the high density nature of the development and proximity to the canals and walking and cycling routes this is considered acceptable and it is noted that the aspirations set out in the Masterplan include areas of public open space in subsequent phases of the Pomona island development.

Lighting and Noise

112. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put into place.
113. The site is in close proximity to the Metrolink, railway line and a scrapyards to the south / southeast and there is the potential for noise, vibration and other forms of disturbance from these sources. The apartments have been designed to include a largely solid brick southeastern elevation as a result of this and the application is also accompanied by a Noise Impact Assessment. Following initial consideration of the content of this document there has been ongoing discussion between the agent for the application and the Pollution and Housing section.

Noise to External Areas

114. In relation to concerns about adverse noise impacts to the communal outdoor recreation area and residents' lounge, the agent and WSP's acoustician have advised that no further mitigation of noise levels on the terrace is feasible and that internal levels within the residents' lounge underneath should be acceptable due to the benefit of this area being screened. It is also noted that additional communal outdoor space is to be provided to the north of the development that benefits from distance attenuation and greater screening, therefore residents should have a suitable alternative for outdoor recreation where noise levels at the terrace are undesirable. This is considered acceptable.
115. However there would be no such alternative available to residents wishing to occupy their private balconies whilst the scrap yard is operational and there are no realistic controls over how residents will choose to make use of this feature, therefore adverse comment will be inevitable and the receipt of complaints is a clear possibility. It is however accepted that to remove the balconies would deprive tenants of a feature that could be of great benefit at times when the scrap yard is not operational. In the absence of any realistic physical mitigation options,

the matter should be addressed by an information strategy to ensure that residents are fully aware of the noise impact from the scrap yard. Residents should be provided with sufficient recommendation and instruction for the appropriate use of balconies, external openings and mechanical ventilation with a view to ensuring that they can avoid any unsuitable acoustic conditions.

Noise to Apartments

116. Turning to the building envelope mitigation scheme, it is considered that an acoustic and ventilation mitigation solution is available to address adverse industrial noise ingress to the internal areas of the apartment and this would include the installation of blinds with a shading co-efficient of 0.4 to be installed to affected dwellings to minimise solar gain and ensure that appropriate internal temperatures are maintained without the need to open windows. However a further acoustic assessment is required to confirm the exact specification of the building façade elements at the detailed design stage. In addition, a final ventilation strategy will be required to confirm the ventilation system to be installed and how it can meet the requirements detailed within the supporting Noise Impact Assessment (NIA) and applicable guidelines (Building Regulations Approved Doc F and IoA/ANC Acoustics Ventilation and Overheating Residential Design Guide). As the noise ingress mitigation design will require precise specification to combat a potential significant adverse noise impact, an acoustic verification report is also necessary to demonstrate the approved details having been installed correctly and appropriately to the satisfaction of the scheme's designer.
117. Conditions to address the above and any noise emissions from any items of fixed plant introduced by the development are recommended and on this basis it is considered that the amenity levels for future occupiers of the apartments would be acceptable.
118. To prevent the potential for obtrusive light from any new external lighting installations the Pollution and Housing section have recommended a condition requiring an exterior lighting impact assessment and this is recommended accordingly.

Crime Prevention and Security

119. 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.
120. A Crime Impact Statement (CIS) has been submitted with the application. Greater Manchester Police's Design for Security section has been consulted and although no response had been received at the time of writing it is noted that the CIS was prepared by GM Design for Security and that there are unlikely to be

any significant concerns about the content. However any comments received will be included in the Additional Information Report.

Air Quality and Sustainability

121. L5 states that 14.19 *The Trafford Air Quality Management Area identifies where air quality will not reach the national health based objectives. Trafford and the 9 other Greater Manchester Authorities published their Air Quality Action Plan, which sets out how the conurbation will improve air quality. The plan is mainly concerned with tackling transport related emissions, and is closely tied to the Local Transport Plan for Greater Manchester.*
122. The site is not located in an AQMA. The Air Quality Assessment submitted in support of the application confirms that operational air quality effects of the development are 'not significant'. The Pollution and Housing section have stated that the assessment concludes that local air quality should be of a suitable standard for the future occupiers of the development and that the additional traffic brought about the operation of the development should not give rise to any significant pollution effects at any existing sensitive receptors. Temporary increases in air pollutants such as dust during construction works have been considered and it has been found that any adverse effects can be mitigated by appropriate industry best practice techniques that have been detailed within the AQA. A planning condition has been proposed to require a Construction and Pre-Construction Environmental Management Plan (CEMP) to be approved before any works commence that can incorporate the recommended dust measures along with other environmental controls.
123. The AQA refers to recommended best practice that requires the provision of at least 1 Electric Vehicle (EV) "rapid charge" point per 10 residential dwellings. The supporting Transport Statement confirms a total of 42 parking spaces are to be provided. A condition requiring that details of EV Charging Points shall be submitted for approval to the Local Planning Authority to confirm a minimum provision of 1 EV charge point (minimum 7kWh) per 10 car parking spaces for unallocated car parking is recommended. It is also note that the applicants has stated that they are committed to future proofing the remaining spaces such that EV charging points can be easily retrofitted in the future should demand exist. This ensures that future EV facilities can be provided without a need to undertake significant engineering works affecting the operation of the car parking areas. They have agreed for this to be secured by condition.
124. Policy L5.1 of the Core Strategy states that new development should maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation. L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO₂ emissions within the Borough. It is considered that Policies L5.1 to L5.11 are out-of-date as they do not reflect NPPF guidance on climate change.

125. The Carbon Budget Statement submitted in support of the application outlines the design measures incorporated into the development to create sustainable, energy efficient new homes. The applicant proposes to reduce the energy consumption of the proposed development in accordance with the Energy Hierarchy, through integration of passive design and energy efficiency measures in the first instance and further, through the incorporation of Low and Zero Carbon (LZC) technology, in this case, solar PV panels. Other measures include a 'fabric first' approach, Mechanical Ventilation with Heat Recovery, electrification of heat and avoiding the burning of fuel on site. The integration of such measures delivers an anticipated 8% reduction in carbon emissions when compared to Building Regulations 2010 Target and a 2% carbon reduction when compared to building regulations Part L 2013 with 2016 amendments. This reduction is therefore in compliance with Policy L5 as the site is not located in a Low Carbon Growth Area and therefore a CO2 reduction target of up to 5% above 2010 Building Regulations is sought. A condition is attached accordingly to ensure this is achieved.

Construction

126. The Pollution and Housing section have recommended a Construction Method Statement be required via condition to ensure that noise, dust and other nuisance impacts can be controlled following national guidelines. This is recommended accordingly.

Waste Management

127. A Refuse and Recycling Strategy has been provided in the Design and Access Statement and a refuse vehicle swept path plan has also been provided. The Waste Management section have been consulted and raise no objection in principle to the development subject to an appropriately worded condition requiring the submission of a Waste Management Strategy for the site and this is recommended accordingly.

Conclusion on Residential Amenity Impacts

128. A suite of reports assessing the impacts of the development on the amenity of existing and future residential occupiers have been submitted in support of the application. They demonstrate that the scheme will have an acceptable impact on the amenities of existing occupiers of residential properties in the vicinity. It is acknowledged that there are some shortfalls in the guidelines set out in SPG1 in relation to the amenity of future occupiers of the development. However these shortfalls would not result in poor living conditions and the properties have been designed to provide adequate levels of privacy, daylight and outlook. Given the approach of creating a high density development in a sustainable location, this is considered to be acceptable. Subject to appropriate conditions, the impact of the

proposed development on the residential amenity of both existing adjacent occupiers and for future occupiers of the development is considered to be compliant with Policies L5 and L7 of the Trafford Core Strategy and the NPPF.

PARKING AND HIGHWAYS ISSUES

129. 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”*.
130. Policy also L4 states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices. The aim of the policy to deliver sustainable transport is considered to be consistent with the NPPF.
131. Para 105 of the NPPF states *‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.’*
132. Paragraph 111 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”*.
133. Policy L4 is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up to date in that it includes reference to a ‘significant adverse impact’ threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a ‘severe’ impact’. Nevertheless it is considered that Policy L4 can be afforded substantial weight.
134. Core Strategy Policy L7 states: In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.

135. The application site is located in close proximity to Cornbrook and Pomona Metrolink Stations, bus routes on the A56 and cycle and walking routes and has a GM Accessibility Level of 7, the highest being 8.
136. The application is supported by a Transport Statement and Framework Travel Plan. The LHA and TfGM have been consulted on the application and while they have stated that there are no objections in principle on highway grounds to this application they have made a number of comments which are considered below.

Access

137. It is proposed to provide access to the site by widening and improving Waterways Avenue. The LHA initially commented that this would require a separate (highway) application to be made by the developer and that the developer would be required to enter into a S278 agreement for all proposed highway works. TfGM have commented that the site access points serving the car parking areas should be designed to ensure dropped kerbs and tactile paving with sufficient sightline visibility. TfGM would refer to the LHA to determine whether the vehicle access proposals are acceptable. However further to the LHA comments the agent for the application has responded by stating that the proposed development is accessed via Waterways Avenue which will be extended westwards. Waterways Avenue is not adopted and there are no works proposed as part of the development within the adopted highway. Until such time that Waterways Avenue is adopted, there will be no requirement for the applicant to enter into a Section 278 Agreement to deliver the scheme.
138. The LHA accept the response as the work will only relate to this site and not the wider Masterplan area, however they state that the fact that Waterways Avenue is only 4.1m precludes it from being adopted in the future without it being widened to circa 5.5m.

Servicing

139. It is considered that the scheme would provide suitably located refuse / recycling storage facilities for the proposed units. The refuse vehicle in use in Trafford is the Mercedes-Benz Econic 2630LL 6x2 Rear-steer Euro 6 Crew Cab Chassis-cab. The LHA advised that a rear steer vehicle should be used for tracking as it is understood that the vehicle tends to pivot on the drive axle, with a 4.55m measurement as the overhang from drive axle to rear of bin lift assembly. The overall length of the vehicle is 10.4metres.
140. A 10.4 m refuse vehicle swept path analysis plan has subsequently been submitted by the agent which illustrates that the development can be adequately accessed and serviced by refuse vehicles used by Trafford Council. This requires the vehicle to enter each of the two main car parking areas to the east and west of the development from where waste storage areas can be accessed. The agent

has stated that this is commonplace in respect of apartment developments and indeed replicates the arrangement at the Pomona Wharf Phase 1 development. This ensures that the waste collection takes place off the highway fronting the development.

141. The LHA has stated that for safe operation the refuse vehicle will have to reverse in to come forwards out and that the Waste Management Team should be consulted to ensure that they are satisfied with the proposed development servicing arrangements. As indicated in the foregoing section of the report the Waste Management Team has consulted and have not objected subject to an appropriate condition.
142. The LHA also requested autotracks to demonstrate how a fire appliance would also access the site and these have been provided by the applicant's agent. GM Fire Safety have been consulted and also subsequently provided with this information but no response had been received at the time of writing.

Car Parking Arrangements

143. The proposed development comprises two apartment blocks providing 162 residential units (35 No. 1 bed apartments, 78 No. 2 bed apartments and 49 No. 3 bed apartments). The LHA comment that only 42 car parking spaces are being provided and this total includes 3 accessibility spaces and 5 EV spaces, one of these being a car club space.
144. The LHA also state that the perpendicular parking shown on Waterways Avenue must have vehicles reversed into the spaces specifically taking into account the increase in traffic associated with future phases of development. It should be noted that the current 5mph speed limit on Waterways Avenue is only advisory and not enforceable; 20mph is the lowest enforceable limit. The LHA advised that the scheme be amended so that the parking to the west of the apartment blocks included EV spaces (EVs have different charging points; back, front or either side), accessible spaces and car club. There are no visitor spaces highlighted so these could be allocated to the perpendicular parking.
145. The applicant has stated that 26% car parking provision is appropriate for the site and achieves the appropriate balance between promoting sustainable of transport whilst ensuring that sufficient off street car parking is provided so as to avoid on street car parking which could otherwise have an adverse effect on the operation of the local highway network and pedestrian and cyclist safety. 26% car parking provision also reflects the approved Pomona Island Masterplan level of 25%. The LHA have noted this. Officer considered this level of car parking is appropriate to the location and in urban design terms offers the best solution for this site.

146. In relation to the operation of the parking spaces the agent for the application has commented that the applicant does not wish to impose any restrictions on the access/egress to the car parking area adjacent to the Bridgewater Canal and does not consider this to be necessary in the context of the current planning application. This area of car parking is provided in the context of very low levels of traffic passing the adjacent section of Waterways Avenue – only service vehicles and residents of the proposed development with an allocated car parking space (of which there are 42 in total including those adjacent the Bridgewater Canal) would have any requirement to use this section of Waterways Avenue. The eastern section of Waterways Avenue (i.e. that in situ at present) is not proposed as a main access into the wider Pomona Island development site, albeit it may serve a limited level of additional development to the west of the current application site. It will be for the outline planning application to determine whether this is acceptable in the context of the use of the car parking area adjacent the Bridgewater Canal. However no such application has been submitted and conditions on Waterways Avenue following the completion of the development for which planning permission is presently sought do not justify the imposition of any restrictions on access to / egress from this area of car parking.
147. In relation to EV charging points an updated site layout plan has been provided which commits to providing four out of the five EV charging points within the westernmost car parking area as requested. The remaining EV charging point is retained in the car parking area adjacent to the Bridgewater Canal as this is needed to serve the proposed car club space. This is the optimum location for the car club space being most prominent and accessible. The agent has also agreed to a condition which enables all spaces to be provided with an EV charging point in the future subject to network capacity and demand. The LHA consider these changes are positive.

Accessible Car Parking

148. Following initial concerns raised regarding the number of accessible spaces proposed, the plans have been amended to show an uplift in accessible spaces from two to three through the provision of an additional disabled car parking space in the westernmost car park. This has been achieved without impact on the landscape scheme and utilises only residual areas of hard standing. Whilst the provision of accessible parking for residential development is negotiated on a case by case basis this results in an overall disabled parking provision of 7%, which compares favourably with the requirement of 6% for sheltered accommodation.
149. In order to achieve an appropriate balance between disabled and non-disabled spaces, the applicant does not propose to include any further disabled spaces at this time. However, through an amendment to the layout of the car parking area adjacent to the Bridgewater Canal, an area of additional hard standing has been created around the westernmost car parking space in this stretch such that this

can in the future be converted to a disabled space according to demand. The scheme therefore includes the ability to increased disabled car parking provision to 4 spaces or nearly 10%. The LHA consider that it is positive that the developer has increased the accessible parking provision on site and raises no objection on this basis.

Motorcycle Parking

150. The LHA have commented that secure parking for motorcycles has not been provided. The agent has responded by stating there is no policy requirement to provide motorcycle parking and no opportunity to provide this within the site without compromising the development. The proposal accommodates provision for multiple transport choices by virtue of its location and design. It is close to a Metrolink station whilst the city centre is walkable. Provision is made for cyclists through onsite cycle parking and the provision of the first phase of a cycle path network through the wider Pomona Island site whilst car parking options are available, alongside a commitment to operate car club from the site. They consider that the scheme accommodates the needs of different transport choices in overall terms and in this context there is no requirement to provide motorcycle parking in addition to these provisions.
151. The LHA consider that it is disappointing that the developer does not accept the need for motorcycle parking as this will reduce the transport options for occupiers they accept it is a matter for officers to decide if the lack of motorcycle parking is acceptable. This is not a requirements under SPD3 and on balance it is considered preferable to retain the current number of cycle parking, car parking and accessible parking spaces.

Cycle Parking and Storage Arrangements

152. Secure cycle parking for 162 adult bikes is proposed inside the buildings (100% provision). In view of the limited availability of car parking the LHA consider that this quantity should be given further consideration. In response the agent has stated that one cycle parking space per dwelling complies with policy and it is typical for apartment schemes to provide up to 1 space per dwelling and so the proposal makes adequate provision for cycle parking in this regard. The suggestion that this should be increased due to the low level of car parking is not justified. The level of car parking is not low for a city centre apartment scheme and, as noted above, overall the scheme achieves the right balance between different transport choices, with a particular focus on promoting sustainable choices. TfGM have commented that the 162 cycle parking spaces to be provided for residents equates to a 1:1 provision and they welcome this. It is also noted that the cycle parking provision is compliant with SPD3 and is considered acceptable on this basis.

Transport Assessment

153. The LHA consider that sufficient detail has been provided by the applicant. It is noted that due to the very accessible location of the development the car parking provision has been reduced significantly to 42 spaces. This development is only for 162 residential apartments which does not have a significant impact on the wider highways network especially with so few car generated journeys anticipated.

154. TfGM HFAS (Highways Forecasting Analytical Services) and TfGM UTC (Urban Traffic Control) have also reviewed the Transport Statement and in relation to Trip Generation comment that:

The TRICS Assessment provided within the TS demonstrates that the proposed development is likely to generate a total of approximately 18 two-way trips in the AM peak hour (08:00-09:00) and 24 two-way trips in the PM peak hour (17:00-18:00). This equates to around 1 two-way trip every 2.5 to 3 minutes in the peak hours. The TS confirms that trip generation rates have been agreed with the Local Highway Authority (LHA). Based on the predicted trip generation, no further highway impact assessment work is required.

155. TfGM consider that controlled pedestrian facilities should be provided at the Pomona Strand exit, at the junction of Trafford Wharf Road / White City Way / Trafford Road. Given the increase in footfall from the residential use, this is recommended to support the development and improve the pedestrian environment and TfGM refer to the LHA to determine whether this can be secured. Having considered this request it is not considered reasonable to require this in relation to the current application though it is likely to be addressed in subsequent phases of the development of Pomona Island.

Travel Plan

156. Sufficient detail has been provided by the applicant, which is realistic and has measurable targets to promote the use of sustainable transport options and reduce car use, in particular single occupancy vehicle trips. The LHA extrapolate that people who choose to live in this development will be fully aware of the on-site parking restrictions and are quite likely not to be concerned at having an allocated parking space as they have other transport choices available.

157. TfGM have commented that an appraisal of the site accessibility confirms that the development is well served by public transport, being located close to Cornbrook Metrolink stop and bus stops on the A56. It is considered that the site is easily accessible via public transport modes which should help to reduce the car dependency of future residents.

158. They go on to state that in order to maximise the benefits of the site's location in relation to active travel, it should be ensured that the pedestrian and cycling

environment is designed to be as safe, convenient and attractive as possible through measures such as the appropriate use of surfacing materials, landscaping, lighting, signage and road crossings. To encourage sustainable travel choices, it is important that the development is accompanied by a robust Residential Travel Plan. A Travel Plan condition is attached as recommended.

Adopted Highway, Traffic regulation Orders (TROs) and Speed Surveys

159. The LHA initially commented that if the developer intended that the highway subsequently be adopted by the Council they should submit a plan showing clearly the areas to be offered for adoption to allow the LHA to comment on suitability. They went on to state that no parking restrictions have been highlighted on any plans and that TROs for Waterways Avenue would be required - a 20mph speed limit will need to be implemented as 5mph is not enforceable and parking restrictions to avoid vehicles blocking the path of through traffic (especially emergency vehicles). The LHA stated that at this stage of the wider development the volumes of traffic are going to be very light; however, traffic calming measures need to be considered before occupation of the blocks occur as these reinforce a 20mph speed limit. TfGM also suggest that a review is undertaken of the Traffic Regulation Orders in the vicinity of the development.
160. However the agent for the application has responded by stating that at this stage the developer has confirmed that they are not committed to pursuing the adoption of the internal road. To this end, they consider it would be premature to provide the details requested, including more detailed plans and a road safety audit. This information can be provided should the developer wish to seek the adoption of the highway network in the future.

TfGM Metrolink

161. Do not object to this application. Whilst it is noted that there is a commitment to deliver improved cycle/pedestrian connectivity as part of the Masterplan for the wider area TfGM have stated it would be good to see some improvements considered as part of this development to provide better connectivity to the Cornbrook Tram Stop. Metrolink runs near the site in an elevated position and whilst it operates on the other side of the Bridgewater Canal to the development it is considered that the acoustic requirements needs to be considered to ensure that future residents are not adversely impacted by tram noise and a condition is recommended. This issue is considered under the amenity section of this report. An informative is also requested to advise the application of the details of Working Safely near Metrolink.

Construction Impacts

162. LHA and TfGM have recommended a robust Construction Method Statement be required via condition to ensure construction traffic and parking and amenity impacts are managed appropriately and this is recommended accordingly.

Conclusion and Highways Impacts and Parking

163. The application site is in a very sustainable location and it is concluded that the proposed 26% car parking provision and 100% cycle provision is acceptable. It is considered that the residual cumulative impacts on the road network would not be severe and there would not be an unacceptable impact on highway safety. With regard to the provision of accessible parking the amended number of accessible spaces, as a proportion of the total, is appropriate. Subject to appropriate conditions as set out above it is considered that the proposal is acceptable.

ECOLOGY AND TREES

164. 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.
165. There are no trees of note on site currently and therefore no impact to assess on existing trees. The Council's Arboriculturist has stated that the submitted landscape information is comprehensive in terms of what plants are being put where. However more information will be required via condition as to how this will be achieved. With regard to planting areas, the row of Sorbus arias, the Corylus avellanas, the Liquidambars and the Sorbus x arnoldiana have very limited rooting space and so we will need to have a raft system in place to provide the rooting volume that those species of trees need. In addition to this, a map of the utilities within the area with planting pits/raft systems plan overlaid to show that they can actually be installed will be required. The detail of the type of raft system to be used, what soil it will be backfilled with, the area of ground to be covered by the system along with the soil volume for each tree will also be required to be submitted.
166. On this basis and subject to a landscaping condition it is considered that the proposal is compliant with Policies R3 and R5.
167. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity.

168. Policy SL1 of the Core Strategy states in order for development in this location to be acceptable an assessment of biodiversity must be carried out and appropriate sites for nature conservation must be provided to compensate for any loss.
169. Paragraph 180 d) of the NPPF states: *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*
170. An Ecology Assessment has been submitted with the application and the GM Ecology Unit (GMEU) have been consulted. They comment as follows:-
171. The submitted Ecological Assessment appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance and the surveys were conducted at appropriate times of year for the types of surveys undertaken.
172. The Report concludes that the site supports habitats which are of only local and in part limited value to biodiversity, the majority being bare hardstanding. However the site is adjacent to the Manchester Ship Canal and in close proximity to the Bridgewater Canal and in an area where several Schedule 1 species can occur. A breeding bird survey has been undertaken and no birds of substantive conservation importance were recorded within the application site.
173. All other protected and priority species have reasonably been discounted and the GMEU concur with that conclusion. They have not considered any detailed landscape proposals as part of this consultation, although a schematic is presented within the Ecological Assessment. The GMEU consider that there is currently no known reason to contradict the findings of the report and the application can be determined without the need for any further biodiversity work.
174. The GMEU recommend a number of conditions and informatives are attached should approval be granted. These are as follows:
- Layout & landscape -The proposal should provide a suitable stand-off to the canal and provide opportunities to introduce landscape and biodiversity enhancement to these boundaries. Although it is acknowledged that these are hard structures, the waterways are likely to be used by commuting, foraging and feeding animals.
 - Tree protection of retained hedgerows, trees and scrub conditioned. The protective condition should also encompass the edges of the canals (see CEMP below).
 - CEMP - The Report indicates that there is potential for dispersed impacts on the downstream Salford Quays SBI. This will primarily be from the accidental spillage of spoil/stored materials or the drainage of silts/water/contaminants into the water bodies. A suitable Construction Environmental Management

- Plan should be required to ensure implementation of appropriate protection methodologies. This can be secured via condition
- Design of the external lighting scheme, particularly along the boundaries adjacent to the watercourses. In line with the NPPF it is recommended that applicants follow the Institute of Lighting Professionals guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting). This should include highways street lighting along with pedestrian walkways/cycleway and external lighting to the buildings
 - Breeding birds – Informative that vegetation clearance including trees, shrubs and undergrowth (eg bramble) should avoid of the breeding season (March – August inclusive) unless it can be demonstrated that there is no nesting activity present. All wild birds are protected whilst nesting (Wildlife & Countryside Act 1981).
 - Biodiversity Net Gain – The Report discusses the emerging Environment Act which has now received Royal assent (November 2021) but it is noted that the scheme has not presented a Biodiversity Net Gain calculation as guided by the NPPF (July 2021, paragraph 174d and 179 b)). The Greater Manchester Combined Authority (GMCA) has adopted guidance on the format of the submission of information in relation to Biodiversity Net Gain. It is of note that significant biodiversity uplift could be achieved on this site and in light of this it is my opinion that there is little merit in requiring a full metric calculation in this instance, on the assumption that the landscape that can be achieved will be way in excess than what is currently present. The submission shows that increase in both tree/shrub cover, hedgerow and grassland can be achieved. Full details of a landscape scheme including planting specification should be secured and implemented via a suitable condition.
 - Biodiversity Enhancement - The Report also makes recommendations for species enhancement, which is not encompassed in the BNG metric calculations. However, this is only in overarching generalities so it is recommended a biodiversity plan is required to be submitted to show the details, location, specification and quantum of bird/bat boxes, pollinator bricks etc.. This can be conditioned on any permission if granted.

175. It is concluded that there are no significant ecological issues relating to the site currently and that subject to the conditions and informatives the scheme would result in net gain for biodiversity, compliant with Policy R2 of the Core Strategy and the NPPF.

FLOOD RISK, DRAINAGE AND CONTAMINATION

176. Policy L5 states that *‘Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place’*.
177. Policy SL1 of the Core Strategy states that an assessment of potential contamination must be carried out prior to development and any necessary

remediation carried out in accordance with an agreed schedule. A 'Preliminary Risk Assessment (Ground Conditions)' report has been submitted

178. The Council's Pollution and Housing section have been consulted and reviewed the phase I (desktop) and phase II intrusive site investigation reports which have been submitted in support of the above application. The reports confirm that the site formally had an industrial usage and this has resulted in contamination occurring in the form of elevated levels of heavy metals and PAH's. An initial ground gas assessment has been undertaken and levels identified will require risk assessing to inform gas protection measures to be included within the buildings.
179. The Environment Agency have also commented that the proposed development is located on or within 250m of a landfill site that is potentially producing landfill gas and that the potential risk to the development from landfill gas, will need to be considered carefully ensuring that appropriate assessments have been carried out to identify potential risks and measures to address any concerns should be included as part of any planning permission.
180. The Council's Pollution and Housing section go on to state that the report confirms that remediation will be required to ensure that future site users are protected and not exposed to any risks presented by the contamination present. A remediation strategy has been presented which details how contamination will be further investigated and remediated as part of the development. The remediation strategy is satisfactory in relation to contamination from heavy metals and PAH's (polycyclic aromatic hydrocarbons), however, a completed ground gas risk assessment has not been provided and without this the Council cannot agree on the proposed ground gas protection measures which are included within the strategy. Therefore a condition is required that the submitted contaminated land remediation strategy shall be updated to include a ground gas risk assessment based upon the completion of the ground gas monitoring. To ensure that the remediation strategy is implemented, conditions requiring the implementation of the approved updated remediation strategy and submission of a verification report prior to first occupation of the development are recommended.
181. 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 167 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.
182. Policy SL1 also seeks to ensure that the Pomona site will be safe, without increasing the risk of flooding elsewhere, and that it will where possible reduce flood risk overall.

183. A Flood Risk Assessment and Drainage Statement have been submitted in support of the application.
184. The Environment Agency were consulted and stated that although they had no objection in principle to the proposed development the flood level data quoted in the flood risk assessment (FRA) is no longer the most current data. Therefore they advise that the applicant request the modelled data in the form of a Product 4 from the Manchester Ship Canal 2018 model which includes 35% and 70% climate change allowances. The applicant can then update the existing FRA with the correct flood levels and submit it to the Lead Local Flood Authority.
185. The applicant has submitted an updated FRA and addendum and the LLFA have been consulted and have confirmed that they have no objections to the application on the basis of this information subject to conditions which are recommended accordingly.

Statement of Community Involvement (SCI)

186. An SCI has been submitted which states pre-application engagement included an extensive pre-submission leaflet drop, hosting of a website enabling interested persons and organisations to view details of the proposal and provide constructive feedback and an exhibition of the proposals held at the Pomona Wharf Phase 1 development enabling residents to meet the developer team. The development was advertised on social media and via a press release. A Freephone telephone line and consultation e-mail address were provided for direct enquiries. Local Ward Members were also informed of the proposals. The SCI states that no changes have been made to the scheme as a result of the feedback but regarding concerns over access and construction noise have been taken on board and the applicant intends to develop and adopt a Construction Environmental Management Plan.

Equalities

187. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
188. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
189. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.
190. The Design and Access Statement sets out that the building layout is designed to be accessible to all. Three accessible parking spaces are located close to the building entrance whilst all thresholds are flush for wheelchair users. From the entrance, lifts with braille signage give access to all the upper floors and apartments. Within apartments switches are located at accessible heights and the open plan layout has space to circulate freely. Bathroom doors open outwards to help wheelchair manoeuvres. The amended accessible parking provision is now considered appropriate and the agent has agreed to a condition to provide a fourth accessible parking space in the future if it is required for one of the occupiers of the apartments.
191. It is considered that the proposal is acceptable in this respect. No particular benefits or dis-benefits of the scheme have been identified in relation to any of the other protected characteristics in the Equality Act. As such, it is considered that the proposed development is acceptable.

DEVELOPER CONTRIBUTIONS

Community Infrastructure Levy (CIL)

192. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the cold zone for residential development, consequently private market houses will be liable to a CIL charge rate of £20 per square metre, and apartments will be liable to a CIL charge rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
193. However developments that provide affordable housing can apply for relief from paying CIL on those affordable units. Subject to the relevant criteria being met, relief from paying CIL can be granted and there the CIL payments will be reduced according.

Affordable Housing

194. No affordable units are proposed within the scheme. A contribution of £405,616 has been offered in respect of all planning obligations required with the applicant suggesting that the Council can determine for itself how this is split between the various infrastructure requirements.

Education

195. Policy L2.2 states that residential development will be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to schools.
196. The calculation carried out by Trafford Education shows that a contribution of £424,899 is required to fund 27 primary school places.

Health

197. Policy L2.2 states that residential development will be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to health facilities.
198. Trafford CCG has been consulted and do not consider a health contribution is required in this instance and consequently no financial contribution is sought towards health provision.

Open Space and Sport

199. Core Strategy Policy L8 states that the Council will seek contributions towards Spatial Green Infrastructure, such as parks, play areas and outdoor sports facilities. SPD1 accepts that if a sufficient level of local open space cannot be provided on site, off-site improvements to nearby open space can be made by way of a financial contribution.
200. Residential capacity as per SPD1 is calculated at 308.4 and on this basis in terms of spatial GI (local open space) this would result in a required contribution towards Local Open Space of £49,834.36 and a contribution towards provision for Children and Young People of £99,625.96

Viability

201. The application submission includes a Financial Viability Assessment (FVA) which states that the development cannot sustain any affordable housing or other S106 requirements.
202. Within the applicants submitted FVA, a benchmark land value (BLV) is set out based on an industrial use of site and an alternative use value based on a hotel use has also been provided. However the industrial use BLV is not based on the

existing cleared site rather a high quality storage and distribution centre which would require planning permission. Neither BLVs are accepted as it is considered that neither are based on a EUV+ methodology. The initial FVA ran two scenarios, one with policy compliant affordable housing and S106 contributions and one without. The assessment sets out that both scenarios are unviable and suggested that it would be a commercial decision for the applicant if they choose to proceed with the development. In addition a market sale appraisal has also been run in order to provide comparable transactional data (in accordance with the NPPG) to support the value assumptions within the BTR appraisal along with an appraisal based on the AUV, all of which render the scheme financially unviable.

203. The FVA has been robustly reviewed by the Councils independent viability consultant who have raised a number of concerns with the inputs within the applicants FVA and its creditability. Particularly around the BLV and the EUV+ methodology, they considered that the applicants suggested BLV is too high and does not follow the NPPG guidance in respect of EUV. In addition there is disagreement on the market sale appraisal in respect of values which are considered to be set too low. In reviewing the appraisal, they have also sensitivity tested and run their own appraisal of the scheme using the BTR product, which concludes that the development could sustain at least an NPPG compliant level of affordable housing (20% of affordable private rent) and development plan policy compliant S106 contributions which would equate to a combined total of **£2,068,149**. Further viability analysis to consider whether up to 40% affordable housing could be provided (as well as other infrastructure contributions) is to be carried out by the Council's viability consultant and the results of this reported in the AIR.
204. Following this exchange the applicant has offer a commuted sum in lieu of affordable housing on site. Officer consider in this instance given tenure of the affordable housing as affordable private rent, that a financial contribution would be better value and help the Council realise its ambition to provide and build more social rent units within the borough. On this basis it is considered an offsite contribution would be appropriate. The value of the contribution at £406, 616 is equivalent to 9 affordable units (5%) and significantly below the policy compliant level of £1,493,790. It is suggested that this offered contribution is all put towards affordable housing and no contribution made towards education, open space or play space.
205. The applicant maintains their position that the development cannot fund the policy compliant level of affordable housing and other planning obligations contrary to the Council's independent advice. On this basis the Council consider that the development fails to comply with Policies L2 and L8 of the Core Strategy and the NPPF given the absence of a robust viability appraisal which demonstrates what level of contributions can be supported by the scheme. Nevertheless, the applicant's offer to provide a financial contribution of £405,616

must be considered in the planning balance along with the harm arising from the policy conflict.

Summary of developer contributions

206. Following a robust review of the submitted Viability Appraisal and subsequent discussions between the Local Planning Authority and the applicant, together with their respective viability consultants, Officers consider that development would not provide sufficient contributions in order to mitigate the harm to the development. In the absence of a robust FVA and in this regard the development is considered to be contrary to Policies L2 and L8 of the Core Strategy and the Development Plan.

PLANNING BALANCE AND CONCLUSION

207. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
208. The proposal fails to comply with Policies L2 & L8 of the Core Strategy and the NPPF due to the failure to provide affordable housing and other planning obligations. The applicant has also failed to provide a robust viability assessment in accordance with the NPPF that supports this position. However £405,616 of financial contributions which equates to 9 (5%) affordable units has been proposed this is weighed in the planning balance.
209. The Council cannot demonstrate a five year housing land supply and the presumption in favour of sustainable development applied and the titled balance is engaged. The harms and benefits of the proposed development are now listed and discussed below.

Adverse Impacts

210. The following adverse impacts of granting permission have been identified:
- Lack of any onsite affordable housing and a shortfall in the off site contribution when compared to development plan policy requirements.
 - Lack of a robust viability appraisal in accordance with the NPPF/NPPG
 - Lack of policy compliant contributions towards infrastructure (education and open space)
 - Some shortfall in the targets within the BRE Guide 'Site Layout Planning for Daylight and Sunlight' and SPG1 'New Residential Development' for future occupiers of the development
 - 26% car parking provision and no motorcycle parking provision
 - Less than substantial harm to a listed building

211. These adverse impacts must be weighed against the benefits of granting permission when assessed against the policies in the NPPF as a whole.

Scheme Benefits

212. The main benefits that would be delivered by the proposed development are considered to be as follows: -

- 162 new homes would make a contribution towards addressing the current housing land supply shortfall
- Re-use of previously developed, under-utilised and contaminated land.
- Regeneration within an area identified as a Strategic Location and Priority Regeneration Area
- Improved cycle and pedestrian access within the site and connectivity with existing routes.
- Economic benefits that will flow from construction and occupation.
- A financial contribution towards the provision of £405,616

213. The benefits arising from the scheme are numerous and a number of them can be given significant weight. Substantial weight is afforded to the regeneration of a vacant brownfield site that will contribute to the shortfall in housing land supply in the Borough. 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.

214. Significant weight is given to harm arising from the lack of onsite affordable housing provision and a policy compliant commuted sum and in addition the lack of policy compliant financial contributions towards open space (including children and young people's playspace) and education. This is coupled with the lack of a robust viability appraisal to support the viability case put forward by the applicant and is a clear policy conflict with Policies L2 and L8 of the Core Strategy and the NPPF. There is no conflict between significant weight being given to the market and affordable housing (albeit offsite) that would be provided and significant weight being given to the harm arising by not providing a sufficient level of affordable housing in accordance with development plan policy requirements.

215. Weight is afforded however, to the £405,616 financial contribution proposed by the applicant towards affordable housing, but weight is significantly diminished by the lack of a robust viability appraisal to support this position and the fact that this does not fully mitigate the impact of the development or represent either a development plan policy compliant level of contribution.

216. Other harms relate to the some shortfalls in daylight levels for some of the units, the low provision of car parking and the less than substantial harm to a designated heritage asset. The level of weight afforded to these harms is limited.
217. Having carried out the weighted balancing exercise under Paragraph 11 (d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so. Indeed the harm identified by reason of the lack of affordable housing and appropriate financial contributions to mitigate the harm of the development coupled with the lack of a robust viability appraisal to support this position are considered to significantly outweigh the benefits identified above.
218. As such the application is considered to be contrary to Policies L2 & L8 and the NPPF and is therefore recommended for refusal.

RECOMMENDATION

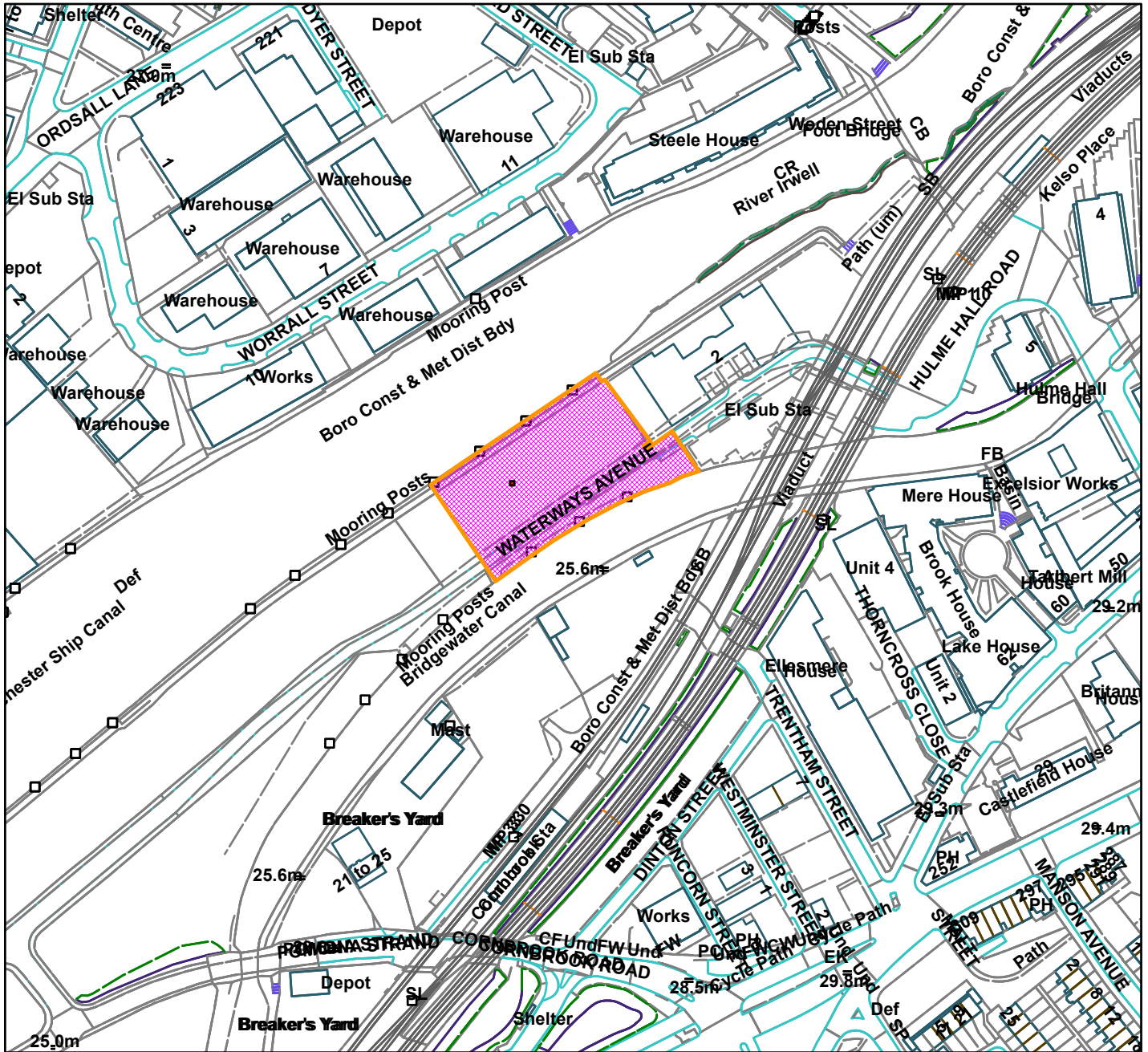
REFUSE planning permission for the following reasons:

1. The proposed development would not provide a development plan policy compliant level of planning obligations to suitably and appropriately mitigate the impacts of the development. The applicant has failed to demonstrate that there is a robust viability case to demonstrate that the scheme could not offer a policy compliant level of obligations. The proposed development is therefore contrary to Policies L2 and L8 of the adopted Core Strategy and the Council's adopted Revised Supplementary Planning Document 1 (SPD1) - Planning Obligations and the National Planning Policy Framework.

JJ



Development Site, Waterways Avenue, Pomona, Old Trafford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)

WARD: Brooklands

106535/FUL/21

DEPARTURE: No

Installation of two source air heat pump at the rear of the King Block building.

Sale High School, Norris Road, Sale, M33 3JR

APPLICANT: Miss Fisher

AGENT: Amey Consulting

RECOMMENDATION: GRANT

This application has been reported to the Planning and Development Management Committee as the applicant is Trafford Council and one or more objections have been received.

SITE

The application site relates to a school situated to the west of Norris Road in Sale. The site is located within a predominately residential area, the land to the north comprises Sale Moor Community Centre and Moor Nook Park, a substantial grassed sporting area with access available for the general public. Vehicular access is via Croft Road to the east of the site. The site falls within Protected Linear Open Land with the playing fields to the rear of the school designated as Protected Open Space.

The school building itself and the car park are situated within the northern part of the application site, whilst the southern part is largely comprised of grass playing fields and hard-surfaced playing facilities.

PROPOSAL

The application seeks planning permission for the installation of two air source heat pumps in a timber enclosure at the rear of the King Block building.

The proposed heat pumps and associated enclosure would be sited on the south side of the King Block, which is a two storey block immediately to the north of the playing fields.

The air source heat pumps would be contained within a timber enclosure which would have a height of 1m, project by 1.6m and have a width of 2.6m.

Value added: Application form re submitted and description of development updated to 'two' air source heat pumps. Noise assessment re submitted. Neighbours consulted for 10 days.

During the neighbour re consultation revised proposed plans were submitted with the correct scale on the floor plans.

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 AND OBJECTIVES

- L7 – Design
- L5 – Climate Change
- R3 – Green Infrastructure
- R5 – Open Space, Sport and Recreation

SUPPLEMENTARY PLANNING DOCUMENTS

- None

POLICIES MAP NOTATION

- Protected Open Space
- Protected Linear Open Land

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

- None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October

2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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.

RELEVANT PLANNING HISTORY

104761/FUL/21 - Installation of solar panels to the roof

Approve with conditions, 16.02.2022

APPLICANT'S SUBMISSION

Plant Noise Assessment

Daikin Altherma 3 Monoblock Brochure

CONSULTATIONS

Trafford Council, Pollution & Housing (Nuisance): No objections to this application on the provision that the development is implemented in accordance with the criteria presented within the submitted Noise Assessment.

"The revised Noise Assessment has been submitted to reflect the correct position of the ASHPs. The report has taken into account the distance from the nearest sensitive receptors and calculated suitable plant noise emission limits to be achieved within the gardens of the nearest houses. The plant will be installed so as not to produce any distinguishable, discrete or continuous features (whine, hiss, screech, hum, bangs, clicks, clatters or thumps).

The report concludes that by meeting the prescribed night time emission limits, adverse impact as a result of the proposed plant operation would be unlikely."

REPRESENTATIONS

Neighbours: Letters of representation have been received from three properties and an anonymous representation. One letter of representation has been withdrawn at the request of the occupant.

Therefore three representations have been submitted with the following summarised comments and concerns:

Noise

- Concern about the noise volume/ loud
- Guarantee and assurance this will not cause a disturbance to the neighbours
- Noisy when running, especially in winter when they run constantly
- How much noise will they generate
- Near constant humming
- Soundproofing

Other matters

- Where is the air pump to be housed on the proposed plans
- School field imposing on home

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
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 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version. 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.
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 relating to climate change, protected open space, visual amenity and the protection of residential amenity are considered most important in the determination of this planning application. These are Policies L5, L7 and R5 of the Core Strategy.
6. Policy L5 of the Core Strategy is generally not consistent with the NPPF in respect of climate change and is considered out of date in part. Policy L7 and R5 of the Core Strategy are considered to be up to date. As policy L5 is out of date and is considered important in determining this application 11 d) ii of the NPPF is engaged and therefore permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
7. Paragraph 154 of the NPPF states: "When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
 - b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
8. Although it can be given less weight, Policy L5 of the Core Strategy states that “New development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.”
 9. Paragraph 98 of the NPPF states: “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”
 10. Policy R5 of the Core Strategy states that, “The Council will seek to address key areas of deficiency in quality and quantity of open space and indoor/outdoor leisure provision... by the adoption of the following actions and standards set out below: Protecting existing and securing the provision of areas of open space and outdoor sports facilities.”
 11. The playing field to the south of the application site is protected open space. The proposal would not have an adverse impact on the open space, as the air source heat pump would be sited on the side and rear elevation of the King block building which is situated adjacent to the field. As such the proposal would not erode the existing open space, or result in the loss of the sports and recreational land including the playing fields. It is therefore considered that the proposal would not have any detrimental impact on the Protected Linear Open Land or the Protected Open Space and therefore, in this regard the proposal is considered acceptable.
 12. The principle of installing air source heat pumps at the site is therefore considered acceptable with regard to NPPF guidance and Policy L5 of the Core Strategy. This is subject to appropriate impact on visual and residential amenity.

DESIGN

13. Paragraph 126 of the NPPF states that “*The creation of high quality, beautiful and sustainable 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 134 states that “*Development that is not well designed should be refused, especially where it*

fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...

14. 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.*
15. The proposed air source heat pumps would be located within an external timber noise protection enclosure measuring 1m in height, 2.6m in width and 1.6m in depth. The timber enclosure would cover an area of 4sqm, located to the north-east elevation of a separate school block building which is sited to the rear of the main school
16. It is considered the proposed heat pump would be a proportionate addition to the scale of the building and application site. Given the siting and scale of the proposal it would be largely screened from view from the surrounding streets of Norris Road, Croft Road, Wynyard Close and Dixon Close. This is due to the existing sports building close to the north-east boundary and dense vegetation / fencing on the side boundary of the application site.
13. The proposal is therefore considered acceptable in terms of design and visual amenity.
14. The proposal is therefore considered to be in accordance with Policy L7 of the Core Strategy and NPPF guidance in terms of design

IMPACT ON RESIDENTIAL AMENITY

15. 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”*.
16. The massing of the air source heat pumps and enclosure would be minimal. They are not considered to introduce any visual intrusion or loss of amenity resulting from the physical scale of the enclosure and equipment, given the closest resident gardens on Wynyard Close and Dixon Close are approximately 60m away and closest property in excess of 70m away.
17. The applicant has submitted a noise impact assessment, which has taken into account the distance from the nearest sensitive receptors and calculated suitable plant noise emission limits to be achieved within the gardens of the nearest houses. The report concludes that by meeting the prescribed night time emission

limits and adverse impact as a result of the proposed plant operation would be unlikely.

18. On this basis, the Council's Environmental Protection (Nuisance) consultee has raised no objections to the development, subject to it being installed, operated and implemented in accordance with the criteria presented within the Noise Assessment, which is proposed as a condition of approval. An informative has also been put forward in respect of the construction work impact, however given the scale of the proposal this is not considered to be warrant any further restrictions.
19. It is therefore considered that the proposed development would not have any unacceptable noise impacts on the occupiers of nearby residential properties.
20. As such, it is considered that the proposal would be acceptable in residential amenity terms with regard to Policy L7 of the Core Strategy and relevant NPPF guidance.

DEVELOPER CONTRIBUTIONS

21. The proposal would not result in any increase in floor area and therefore no CIL contributions are required.
22. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

23. The installation of air source heat pumps at the site is considered acceptable in principle with regard to Policy L5 of the Core Strategy and NPPF guidance. The proposed development would also be acceptable in terms of open space, design and impact on residential amenity, subject to appropriate conditions. As such, the proposed development would comply with Policy L7 of the Core Strategy and relevant NPPF guidance and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when weighed against the NPPF as a whole. It is therefore recommended that permission be granted subject to conditions.

RECOMMENDATION: GRANT subject to the following conditions

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing numbers

CO00201404_06_100 Rev P02, received by the local planning authority on 10th February 2022;

CO00201404-AR-6 Rev P91, received by the local planning authority on 24th November 2021;

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

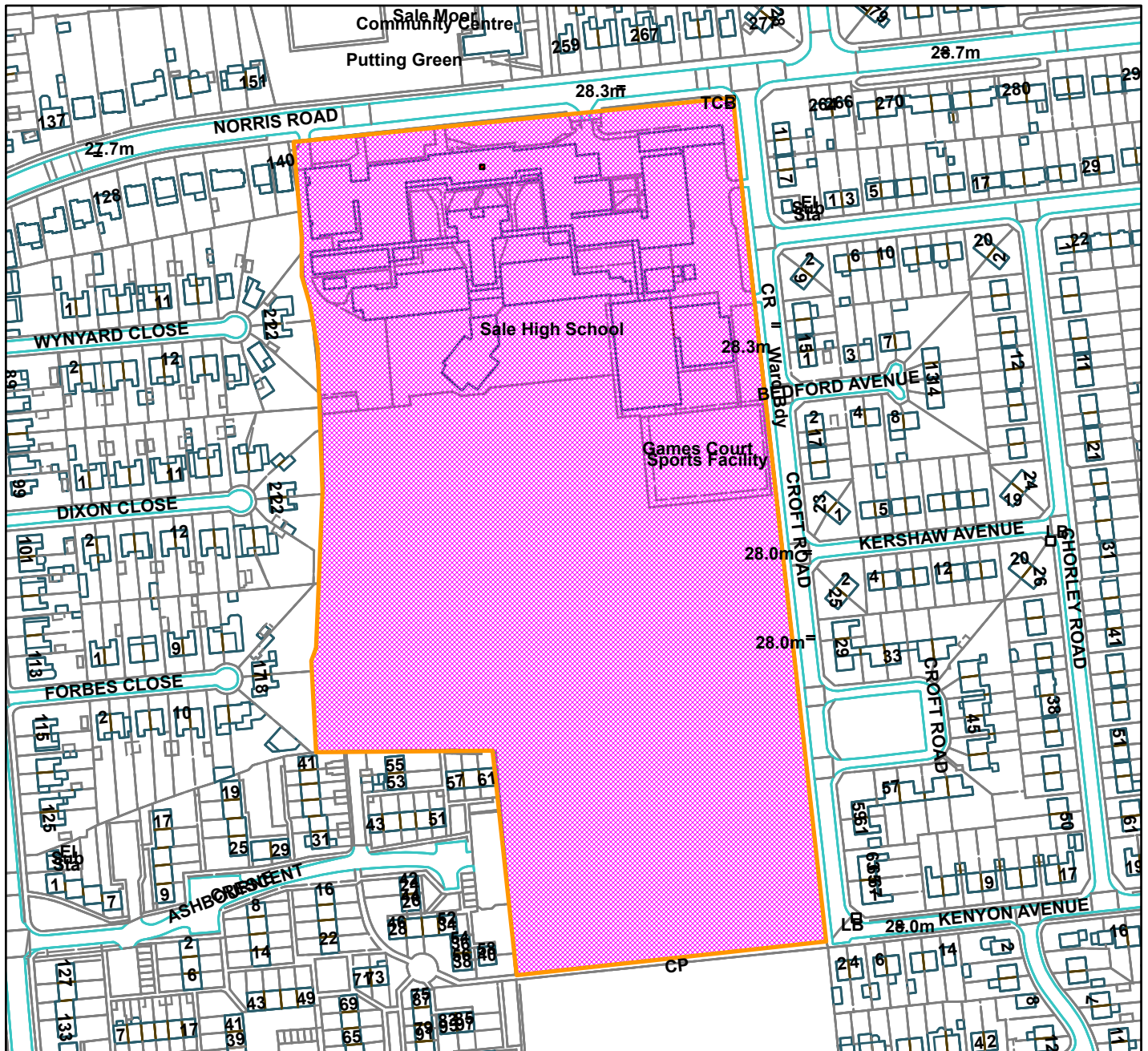
3. The Air Source Heat Pumps hereby approved shall be installed and maintained in accordance with the submitted Plant Noise Assessment (prepared by Aecom, dated November 2021) for the lifetime of the development.

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

KG



Sale High School, Norris Road, Sale (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date-10/03/2022
Date	28/02/2022
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