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TRAFFORD
COUNCIL

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 17 October 2024

Time: 6.30 pm

Place: Council Chamber, Trafford Town Hall, Talbot Road, Stretford M32 0TH

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 26 th September, 2024.	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 on the working day 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
113468	Curzon Cinema, Princess Road, Urmston, M41 5SQ
113777	10 Wey Gates Drive, Hale Barns, WA15 0BW
113948	12A Old Heyes Road, Timperley, WA15 6EW
114234	Donnington, 32 Grange Road, Bowdon, WA14 3EE

7. **INFRASTRUCTURE AND DEVELOPMENT IN DAVENPORT GREEN - DEVELOPER CONTRIBUTIONS**

To consider the attached report of the Head of Planning and Development.

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8. **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 B.G. Winstanley (Chair), S. Maitland (Vice-Chair), Babar, M. Cordingley, Z.C. Deakin, P. Eckersley, W. Hassan, D. Jerrome, M. Minnis, T. O'Brien, S. Procter, M.J. Taylor and S. Thomas.

Further Information

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

Michelle Cody, Democratic Officer

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This agenda was issued on **8th October, 2024** 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

26 SEPTEMBER 2024

PRESENT

Councillor B.G. Winstanley (in the Chair).

Councillors S. Maitland (Vice-Chair), B. Babar, M. Cordingley, Z.C. Deakin, P. Eckersley, E. Hirst (Substitute), D. Jerrome, J. Newgrosh (Substitute), T. O'Brien, S. Procter, M.J. Taylor and S. Thomas.

In attendance

Director of Growth and Regulatory Services	(Mr. A. Fisher)
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)	(Ms. C. Kefford)
Senior Democratic Support Officer	(Mr. H. Callaghan)

Also Present

Councillors S. Ennis, N. Evans, and K. Procter.

APOLOGIES

Apologies for absence were received from Councillors W. Hassan and M. Minnis

1. DECLARATIONS OF INTEREST

Councillor Newgrosh declared a Personal and Prejudicial Interest in Application 112429/FUL/23 (Woodlands United Reformed Church, Timperley, Altrincham) due to him being a Ward Councillor and confirmed that he would be recusing himself during the consideration of this item and speaking against it.

2. MINUTES

RESOLVED: That the Minutes of the meeting held on 8th August 2024, be approved as a correct record and signed by the Chair.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC

One question was received from a Member of the Public relating to Application 112429/FUL/23 (Woodlands United Reformed Church, Woodlands Parkway, Timperley, Altrincham).

The Head of Planning and Development outlined how this was a representation on the Application and would therefore be dealt with during the agenda item, rather than in the time for public questions, as this was when the merits of applications of the agenda should be discussed. The Head of Planning and Development referred Members to the Additional Information report where the questions had been reported and responded to, with the Planning and Development Manager to address this during the agenda item.

**Planning and Development Management Committee
26 September 2024**

RESOLVED: That the update from the Head of Planning and Development be noted.

4. ADDITIONAL INFORMATION REPORT

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

RESOLVED: That the report be received and noted.

5. 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>
113094/FUL/24 – Islamic Cultural Centre, Grove Lane, Hale.	Erection of a single storey side and rear extension to Prayer Hall 1.
113464/FUL/24 – Altrincham College, Green Lane, Timperley, Altrincham.	Demolition of existing block. Erection of a 2 and 3 storey teaching block containing 31no. classroom with ancillary rooms and erection of two infill extension to create larger kitchen and servery, together with the creation of additional car parking and erection of 2.4m high fencing.
114161/HHA/24 – 25 Barnfield Crescent, Sale.	Demolition of existing conservatory and erection of single storey side and rear extension.

6. APPLICATION FOR PLANNING PERMISSION 112429/FUL/23 - WOODLANDS UNITED REFORMED CHURCH, TIMPERLEY, ALTRINCHAM, WA15 7QT

[Note: Councillor Newgrosh declared a Personal and Prejudicial Interest in Application 112429/FUL/24 (below), he remained in the meeting but spoke against the application]

The Head of Planning and Development submitted a report concerning an outline planning application for the erection of a two-storey infill extension to the existing internal courtyard, new internal reconfiguration and external alteration to include: new rear and front entrance, blocking up existing windows and the creation of new windows, new AC units, external landscaping and reconfiguration of the car parking.

Planning and Development Management Committee
26 September 2024

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

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

7. APPLICATION FOR PLANNING PERMISSION 113920/FUL/24 - 5 RIDGE AVENUE, HALE BARN, ALTRINCHAM, WA15 0AY

The Head of Planning and Development submitted a report concerning an outline planning application for the change of use from residential dwelling to children's home.

It was moved and seconded that planning permission be deferred.

The motion was put to the vote and declared lost.

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

8. 273 DAVYHULME ROAD, DAVYHULME M41 8GA: MAKING OF IMMEDIATE ARTICLE 4 DIRECTION TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR THE DEMOLITION OF THE BUILDING

The Head of Planning and Development submitted a report informing Members of the making of an immediate Article 4 Direction, removing permitted development rights for the demolition of 27 Davyhulme Road, Davyhulme, Manchester, M41 8GA, which had taken place since the previous meeting of the Committee on 8 August 2024.

The decision was made by the Chair and Vice Chair of the Committee together with the Corporate Director of Place by reason of urgency and because the matter constituted 'an emergency action which cannot reasonably await the next meeting'. This was because, in order to prevent the demolition of the building, an Article 4 Direction needed to be made before the expiry of an application for prior approval for demolition on 3 September 2024.

The Head of Planning and Development outlined correspondence received from the owners of the properties with information of their personal circumstances and asking that officers discuss their options with them. This had been included within the Additional Information Report and the owners were assured that officers would engage with them to discuss.

RESOLVED: That the Committee noted the contents of the report and appended report for information.

The meeting commenced at 6.30 pm and finished at 8.21 pm

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 17th OCTOBER 2024

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. The Places for Everyone Joint Development Plan Document.
6. Supplementary Planning Documents specifically referred to in the reports.
7. Government advice (National Planning Policy Framework, Circulars, practice guidance etc.).
8. The application file (as per the number at the head of each report).
9. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
10. 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 – 17th OCTOBER 2024

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
113468	Curzon Cinema, Princess Road, Urmston, M41 5SQ	Flixton	1	Grant
113777	10 Wey Gates Drive, Hale Barns, WA15 0BW	Hale Barns and Timperley South	44	Grant
113948	12A Old Heyes Road, Timperley, WA15 6EW	Timperley North	63	Grant
114234	Donnington, 32 Grange Road, Bowdon, WA14 3EE	Bowdon	81	Grant

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

WARD: Flixton

113468/FUL/24

DEPARTURE: No

Alterations to and change of use of the existing building to a mixed-use auditorium and events space, for community, educational, place of worship and leisure uses, along with offices and coffee shop. External alterations to include: new/replacement windows/doors, refurbishment of the front entrance and new roof lights.

Curzon Cinema, Princess Road, Urmston, M41 5SQ

APPLICANT: CRC London

AGENT: Brass Architecture

RECOMMENDATION: GRANT

The application has been referred to the Planning and Development Management Committee following a call-in request by Cllr. Dolores O'Sullivan, for the reasons set out within the report.

EXECUTIVE SUMMARY

The application seeks permission for the change of use of the former Curzon Cinema building to a mixed-use auditorium and events space, for community, educational, place of worship and leisure uses, along with offices and coffee shop, with various external alterations proposed to the building and curtilage areas. The building has been identified as a Non-Designated Heritage asset due to historic and architectural significance.

During the consideration of the application, amendments have been negotiated. These relate to improved accessibility and design improvements to the front elevation and public realm areas.

Development plan policy is up to date and Paragraph 11 c) is therefore relevant in relation to the determination of this application whereby development proposals that accord with an up-to-date development plan should be approved without delay. The tilted balance (as set out in paragraph 11d of the NPPF) is not engaged.

The objections received relate primarily to parking and highways issues, design, impact on the green buffer and wildlife to the rear of the site, land ownership and equalities issues. The representations received have been duly noted and the issues raised considered as part of the application appraisal.

The building is a local landmark and a non-designated heritage asset. It is concluded that the proposed refurbishment, alteration and redevelopment of the Curzon would

result in a benefit to the significance of the heritage asset and wider character and appearance of the area.

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

The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition. The application complies with the development plan when taken as a whole and with policies in the National Planning Policy Framework. The application is therefore recommended for approval.

SITE

The application relates to the site of a 1930's former cinema building in the Art Deco style. The maximum height to the ridge of the main roof is approximately 16 metres although this is set back from the main frontage parapet roof, which is approximately 14m in height. The building has an imposing landmark appearance in the streetscene. The building is however rather dilapidated, having been vacant since the last occupiers – Flixton Academy of Performing Arts, left in 2022. Signage associated with that use is still evident on the building. Prior to this, previous uses of the building were as a cinema and a bingo hall. Various pieces of telecommunications equipment are attached to the building. The cinema building has been identified as a Non-Designated Heritage Asset due to its historic and architectural significance.

This site area is irregular in shape and approximately 0.35ha in size. The former cinema building is located at the heart of the neighbourhood centre with a terraced parade of two storey commercial properties, some with flats above, forming wings either side. The building fronts onto a large roundabout with an intervening forecourt area that currently mainly comprises tarmac, poorly surfaced and used informally for parking. Leading off the roundabout are Princess Road and Bowfell Road which run down the eastern and western side of the neighbourhood centre respectively.

There is vehicular access to the rear of the site from Princess Road with egress onto Bowfell Road. There are informal car parking and servicing areas for the building to the rear as well as various substations and equipment containers in a fenced area immediately to the rear of the building. Balfour Road runs east to west along the rear of the site. There are terraced residential properties on the southern side of Balfour Road with an intervening landscaped area comprising trees and shrubs.

There are allotments to the southwest of the site. The predominant character of the wider area beyond the neighbourhood centre is residential.

PROPOSAL

Planning permission is sought for the change of use of the existing building to a mixed-use auditorium and events space, for community, educational, place of worship and leisure uses, along with offices and coffee shop.

The proposed ground floor layout would comprise a lobby and coffee shop through the front entrance doors with conference rooms, main stage and auditorium area beyond. On the two floors above the main lobby area would be office space and informal seating areas.

20 parking spaces, 3 motorcycle parking spaces and 3 accessible parking spaces are proposed to be marked out on the land to the rear of the building. An additional accessible parking space is proposed within the highway adjacent to the northwestern front corner of the building as part of the proposed highway works. A west-east, one-way system to accommodate the rear parking and servicing area is proposed, with vehicles entering the site via an existing access on Bowfell Road and exiting onto Princess Road (also via an existing access). Cycle parking would be provided in a secure storage area to the rear with additional stands on the Bowfell Road frontage.

Various external alterations are proposed in association with the proposed use including:

- new/replacement windows/doors,
- installation of raised roof lights in the front parapet roof area
- replacement of the roof and rebuilding of areas of brickwork and parapet on the front elevation
- refurbishment / alterations to the front entrance and canopy
- alterations to forecourt / area of public realm

Value Added: - Improved accessibility through the inclusion of a dedicated level entrance and provision of 3 accessible parking spaces in the car park, accessible 'drop off' space and design improvements to front elevation and public realm to the front of the building.

DEVELOPMENT PLAN

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.

- The **Trafford Core Strategy**, adopted 25th January 2012; the Trafford Core Strategy 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; A number 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 the new Trafford Local Plan.

PRINCIPAL RELEVANT PLACES FOR EVERYONE POLICIES

JP-S1 - Sustainable Development
 JP-S2 – Carbon and Energy
 JP-S4 – Flood Risk and the Water Environment
 JP-S5 – Clean Air
 JP-S7 – Resource Efficiency
 JP-G2 – Green Infrastructure Network
 JP-G7 – Trees and Woodland
 JP-G9 – A Net Enhancement of Biodiversity and Geodiversity
 JP-J1 – Supporting Long Term Economic Growth
 JP-J3 – Office Development
 JP-P1 - Sustainable Places
 JP-P2 – Heritage
 JP-P3 – Cultural Facilities
 JP-C5 – Walking and Cycling
 JP-C7 – Transport Requirements of New Development

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility
 L5 – Climate Change
 L7 – Design
 L8 – Planning Obligations
 W1 – Economy
 W2 – Town Centres and Retail
 R1 – Historic Environment
 R2 – Natural Environment
 R3 – Green Infrastructure

PROPOSALS MAP NOTATION

Neighbourhood Shopping Centre (Bowfell Road / Princess Road)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

S4 – Local and Neighbourhood Shopping Centres

S10 – Local and Neighbourhood Shopping Centres
S14 – Non-Shop Uses Within Local and Neighbourhood Shopping

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

SPD3 – Parking Standards and Design (2012)
SPD7 – Trafford Design Code (2024)

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20th December 2023. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents and was last updated in August 2024.

RELEVANT PLANNING HISTORY

There have been various applications for telecommunications equipment on the building which are not listed individually here.

113766/ADV/24 - Advertisement consent sought for 1 no. externally illuminated Curzon sign, 1 no. internally illuminated box foyer sign and facelit illuminated entrance and exit door signage – Approved August.2024

109879/FUL/22 - Application for the demolition (except for retention and alteration of building frontage) of Curzon Cinema building and redevelopment with five storey building comprising 42 no. one and two bed affordable apartments, associated infrastructure, access, parking and landscaping – Withdrawn April 2023

H/ADV/54728 - Display of five externally illuminated hoardings (each 3.35 metres x 1.3 metres) to be installed over existing vertical windows above canopy on main front elevation – Refused 2002

H09782 – Change of use of stalls area only of cinema to bingo hall seating reduced from 772 to 410 and retention of cinema with circle seats only seating capacity reduced from 440 to 400 – Approved 1979

H07470 – Change of use of stalls area only of cinema to a bingo hall with seating cap reduced from 772 to 410 and retention of cinema with circle seats with seat cap reduced from 440 to 190 – Approved 1978

H06817 - Change of use of existing stalls area only of cinema into a bingo hall and retention of cinema with circle seats only – Refused 1978

Land Opposite 53 Balfour Road

111847/FUL/23 - Erection of 3 storey dwelling house with double garage at ground floor and associated landscaping and boundary fence – Withdrawn 07.02.2024

105696/FUL/21 - Erection of a single dwelling. (resubmission of planning permission 85830/FUL/15) – Finally Disposed Of - 05.06.2023

85830/FUL/15 - Erection of one dwelling – Approved 2015

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
- Design and Access Statement
- Heritage Statement
- Equalities Policy Statement
- Noise Assessment
- Transport Statement
- Travel Plan
- Tree Protection Plan
- Rebuttal to objections received (summarised under the 'Representations' section of the report)

CONSULTATIONS

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

Cinema Theatre Association - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

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

Flixton Neighbourhood Forum - No comments received at the time of writing. Any comments received will be included in the Additional Information 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 an informative. Comments are discussed in more detail in the Observations section of the report.

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

GM Fire and Rescue Service (Fire Safety) - No objection in principle but response sets out requirements for Fire Service access and facilities which have been made available to the applicant.

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

Trafford Council Allotments Officer - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Trafford Council, Arboriculturist – No objection on the basis of the submitted Tree Protection Plan. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Heritage and Urban Design Manager – No objections on heritage grounds. Considers that the proposed refurbishment, alteration and redevelopment of the former Curzon will result in a benefit to the significance of the heritage asset. 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 in principle subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Waste Management – No objection.

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

United Utilities - No comments received. Any comments received will be included in the Additional Information Report.

REPRESENTATIONS

Cllr D. O'Sullivan has called the application in for consideration by the Planning and Development Management Committee on the basis of highways and parking issues.

Neighbours: The application was advertised in the press; a site notice was posted and letters sent to neighbouring properties. Objections from 3 separate addresses were received. Grounds of objection summarised as follows:

- While the regeneration of the building is welcomed, proper consideration hasn't been given to parking or increased traffic. Use of the Curzon has diminished significantly over from its peak use as a cinema and bingo hall. In this time, the parking demand and traffic on Princess Road has increased. The increased parking together with the road being used as a cut through from the roundabout has made the road more perilous for residents and the application needs to consider this fully.
- The council need to address the traffic management of Princess Road, and the parking, which has been highlighted in several consultations over the years.
- Like the interior design and the idea of it being a community hub but the building is really ugly, and it would have been better to have built a completely new design. Unsure how this building was given listed status but many more far more aesthetically pleasing buildings in the Urmston area have been allowed to be demolished or trashed with ugly signs and window frames.
- Where have all the consultation comments come from in the supporting documents?
- Query the fact that the wooded area is actually a part of the land owned by the Curzon? How can this be if a local resident has fenced off the section in front of his house, claimed it and then sold it?
- Objectors have been looking after the wooded area for over 10 years, keeping it free of rubbish, growing native flowers and plants which feed the birds and wildlife living there – it has bats and newts living there and is a protected environment.
- Telecom masts should be removed - they are a health hazard and an eye sore.
- Concerned about the rats and pigeons currently in the building being dealt with prior to the demolition so that they don't infest the neighbourhood once work starts.
- Concerns about the operation and ideology of the CRC organisation that is proposing a community church and reference is made to a refusal of one of the Church's previous planning applications in Harlow on these grounds.

Following the submission of amended plans (including site edged red) and additional supporting information, a full 21-day neighbour re-consultation was carried out. Objections from one further address were received, summarised below:

- Supportive of the building being bought back into use but doesn't believe the vendors will be offering this space to the local community, more to their own church

community and has concerns about the operation and ideology of the CRC organisation.

- Does not approve of any development on the patch of land between the site and Balfour Road, particularly if the land will be used for parking. There is plenty of wildlife and even bats that live in the area and they do not want their view to change from trees and foliage to a car park.
- Inconsistency between the site location plan and the plans in the Design and Access statement. It's unclear what the site ownership is and how far the boundary extends into the green buffer.
- There isn't enough on-street parking in the local area, particularly as surrounding streets are used for hospital parking and there does seem to be enough parking allocation for a full church congregation on site.

Agent's Rebuttal to Objections (Summarised)

- On land ownership / retention of green buffer, they refer to ownership boundary plans provided and highlight that the application seeks to retain and protect the 'nature buffer'. There is no intention to split or sell any part of the site.
- On highways issues, the agent has provided traffic assessments and travel plan which have been fully considered by the LPA and Highways Officers. The proposals address existing 'cut throughs' as the slip road is omitted to the front of the application site, whilst the rear of the site would be upgraded and managed to control access and use. The applicant cannot change off street parking behaviours but does seek to improve on the existing site condition through improved traffic management, improved safety and accessibility, dedicated cycle, motorcycle and refuse storage, aesthetic upgrades, coach parking and retention and protection of green buffer to rear. They have agreed planning conditions to ensure this.
- Comments with regards to wider Urmston traffic matters do not relate to this application.
- The comments in the D&A Statement in support of the scheme are collated from correspondence to the architect/agent in relation to community newsletter at pre-application stage, from news outlet message boards and comments provided direct to the end-client.
- On the aesthetic value of the scheme, the heritage and architectural value of the existing building and the applicant's intent to repair and upgrade is set out in supporting documents.
- Regarding the likely operation of the development, the agent has provided an Equalities Statement and also further highlights the end client is already in operation in Urmston (Brook Rd) very close to the application site. The application refusal referenced by an objector in Harlow, was overturned on Appeal as the Inspector considered that the proposal complied with planning policy.
- With regard to opening the building to the wider community, the application proposes to broaden the use class on site which demonstrates a desire to accommodate as many community uses as viable.
- On vermin, this would be dealt with via the Construction Management Plan
- On telecoms masts – it is a future aspiration of the applicant to remove these in alignment with closure of lease agreements.

OBSERVATIONS

The Decision-taking Framework

1. S38(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.
2. The NPPF, at paragraph 11, explains how the 'presumption in favour' should be applied in the decision-taking process. It means approving development proposals that accord with an up-to-date development plan without delay.
3. The Places for Everyone Joint Development Plan was adopted on 21 March 2024. As development plan policies in Places for Everyone are very recently adopted they are up to date and should be given full weight in decision making.
4. The policies which are 'most important' for determining this application are those relating to heritage, as the cinema building has been identified as a Non-Designated Heritage Asset, highways and parking and amenity.
5. For the purposes of NPPF Paragraph 11, the relevant development plan policies, including the surviving policies of the Trafford Core Strategy and Unitary Development Plan, are considered to be up to date in NPPF terms. Whilst there are aspects of Policy R1 that have not been superseded by PfE policies that are not consistent with the NPPF, the inconsistency in R1 does not render the relevant development plan policies 'out of date' in NPPF terms. The tilted balance (as set out in paragraph 11d of the NPPF) is therefore not engaged, and paragraph 11c and paragraph 12 provide the decision-taking framework for this application.

Proposed Mixed Use

6. The site is located within a neighbourhood centre as defined in Appendix K of the Revised Trafford UDP.
7. Core Strategy Policy W2.9 states '*There is a network of local centres where the focus will be on convenience retail facilities and services to meet local needs.*'
8. While the application site is situated in a Neighbourhood Centre, the building has never been in retail use and therefore the proposed change of use is not considered to be contrary to the development plan.
9. Policy JP-P3 of PfE at 9.25 states '*it is appropriate for retail and leisure facilities to be directed towards designated centres wherever possible. This will help to maintain the vitality and viability of those centres, and their continued ability to meet the needs of residents.*'

10. The NPPF states at para 7 that *'The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.'*
11. The proposed use of the building is mixed and would include a variety of uses that would meet the needs of residents, including for educational events, exhibitions, community meeting space, performance space, local markets, and as a place of worship. In addition to the use of the multifunctional spaces the building would have a coffee shop on the ground floor frontage and also an element of office space.

Conclusion on Principle of Development

12. It is considered that the proposed uses would provide a range of services to meet local needs and contribute to the vitality of the area in a sustainable manner. Consequently, this is considered to be in accordance with the development plan and the NPPF.
13. Notwithstanding this, a number of other issues need to be considered in detail including heritage and design, parking and highways impacts and residential amenity impacts. These issues and others are considered in more detail in the following sections of the report.

HERITAGE

14. 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.
15. In determining planning applications, paragraph 203 of the NPPF advises local planning authorities to take account of: *'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.'*
16. Within the Core Strategy 2012, Policy R1 seeks to ensure that the borough's heritage assets are safeguarded for the future, where possible enhanced, and that change is appropriately managed and tested for its impact on the historic environment. Elements of Core Strategy Policy R1 have been superseded by Policy JP-P2 (Heritage) of PfE. Policy JP-P2 defers to individual authorities' local plans to inform the positive management and integration of that area's heritage. Significantly,

it also refers to development proposals affecting designated and non-designated heritage assets being considered in line with national policy. It thus subsumes the tests of paragraphs 207, 208 and 209 of the NPPF.

17. Places for Everyone Policy JP-P2 requires the LPA to endeavour to: *“positively conserve, sustain and enhance our historic environment and heritage assets and their settings.”* This policy defers to individual authorities’ local plans to inform the positive management and integration of that area’s heritage and requires local planning authorities to consider development proposals affecting designated and non-designated heritage assets in line with national policy.
18. In relation to Heritage assets, Para 200 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”*.
19. Also of relevance to the determination of this application is paragraph 201 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”*.
20. Para 203 states *‘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.’*
21. Para 209 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”*.

Significance of the Non-Designated Heritage Asset

22. The Heritage and Urban Design Manager has provided the following comments:

The former Curzon Cinema has been identified as a non-designated heritage asset in accordance with Annex 2 of the NPPF and is entered on the draft list of Local Heritage Assets for the borough.

The Curzon has considerable historic and architectural significance and is a much-cherished local landmark, occupying a prominent location at the junction of Bowfell Road with Moorside Road and Princess Road.

The building is the only survivor of three important public buildings built in this location during the late 19th and early 20th century. The other two buildings, Urmston Baths and the Princess Rooms, were later demolished.

The cinema was built by Ernest Nash Eaton, the owner of many Manchester cinemas, who lived locally at Highfield House, Urmston. The Curzon was one of three local cinemas and is the only building of its kind remaining locally. The building was designed by Teesdale and Sunter, who subsequently designed the shops flanking the cinema on Princess Road and Bowfell Road in 1935. Teesdale and Sunter were known for their cinema designs predominately in the North West.

The building has many of the classic features associated with buildings of this age and type, including Art Deco type adornments both internally and externally. During the mid-1930s, many public buildings were constructed facilitating leisure and recreation, marking the importance of the area as a prosperous and popular suburb of Manchester.

The building has a distinctive silhouette, formed by a symmetrical flat roofed and stepped five-bay façade containing a central ground floor entrance lobby, ticket office and central former projection room on the first floor. The main entrance and lobby are accessed via a canted step with checkerboard border motif, an important Art Deco feature of the building, with an altered canted Art Deco style canopy above. The group of five windows located above the main entrance have been altered, however decorative recessed leaded steel windows which serve the former projection room remain. Other Crittal style windows are also present on projecting bays either side of the main elevation with some openings currently boarded. The main body of the cinema is utilitarian in design, constructed from brick with limited detailing and steel-clad roof. The upper gallery was extended to accommodate a screen to be installed. The shops flanking the building are designed in a similar style and form an important component of the Curzon's setting.

There is a strong social and communal significance to the cinema which served the local community for nearly a century; this was continued in more recent years with the use of the building as a performing arts academy. Generations of local residents have personal association with the building, contributing to their sense of place.

23. It is noted that one objector has queried how the building has gained 'listed status' as it is 'ugly'. For clarification, the building has not been listed (a national, statutory

designation), rather identified as a 'non-designated heritage asset'.

Impact on the Heritage Assets and Consideration of Harm

24. The Heritage and Urban Design Manager sets out consideration of the impact and consideration of harm as follows:

The application proposes a change of use of the existing building to a mixed-use auditorium and events space, for community, educational, place of worship and leisure uses, along with offices and coffee shop. External alterations to include: new/replacement windows/doors, refurbishment of the front entrance and new roof lights.

Following its use as a performing arts venue, the Curzon has been vacant for a number of years. An initial non-intrusive site inspection undertaken in June 2024 has indicated water ingress is occurring in a number of places at roof level due to progressive corrosion with some possible drainage issues around the footings of the building. Other remedial works are required include replacement of brickwork; re-pointing; replacement of concrete slab roofs.

The deteriorating condition of the building is impacting on the appearance and character of the local area. It is imperative therefore that a new use is secured for this much valued local landmark. The proposed re-use of the building is welcomed and in principle seeks to sensitively convert the former cinema potentially retaining much of its significance. The proposed uses enable the large and challenging historic plan form to be reused sensitively retaining much of its distinctive cinema layout.

The proposed works comprise of repair and replacement of historic fabric. The works include some localised rebuilding to the east flank wall; repair and replacement of concrete slab roofs; localised replacement brickwork and new parapet detail; replacement windows and doors; replacement front entrance, canopy, former ticket office and signage and refurbishment of the significant chequerboard steps which are an important feature of the building. New interventions include windows to east and west wings and pyramidal rooflights to serve second floor. A number of non-structural internal walls are also proposed to be removed to facilitate the use.

Subject to the addition of conditions to ensure the works are carried out to a high standard; retain as much historic fabric as practicable and use good quality materials, I consider the proposed development will enhance the significance of this important heritage asset.

I confirm no objections on heritage grounds.

Based on the current scheme and taking into account the need to re-use this large, deteriorating and vacant non-designated heritage asset, it is considered that the proposed refurbishment, alteration and redevelopment of the former Curzon will result in a benefit to the significance of the heritage asset and wider character and appearance of the area. As such the requirements of para 209: NPPF do not apply.

Archaeology

25. GMAAS have been consulted on the application and have commented as follows:

'The Curzon Cinema was proposed originally by Ernest Nash-Eaton, the owner of several cinemas around Manchester, and erected in 1935-36 to a design by the architectural practice of Teasdale and Sunter. It retains many of the classic features associated with buildings of this age and type, including Art Deco-type adornments both internally and in its external frontage. The Curzon was one of three cinemas in Urmston, although it is now the only building of its kind remaining locally. It is very much a local landmark, despite having closed as a cinema in 2008 and used more recently as the Flixton Academy of Performing Arts. The building may certainly be considered to constitute a 'non-designated heritage asset' and it has been nominated for inclusion on Trafford Council's emerging Local List of Heritage Assets. It is also recorded on the Greater Manchester Historic Environment Record (ID 18503.1.0).

Whilst the Heritage Development team at Trafford Council is better placed to comment on the harm of the proposal to the building and the wider historic character of the locale, GMAAS is very pleased to see that the application allows for the retention of the building in its entirety with only minor external changes proposed, with no extensions or increase to the existing height or massing, thereby preserving and enhancing this important local landmark and heritage asset. This is in most welcome contrast to a recent (withdrawn) proposal that allowed for the demolition of the building, except for the facade (Application 109879/FUL/22). A Heritage Statement prepared in support of the previous application, and since accessioned to the Historic Environment Record, included a photographic record of the exterior and interior of the cinema, together with measured survey drawings that show the development of the building.

Having reviewed all the information in our files, including the Historic Environment Record, GMAAS is satisfied that there are no known or suspected below-ground remains of archaeological interest that warrant investigation. As such, and in view of the existing record of the building, GMAAS is content to advise that archaeological matters do not require any further consideration.'

Conclusion on Heritage

26. The Curzon Cinema has considerable historic and architectural significance and is a prominent local landmark. It has been vacant for some time and is falling into disrepair. The proposed refurbishment, alteration and redevelopment of the former Curzon building will result in a benefit to the significance of the heritage asset and wider character and appearance of the area. Subject to appropriate conditions, the proposals will enhance the significance of this important heritage asset and no objections are raised on heritage grounds. As such the proposal is considered to be compliant with the heritage policies of the NPPF, Policy JP-P2 of Places for Everyone and Policy R1 of the Core Strategy.

DESIGN

27. The NPPF, since its introduction in 2012, has referred to the Government attaching great importance to the design of the built environment. Paragraph 131 of the current 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.”*

28. The National Design Guide 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.’*

29. The design policy of PfE, which replaced a significant portion of Core Strategy Policy L7 on its adoption, is Policy JP-P1 (Sustainable Places). This sets out the expected attributes of new development in the interests of creating beautiful, healthy and varied places. It includes a requirement for proposals to be distinctive (and to respect the character and identity of the locality in terms of design, siting, size, scale and materials used, whilst also conserving the historic environment, local history and culture), and to be visually stimulating (creating visually stimulating and imaginative environments).

30. The Trafford Design Code (SPD7) was adopted in September 2024 and seeks to establish a landscape and place-led approach to shaping design proposals in the Borough. The Design Code includes a Strategic Objective entitled ‘Responding to Place.’ This explains that applicants must demonstrate how the context of a site has influenced the design and appearance of a proposal. This includes allowing for the positive re-use and integration of heritage assets, which the Trafford Design Code describes as ‘an irreplaceable resource’.

31. The application proposes only limited external changes to the building, with the majority relating to the repair and replacement of historic fabric as set out in the foregoing section of the report. New interventions include windows to the east and west wings and pyramidal rooflights to the parapet roof over the second floor.
32. The quality of the repair and replacement of the fabric and the proposed new interventions in the front elevation will be controlled through suitable conditions. The design of the new windows and rooflights are considered to be appropriate to the building. Overall, the proposals would improve the current appearance of the building, would remove unsympathetic signage and reintroduce an active frontage through the siting of a coffee shop in the main foyer area.
33. At present the area to the front of the building is patched tarmac with informal use for car parking close to the front steps and this has a detrimental impact on the appearance of the main, front elevation of the building. The proposed changes to the forecourt area, would pedestrianise this space and result in visual improvements for the setting of the building.
34. One objector has commented that the building is 'ugly' and that a new design would have been preferable. While it is noted that design can be subjective, the existing building is in situ and the applicant has applied to retain and re-use it and as set out in the foregoing heritage section this is supported by the Local Planning Authority.
35. The adaptive re-use of the existing building is a sustainable approach as re-use has lower carbon emissions than demolition and new build projects and this is supported by para 157 of the NPPF which encourages 'the reuse of existing resources, including the conversion of existing buildings;' In addition PfE states at para 9.4 of 'Places for People' that '*Encouraging the efficient reuse of previously-developed land and buildings as part of the coordinated regeneration of urban areas*' is supported.

Landscaping

36. There is limited space on the site for new soft landscaping and the applicants have stated their intention to retain the landscaped strip between the rear car parking area and Balfour Road, part of which they have confirmed is in their ownership. No new soft landscaping is proposed at the present time, although the proposals to improve the public realm at the front of the building may result in opportunities for an element of soft landscaping and the detail of the works to this area is subject to a condition.

Accessibility

37. At the present time, unassisted disabled access from the front of the building is not possible due to the canted steps which are an important Art Deco feature of the original building design. The current application has been amended to provide a level access at the northeastern front corner of the building which would lead through to the main lobby area / coffee shop and then on to the main auditorium. The agent has

stated that no special assistance would be required as the new doors will be automated to open on request (door release button). Provision of accessible WCs are also shown on the floorplan. Four accessible parking spaces are proposed to be marked out and this is considered in more detail under the 'Parking and Highways' section of the report.

Crime Prevention and Security

38. 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.
39. The Design and Access Statement (DAS) submitted with the current application references a previous Crime Impact Statement (CIS) submitted in relation to a previously withdrawn application at the site that was prepared by Greater Manchester Police's Design for Security Team. The DAS for the current application states that the summary conclusions from that document remain relevant to the current proposals in that the development will bring the building back into use, increasing activity in the area and preventing it being targeted for antisocial behaviour. They also comment that their current proposals include CCTV updates across the site, improved external lighting, use throughout the day and at weekends and secure refuse and cycle storage for users.
40. GMP Design for Security have been consulted on the current application and have commented that there has been no appraisal of the current scheme by way of a CIS. They raise concerns about the slightly recessed escape doors to the front of the building and the access via steps as these areas can generate anti-social behaviour and crime. They suggest some form of restriction such as a gate at pavement level. They also comment that the use of the building will increase the burden of street parking in the area which can cause conflict with local residents / businesses. They recommend a comprehensive CCTV system and monitored intruder alarm should be provided and that a secured by design condition be attached.
41. These comments have been passed to the agent for the application who has commented that the front of the building is proposed to be fully upgraded including new canopy signage, doors, CCTV and lighting and that the suggested restriction via a gate or use of shutters to front doors would change the architectural composition of the front of the building in a negative manner. In relation to parking they have commissioned a traffic assessment and travel plan.
42. It is considered that bringing the building back into use will have a positive impact on the area by bringing life and activity to the building and its curtilage. It is noted that the applicant intends to incorporate a CCTV and alarm system and improve lighting, windows and signage. Parking levels have been accepted as appropriate by the LHA in a subsequent section of this report. It is agreed that the installation of gates or shutters would have a negative visual impact on the appearance of the building and

given the other improvements proposed to the security of the building this is not considered necessary in this instance. It is also noted that the agent for the application has agreed to accept conditions relating to submission of a scheme for CCTV and any other security measures and exterior lighting and that overall the development is therefore considered acceptable in this respect.

Fire Safety

43. Proposed Fire Plans are included within the Design and Access Statement. In addition, the GM Fire and Rescue Service (GMFRS) have provided comments in relation to required access and facilities for the Fire Service and the agent for the application has been made aware of these comments.
44. In response the agent has commented that the consultation response is noted and that full fire strategy plans/ escape protocols/ mitigations (including sprinkler installation) will be qualified in due course with advice and sign off from an approved inspector with project wide proposals to be submitted to the Fire Authority. There are existing fire escape points which will be retained. The agent suggests that compliance with Approved Document B - Fire Safety 2019, is included as an informative if planning permission is granted and this is considered appropriate.

Conclusion on Design

45. As indicated in the foregoing section the building is a non-designated heritage asset in Art Deco style and contributes to the streetscene and wider character of the area. The design changes proposed are relatively limited given the scale of the building and form part of proposals for the repair, re-use and sustainable long-term retention of the building which is considered positive. The overall refurbishment of the exterior of the building would have a positive impact on the visual amenity of the area and it is therefore concluded that development would meet the requirements of Policy L7 of the Core Strategy, PfE policy JP-P1 and the NPPF.

RESIDENTIAL AMENITY

46. In addition to ensuring that developments are designed to be visually attractive, the NPPF (paragraph 135) also advises that planning decisions should:

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

47. Policy L7 of the Core Strategy contains a similar requirement, and with it makes clear that new development must not prejudice the amenity of future occupiers of the development (where relevant) and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise/disturbance, odour or in any other way.

48. Core Strategy Policy L5.13 is also relevant and 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.
49. Neither policy - in relation to these particular components – have been affected by the adoption of PfE. Therefore, the Core Strategy (Policies L5 and L7) remains the main policy reference on the matter of residential amenity.
50. While the application building is located at the heart of the neighbourhood centre, there are some residential flats above the terraced parade of two storey commercial properties either side and the wider area is predominantly residential in character. Balfour Road runs east to west along the rear of the site and there are terraced residential properties on the southern side which face the rear of the application site, with an intervening landscaped area comprising trees and shrubs.

Impacts on Light, Outlook and Privacy

51. The application does not propose any extensions to the floorspace of the building, only localised areas of rebuilding existing brickwork and parapet detail. Consequently, it is not considered that the proposals would impact materially on light or outlook for neighbouring properties.
52. Replacement windows and doors and a small number of new windows are proposed in the front elevation. In addition, three sets of new rooflights are proposed, which would project up through the flat roofed area at the front of the building to serve the second-floor office area. These new windows and rooflights would be sited and separated from the nearest residential properties in a manner that would prevent any meaningful change in existing privacy levels.
53. No new windows are proposed in the side elevations that aren't already in existence and this is also the case to the rear. While some refurbishment may be required depending on the condition of these windows, they are small and sited such that it is not considered that they would result in a material change to the existing privacy levels around the building.
54. A cycle store is proposed to the rear of the building and full details of this will be required via condition, however the structure would be single storey and to the rear of yards at the back of the commercial units fronting Bowfell Road. Refuse is currently collected from the rear of the building, and it is proposed to continue this approach. The Design and Access Statement requests that the design and scale of the refuse store be dealt with via condition. Given that informal bin storage takes place to the rear at the present time, it is considered that to screen and contain this would be beneficial and that this could be dealt with via a condition. As with the cycle store, it could be ensured that this is of a scale and design that would not impact detrimentally on occupiers of the parade either side of the building.

55. For these reasons it is not considered that the proposal would result in loss of light or outlook or reduced privacy levels for occupiers of surrounding properties.

Noise, Odours and Lighting

56. The Environmental Protection section has been consulted on the potential amenity impacts of the proposed development. They comment that:

The site has been used as Flixton Dance Studios / Flixton Academy for Performing Arts (educational use) since at least 2002 and prior to this, a cinema and bingo hall. The original historic purpose of the building was as a cinema. Occasional dance / disco events with sales of alcohol have been held at the premises until 01:00, which led to the receipt of complaints about excessive music breakout and noise from people leaving, shouting, and taxis pulling up. Due to the sensitivities of the local area, the inclusion of night-time events within any operating plan is not supported. A planning condition is requested to stipulate appropriate business hours for the premises, avoiding the most noise-sensitive times, to ensure that the premises could not be used by the operator (or subsequent operators) as a 'night-spot' offering drinking, dancing and other types of entertainment into the night hours, which could cause undue harm to the local residential amenity.

The supporting Noise Impact Assessment (NIA) prepared by NoiseAir (version 1) does not consider the potential breakout of music and amplified sound from the premises. Modern worship events and live music gigs, and possibly some sport, fitness, and recreational activities, may require powerful sound systems to be installed, to reproduce a sufficient level of sound for a large audience, potentially with a prominent low frequency content and bass beat. I am unaware of the premises being used for regular ticketed music concerts/gigs, which is a clear possibility under the proposals of the application. In view of the above, it is considered that the issue of music noise and amplified sound breakout from the premises is a material consideration that should be addressed at the planning stage. In order to limit the impact of music noise breakout from the premises, a sound limiting device should be fitted to/used by any in-house or peripatetic musical amplification system/s used at the venue. An acoustic assessment and report should be provided to establish appropriate music noise criteria and to demonstrate how the sound limiting device has been set in order to satisfy the criteria. The report should also identify any structural weaknesses, e.g. fire exit doors, vent louvres, etc., which require remediation with sound insulation or other mitigation measures, in order to minimise noise breakout from the premises.

57. The Environmental Health officer has subsequently advised that it would be appropriate for this to be provided by condition as it may be difficult to produce a meaningful report on music noise breakout at this stage, and the applicant may benefit from the opportunity to test the PA system prior to completing the report.

58. In addition, they comment that:

'The day-to-day management of sound should be addressed within a Noise Management Plan (NMP). The NMP should incorporate any recommendations identified by the aforementioned acoustic assessment and detail a strategy for regular communication with residents and a protocol for responding to and investigating any complaints of noise proactively and in a timely fashion. The current NIA details the results of a monitoring exercise to determine the prevailing ambient and background noise climate, in order to inform an initial assessment of external fixed plant noise impacts. The chosen monitoring positions are at the front of the building where they will be most exposed to traffic noise. Figure 3 shows approximate monitoring positions, which appear to be close to the building. I would query whether the positions were free field or facade measurements; the latter would require a correction for reflections. Noise limits based on the determined day- and night-time background levels have been proposed. However, these limits may only be applicable to fixed plant to be installed near to the measurement positions. The background noise level further to the rear of the premises may be lower, as these areas will be more sheltered and screened from environmental noise. Therefore, the proposed limits may not adequately protect residents of the two adjacent terraces on Bowfell and Princess Road, if plant items are to be installed facing the rear of these properties. I recall items of existing fixed plant (extract fans, condenser units) being present behind these terraces, which may compound the issue. A further assessment of fixed plant noise will be required once the final external plant schedule has been determined. Depending on the positioning of the plant, more background noise monitoring may be required to inform the assessment.'

Controls will be required to ensure that servicing, waste and recycling collections occur at appropriate times (avoiding sensitive hours). This applies also to any construction works to implement the development.

Any new exterior lighting will require an assessment to ensure that obtrusive light will not be excessive, as viewed from local residential properties.

The building may contain asbestos and asbestos containing materials, which must be secured or removed in accordance with applicable legislation and guidelines. The matter can be addressed by an agreed Construction Environmental Management Plan.

A cafeteria with kitchen is to be operated from the front part of the ground floor. There do not appear to be any provisions for a kitchen extract-ventilation system. If a significant amount of hot food is to be prepared, one may be required. Otherwise an informative can advise that any such system that may be required in the future would need separate planning approval.'

59. Based on the foregoing comments of the Environmental Protection section, conditions are attached as requested, in relation to hours of operation of the premises and of servicing deliveries waste collection etc. An acoustic assessment, noise impact assessment, noise management plan and details of a sound limiting device are also required by condition.
60. A CEMP is required to be submitted prior to the commencement of development and an exterior lighting impact assessment will also be required prior to first operation of the development. Finally, an informative is required to state that if in the future any kitchen ventilation / extraction equipment is required, this is not permitted unless planning permission has been sought and granted for it.
61. The agent for the application has been provided with the comments of the Environmental Protection section and has agreed to all the conditions requested. Therefore, in terms of potential nuisance and dis-amenity it is considered that this application provides an opportunity to put in some controls on the operation of the premises going forwards and that this is beneficial to the amenity of residents locally going forwards.

Waste Management

62. The Council's Waste Management Team have been consulted on the application and have stated they do not have any issues with the proposed development. A condition requiring details of the refuse store is however attached and as set out in a foregoing section of the report Environmental Protection have recommended a condition restricting hours of waste and recycling collections.

Conclusion on Residential Amenity Impacts

63. It is considered that the scheme overall will bring a vacant and dilapidated building back into productive community use. It is accepted that some of the proposed uses have the potential to increase activity and noise associated with the premises. However, it is very relevant that historically the building has been used as a cinema, bingo hall and dance academy, all of which were potentially noise generating and all of which operated without planning conditions to control hours of operation or noise levels. In addition, it must be recognised that the application site is located within a neighbourhood centre and these uses are appropriate within a neighbourhood centre location.
64. The current application provides an opportunity to regularise this through the use of appropriate conditions as recommended by the Environmental Protection section and agreed by the applicants. Additionally, the re-use and repair of the building will have benefits for the surrounding residential area, reducing the potential for anti-social behaviour associated with large vacant buildings and reducing access to and use of the building by vermin and pigeons. For the foregoing reasons and subject to appropriate conditions, overall the impact of the proposed development on

residential amenity is considered to be compliant with Policies L5 and L7 of the Trafford Core Strategy, PfE Policy JP-P1 and the NPPF.

PARKING AND HIGHWAYS ISSUES

65. The NPPF (paragraph 108) explains that transport issues should be considered from the earliest stages of plan-making and of development proposals. Paragraph 109 states that significant development should be focussed on locations which are or which can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, At paragraph 115 the NPPF states that development should only be prevented or refused on transport grounds if there would be an 'unacceptable impact on highway safety', or 'the residual cumulative impacts on the road network would be severe'. Whilst parts of Policy L4 have been replaced by a number of the transport-related policies of PfE (including Policies JP-Strat 14 (Sustainable and Integrated Transport), JP-C6 (Walking and Cycling) and JP-C7 (Transport Requirements of New Development)), the component of Policy L4 which refers to traffic impact remains. Policy L4 is considered to be up to date albeit that some of the remaining wording is inconsistent with NPPF.

66. Concerns have been raised by objectors about parking and traffic issues associated with the proposed use of the building.

67. At the request of the LHA a Transport Statement and Travel Plan by Civic Engineers has been provided. The LHA have been consulted on the latest plans and documents and their consideration of the highways and parking issues are set out below.

Access Arrangements

68. The proposals as now shown on the site layout plan shows an intention to create a west-east, one-way system to accommodate the rear parking and servicing area, with vehicles entering the site via an existing access on Bowfell Road and exiting onto Princess Road (also via an existing access). The proposed one-way system is also mentioned in the submitted Transport Statement.

69. An existing crossover located off the Bowfell Road roundabout is also proposed to be closed and the pedestrian area to the front of the former cinema improved. The LHA request a suitably worded pre-commencement condition for a public realm improvement scheme to be submitted to and approved in writing by the Local Planning Authority. The LHA consider that closing off the access and removing the parking will result in a road safety benefit to non-motorised users.

70. The applicant is aware that they will be required to enter into a S278 agreement with Trafford Council for all works proposed to take place within the highway and also to fund highways alterations and TRO work.

Proposed Servicing Arrangements

71. It is not intended to amend the existing servicing arrangements other than that the refuse vehicle will be required to enter the site from Bowfell Road and exit onto Princess Road; however, the proposals do seek to provide an improved and enclosed bin storage area. No detailed drawings for this have been provided with the application and it is noted that the applicant has requested the new bin store be secured by condition to any subsequent approval of planning permission.
72. The LHA request that the Trafford Waste Management team is also consulted to ensure that they are also happy to accept the applicant's proposals and request for a condition. Trafford's Waste Management team have been consulted and confirmed they do not wish to make any comments and a condition is therefore attached.

Car Parking

73. It is proposed to provide 20 car parking spaces (as detailed in SPD3, accessible spaces are provided in addition to, and are not part of, the maximum parking standards so the 3 accessible spaces are not included in this total). The provision also includes a single delivery vehicle parking space which is sized to accommodate coach/shuttle bus drop-offs and collections. It is understood that the existing car park provides circa 18 no. standard spaces and no accessible parking. Cars park informally on site at present and not in marked spaces.
74. A car park layout has been provided in addition to several vehicle tracking drawings which demonstrate access/egress to the site for the coach drop off and service vehicle bays and standard/accessible parking spaces is achieved.
75. It is also noted that the applicant, as is provided for other sites managed by them, is intending to provide a Sunday shuttle bus service to accommodate the proposed religious services. The bus will operate between the proposed development and various local key locations including Urmston train station, and it is understood the service will also be made available to event organisers for school trips and private functions/ceremonies (all renters of the space will be required to provide details for the number of people attending their event and each event will be considered on a case-by-case basis).
76. When considering the proposed parking arrangements (and forecast trip numbers) the use of the site at the present time also needs to be considered and prior to the site falling into disuse, activities/uses have comprised a cinema, bingo hall, and a dance academy, including the provision of a function room that was available for event hire. Whilst it is anticipated that the proposed development will likely see an intensification in the use of the site, it is also proposed to provide some additional onsite parking and a shuttle bus service. Furthermore, the proposed development is located in a sustainable location, near the town centre, with good access to public transport links and local services (including public car parks). It is therefore not

considered that the development would result in an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe (with reference to Paragraph 115 of the NPPF, 2023), as a direct result of the proposed level of parking.

Accessible Car Parking

77. The accessibility parking standards shown in SPD3 Appendix A are minimum requirements. As stated by SPD3, standards for disabled parking are in addition to the car parking maximum standards.

78. It is proposed to provide three accessible parking spaces in the rear car park which is in accordance with SPD3. These spaces would be more than 50 metres away from a main accessible entrance which is not in accordance with the guidance in the Department for Transport document '*Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure*'. A fourth accessible space is proposed to be provided as part of the alterations to the adopted highway and this would be located on the northwestern side of the building and would be within 50 metres of the main access. However, as it is in the adopted highway it would be available for general use and not just for the users of the development.

79. The agent for the application has made the following points in relation to this issue:

- The existing site condition is that no disabled user can access the building unassisted.
- The site is large and existing primary access is via the front of the site with existing car parking to the rear.
- The current proposals seek to address and improve accessibility including incorporating a dedicated disabled entry point for unassisted access.
- The current proposal also provides three dedicated accessible parking bays to the rear of the site as part of car parking upgrades. There aren't any at the present time.
- Secondary, rear access to the site is viable for disabled users but this would be subject to the building owner's management plan including this (i.e. any access into the building from the rear would need to be pre-arranged).
- Overall, this would allow any disabled user to either (a) utilise the public highway to the front of the site (and access via an unassisted, primary entry point) or (b) contact the building owners/ manager to organise entry and exit accordingly (via a secondary rear access).

80. In view of the above, the LHA have commented that although the site fails to fully comply with the guidance for accessible spaces, the proposals seek to provide accessible parking spaces where there currently aren't any at present. This is in addition to improved disabled access to the front of the building and they also note that assistance for disabled person to access the rear of the building could be arranged if required. It is therefore concluded that the current proposals result in a significant betterment in terms of overall access to the building for disabled users and on this basis no objections are raised.

Motorcycle Parking

81. The proposed development includes the provision of three motorcycle parking spaces in the rear car park. If it is anticipated that any motorcycles would be parked for two hours or more (for example, by employees, those attending an event etc.) the spaces also need to be covered. Secure anchorage points or railings sited 0.6m above ground level should also be provided.

Cycle Parking and Storage

82. The proposed development includes the provision of 25 cycle parking spaces, all of which are proposed to be located on private land located within the curtilage of the proposed development. Eight spaces will be provided for visitors and located to the front of the building; 17 spaces will be provided in a secure and covered arrangement to the rear. It is noted that the applicant has requested that the required cycle parking be secured by condition to any subsequent grant of planning permission, and this is considered appropriate. Advice provided by the LHA in relation to cycle parking requirements, has been passed on to the agent for the application.

Travel Plan

83. A basic framework travel plan (TP) has been provided, which at this stage does not provide any targets and only provisional initiatives and incentives. It is therefore requested that a robust full TP is secured by condition to any subsequent approval of planning permission.

84. The main objectives of a TP are to encourage people to travel to and from the site using sustainable methods and to reduce single occupancy vehicle trips. TPs are 'living' documents which provide a long-term strategy, and it will be expected that the full TP, when it is submitted, will include realistic, measurable targets, initiatives, and incentives to promote the use of sustainable transport options and reduce car use, and whilst useful, proposed measures should not solely rely on providing travel information.

Planning Conditions

85. Further to the above comments the LHA have requested an informative in relation to the requirements under Section 278 of the Highways Act 1980 and the need for the applicant to fund a TRO as well as conditions relating to the submission of a construction method statement, waste management details, motorcycle and cycle parking, a full Travel Plan and a Public Realm Improvement Scheme.

86. Wider off site traffic management issues raised by an objector relating to Princess Road are not of direct relevance to this application.

Conclusion and Highways Impacts and Parking

87. Overall, having regard to the comments of the LHA and allowing for the imposition of conditions, it is concluded that the proposal has made appropriate provision for access and parking. While the accessible parking arrangements are not fully compliant with guidelines in terms of their siting, they represent a significant improvement the current provision and this is weighed in the in the overall planning balance. However, in view of previous uses of the site, the LHA has confirmed that they would not object to the proposals under para 115 of the NPPF as the development would not have an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would not be severe.
88. Accordingly, the proposal is considered to be compliant with Policy L4 of the Core Strategy and the NPPF (and with particular regard to the test at paragraph 115). It is also in line with relevant policies of PfE including policies which encourage higher density development in locations with good access to sustainable methods of transport and travel having particular regard to Policy JP-C7.

TREES AND ECOLOGY

89. The NPPF is clear that the creation of well-designed places is also dependent on the incorporation of appropriate and effective landscaping (paragraph 135). The importance of quality landscape treatment in all new development proposals is further acknowledged by Policy JP-P1 of PfE, which outlines that new developments should include high quality landscaping. The Trafford Design Code seeks to improve the quantity and quality of landscape elements within development proposals.
90. The Council's Arboriculturist has stated that the trees on site are not within a Conservation Area or protected by a TPO so are currently unprotected. However, the trees along the strip of land between the site and Balfour Road provide a good visual buffer to the houses beyond and contribute to green infrastructure and biodiversity of the area. Consequently, the Council's Arboriculturist requested that a Tree Protection Plan be submitted for consideration as part of the application in order that these trees are protected during any refurbishment / construction works at the site. This has now been submitted and the Council's Arboriculturist has confirmed it is acceptable and that the retained trees will be protected if the advice within the report is followed. A condition is attached accordingly.
91. The Council's Arboriculturist confirms that the street trees on Princess Road are considered to be far enough away not to warrant protection. It is noted that two trees between the southeastern corner of the Curzon building, and the rear of 73-75 Princess Road are to be removed to make way for parking spaces. The Council's Arboriculturist has commented that these are scrub species, likely to have self-set. They do not have high arboricultural value, and no objection is raised to their removal.

92. Planning policies and decisions should also contribute to and enhance the natural and local environment, including by minimising impacts on - and providing net gains for – biodiversity, the NPPF is clear (paragraph 180). At the development plan level, Core Strategy Policy R2 similarly seeks to ensure that new development would not have an unacceptable ecological impact. PfE policy JP-G8 states that ‘Through local planning and associated activities a net enhancement of biodiversity resources will be sought’.
93. Concerns have been raised by some objectors about the impact on the strip of land to the rear of the site. For clarification this is not a ‘nature reserve’ or a protected area under the development plan. In relation to ecology and biodiversity, the GM Ecology Unit have been consulted and have commented that although no ecological information has been submitted, previous bat survey undertaken at the site in November 2022 found no evidence of roosting bats in the building. If the condition of the building has not significantly changed since the previous surveys the findings would be valid. Therefore, an informative is recommended to make the applicant aware that although the building to be altered has been assessed as low risk for bats it is an offence to disturb, harm or kill them as they are a protected species. It is also noted that nesting birds may be present and an informative in relation to this is also attached.
94. The GMEU have raised no further concerns about the proposals in terms of ecology and it is noted that the application does not include the removal of the landscaped strip adjoining Balfour Road and that a Tree Protection Plan has been submitted to ensure the protection of this area during refurbishment / repair works.

Conclusion on Trees and Ecology

95. It is concluded that subject to the recommended conditions and informative the proposal would comply with Policies R2 and R3 of the Core Strategy, the NPPF, and PfE Policy JP-G9.

CONTAMINATION, FLOOD RISK AND DRAINAGE

96. The NPPF advises, at paragraph 189, that planning decisions should ensure that a site is suitable for its proposed use when taking account of ground conditions and any risks arising from contamination. Within the Core Strategy, Policy L5 is clear that development that has the potential to cause adverse pollution (including water and ground pollution) will not be permitted unless adequate mitigation measures have been demonstrated and can be put in place. PfE Policy JP-S4 also acknowledges the importance of securing appropriate remediation of any contaminated land in order to minimise the potential for any diffuse pollution.
97. The Council’s Environmental Protection section have been consulted in relation to contaminated land and have confirmed that they have no objections, although as set

out under the Residential Amenity section of the report, the building may contain asbestos which must be secured or removed in accordance with applicable legislation and guidelines. This matter will be addressed through the Construction Environmental Management Plan.

98. Paragraph 165 of the NPPF is clear that inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Policy JP-S4 (Flood Risk and the Water Environment) of Places for Everyone is the leading policy on flood risk and drainage. It encourages new development to be designed and located in order to minimise the impacts of current and future flood risk, and it expects development proposals to manage surface water run-off through SuDS.

99. The Lead Local Flood Authority have confirmed that the site is not within the flood map for surface water 1 in 100-year outline and there are no records of flooding within 20m or Ordinary Watercourses within 5m. There is some medium surface water risk to the north of the site boundary.

100. They comment that there will be no significant change to the impermeable area and so little change to the surface water runoff generated by the site. However, they advise that in the interest of managing flood risk and promoting sustainable development, the applicant shall follow the hierarchy of drainage set out in Part H of the Building Regulations:

1. Into the ground (infiltration)
2. To a surface water body
3. To a surface water sewer
4. To a combined sewer

101. They recommend an informative in relation to this and also in relation to the provision of permeable surfaces for parking areas and that no surface water should discharge onto the highway.

102. Overall, it is concluded that subject to conditions, the proposal is compliant with Policy JP-S4, and with NPPF in so far as it relates to contamination, flooding and drainage.

EQUALITIES

103. 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 to 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.

104. As the application proposes a publicly accessible building, an Equalities Statement has been requested and provided in relation to the current proposal. In relation to the requirements of the Public Sector Equality Duty under the 2010 Act, the applicant CRC has confirmed that no individual will be prevented from accessing the building based on any protected characteristic as listed under the Act.

105. The application would provide unassisted disabled access to the front of the building which is currently not available, and this would ensure that the building would be more accessible for those with disabilities. The scheme also includes the provision of four accessible parking spaces where there are currently none, which would also make the building more accessible to persons who share this protected characteristic.

106. The concerns raised by objectors about some of the teachings and ideologies of the Church organisation proposed to occupy the premises are noted. However, the planning system does not operate in the interests of individual organisations, it is the use of the building as a place of religious worship (amongst other uses) and not the organisation, that is the determining factor in deciding if the proposal is in accordance with the development plan.

107. Notwithstanding this and as set out in the foregoing section of the report, an equalities statement was requested by the LPA and provided by the applicant, and this states that no-one will be prevented from accessing the building as result of a protected characteristic. On the basis of this the building would be accessible to all sectors of the community should they choose to do so and is not therefore contrary to development plan policies or the NPPF. It is considered that the Council has given proper consideration to its Public Sector Equality Duty under the Equalities Act.

OTHER MATTERS

108. The issue of the ownership of the vegetated strip of land to the rear of the site along the northern side of Balfour Road has been raised by objectors. The issue of site ownership has been queried with the agent for the application who has provided an updated site edged red location plan and confirmed that the site ownership information provided is correct. The latest site edged red location plan has been consulted on via 21 day neighbour letters. It is considered that the Local Planning Authority has endeavoured to establish the correct ownership position and this application is determined on the basis of the pertinent planning information submitted by the agent for the application. The consideration of a planning application does not

extend to private legal issues between parties and is the responsibility of the applicant to obtain any other necessary permission to carry out development, for example covenants, byelaws or other legislative requirements.

109. One objector has raised concerns about the release of vermin into the wider neighbourhood as a result of the proposals. While this is not a planning matter, a Construction Environmental Management Plan condition has been attached which will deal with the environmental impacts of the construction works.

110. An objector has queried where the consultation comments in the supporting documents have come from. The Design and Access Statement sets out that these comments are taken from a variety of sources, including the consultation carried out in relation to a previous application on the site, responses to press articles online and responses to the pre-application consultations carried out for by the applicant in relation to the current application. For the avoidance of doubt, it is the comments received following the public consultations carried out by the Local Planning Authority in relation to the current application that are assessed as part of this planning report.

111. An objector has also commented that the telecoms masts and equipment on the building should be removed as part of the development. There are various applications for the telecoms equipment that have been approved historically and it is not the current applicant's responsibility to remove them as part of this scheme particularly as they may be under long term agreements to utilise the building.

DEVELOPER CONTRIBUTIONS

112. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of all other development as it comprises a number of different uses which would 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).

113. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

114. 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.

115. Following the recent adoption of the Joint Development Plan Places for Everyone, development plan policies in Places for Everyone are up to date and should be given full weight in decision making. Relevant surviving policies in the Core Strategy and UDP are also up to date in NPPF terms.

116. Paragraph 11 c) is therefore relevant in relation to the determination of this

application whereby development proposals that accord with an up-to-date development plan should be approved without delay.

117. The development proposes the re-use, including some external alterations, of the building for community, educational, place of worship and leisure uses, along with offices and coffee shop. The proposed mix of uses are considered appropriate to the neighbourhood shopping centre, particularly in view of the previous non-retail uses of the building. There are visual amenity and heritage benefits associated with bringing the building, which has been identified as a non-designated heritage asset back into use. There are also benefits associated with the improvements to the accessibility of the building and improvement of the public realm to the front of the building.
118. Concerns have been raised about the highways and parking impact of the development; however the application has been considered by the LHA and in view of the previous established uses of the site and the parking and access arrangements proposed, they consider that the development would not result in unacceptable impact on highway safety, and that the residual cumulative impacts on the road network would not be severe.
119. Concerns have also been raised about the potential loss of the trees and wildlife in the green buffer to the rear of the site, however the plans indicate that is to be retained and a Tree Protection Plan has been submitted and is subject to a condition. While concerns about the teachings and ideologies of the Church organisation are noted, it is the use of the building as a place of religious worship (amongst other uses) and not the organisation, that is the determining factor in deciding if the proposal is in accordance with the development plan and consideration has been given to the Public Sector Equality Duty in the report.
120. The development is not considered to have any significant adverse impact upon adjacent neighbouring properties subject to conditions, and the application provides an opportunity to regularise and control a number of issues around the operation of the building that could be detrimental to residential amenity.
121. All relevant planning issues have been considered, including local and national planning policy and guidance, representations and consultation responses have been taken into account in concluding that the proposals comprise an appropriate form of sustainable development. Any residual harm as identified above can be mitigated by suitable planning conditions. The proposals comply with the development plan when taken as a whole.
122. It is therefore recommended that planning permission should be granted, subject to conditions.

RECOMMENDATION: GRANT subject to the following conditions

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

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

Site Location Plan – A.00.1
Proposed Site Plan – A.00.4A Rev A
Proposed Ground Floor Plan – A.01.5 Rev A
Proposed First Floor Plan – A.01.6
Proposed Second Floor Plan – A.01.7
Proposed Roof Plan – A.01.8
Proposed Front Elevation – A.04.4
Proposed East and West Elevation – A.04.6
Proposed Rear Elevation – A.04.5
Proposed Section AA – A.03.2
Proposed Roof Lights – S.01.5
Proposed Windows - S.01.6, S.01.7 and S.01.8

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

3. The development hereby approved shall be used as a mixed use auditorium and events space, for community, educational, place of worship and leisure uses, along with offices and coffee shop, as per the approved floorplans, and for no other purpose.

Reason: In the interests of amenity and highway safety and to ensure that the Local Planning Authority can apply an appropriate level of control over the future use of the building, having regard to Places for Everyone Policy JP-P1 and JP-C8, Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

4. No development or works of site preparation, including any demolition, shall take place (unless those works are required to give access to historic features) until a detailed photographic record in accordance with Level 2 of Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (2016) of the building internally and externally and all historic features, has been submitted to and approved in writing by the Local Planning Authority. A copy of the report shall also be deposited with the Greater Manchester Historic Environment Record and Trafford Local Studies Library.

Reason: In accordance with para 211 of the National Planning Policy Framework to record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, prior to any works taking place on site, having regard to Policy JP-P2 of Places for Everyone, Policy R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework. The details are required prior to development, including demolition, taking place on site as any works undertaken beforehand, including preliminary works, could result in an adverse impact on the site's historic features.

5. No development shall take place until a detailed structural survey, method statements and a schedule of works (including appropriate drawings), detailing the repair, reinstatement and refurbishment of the historic building, undertaken by a conservation accredited structural engineer, has been submitted to and approved in writing by the Local Planning Authority. Details shall include the repair and replacement of the concrete slab roofs and associated soffits; localised rebuilding of east flank wall; drainage and rainwater goods; re-pointing (including mortar analysis); localised replacement of brickwork; new parapet details and replacement of damaged lintels. The development shall be implemented in strict accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policy R1 of the Trafford Core Strategy, Policies JP-P1 and Policy JP-P2 of Places for Everyone and the National Planning Policy Framework.

6. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and full specifications of materials and methods of construction to be used in the repair, restoration, alteration or extension of any external surfaces of the building and hard landscaping within the curtilage have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour, texture and surface finish of the materials and shall be accompanied by either 1:5, 1:10 or 1:20 drawings where appropriate to demonstrate all detailing to be incorporated. The samples shall include a constructed panel of brickwork and type of joint, mortar specification and appropriate bond (to match existing) and rainwater goods and systems. Sample panels shall be available on site for inspection. The samples shall be retained on site for the duration of the build programme. Development shall be implemented in strict accordance with the approved details.

Reason: In order to ensure a high-quality appearance in the interests of visual amenity and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policies L7 and R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2: of Places for Everyone and the National Planning Policy Framework.

7. Notwithstanding the submitted details, no development involving the replacement of windows and doors to the historic building shall take place until a schedule of proposed

works, including 1:5 scale drawings and section drawings detailing the replacement of windows and doors including glazing, cills and headers have been submitted to and approved in writing by the Local Planning Authority. All new windows and doors shall be constructed from Crittall (or equivalent), or timber and set back from external brickwork within a minimum 100mm reveal or to match the existing historic reveal. The mouldings, sections, method of opening and associated furniture shall be of a traditional design and profile. All windows shall have a painted finish to an agreed colour scheme. A sample of a proposed window and door shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in strict accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policies R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

8. No development involving the installation of the rooflights hereby approved, shall take place until 1:10 scale drawings detailing the opening and how the existing roof will be supported during the course of the works, have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in strict accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policies R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

9. No development involving the formation of new openings, including cills and headers, shall take place until 1:5 scale drawings detailing the opening and how the existing brickwork will be supported during the course of the works, have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in strict accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policies R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

10. No development involving the refurbishment of the front steps, shall take place until a schedule of works and samples of any materials required, have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in strict accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to

Policies R1 of the Trafford Core Strategy, JP-P1: Sustainable Places; Policy JP-P2: Heritage of Places for Everyone and the National Planning Policy Framework.

11. No development involving the replacement of the canopy, former ticket booth and front entrance shall take place until 1:10 scale drawings detailing the works required including the salvaging and reuse of any historic fabric, materials required and how the existing building will be supported during the course of the works, have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in strict accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policies R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

12. No cleaning of masonry (other than low pressure 20-100 psi surface cleaning using a nebulous water spray) shall take place unless and until the details of any cleaning proposals have been submitted to and approved in writing by the Local Planning Authority. This shall include the provision of a test panel on site in an inconspicuous position for the inspection of the Local Planning Authority. Any cleaning (other than low pressure 20-100 psi surface cleaning using a nebulous water spray) shall be implemented in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the non-designated heritage asset, having regard to Policies R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

13. No development or works of site preparation shall take place until all trees, hedgerows and scrub to be retained on or adjacent to the southern boundary of the site, have been enclosed with protective fencing in accordance with the protection measures detailed on the Tree Protection Plan submitted on 21.08.2024 by Brass Architecture. All recommendations set out within the Tree Protection Plan shall be followed and the protective 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 and vegetation on or adjacent to the site in the interests of amenity and ecology having regard to Places for Everyone Policies JP-P1 and JP-G7, 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.

14. The development hereby permitted shall not be brought into use until the means of access and the areas for the parking, 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 Places for Everyone Policies JP-P1 and JP-C8 and Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. Notwithstanding the details shown on the approved plans the development hereby permitted shall not be brought into use until details of the proposed secure motorcycle and bicycle 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 motorcycle and bicycle parking provision is made in the interests of promoting sustainable development, having regard to Places for Everyone Policies JP-P1 and JP-C8 and 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.

16. Notwithstanding the details shown on the approved plans, the development hereby approved shall not be brought into use until a public realm improvement scheme, to include the removal of the Bowfell Road roundabout access off Princess Road and resurfacing treatments to the front of the development, any intended alterations to pedestrian guardrails, landscaping treatments and/or installation of new street furniture and a construction timetable for the works, have first been submitted to and approved in writing by the Local Planning Authority. The public realm improvement scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason: In the interest of amenity and highway safety having regard to Places for Everyone Policy JP-P1 and JP-C8, Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

- i) the parking of vehicles of site operatives and visitors (all within the site)
- ii) the management of deliveries including details of the proposed delivery booking system. Best practice should be employed to restrict external construction traffic movements to off-peak traffic hours.

- iii) loading and unloading of plant and materials to include vehicle access and egress arrangements and vehicle tracking (the LHA will not support a proposal which includes vehicles reversing onto the highway).
- iv) location of any storage of plant and materials used in constructing the development
- v) the erection and maintenance of security hoardings including information for members of the public, including contact details of the site manager
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- vii) proposed days and hours of demolition and construction activity (in accordance with Trafford Councils recommended hours of operation for construction works) site working hours to be restricted to between 07:30 -18:00 on Monday to Friday; 08:00 – 13:00 on Saturday, and no work permitted on a Sunday or a Bank Holiday
- viii) measures to control the emission of dust and dirt during demolition and construction work and procedures to be adopted in response to complaints of fugitive dust emission
- ix) details of any floodlighting and security lighting
- x) 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, to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Places for Everyone Policies JP-P1, JP-C8 and JP-G8 and Policies R2, 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.

18. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be brought into use until details of CCTV and any other security measures to be installed at the site have 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: In the interest of security and amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. The business hours of the premises shall be restricted to between the hours of 07:00 to 23:00 on Mondays to Saturdays, and 07:00 to 22:00 on Sundays and public Holidays.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. Servicing, deliveries, and waste and recycling collections shall only take place between the hours of 07:00 to 22:00 on Mondays to Saturdays, and 08:00 to 21:00 on Sundays and Bank Holidays.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. Prior to first use of such equipment, a sound limiting device shall be fitted to/used by any in-house or peripatetic musical amplification system/s used at the venue and shall be set at a level that will achieve worship and entertainment music noise criteria which have been submitted to and approved in writing by the Local Planning Authority. The limiter shall be set and secured so that it cannot be overridden by performers or DJ's or other persons other than house engineers or other appointed sound system engineers. The limiter shall be used at all times when any in-house or peripatetic musical amplification system/s are used at the venue and shall not be altered.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

22. The development hereby permitted shall not be brought into use until an acoustic assessment and report, prepared by a suitably qualified acoustic consultant, has been submitted to and approved in writing by the Local Planning Authority. The assessment and report shall establish appropriate worship and entertainment music noise criteria and demonstrate how the sound limiting device referred to in condition 19 has been set in order to achieve the requirements of the aforementioned criteria.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

23. The development hereby permitted shall not be brought into use until a Noise Management Plan (NMP) has been submitted to and approved by the Local Planning Authority to address potential impacts from events involving the provision of live and/or recorded music and other amplified sound for the purpose of entertainment, worship, sport or gym/fitness activities. The NMP shall incorporate any recommendations identified by the acoustic assessment and report referred to in condition 20 and include as a minimum, written details of the following information; a. Organisational responsibility for noise control; b. Hours of operation and music production; c. Imposed planning conditions controlling noise/disturbance; d. Physical and managerial noise controls processes and procedures; e. Music noise level controls including music noise limiter settings and any external noise limits; f. Details of how compliance with control limits is achieved and procedure to address non-compliance; g. Details of review of NMP; h. Details of community liaison and complaints logging and investigation. All such amplified music and sound shall therefore be provided in full accordance with the approved NMP.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

24. The development hereby permitted shall not be brought into use until a suitable Noise Impact Assessment (NIA) has been submitted to and approved in writing by the Local Planning Authority. The NIA shall demonstrate how the rating level (LAr) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the measured representative day and night-time background level at the nearest receptor position(s). Noise measurements and assessments shall be compliant with BS 4142:2014 Methods for rating and assessing industrial and commercial sound. Any mitigation measures required to achieve compliance with said requirement shall be implemented prior to first use of any plant or machinery and shall be retained in working order thereafter.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

25. Prior to the first operation of the development hereby approved, an Exterior Lighting Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment shall demonstrate that lighting impacts from exterior lighting installations into windows of adjacent habitable rooms would be within acceptable margins, following the Institution of Lighting Professionals' Guidance Note 01/21 Guidance notes for the reduction of obtrusive light. The approved details, including any mitigation measures, shall be retained in working order thereafter.

Reason: In the interest of amenity having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

26. Within 6 months of any of the uses hereby approved first taking place, a full Travel Plan, which should include measurable targets for reducing car travel, shall be submitted to and approved in writing by the Local Planning Authority. The full Travel Plan shall be implemented within one month of approval and thereafter shall continue to be implemented throughout a period of 10 (ten) years, commencing on the date of first implementation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Places for Everyone Policies JP-P1 and JP-C8 and Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

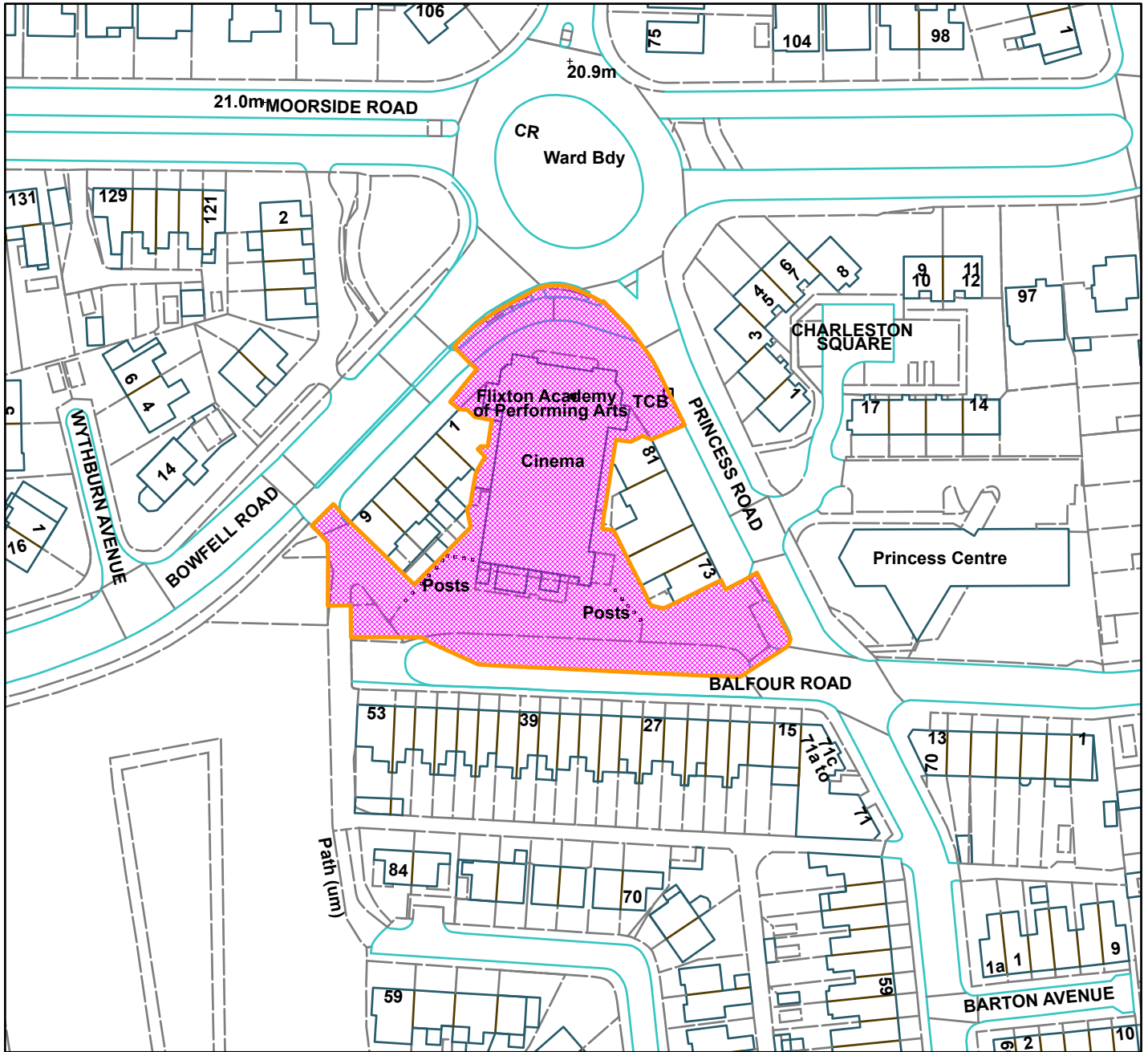
27. Notwithstanding the details shown on the approved plans the development hereby permitted shall not be brought into use until details of the proposed refuse storage area for the development which shall include refuse vehicle tracking, has been submitted to and approved in writing by the Local Planning 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 refuse storage provision is made in the interests of amenity, having regard to Places for Everyone Policy JP-P1, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

JJ



Curzon Cinema, Princess Road, Urmston(site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 17/10/2024
Date	07/10/2024
MSA Number	AC0000809316 (2022)

WARD: Hale Barns &
Timperley South

113777/FUL/24

DEPARTURE: No

Demolition of existing dwelling and erection of new replacement dwelling with associated landscaping and parking

10 Wey Gates Drive, Hale Barns, WA15 0BW

APPLICANT: Mr Stark

AGENT: 1618 Architects

RECOMMENDATION: GRANT

This application is being reported to the Planning and Development Management Committee following a call-in request from Councillor Dylan Butt.

SITE

The application site relates to a detached dwelling on Wey Gates Drive, a residential area in Hale Barns. There is a small driveway and grass section to the front of house. To the rear, there is a large garden. The surrounding area comprises detached dwellings, predominantly of similar design, although there are several examples of contrasting modern development along this road.

PROPOSAL

The application seeks planning permission for the demolition of the existing dwelling and the erection of a new replacement dwelling with associated landscaping and parking. The proposed dwelling would be two storeys, with additional accommodation within the roofspace.

Value Added

Amended plans were sought from the planning officer to achieve a subservient and more complementary design. The following changes have been made:

- Reduced glazing and massing to the front elevation.
- Ridge height reduced by 0.2m.
- Roof width reduced from 14.3m to 13.5m.
- First floor width reduced from 13.9m to 13.1m.
- Flat roof section reduced.
- Rear elevation glazing reduced, with hierarchy implemented.
- Removal of single storey front projection and associated garage door.

DEVELOPMENT PLAN

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.
- The **Trafford Core Strategy**, adopted 25th January 2012; the Trafford Core Strategy 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; A number 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 the new Trafford Local Plan.

PRINCIPAL RELEVANT PLACES FOR EVERYONE POLICIES

- JP-H1 – Scale, Distribution and Phasing of New Housing Development
- JP-H2 – Affordability of New Housing
- JP-H3 – Type, Size and Design of New Housing
- JP-H4 – Density of New Housing
- JP-C6 – Walking and Cycling
- JP-C8 - Transport Requirements of New Development
- JP-P1 – Sustainable Places
- JP-S1 – Sustainable Development
- JP-S2 – Carbon and Energy
- JP-S4 – Flood Risk and the Water Environment
- JP-G8 - A Net Enhancement of Biodiversity and Geodiversity

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

- L1 – Land for New Homes
- L2 – Meeting Housing Needs
- L4 – Sustainable transport and accessibility
- L5 – Climate Change
- L6 - Waste
- L7 – Design
- L8 – Planning Obligations
- W1 – Economy

- R2 – Natural Environment

PROPOSALS MAP NOTATION

None relevant.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) in December 2023. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published the National Planning Practice Guidance on 6 March 2014, and was last updated in August 2024. The NPPG will be referred to as appropriate in the report.

OTHER PLANNING GUIDANCE DOCUMENTS

SPD1 – Planning Obligations

SPD3 – Parking and Design

SPD4 – A Guide to Designing House Extensions and Alterations (relevant for general projections)

Technical housing standards – nationally described space standard

National Design Guide

SPD7 Trafford Design Code

RELEVANT PLANNING HISTORY

113123/FUL/24: Demolition of existing house and erection of new dwelling house, associated landscaping and widening of existing driveway. Application withdrawn.

APPLICANT'S SUBMISSION

Arboricultural Impact Assessment

Bat Survey

CIL

Tree survey and constraints survey

CONSULTATIONS

GMEU: No objection, subject to conditions regarding biodiversity enhancement measures and trees/shrubs work and an informative regarding bats.

LHA: No objection, subject to CEMP condition.

LLFA: No objection, subject to informative regarding using permeable surfaces.

Nuisance: No objection, subject to CEMP condition.

Tree Officer: No objection, subject to landscaping and tree protection plan condition.

REPRESENTATIONS

Four objections have been received from nearby neighbours in response to the initial scheme. Three other objections were received, however were from dwellings in Salford, Stirling, and Cambridge. All objections are summarised below.

- *The design is imposing on the existing properties, jarring and overbearing in appearance and out of keeping with the general street scene. Design should be cohesive along the street.*
- *Notes presence of no. 9, but states that it has a jarring imposition on the neighbourhood.*
- *Roof line noticeably higher than the surrounding homes which are two storey.*
- *Flat roof will be easily visible from neighbours and appears quite jarring in this traditional neighbourhood.*
- *The dwelling which extends 4m beyond existing building line & significantly beyond the no. 8 rear house line will ruin both the view and light to no. 8 and create shade to the garden and rear habitable room. Specifically references loss of light to living room at no. 8.*
- *Numerous windows on the side facing no. 8 - they should all should be removed or obscure glazed to avoid loss of privacy.*
- *Imposing height of property raises concerns regarding garden privacy, even rear windows would have views.*
- *Dwelling should have low open-weave fencing extended along the entire length of the new dwelling.*
- *Seeks clarification regarding any structures on patio.*
- *Reduce light to no. 12*
- *The four-car width entrance is contrary to local vernacular, which is focussed on greenery.*
- *Front will end up with a gate across it that would create an industrial estate feel.*
- *Concerns regarding building works (noise, disruption, street congestion, views, boundary lines)*
- *Windows to side overlooking no. 12*
- *Rear of the dwelling is an overwhelming block with a solid unbroken façade.*
- *Building very close to trees at no. 12.*
- *Have the preapplication points been taken into consideration?*
- *Increase in height and breadth of the house will impact the morning light of 11 Stone mead Avenue. Also concerns regarding privacy of this dwelling.*
- *Balconies with overlook rear gardens at adjacent properties.*
- *Increased scale of dwelling would impact on local wildlife.*

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal is for the demolition of the existing dwelling, and erection of a new property.
2. S38(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 a starting point for decision making, and that where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.
3. The 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. The most important policies in the determination of this application are JP-H1, JP-H3, JP-P1, and JP-P2 of PfE, and policies L1, L2, and L7.3 of Trafford Core Strategy.
6. The Places for Everyone Joint Development Plan was adopted on 21 March 2024. In accordance with Paragraph 76 of the NPPF, and for the first five years of the plan's adoption, Trafford is now no longer required to identify a five-year housing land supply. In effect, for decision making purposes, it should be assumed that the Local Planning Authority has a five-year supply of specific, deliverable housing sites. The Council's housing land supply position therefore no longer triggers the tilted balance.
7. However, Housing Delivery Test (HDT) presumption still applies. Paragraph 79 of the NPPF states that where the HDT falls under 75% then the presumption in

favour of sustainable development applies. Trafford's HDT figure for 2023 is 65% i.e. the Council delivered an average of 65% of its housing requirement over the three years to March 2023. The tilted balance is therefore triggered by the HDT.

8. As development plan policies in Places for Everyone are very recently adopted, they are up to date and should be given full weight in decision making. Relevant surviving policies in the Trafford Core Strategy are also up to date in NPPF terms. Although the tilted balance in the NPPF is a primary material consideration, the development plan remains the starting point for decision making.
9. Policy JP-H1 states that: The new homes will be of good quality and design, adaptable, supported by the necessary infrastructure and amenities and their distribution (as set out in Table 7.2) will support the Plan's overall strategy which enables people to reduce the need to travel when taking advantage of our key assets.
10. Policy JP-H3 states: Development across the plan area should seek to incorporate a range of dwelling types and sizes including for self-build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence.
11. Policy L2 of the Core Strategy is clear that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Policy L2.2 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.*

HOUSING LAND SUPPLY

12. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. Local planning authorities are required to support the Government's objectives 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.

13. The site is currently occupied by a single dwelling and the application proposes the demolition of this dwelling and replacement with a new single dwelling and therefore there would be no net impact on the supply of land for new homes.
14. The proposal is therefore acceptable in housing policy terms and the main considerations in this application are the impact on residential amenity, and the design, and impact on the street scene generally. Highways, ecology and other pertinent issues are also considered below.
15. There is likely to be a minor economic benefit during the construction phase of the development.

DESIGN AND APPEARANCE

16. The promotion of high standards of design is a central narrative within the NPPF, and with this message is strengthened and reinforced in the December 2023 update. The overarching social objective, which is one of three objectives critical to the achievement of sustainable development, is reliant upon the planning system fostering a well-designed, beautiful and safe built environment, according to paragraph 8.
17. Paragraph 131 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process”*. In further promoting well-designed planning outcomes, in October 2019 the Government published its National Design Guide (NDG).
18. Policy JP-P1 of Places for Everyone contains extensive requirements for development, with 16 key design and sustainable places considerations outlined below. Namely, development should be: *Distinctive; Socially inclusive; Resilient; Adaptable; Durable; Resource efficient; Safe; Supported by critical infrastructure; Functional and convenient; Incorporate inclusive design; Legible; Easy to move around; Well-connected; Comfortable and inviting; Incorporate high quality and well managed green infrastructure/public realm; Well served by local shops, services, amenities and facilities.*
19. In taking forward advice in the NPPF the Council has adopted its own Trafford Design Code. The document sets out design principles for new development

across the Borough, when having regard to local distinctiveness and local vernacular. The Strategic Design Principles in the TDC include 'Design with Character and Beauty' and set out that an understanding of the character of a place is essential to producing a contextual, sympathetic and high-quality design proposal.

20. The existing dwelling is two-storey and has a simple and understated appearance. The application proposes to demolish this dwelling and erect a larger and contemporary designed dwelling within the plot. The surrounding setting is characterised by predominantly modest two storey dwellings, with understated designs, although there are several examples of more contemporary designed dwellings which exhibit more modern facades within this street scene.
21. A variety of design amendments have been sought to this proposal to ensure that the new dwelling would appear more in keeping with the design and character of dwellings along Wey Gates Drive. Such amendments include a reduced ridge height and width, reduced glazing to the façade and rear, reduced area of flat roof, and reduced massing to the front elevation. As is detailed below, it is considered that the amended scheme would have a more subservient and therefore acceptable design which would respect the character and design of this street scene.
22. The dwelling would sit in line with the front elevation of neighbouring properties, ensuring that it respects the building line. The dwelling would have a gable roof, with a ridge height only 0.18m higher than no. 8, ensuring that the dwelling would appear in keeping with the heights of surrounding dwellings. The proposal would have a similar eaves level as the adjacent dwellings, ensuring that the proposal would align with the dwellings along this street scene. There would be a section of flat roof to the centre of the roof. Whilst partially visible from the street scene, and not in keeping with the predominant gable roof form, the flat roof area has been reduced in area to reduce its visibility from the wider street scene. It is also noted that there are examples of similar development with flat roofs on Wey Gates Drive, ensuring that this roof form would not appear notably uncharacteristic within this setting.
23. To the front elevation there would be a gable on one side projecting forward of the building line providing articulation and architectural detailing to the front. In addition, there would be two, two storey box bays to the front which again add further detail to the elevation. The facade would have a more contemporary appearance, with large windows proposed at ground and first floor. The larger expanses of glazing are set below the eaves level of the property and due to the scale and design of the front glazing it is not considered to result in the dwelling appearing overly prominent within the site and street scene. There would be a small apex window within the gable which is a light weight and an appropriate addition. Overall, the front elevation is considered to be the correct balance of the architectural detailing without detracting from the character of the streetscene.

24. The dwelling would retain 2.7m and 2.8m to the side boundaries, ensuring sufficient space is retained around the site. The proposed dwelling would be wider than adjacent dwellings, however, given that ample space would be retained to the side boundaries, and considering the subservient design, it is not considered that the increased width would result in the dwelling appearing overly prominent within the street scene.
25. The rear design comprises two gable projections, containing three levels of glazing. The glazing is appropriate in scale and follows a clear visual hierarchy. An inverted rear dormer is proposed to the centre of the rear roof scape. This roof opening is set well in from the ridge, eaves level and the sides of the gables, ensuring it would be both subservient and proportionate within this space.
26. The material palette comprises brick to all elevations with a second brick proposed around the gable windows and to the rear extension, clay roof tiles and aluminium windows throughout. These materials would complement the proposed design and would ensure that the dwelling appears in keeping with the surrounding dwellings. A condition will be added requiring that a full specification of the materials is provided prior to their use during construction. A condition is also recommended to ensure that all windows and doors are constructed with minimum 100mm deep external reveals, to secure a high-quality finish.
27. There would be increased hardstanding to the front, to allow space for three parking spaces. There would still be a section of soft landscaping to the front, and the existing high hedges would remain to the front and sides, which would soften the frontage and contribute to the street scene. A condition will be added to require that the applicant provides a full landscaping scheme for approval. This is discussed further in the tree section below.
28. It is considered necessary to add a condition to remove permitted development rights for rear and side extensions and dormers, to ensure that the dwelling would maintain an appropriate width and sufficient spaciousness around the plot, and to ensure that the dwelling would not appear overly dominant within the site, which would undermine the design. Any extensions or dormers would require planning permission, to allow consideration of the impacts on the design and character of the site and street scene.
29. To conclude, it is considered that the proposed scheme would appear appropriate within the site and street scene, providing a subservient design which respects the character of surrounding development. The proposal would comply with JP-P1, the Trafford Design Code, and the NPPF requiring good design.

RESIDENTIAL AMENITY

30. 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”.
31. SPD4 provides guidance on householder extensions, however this provides a good reference for assessing amenity impact for replacement dwellings.
32. There would be a distance of over 21m between the front elevation of the dwelling and the opposing dwelling, which would accord with SPD4, the site context, and the established building line, ensuring no harm to facing dwellings. There would be well over 10.5m between the rear elevation of the dwelling and the rear boundary, in accordance with the Trafford Design Code.

Impact on no. 12 Wey Gates Drive

33. The dwelling would project approx. 4.3m from the rear elevation of the existing dwelling and would be 2.8m from the shared side boundary. The adjacent dwelling, no. 12 Wey Gates Drive has a single storey rear extension which projects approx. 3m. The impact on the first-floor windows will therefore be assessed using SPD4 guidance and given the scale of the proposal and separation to the boundary the proposal would therefore comply with this guidance, ensuring that there would be no undue loss of outlook or loss of light to the first-floor windows at this dwelling. The dwelling would project 2.3m beyond the rear elevation of the single storey extension at no. 12, 2.8m from the shared boundary, and therefore would comply with SPD4 3.4.3.
34. It is acknowledged that the dwelling would be 1m higher than no. 12, however, given that the proposal would comply with SPD4 requirements, it is not considered that the increased height would cause any undue harm to this adjacent dwelling.
35. Three windows are proposed within the first and second floor side elevation facing no. 12. A condition will be added to ensure that these windows are obscure glazed and non-opening above 1.7m to ensure no loss of privacy to no. 12.

Impact on no. 8 Wey Gates Drive

36. The two-storey part of the dwelling would project 1.7m beyond the rear elevation of no. 8 Wey Gates Drive, 2.7m from the shared side boundary. This distance would comply with SPD4 requirements. The single storey element would project 3.2m beyond the rear elevation of no. 8, which would comply with SPD4 guidance. The single storey side extension would be positioned 0.9m from the shared side boundary, resulting in no harm to the amenity of this adjacent dwelling. Windows

are proposed within the first-floor side elevation facing no. 8 Wey Gates Drive. A condition will be added to ensure that these windows are obscure glazed and non-opening above 1.7m to ensure no loss of privacy to no. 8.

37. There would be a first-floor rear terrace positioned between the rear gables. The terrace would be screened by the proposed gables, and a privacy screen of height 1.7m would be added to the additional projection facing no. 12, ensuring that there would be no views into the adjacent gardens. A condition will be added to ensure that the proposed privacy screen would be implemented prior to occupation of the dwelling. Furthermore, a condition will be added to ensure that the remaining flat roof of the single storey rear extension is not used as a balcony or terrace to protect the amenity of neighbouring dwellings.
38. It is considered necessary to add a condition to remove permitted development rights for rear extensions from the dwelling, so that further rear extensions to the property cannot take place without planning permission, to allow consideration of the impacts on amenity.

Impact on future occupiers

39. In terms of internal floor space, the dwelling would meet the corresponding nationally described space standards. The rear garden would be large in scale, offering ample amenity space for future residents. Furthermore, the dwelling would benefit from large windows, ensuring sufficient natural light and outlook to all habitable rooms.
40. Subject to the conditions outlined above, it is considered that the proposal would cause no harm to the amenity of surrounding dwellings and would offer an acceptable standard of accommodation for future occupiers, in accordance with L7 of TCS and the NPPF.

NUISANCE

41. Given the scale of work proposed, it is recommended that a Construction Management Plan is submitted by the applicant prior to development. Subject to this condition, it is not considered that the proposed works would cause any undue nuisance to neighbouring properties during the construction period.

HIGHWAYS AND PARKING

42. The 6-bedroom dwelling would have three off-street parking spaces to the front, which would comply with SPD3. There would be sufficient space around the site for cycle parking.
43. There is sufficient space to the rear of the site to store bins.

44. The LHA is supportive of the proposal, subject to a condition which requires that the application submit a construction method statement prior to development.
45. The proposal would be considered acceptable on highways and parking grounds and would comply with L4 of TCS and JP-C8 of Places for Everyone.

TREES

46. The property is not within a Conservation Area, nor does it have any TPOs, meaning no trees are protected.
47. The plot has a mature beech hedge running along the front boundary with variegated sycamore tree growing behind it. This tree will increase in amenity as it grows as it is already displaying good health and form. The front garden is laid to lawn whilst also having a small driveway adjacent. The rear garden is long and laid to lawn with shrubs and conifers defining the side boundaries. The rear boundary has a group of several mature broadleaf trees two of which have high arboricultural value. These are tree T7 (oak) and Tree 14 (yew). The remaining trees in this area are of low and moderate value.
48. Two trees require removal to facilitate development. They are trees T19 and T20, a yew and a willow respectively. They have low value, and there is no objection to their removal. It is recommended that these trees are replaced within a landscaping scheme submitted at condition stage. This requirement will be included in the proposed landscaping condition.
49. Furthermore, a condition will be added to ensure that the advice contained within the tree protection plan is followed.

ECOLOGY

50. The bat survey found the building to have negligible bat roosting potential. However, as bats are highly mobile creatures GMEU have advised that an informative is added regarding bat safeguarding. The proposal involves the removal of some trees and scrubs. As these may be used by nesting birds, GMEU have advised that a condition is added to restrict works to trees during March and August without approval from the council.
51. Furthermore, a biodiversity enhancement scheme would be required which includes measures to enhance biodiversity at the site, in line with policy JP-G8 of PfE and the requirements of the National Planning Policy Framework. Such measures will include a bat brick and/or tube, hedgehog box, and a bird box. A condition will be added to require that the application submits this scheme to the LPA for approval prior to first occupation of the development.

52. With regard to biodiversity net gain (BNG), the applicant has declared that the development would be 'Self and Custom Build Development', and therefore would be exempt from BNG.

DRAINAGE

53. The site is not within the flood map for surface water 1 in 100-year outline and there are no records of flooding within 20m or Ordinary Watercourses within 5m. There will be no significant change to the impermeable area and so little change to the surface water runoff generated by the site.

54. An informative will be added to make the applicant aware that permeable surfaces must be considered for the parking areas and no surface water should discharge onto the highway.

EQUALITIES

55. 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.

56. 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:

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

57. 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.

58. The proposed dwelling would have level access and provided a downstairs WC, with adequate living space within the ground floor to accommodate a bedroom if required. A condition will be added to ensure that the building would be built to the "accessible and adaptable" standards in Part M4(2) of the Building regulations.

59.No other benefits or dis-benefits have been identified to persons with any other protected characteristic.

DEVELOPER CONTRIBUTIONS

60.The development would result in 100 sqm of new build floorspace and would be liable for CIL.

61.The applicant has declared that the project would be self-build, and would therefore be exempt from CIL charges, subject to approval by the Council.

PLANNING BALANCE AND CONCLUSION

62.Section 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. The tilted balance is engaged, and the application should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.'

63.Significant amendments have been made to the design of the scheme during the application process, to ensure that the dwelling would appear more in keeping with the design and character of existing dwellings along Wey Gates Drive. Furthermore, existing residential amenity would be adequately protected and there would be an acceptable standard of amenity provided for future residents of the application site.

64.Other material considerations including highways/parking, trees, ecology and drainage, are found to be satisfactory subject to conditions.

65.The proposal is therefore considered to be in accordance with the development plan when taken as a whole and relevant sections of the NPPF. In terms of NPPF paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission. The application is therefore recommended for approval 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, numbers:
 - a. 101 Rev H
 - b. 102 Rev H
 - c. 103 Rev J
 - d. 104 Rev H
 - e. 105 Rev G
 - f. 125 Rev D

Reason: To clarify the permission, having regard to Policy JP-P1 of Places for Everyone, Policy L7 of Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy JP-P1 of Places for Everyone and the requirements of the National Planning Policy Framework.

4. All window and door openings shall be constructed with minimum 100mm deep external reveals.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy JP-P1 of Places for Everyone and the requirements of 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 the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans which include two replacement trees, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policy JP-P1 of Places for Everyone, Policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the first floor on the north east side elevation facing no. 8 Weygates Drive and the windows in the first and second floor on the south west side elevation facing no. 12 Weygates Drive shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), other than the first floor terrace shown on the approved first floor plan and rear elevation, no other flat roof area of the dwelling hereby approved shall be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided, other than those shown on the approved plans, on that roof unless planning permission has previously granted for such works.

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

8. Prior to the first-floor terrace first coming into use, the privacy screen as shown on the approved plans references 101 Rev H; 103 Rev J and 104 Rev H, shall be fitted to a height of no less than 1.7m above finished floor level with an obscuration level of no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a. The management of deliveries including details of the proposed delivery booking system. Best practice should be employed to restrict external construction traffic movements to off-peak traffic hours.
 - b. Loading and unloading of plant and materials to include vehicle access and egress arrangements and vehicle tracking. Vehicles should access and egress the site in a forward gear.
 - c. Parking arrangements for site operative and visitor vehicles.
 - d. Storage of plant and materials used in constructing the development.
 - e. The erection and maintenance of security hoardings
 - f. Wheel washing facilities and any other measures proposed for keeping the highway clean during the works.
 - g. Measures to control the emission of dust and dirt.
 - h. A scheme for recycling/disposing of waste resulting from the works.
 - i. Days and hours of construction activity on site (in accordance with Trafford Council's recommended hours of operation for construction works).
 - j. Contact details for the site manager are to be advertised at the site in case of issues arising.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 and L4 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy, JP-G8 of Places for Everyone and the National Planning Policy Framework.

11. Prior to first occupation of the development, a scheme for Biodiversity Enhancement Measures including 1no. bat brick/tube, 1no. bird box and 1no. hedgehog box, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of

the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason: To secure biodiversity improvements, having regard to Policy JP-G8 of Places for Everyone, Policy R2 of the Trafford Core Strategy and the NPPF.

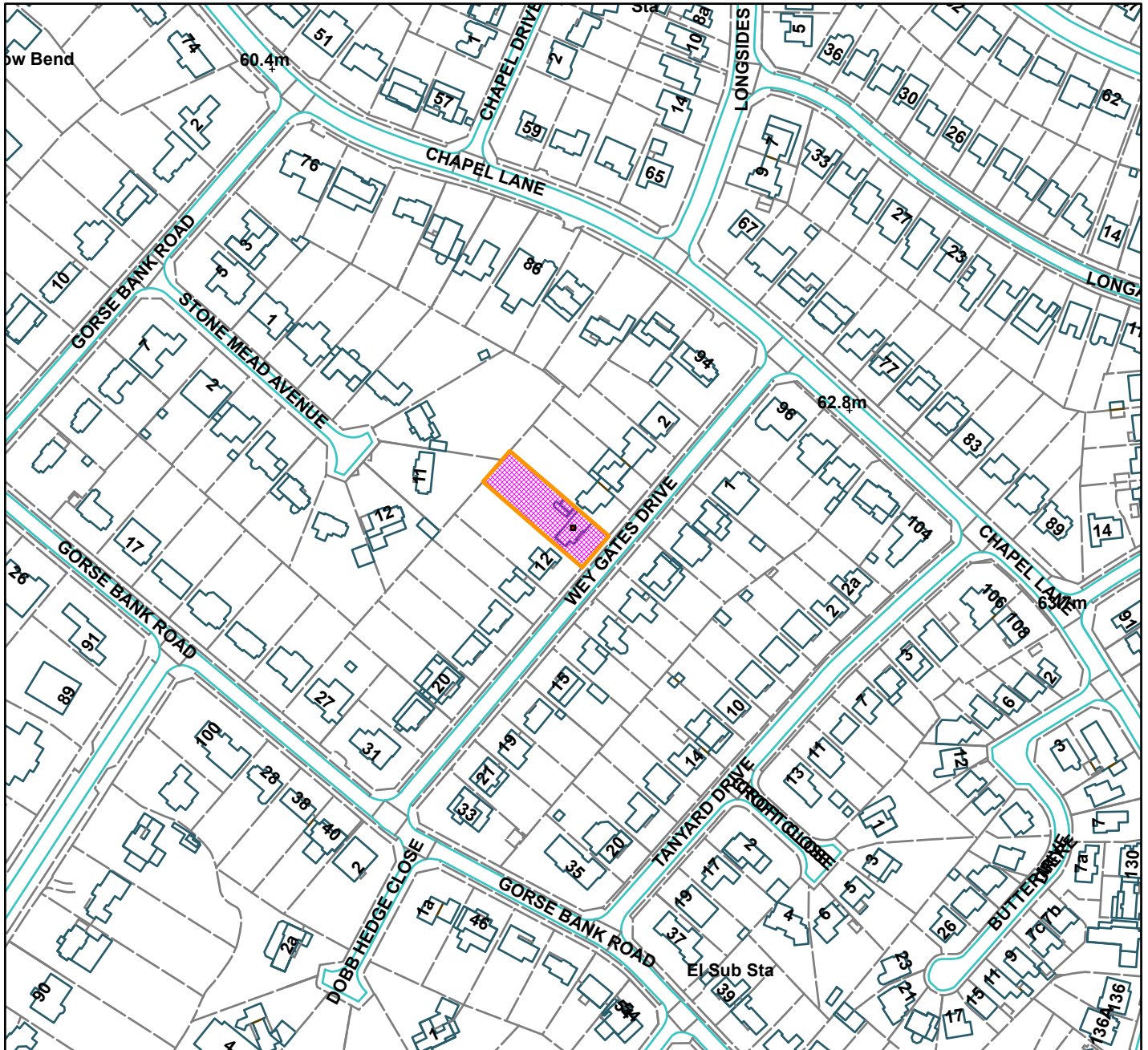
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof), no extensions shall be added to the dwelling), unless planning permission for such development has first been granted by the Local Planning Authority.

Reason. To protect the residential and visual amenities of the area, and privacy, having regard to Policy JP-P1 of Places for Everyone and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

AF



10 Wey Gates Drive, Hale Barns (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 17/10/2024
Date	07/10/2024
MSA Number	AC0000809316 (2022)

WARD: Timperley North

113948/FUL/24

DEPARTURE: No

Conversion of the existing detached double garage into a single dwelling accommodation (Part Retrospective), with associated external alterations

12A Old Heyes Road, Timperley, WA15 6EW

APPLICANT: Mr Hawker

AGENT: Howard & Seddon ARIBA

RECOMMENDATION: GRANT

This application is being reported to the Planning and Development Management Committee as more than 10 representations contrary to officer recommendation have been received.

SITE

The application site relates to a single storey detached brick-built property, situated in a residential area of Timperley. The property is sited fronting on to Old Heyes Road, to the rear of the semi-detached dwelling, 83 Heyes Lane. The surrounding setting comprises terraced brick-built dwellings, and semi-detached dwellings.

PROPOSAL

The application seeks part retrospective permission to convert the existing detached double garage into a single dwelling, forming a separate planning unit to 83 Heyes Lane, which the building as a garage previously served.

The garage has already been fully converted into living accommodation. Works still to be carried out (subject to approval of this application) include a designated parking space proposed to the front of the dwelling, as well as a path, pedestrian gate, and new timber electric gate.

Adjustments have been proposed to ensure that the house is accessible. These adjustments include an access ramp to the front and rear and disabled WC.

It is noted that the existing side extension was not part of the approved plans for the double garage. However, google street view confirms that the side extension was attached to the double garage in 2009, meaning that it would now be authorised development by time and immune from enforcement action.

In addition, the existing building was built 0.6m higher than the approved height (3.7m), which is evident from the 2009 google street view record. As such, this 4.3m high roof height would now be authorised development and immune from enforcement action. Whilst enforcement complaints were received regarding the side extension and change

of use, is noted that the LPA did not receive any enforcement complaints relating to the increased height of the double garage.

Value Added

Amended plans were received to remove one parking space to the front, increase the parking space width to 3.3m, increase the side path width to 1.25m and to alter the boundary treatment. Two ramps and disabled WC have also been added to the proposed plans.

DEVELOPMENT PLAN

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.
- The **Trafford Core Strategy**, adopted 25th January 2012; the Trafford Core Strategy 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; A number 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 the new Trafford Local Plan.

PRINCIPAL RELEVANT PLACES FOR EVERYONE POLICIES

- JP-H1 – Scale, Distribution and Phasing of New Housing Development
- JP-H2 – Affordability of New Housing
- JP-H3 – Type, Size and Design of New Housing
- JP-H4 – Density of New Housing
- JP-C6 – Walking and Cycling
- JP-C8 - Transport Requirements of New Development
- JP-P1 – Sustainable Places
- JP-S1 – Sustainable Development
- JP-S2 – Carbon and Energy
- JP-S4 – Flood Risk and the Water Environment
- JP-G8 - A Net Enhancement of Biodiversity and Geodiversity

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

- L1 – Land for New Homes
- L2 – Meeting Housing Needs

- L4 – Sustainable transport and accessibility
- L5 – Climate Change
- L6 - Waste
- L7 – Design
- L8 – Planning Obligations
- W1 – Economy
- R2 – Natural Environment

PROPOSALS MAP NOTATION

None relevant.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) in December 2023. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published the National Planning Practice Guidance on 6 March 2014, and was last updated in August 2024. The NPPG will be referred to as appropriate in the report.

OTHER PLANNING GUIDANCE DOCUMENTS

SPD1 – Planning Obligations

SPD3 – Parking and Design

SPD4 – A Guide to Designing House Extensions and Alterations (relevant for general projections)

SPD7 - Trafford Design Code

SPG1 – New Residential Development

Technical housing standards – nationally described space standard

National Design Guide

RELEVANT PLANNING HISTORY

100047/FUL/20: Demolition of existing garage and erection of a dwelling on land to the rear of the property. Application withdrawn.

93125/OUT/17: Outline application for conversion of detached garage into single dwelling together with a new roof construction (consent is sought for access, appearance, layout and scale all other matters reserved). Application withdrawn.

92121/OUT/17: Outline application for the erection of a detached dormer bungalow following demolition of detached double garage. (consent is sought for access, appearance, layout and scale all other matters reserved). Application withdrawn.

H36082: Erection of a 2-storey rear extension to kitchen on the ground floor with bathroom over. Erection of a double garage with access to old Heyes road. Approved with Conditions on 02.12.1992.

APPLICANT'S SUBMISSION

Design and Access Statement.

CONSULTATIONS

LHA – No objection.

REPRESENTATIONS

12 objections have been received from nearby dwellings. All summarised below:

- *Application has already been refused many times.*
- *Old Heyes Road is already struggling to provide parking for its residents.*
- *To gain access to this property, applicant must pass through private land which comes under other property boundaries.*
- *2a Old Heyes Road, 2 Old Heyes Road, 89 Heyes Lane and houses on Old Orchard have not been consulted.*
- *The applicant is just trying to make money for themselves.*
- *If this is approved, then how long will it be before the other properties follow suite.*
- *2 new sets of gates to be added at the front, which is ridiculous.*
- *The standard of the workmanship of this building is very poor.*
- *Applicant has been doing works himself without permission with works starting well before the stated 14/07/2021 (originally a 2-door garage and over the years has since added a chimney, windows and doors and internal works subsequently added)*
- *The drawings don't make sense, not physically wide enough to make a comfortable single storey living accommodation.*
- *Inaccuracies on CIL form, as built plans and application form.*
- *Alleges that applications references 21/00276/COU, 93125/OUT/17 and 100047/FUL/20 all refused.*
- *The application contradicts the conditions in the original garage permission which states that the garage must be ancillary.*
- *Could lead to over-development of this area, as may encourage other properties to build at the end of gardens.*
- *Not feasible to have two spaces to the front of property as it causes turning/access issues for residents and other vehicles. States there would be an adverse impact on access to the Old Orchard dwellings.*
- *No reference to the application being retrospective has been made within the information presented.*
- *Building is dangerous and an eye sore.*

- *This property directly shadows back garden at no. 85, as it is currently over height building regulations for a garage and looks straight into our garden/kitchen. Increased traffic would create hazards for pedestrians who use the road to walk their young children to school and bring about unnecessary and unreasonable disturbance to the existing residents.*
- *The road on which this dwelling is proposed is a private road and the application makes no mention of receiving approval from the owners.*
- *The claims in the application that the property is currently used as a garage are misleading.*
- *The proposed living space include a window which face onto the road and face 8 Old Heyes Road (opposite). Too close to preserve the privacy of the residents of that property and are in contravention of SPD4 2.14 and 2.15 (less than 21m).*
- *The development would be overbearing on no. 8 Old Heyes Road, contrary to SPD4 2.17.1.*
- *If permission is granted, it could allow for additional works to be carried out within planning permission.*
- *The timing of the application, in being submitted after all of the works have already been completed, indicates a disregard for the planning regulations.*
- *It appears that the roof of the building has been raised and is materially higher than the plans in the approved planning application when it was built as a garage. This creates the impact of loss of light to the existing houses opposite and is overbearing, contrary to SPD4 2.14, 2.16 and 2.17.*
- *Plans give false representations of the available parking.*
- *Allege that the drawings submitted are wholly inaccurate in respect of the existing and proposed footprints/boundaries and detail.*
- *Insufficient fall to utilise the fouls sewerage system onto Heyes lane.*
- *Suggest that the existing soil conditions are not suitable for soakaway construction in this location. Believe that this may lead to localised flooding or potential subsidence issues for the local infrastructure (properties and roadways).*
- *Safety concerns that the localised ground and root system to the adjacent large poplar tree will become impacted causing instability of the tree.*
- *Refer to the arial photograph on the D & A statement which shows the substantially completed construction with the developer's car parked on Old Heyes Road. Demonstrates the likelihood is that Old Heyes will be utilised as the parking for the development.*
- *The approval of this planning application would mean creating a new class of housing in the area with unusually small plot sizes. This would go against the local character of the area and contradict objective ALO6 of the Trafford Core Strategy with respect to plot sizes.*
- *The application should not be approved without realistic dimensions being provided that incorporate the changes that will be necessary to meet building regulations.*
- *Contrary to SPD3 8.1.2.*
- *Fails to meet the minimum parking size and manoeuvrability standards.*
- *Front garden has been flattened to provide off-road parking but again there appears to have been no planning permission requested for this.*

- *Not possible to open the gate inwards with the cars on the drive and if it is proposed to have it open outwards, towards the road, then again this will cause issue for the current residents to access their properties.*
- *Issues with emergency services being able to access the residents on the road.*
- *No space for builders to park their trucks when carrying out the conversion works and will block access to nearby houses.*

OBSERVATIONS

DECISION-TAKING FRAMEWORK

1. S38(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.
2. The NPPF, at paragraph 11, explains how the “presumption in favour” should be applied in the decision-taking process. It means approving development proposals that accord with an up-to-date development plan without delay (part c). Part 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, granting planning permission 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 Places for Everyone Joint Development Plan was adopted on 21st March 2024. In accordance with Paragraph 76 of the NPPF, and for the first five years of the plan’s adoption, Trafford is now no longer required to identify a five-year housing land supply. In effect, for decision making purposes, it should be assumed that the Local Planning Authority has a five-year supply of specific, deliverable housing sites. The Council’s housing land supply position therefore no longer triggers the tilted balance.
4. However, the Housing Delivery Test (HDT) presumption still applies. Paragraph 79 of the NPPF states that where the HDT falls under 75% then the presumption in favour of sustainable development applies. Trafford’s HDT figure for 2023 is 65% i.e. the Council delivered an average of 65% of its housing requirement over the three years to March 2023. The tilted balance is therefore triggered by the HDT.
5. As development plan policies in Places for Everyone are very recently adopted, they are up to date and should be given full weight in decision making. Relevant

surviving policies in the Trafford Core Strategy are also up to date in NPPF terms. Although the tilted balance in the NPPF is a primary material consideration, the development plan remains the starting point for decision making.

6. Policy JP-H3 states: Development across the plan area should seek to incorporate a range of dwelling types and sizes including for self-build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence.
7. Policy L2 of the Core Strategy is clear that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Policy L2.2 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.*

PRINCIPLE

8. The site historically formed part of the residential garden of 83 Heyes Lane and is located in an area where housing predominates. With regard to development in domestic gardens, Core Strategy 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.*"
9. It is acknowledged that this is not a natural infill plot. The proposal essentially involves the conversion of the previous ancillary garage at no. 83 Heyes Lane to a self-contained residential dwelling on the back part of the long garden. The key factor in favour of this site is that it has its own dedicated and approved access off Old Heyes Road. Moreover, the previous 4.3m high double garage and associated driveway have been present since before 2009.
10. Accordingly, the visual, residential, amenity and highway impacts of the development have been very carefully considered and are covered elsewhere in this report. The Central government's ambitions of significantly boosting the supply of housing are embodied in the NPPF. Policy L2 of the Core Strategy

(which is generally regarded as being up-to-date) is clear that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing requirement. Whilst only providing 1no. 1-bed dwelling, the ability to contribute to the housing supply position is a matter which weighs in the application's favour.

11. Accordingly, whether the proposed development is wholly acceptable in principle in this case is contingent on successful conclusions being drawn on matters of visual and residential amenity and parking. In signalling the outcome of these assessments, as described in detail in due course, it is concluded that the proposed development is within acceptable technical limits; thus, this is a suitable proposal *in this location and for this site*.

DESIGN

12. The promotion of high standards of design is a central narrative within the NPPF, and with this message is strengthened and reinforced in the December 2023 update. The overarching social objective, which is one of three objectives critical to the achievement of sustainable development, is reliant upon the planning system fostering a well-designed, beautiful and safe built environment, according to paragraph 8.
13. Paragraph 131 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process"*. In further promoting well-designed planning outcomes, in October 2019 the Government published its National Design Guide (NDG).
14. Policy JP-P1 of Places for Everyone contains extensive requirements for development, with 16 key design and sustainable places considerations outlined below. Namely, development should be: *Distinctive; Socially inclusive; Resilient; Adaptable; Durable; Resource efficient; Safe; Supported by critical infrastructure; Functional and convenient; Incorporate inclusive design; Legible; Easy to move around; Well-connected; Comfortable and inviting; Incorporate high quality and well managed green infrastructure/public realm; Well served by local shops, services, amenities and facilities*.
15. In taking forward advice in the NPPF the Council has adopted its own Trafford Design Code (SPD7). The document sets out design principles for new development across the Borough, when having regard to local distinctiveness and

local vernacular. The Strategic Design Principles in the TDC include 'Design with Character and Beauty' and set out that an understanding of the character of a place is essential to producing a contextual, sympathetic and high-quality design proposal.

16. The NDG explains that a well-designed development is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. Rather, it comes about through making the right choices on matters of layout, and of form and scale, it continues. One of the key visual amenity concerns arising from backland/tandem development is that it could undermine the character of a street scene by not respecting the prevailing urban grain. The dwelling is situated on a small plot to the end of the garden at no. 83 Heyes Lane. The plot-size is notably smaller than the adjacent sites within this setting, and the proposed development, would be at odds with the established pattern of development plots. However, the next stage assessment is the extent to which this 'infringement' would be perceived, particularly from public viewpoints. In the case of this proposal, this is reduced as a consequence of the building's form and scale.
17. In terms of scale, the proposal simply involves the conversion of the previous single storey double garage to a single dwelling. As such, the building at this site would not increase in scale or form, ensuring that it would be no more obtrusive or visible than the previous garage (as built). Furthermore, the building has a modest footprint, and it is low-lying in providing accommodation at ground floor level only. The building is not unduly obtrusive, has limited visibility and sits inconspicuously among the surrounding two storey dwellings.
18. As noted, with the exception of ramps to the front and rear, the building would not increase in scale, which ensures that the existing space is retained at plot boundaries for maintenance and access and would offer acceptable garden space for the prospective resident. The dwelling would thus not be cramped within the plot or appear as overdevelopment.
19. In turning to matters of appearance, the proposed garage doors have been removed and replaced with a simple window and door arrangement throughout, typical of a bungalow. The bungalow is of a traditional form and massing with a pitched roof and simplified openings. The design is modest and understated, ensuring the dwelling sits subserviently along Old Heyes Road.
20. The applicant notes that the materials would remain as existing. These include mixed brick elevations, light green upvc windows to the front, a red front door, a pink/red upvc window within the rear elevation of the side extension, and a white upvc door to the rear. There are no objections to the material palette proposed for the building's exterior. It was noted on site that part of the wall and window to the rear were not present. The proposed plans show that there would be a window and brick wall within this section to match existing materials, which is accepted.

21. With reference to boundary treatments, the application proposes a new timber electric sliding gate, timber pedestrian gate and high hedge to the front. The predominant boundary treatment includes high hedges, timber/railing pedestrian gates, and in some instances, timber front gates. The proposed timber entrance gate would replace the existing black railing gate. Whilst most surrounding dwellings have open frontages, it is considered that the gates of height 1.3m would appear appropriate and subservient in relation to the property and within the street scene and would not have a dominant or incongruous appearance. The pedestrian gate and high hedge would appear in keeping with the surrounding boundary treatment and would be appropriate in relation to the proposed bungalow. No details are provided regarding the timber design for both gates. A condition will be added requiring that the application submits full details of the boundary treatment prior to use of the dwelling.
22. The property is intended to be used by a person with a disability. As a result, there would be a ramp to the front and rear entrances, to ensure that the dwelling would be accessible for this person. The ramps are of an appropriate scale and appearance and are considered acceptable in design terms. A condition will be added requiring that the dwelling is built to the accessible and adaptable standards in Part M4(2) of the building regulations, to ensure that the development is fully inclusive and accessible. A condition will also be added requiring that the applicant provide full details of the materials to be used prior to its installation.
23. The layout and form/scale of the dwelling is considered to be of an adequate standard such that this backland development would not cause undue harm to the local, physical environment. The fact that the bungalow is of an appropriate and understated design - in terms of scale, materials, appearance, and detailing—further supports this conclusion.
24. It is considered that any extensions or outbuildings at the property could result in the site appearing cramped and could harmfully reduce spaciousness and amenity space at this site. As such, it is recommended that permitted development rights for extensions and outbuildings are removed from the dwelling/site. Any such development would require a full assessment via a planning application.
25. To conclude on matters of design, it is considered that the proposed development as a whole satisfies the requirements of JP-P1 of PfE, and is also compliant with the Trafford Design Code, the NPPF, and NDG.

AMENITY

26. 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”.

27. There are two habitable room windows within the front elevation of the property which are sited approx. 18.5m from the opposing dwelling (8 Old Heyes Road). Given the fact that the windows are only at the single storey level, it is not considered that they have a harmful overlooking or loss of privacy impact on their opposing dwelling.
28. The dwelling is approximately 4.5m away from the rear boundary with No 83 Heyes Lane, 15m away from its rear single storey extension and 19m to the main part of the house. It is noted that there is a 2.4m high brick wall along the rear boundary, which provides screening between both dwellings. Given that the windows are only at the single storey level, and that there is a high boundary wall to the rear, there would be no potential for overlooking into this rear property. Moreover, the building would be of the same height as the approved garage extension, which ensures that there would be no new overbearing or loss of light impact on this site. As such, this relationship to the rear would be considered acceptable.
29. The dwelling is positioned 1.5m from the shared side boundary with the garden space of no. 85 Heyes Lane. There would be no windows within the side elevation, ensuring no potential impact on privacy of this amenity space. As noted above, the garage would be of the same height as the previous approved garage, therefore ensuring it has no new overbearing or loss of light impact on the adjacent garden space.
30. The dwelling is positioned 1m from the shared side boundary with the garden space of no. 81 Heyes Lane. There are no windows proposed within the side elevation of the dwelling, ensuring no potential impact on privacy. The side extension attached to the dwelling is of a modest single storey scale and is positioned 1m from the shared boundary is of a modest single storey scale. The structure has no overbearing or loss of light impact on the adjacent garden space.
31. It is considered that any extensions or new openings at the dwelling could result in harm to the amenity of neighbouring sites. As such, to protect neighbouring amenity, it is considered necessary to remove permitted development rights for extensions, dormers and windows/rooflights from the dwelling.
32. The remaining works to the site are minimal, including the replacement of the existing boundary treatment, and the completion of the rear elevation. Such works are not considered to cause nuisance to surrounding dwellings.

Amenity of future residents of the application site

33. In terms of internal floor space, the dwelling would have an internal floor area of 43sqm, which complies with the corresponding nationally described space standards for a 1 bed, 1 person dwelling (39sqm). It is noted that dwellings meet the corresponding nationally described space standards. The rear gardens would also be of a sufficient size, proportionate to the scale of the dwelling. Sufficient natural light and outlook would be possible from all habitable rooms, based on the window size and orientation.
34. To conclude on matters of amenity, the proposal is considered compliant with Policy L7 and the NPPF on the matter of residential amenity.

HIGHWAYS AND PARKING

35. One parking space is proposed for this one-bedroom dwelling. This would comply with the requirements of SPD3. A condition is recommended to ensure that the areas for the movement and parking of vehicles have been provided, constructed, and surfaced in complete accordance with the plans hereby approved.
36. The Local Highways Authority (LHA) have requested that a condition is added requiring that cycle parking is provided within the site. There is adequate space to the rear for bike storage, and it is considered that a bike store could be easily installed to the rear, without the need for this to be conditioned.
37. As shown on the proposed plans, there is adequate space allocated to the front/side of the dwelling for the storage of bins. It is noted that there is also sufficient space to store bins to the rear, and this option would be preferred. However, given that the occupant has mobility issues, it is considered that it would be more appropriate in this instance to locate the bins to the front/side of the dwelling.
38. It is noted that the dwelling would be on a narrow private road, and many comments have been received from neighbours regarding the existing traffic and parking issues. It is considered by neighbours that the authorisation of this one-bedroom dwelling would significantly worsen these issues. It should be noted that the previous garage with 2 parking spaces, and a dedicated access off Old Heyes Road gained planning permission in 1992 and was subsequently erected. The dwelling in question would only have 1no. parking space and would use the existing approved access. The LHA have reviewed the proposal and have raised no objection to the development. They have confirmed that the proposed development with 1no. parking space would not have a significant adverse impact on the safe and efficient operation of this road. It is concluded that the proposal would have no greater an impact than the previous approved double garage and would be acceptable on highways and parking grounds.
39. To conclude, it is considered that the proposal complies with Policy L4 of the Core Strategy and Policy JP-C8 of Places for Everyone.

LANDSCAPING

40. Increased soft landscaping is provided to the front, and a hedge is similarly proposed along the front boundary. It was noted on site that work within the rear garden space was not complete, however, it is noted that once complete this will be used as a private amenity space. To ensure that the site is adequately landscaped and to secure benefits to ecology and drainage, a condition will be added requiring that the applicant submit full details of a landscaping scheme to be implemented. The plan should include full details of the hard and soft landscaping within the site and should include a small planting scheme to the front of the site.

DRAINAGE

41. There would be increased grass space to the front, and less hardstanding, so there would be less surface run-off generated by the site.

42. An informative will be added to encourage the applicant to use permeable surface for areas of hardstanding.

PERMITTED DEVELOPMENT

43. As stated above within the assessment, given the site context, with limited parking and private garden space, and being in close proximity to neighbouring dwellings, it is considered necessary to add a condition to remove Class A - E householder permitted development rights from the dwelling. As a result, any addition or alteration to the dwelling would require a full assessment via a householder planning application.

EQUALITIES

44. 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.

45. 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:

- (i) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (ii) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (iii) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

46. 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.

47. The applicant has stated that the property would be occupied by a disabled person. As such, a ramp has been included to the front of the building, and a disabled WC is proposed, which would ensure that the building would be accessible to this user. A condition will be added to ensure that the building would be built to the “accessible and adaptable” standards in Part M4(2) of the Building regulations.

48. It is considered that the applicant has taken appropriate measures to ensure that the building would be accessible to the intended user.

49. No other benefits or dis-benefits have been identified to persons with any other protected characteristic.

ECOLOGY

50. The development would be below the threshold for statutory Biodiversity Net Gain given the very minor increase in footprint as a result of the proposed ramps. Furthermore, given the small scale of the development, it is not considered necessary to add a condition requesting that a scheme for biodiversity enhancements is submitted.

51. The proposal would comply with R2 of TCS and JP-G8 of PfE.

DEVELOPER CONTRIBUTIONS

52. The application is for development of less than 100sqm of new build floor space that results in the creation of one or more dwelling. The development is therefore liable for CIL.

53. The applicant has submitted a Self-Built Exemption Claim Form, which if approved would mean the application may receive CIL relief.

PLANNING BALANCE AND CONCLUSION

54. Section 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. The tilted balance is engaged, and the application should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.'
55. The proposal would provide 1 no. one bedroom dwelling. This would make a modest but important contribution towards housing supply within the Borough.
56. The proposal comprises a form of backland or tandem development. Conclusions regarding whether this application proposal is acceptable in principle have been contingent on a successful assessment of the impact on the area's character, on neighbouring properties, and its ability to offer decent living conditions for prospective occupants. The application scheme relates to an existing single storey building, which can utilise an existing, dedicated access along Old Heyes Road. The building is modest in scale and sits inconspicuously among the surrounding two/three storey dwellings. Furthermore, the dwelling has a simple and understated design, ensuring it appears subservient and appropriate in this context. It is concluded that the proposal would be acceptable on design grounds. Existing residential amenity would be adequately protected and there would be an acceptable standard of amenity provided for future residents of the application property. Other material considerations including highways/parking, equalities and drainage, are found to be satisfactory subject to conditions.
57. When taking into account paragraph 11c of the NPPF, proposals that accord with an up-to-date development plan should be approved without delay. The scheme complies with the development plan as a whole and is considered to represent sustainable development. There are no adverse impacts identified of granting planning permission against paragraph 11dii). The application is therefore recommended for approval.

RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 13,88005 Rev F and 13,88003 Rev E.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy, JP-P1 of Places for Everyone and the National Planning Policy Framework.

2. Notwithstanding any description of materials in the application, prior to the installation of the front boundary treatment and access ramps, a full specification of materials to

be used shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity having regard to Policy JP-P1 of Places for Everyone and the National Planning Policy Framework.

3. The dwelling hereby approved shall be built to the “accessible and adaptable” standards in Part M4(2) of the Building Regulations.

Reason: To ensure that the development is inclusive and accessible and having regard to Places for Everyone Policy JP-H3 and relevant sections of the NPPF.

4. a) Notwithstanding the details shown on the approved plans, within 3 months of the date of this permission full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following 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 Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy, Policy JP-P1, Policy JP-G2 and Policy JP-G7 of Places for Everyone, and the National Planning Policy Framework.

5. Within 6 months of the date of this permission the means of access and the areas for the movement and parking of vehicles shall be provided, constructed and surfaced in complete accordance with the approved plans to be approved under condition 4 and shall thereafter be kept free of obstruction for their intended purpose.

Reason. To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to JP-P1 and JP-C8 of PfE, Policies L4 of the Trafford Core Strategy and the National Planning Policy Framework.

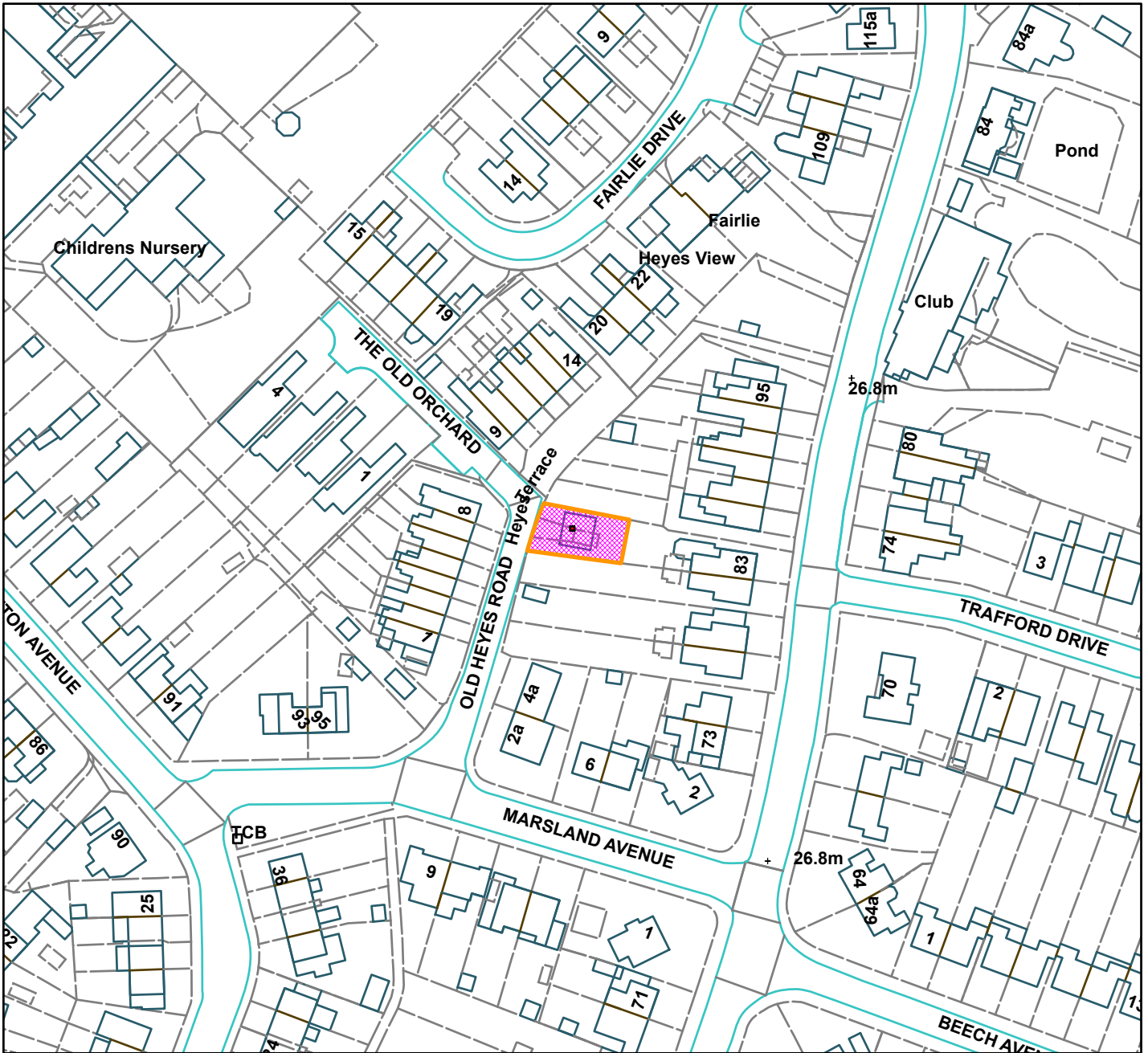
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof
- (i) no extensions shall be carried out to the dwelling(s)
 - (ii) no garages or carports shall be erected within the curtilage of the dwelling
 - (iii) no vehicle standing space shall be provided within the curtilage of the dwelling
 - (iv) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling
 - (v) no means of access or areas of hard surfacing shall be constructed in the curtilage of the dwelling
 - (vi) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

Reason. To protect the residential and visual amenities of the area having regard to Policy JP-P1 of Places for Everyone, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

AF



12A Old Heyes Road, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 17/10/2024
Date	07/10/2024
MSA Number	AC0000809316 (2022)

WARD: Bowdon

114234/HHA/24

DEPARTURE: No

Demolition of attached garage and erection of single storey side extension, raised rear patio, enlarged rear lightwell and associated external alterations including roof lights, replacement of existing uPVC windows to the front elevation with timber, and uPVC windows to side and rear elevations, new vehicular access gates and reinstatement of gateposts in a different position (in connection with widening of vehicular access) (part retrospective).

Donnington, 32 Grange Road, Bowdon, WA14 3EE

APPLICANT: Mr Eckersley

AGENT: Cube Design Solutions

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee because the applicant is an elected Member.

SITE

The application site comprises a two storey, late 19th/early 20th century semi-detached dwellinghouse with front parking and a garden to the rear, located on the western side of Grange Road – a residential street within Bowdon. The house has a two storey front gable projecting perpendicular from a gable roof with bay windows at the ground and first floor levels within the principal elevation. An attached garage exists to the north side of the application property. There is additionally a boundary hedge and an open access driveway to the front of the site.

The property lies within the Bowdon Conservation Area and is identified as a positive contributor, and is therefore also considered to be a Non-Designated Heritage Asset. The property falls within Character Zone C – characterised as ‘early Victorian expansion’. Surrounding properties are generally of a similar age, construction and character.

The application property and other properties on the west side of Grange Road were taken into the Conservation Area in 2016 as part of boundary extension B. It is likely that some development may have occurred in this area prior to the area’s adoption into the Conservation Area that would now be considered to have a harmful impact on the character and appearance of the Conservation Area.

PROPOSAL

The application is seeking planning permission for the demolition of the attached garage and its replacement with a single storey side extension, raised rear patio, enlarged rear lightwell and associated external alterations including roof lights, replacement of existing

uPVC windows to the front elevation with timber windows, and uPVC windows to the side and rear elevations and repositioning of the original stone gateposts (in connection with widening of the site's vehicular access) and new vehicular access gates.

Members will recall that previous applications Ref. 111870/HHA/23 and Ref. 113625/HHA/24 were refused planning permission at the 15th February and 8th August 2024 meetings of the Planning Committee. It is to be noted that the previous decisions have not been appealed against. In relation to the most recently determined application, the current proposal has been revised with the replacement of the unauthorised existing uPVC windows to the front elevation with timber windows now proposed. All other elements of the proposal remain the same.

As reported in the previous applications, at the time of the case officer's site visits, it was noted that a number of the proposed works had commenced. In particular, the replacement of the dwelling's timber windows with uPVC windows had already taken place, together with the widening of the site's vehicular access and excavation works to the rear elevation of the property.

It is to be acknowledged that some discrepancies in the submitted plans remain from previous applications. In particular, scaling issues are seen, most notably with the planned widening of the site's vehicular access being shown to be different on various proposed plans. These widths (measured between the hedge on either side) are as follows:

- Proposed street scene elevation – 4.2m
- Proposed ground floor, first floor, loft and roof plans – 4.5m

Furthermore, the proposed elevations do not show the installed (as seen on site) or proposed replacement windows filling the space below the cambered headers of the windows. Officers have reiterated these comments with the agent; however, no amended plans have been received.

DEVELOPMENT PLAN

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.
- The **Trafford Core Strategy**, adopted 25th January 2012; the Trafford Core Strategy 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; A number 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 the new Trafford Local Plan.

PRINCIPAL RELEVANT PfE POLICIES

JP-P1 – Sustainable Places

JP-P2 – Heritage

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 – Design

R1 – Historic Environment

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking Standards and Design

SPD4 – A guide for Designing House Extensions and Alterations

SPD5.9 – Bowdon Conservation Area Appraisal (July 2016)

SPD5.9a – Bowdon Conservation Area Management Plan (July 2016)

PROPOSALS MAP NOTATION

Bowdon Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV21 – Development in Conservation Areas

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DLUHC published the latest version of the National Planning Policy Framework (NPPF) in December 2023. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 25th August 2022. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

113625/HHA/24. Demolition of attached garage and erection of single storey side extension, raised rear patio, enlarged rear lightwell and associated external alterations including roof lights, replacement of timber windows with uPVC windows to all elevations, new vehicular access gates and reinstatement of gateposts in a different

position (in connection with widening of vehicular access) (part retrospective). Refusal. 09/08/2024.

Reason(s) for refusal:

1. *The proposed development, by reason of the alterations to the windows on the front (east) elevation including the design and materials of the new windows and the loss of historic fabric, would result in an incongruous and unsympathetic form of development that would harm the character of the positive contributor, the street scene and the surrounding area. The development would therefore cause "less than substantial" harm to the character and appearance and the significance of the Non-Designated Heritage Asset and the Bowdon Conservation Area. There are no public benefits that would be sufficient to outweigh the identified harm. As such, the proposed development would be contrary to Policies JP-P1 and JP-P2 of the Places for Everyone Plan, Policy R1 of the Trafford Core Strategy, guidance in SPD5.9 and SPD5.9a - Bowdon Conservation Area Appraisal and Management Plan, the Council's adopted SPD4: A Guide for Designing House Extensions and Alterations and the policies of the National Planning Policy Framework.*

111870/HHA/23. Demolition of attached garage and erection of single storey side extension, raised rear patio, enlarged rear lightwell and associated external alterations including roof lights, replacement of timber windows with uPVC windows to all elevations, demolition of gateposts (in connection with widening of vehicular access with new vehicular access gate and reinstatement of re-sized gateposts in a different position) (part retrospective). Refusal. 19/02/2024.

Reason(s) for refusal:

1. *The proposed development, by reason of the demolition of the original stone gate posts and the widening of the vehicular access and the alterations to the windows on the front (east) elevation including the design and materials of the new windows and the loss of historic fabric, would result in an incongruous and unsympathetic form of development that would harm the character of the positive contributor, the street scene and the surrounding area. The development would therefore cause "less than substantial" harm to the character and appearance and the significance of the Non-Designated Heritage Asset and the Bowdon Conservation Area. There are no public benefits that would be sufficient to outweigh the identified harm. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy, Policies JP-P1 and JP-P2 of the emerging Places for Everyone Plan, guidance in SPD5.9 and SPD5.9a - Bowdon Conservation Area Appraisal and Management Plan, the Council's adopted SPD4: A Guide for Designing House Extensions and Alterations and the policies of the National Planning Policy Framework.*

APPLICANT'S SUBMISSION

Design and Access Statement
Heritage Statement

CONSULTATIONS

Heritage Development Officer: *"The current application seeks to reinstate windows to the front elevation replicating the historic pattern of glazing and materiality. This amendment to the proposal is welcomed and reduces the level of harm.*

I remain concerned about the rooflights proposed to the front elevation; these will impact on the appearance of the roofscape and no.34 Grange Road. All rooflights should be conservation style. The proposal is contrary to Policy 12 of SPD 5.9a...

...The removal of the white render to the rear elevation [from the previous application] is welcomed. Further information is required regarding the treatment of any brickwork to the rear. Ideally the paint should be removed to restore the appearance of the historic brickwork, however this would need to be undertaken using the correct method to conserve the Cheshire commons.

The changes to the vehicular access and gates are also positive revisions and reduce the harm to the positive contributor. The increase to the size of the vehicular access remains a concern, however it is noted that in comparison with adjacent openings this is minimal. Taking into account the restoration of the gate piers, I consider the slight increase is acceptable in this case.

All other matters have been sufficiently addressed. The rooflights results in negligible harm to the NDHA & CA and should be weighed against para 208 & 209 NPPF. Should the application be approved the following conditions are required;

- Replacement windows and new doors– detailed condition requiring 1:5 drawings – (profile of glazing bars, glazing, method of opening and sections) as well as sample of material*
- Repair and reinstatement methodology of gate posts including protection, storage and sample of repair.*
- Details required regarding how the gates will be hung from the stone gate posts.*
- Sample of material and surface finish for the gates.*
- Details of any balustrade required for lightwell to the rear*
- Rooflights to be conservation style*
- All external materials"*

Local Highway Authority (LHA): *"There are no objections on highways grounds to the proposals subject to the provision of acceptable refuse/recycling, car, and cycle parking as per submitted plans."*

REPRESENTATIONS

No representations were received in response to this application.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The application proposal is for extensions and alterations to an existing dwelling in a residential area. The main issues for consideration are heritage concerns, design/appearance, impact upon neighbouring properties/residential amenity and highways/parking.
2. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
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. The application site is located in Bowdon Conservation Area. As such, the most important policies for determining this application are Policy JP-P2 (Heritage) of the Places for Everyone Joint Development Plan and R1 'Historic Environment' of the Trafford Core Strategy, Policy JP-P1 in relation to design and Policy L7 of the Core Strategy in relation to amenity.
5. Policy JP-P2 is up to date in NPPF terms. Whilst there are aspects of Policy R1 that remain in force that have been previously held to be not consistent with the NPPF, the inconsistency in R1 does not render the relevant development plan policies 'out of date' in NPPF terms. Policies JP-P1 of PFE and L7 of the Core Strategy are up to date, The tilted balance (as set out in paragraph 11d of the NPPF) is therefore not engaged, and paragraph 11c and paragraph 12 provide the decision-taking framework for this application.

IMPACT ON DESIGNATED HERITAGE ASSETS

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, '*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*' in the determination of planning applications.
7. 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.

8. Paragraph 195 of the NPPF states; *'heritage assets range from sites and buildings of local historic value to those of the highest significance...These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'*.
9. Paragraph 201 of the NPPF requires that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'*.
10. Paragraph 203 indicates that when local planning authorities are determining planning applications, they 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'*.
11. Paragraph 205 of the NPPF 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'*.
12. Paragraph 207 of the NPPF states 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'*

13. Paragraph 208 of the NPPF requires 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'*.
14. Paragraph 209 of the NPPF requires 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'*.
15. Policy JP-P2 of Places for Everyone states *"Development proposals affecting designated and non-designated heritage assets and / or their setting will be considered having regard to national planning policy."*
16. Policy R1 of the Trafford Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness.

Management Plan

17. The application site is situated within Bowdon Conservation Area and so should be considered against the guidance set out in Bowdon Conservation Area Appraisal (SPD5.9) and Bowdon Conservation Area Management Plan (SPD5.9a). Relevant policies contained within SPD5.9a are as follows:

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 amount of 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 10 - If the replacement of doors or windows is proposed, whether the existing is of timber or uPVC, any further replacements should be in timber (unless the original windows can be proven to be of a different material, for example metal) and should represent a significant improvement over the existing.

Where windows are replaced, they should respect the size and form of the original opening(s) and glazing bars, and be of an appropriate traditional design. Replacement doors and windows should not detract from the established character of the building.

Policy 12 - Roof lights should not be installed in locations that impact on the aesthetic value of the principal elevation or streetscape and should not be disproportionately large compared to the established fenestration. Conservation roof lights should be installed rather than standard roof lights.

Policy 24 - Original gateposts should be retained where possible and should not be painted.

Policy 25 - Replacement gateposts should only be instated where the repair of the original is not feasible. Replacements should not exceed the height of the original gateposts and should be of a traditional design. Replacement gates should be proportionate to the gateposts and not exceed 1.5m in height.

Policy 26 - Gate openings should not be widened or re-positioned unless it can be proven that access is unsafe. Where gate openings are to be widened or re-positioned on the grounds of highways safety, such change should be restricted to the minimum amount necessary to ensure safe access. Trafford Council will require the applicant to submit a highway consultant's report to demonstrate highway safety implications.

Policy 28 - Boundary treatments and front gardens should not be removed to create additional hard standing, garaging or parking. In particular, the extensive and secluded gardens to historic individual properties should not be removed. The reinstatement of lost treatments and gardens will be looked upon favourably.

Policy 42 - Any proposed extensions should be high-quality and in-keeping with the character of the surrounding historic rear elevations. Extensions, to an existing historic building, should have regard to its established style by respecting the building's established features, form, proportions and materials. Pastiche copying should be avoided.

Policy 44 - Buildings identified as positive contributors (see Map 3) should not be demolished, partially demolished or substantially altered in any way that dilutes their contribution to the Conservation Area unless public benefit can be demonstrated that outweighs the harm.

Policy 46 - Any development concerning the basement of a historic property should be sensitively designed so that it does not detract from the established architecture of the building, and the balance of its exterior is not significantly altered (with the addition of light wells – with or without additional railings – or large, semi-sunken basement extensions with external access, for example).

The Significance of the Affected Heritage Asset(s)

18. 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.’
19. 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.
20. Paragraph 1.2.1 of the Bowdon Conservation Area Management Plan states that *“The significance of the Bowdon Conservation Area is primarily rooted in its long history with settlement benefitting from its advantageous geography, and also its rich architectural variety and integrity. The area is predominantly residential with a number of supporting public amenities and community core, which are indicative of Bowdon’s increasing popularity and evolution as a suburb from the 19th century onwards.”*
21. In relation to Character Zone C, the Conservation Area Appraisal states, at paragraph 4.3.4, that *“This character zone is the largest, comprising Stamford Road and the downhill sloping area to Langham Road, as well as the larger houses on the south side of Langham Road, some of South Downs Road and the historic Bowdon Cricket Club. This area is primarily residential, although it has always had a number of schools and it now includes the historic sports club south of South Downs Road. It is characterised by the topography, with many houses designed around the views they can enjoy. There are also an unusual variety of roads, including historic footpaths, and an almost maze-like series of interconnecting small roads. Although there is a range of plot and house sizes and materials, the predominant impression is of large houses, built in Bowdon ‘white’ or cream brick, set in gardens with mature trees and shrubs and stone walls and gateposts. The houses built from the mid-19th century, were mainly on the Earl of Stamford’s land, with the quality of the materials, density and rental income dictated in the Deeds.”*
22. It is noted that the application property and other properties on the west side of Grange Road were taken into the Conservation Area in 2016 as part of boundary extension B. The Conservation Area Appraisal states that *“The row of semi-detached properties on Grange Road were built between 1910-1936; they are similar in scale and plots size to those already included in Grange Road.”* Nos 32 & 34 Grange Road although earlier in age were included in this extension and

form the southern extent of the Conservation Area boundary up to York Road. Nos. 32 & 34 Grange Road are identified in SPD 5.9 as making a positive contribution to the Conservation Area for the following reasons “These buildings reflect a substantial number of other elements in the conservation area in age, style, materials and form. These buildings as part of a group, illustrate the development of the settlement in which they stand. They reflect the traditional functional character and former uses in the area.” The dwellings were erected between 1897 and 1908 as a pair of Cheshire interlocking semis and designed in the Arts & Crafts style. The dwellings display typical features found throughout the Conservation Area including prominent gables; steeply pitched roof, overhanging eaves, tall chimneys and distinctive half-timbered detailing. The principal elevation of both properties has a strong sense of symmetry and enhanced by historic timber windows with an attractive curved transom detail. The setting of the dwellings is enhanced by a front garden with planting and a mature boundary hedge to Grange Road with a spacious rear garden.

23. As set out in Appendix 1 of SPD 5.9, the application property has also been identified as a non-designated heritage asset. *‘The term positive contributor identifies a non-designated heritage asset which makes a positive contribution to the Conservation Area. These buildings, structures and sites are classed as heritage assets as they are identified by the local authority as having a degree of significance, meriting consideration in planning decisions, because of their heritage interest’.*

Proposal and Impact on Significance

24. The proposed development relates to the demolition of the attached garage; erection of a single storey side extension; raised rear patio; enlarged rear lightwell and associated external alterations including the replacement windows, render to the rear elevation, widening of the site’s vehicular access with new vehicular access gate and reinstatement of the original gateposts in different positions, and the addition of roof lights.
25. There is no objection to the proposed demolition of the existing garage as this extension is understood to be a later addition to the application property.
26. The replacement extension is to be of a similar footprint to the existing side garage, projecting 3m from the original north elevation of the application property and having a depth of 5m. The extension would feature a gable roof to complement the main dwelling. The proposal would result in the removal of part of the application property’s original side elevation in order to open up the building’s kitchen area, leading to some loss of historic fabric. It is noted however that this elevation is already obscured by the existing garage and the replacement extension is in a similar position. It is considered therefore that this element of the proposal will not result in harm to the significance of the positive contributor. The proposed extension would see a rear elevation constructed

almost entirely of glass panes 2.25m tall and measuring 2.7m wide in total. There is a lack of detail in relation to the material finish of the windows/doors planned for this element of the proposal and as such it is recommended that a condition is required in relation to this. Whilst there would be a large expanse of glazing with a largely horizontal emphasis to the fenestration in a modern style, it is considered that given the position of this at ground floor level on the rear elevation of the extension, it would not result in harm to the character and appearance of the wider Conservation Area.

27. The proposals include a 0.76m high raised patio and retaining wall which would project 3.3m from the rear of the planned extension and would have a width of 4.2m. It is considered that this would not result in any harm to the character of the positive contributor. An enlarged rear lightwell would be positioned immediately adjacent to the raised platform, where excavation works have already occurred in connection with the proposed installation of an outside shower. Given that this is at the rear of the property and partially screened by the proposed retaining wall, it is considered that this would also not result in harm to the appearance of the positive contributor and the wider Conservation Area.
28. The application additionally includes the insertion of roof lights on the front and rear elevations. Policy 12 of the Management Plan states that roof lights should not be installed in locations that impact on the aesthetic value of the principal elevation or street scape and should not be disproportionately large compared to the established fenestration. Conservation roof lights should be installed rather than standard roof lights. On the basis that the application proposes 3no. roof lights to the principal elevation of the dwelling, the proposal would be contrary to this policy. In acknowledging this, the Heritage Officer in their consultation response has indicated negligible harm to the character of the property. Nevertheless, it is recognised that roof lights could be added to the front elevation under permitted development rights and that this represents a realistic fallback position, which must be taken into account. It is therefore considered that the proposed rooflights would be acceptable and would have a neutral impact in this case, subject to a condition requiring that conservation style rooflights are used.
29. The replacement of the dwelling's historic timber windows with wood effect uPVC windows has resulted in harm to the character and appearance of the positive contributor. It is noted that all historic timber windows have now been removed from the property including the distinctive casement windows to the principal elevation and vertical sliding sash windows to the rear resulting in the loss of historic fabric.
30. The current application seeks to address this harm, through the replacement of the unauthorised uPVC windows to the front elevation of the application property with new timber windows to be installed. The replacements are to replicate the casement style of the previous historic windows in terms of their curved transom,

method of opening and overall historic pattern of fenestration with its distinctive detail. These proposed alterations to the building's front will reinstate the symmetry seen between the principal elevations of No.32 & 34 Grange Road and in turn support the preservation of the character and appearance of the non-designated heritage asset and significance of Bowdon Conservation Area. A pre-commencement condition is nevertheless recommended to ensure the works planned are of an acceptable quality, whilst also acknowledging the fact that the proposed elevations fail to show the replacement windows filling the space below the cambered headers of the windows.

31. It is noted that the detailed design and materiality of the windows to the rear of the dwelling does not comply with Policy 10 of SPD5.9a. Notwithstanding this, it is acknowledged that the pattern of fenestration would follow the design of the previous historic windows on this elevation. Likewise, the replacement of the larger first floor rear window with a more proportionate window to the application property is recognised and, in respect of this specific window, this is considered to be a benefit. Whilst there are concerns regarding some aspects of the design of the replacement windows, taking into account the improvement to the first floor window, it is considered that the works to the rear elevation have a neutral impact to the appearance of the positive contributor and the wider Bowdon Conservation Area.
32. With regard to the removal of the original stone gate posts at the vehicular access onto Grange Road, this element is retrospective with both gate posts having been in situ in May 2022 as shown on Google Maps Street View, notwithstanding the fact that it is recognised that the gatepost on the left hand side of the access had already suffered some damage at that stage. The submitted plans refer to "Restored existing stone gate posts" which would both be reinstated in different positions to allow the creation of a wider vehicular access.
33. It is recognised that whilst not completely uniform, the prevailing characteristic front boundary treatment for properties on Grange Road is partially hedged with a small open section for vehicular access and this is considered to contribute positively to the visual amenity of the area.
34. Policy 26 of the Management Plan states that *"Gate openings should not be widened or re-positioned unless it can be proven that access is unsafe. Where gate openings are to be widened or re-positioned on the grounds of highway safety, such change should be restricted to the minimum amount necessary to ensure safe access. Trafford Council will require the applicant to submit a highway consultant's report to demonstrate highway safety implications."*
35. SPD 5.9a (para 2.6.2) identifies the valuable contribution stone gateposts make to the Conservation Area and the harm caused; *'There is a good proportion of surviving original gateposts throughout the Conservation Area. These are*

characteristically roughly-hewn local sandstone with a traditional carved element. In some instances these have been kept and a new gate opening positioned further back from the road; however this detracts from the original posts which mark the entrance point. Pressures for off-road parking and the subsequent widening and/or re-positioning of access onto new or existing driveways threaten the long-term survival of these historic gate posts and consequently the wider streetscape’.

36. As reported earlier in the report, based on the outstanding differences and the fact that the applicant has not provided any existing street scene elevation, measurements in relation to the widening of the site’s vehicular access have been taken from the submitted proposed and existing ground floorplans. On this basis, measurements of the site’s original vehicular access width prior to works commencing (without gateposts as these are not shown on the plan) was 3.7m. Furthermore, whilst the plans are annotated to show a 3.5m gap between the proposed gateposts, this scales off at 3.6m on the plan and is also noted that the proposed gateposts are shown as 450mm wide which is clearly not accurate.
37. Notwithstanding the fact that there are discrepancies on the plans as highlighted above, the submitted plans specifically include an annotation that the proposed width between the gateposts would be 3.5m. Given that no gate posts are shown on the original plan, it is considered that this proposed dimension would not represent a significant increase in the width of the vehicular access (of more than a few hundred millimetres). This width would also be less than the neighbouring accesses to the north (numbers 28 and 30 Grange Road) (albeit these appear to have been widened prior to the inclusion of the Grange Road properties within the Conservation Area). It is also recognised that the proposal is to restore and reinstate the original gateposts and, in this case, no removal of any historic wall is proposed. Having regard to these factors, it is considered that the proposed access width of 3.5m would not result in any harm to the character and appearance of the Conservation Area.
38. Side hung timber gates are also proposed for the new vehicular access. These are shown indicatively on the proposed plans as a traditional design featuring a maximum height of 1.5m and apertures in the top third. In this regard the gates are considered to be in accordance with paragraph 2.6.3 and Policy 25 of the Bowdon Conservation Area Management Plan.
39. Nevertheless, given the discrepancies on the submitted plans, it is considered that a pre-commencement condition would be necessary, requiring details (elevational drawings) of the planned gates to show materials (including colour) and method of the gates’ attachment to the restored stone gateposts of the gateposts, whilst showing the 3.5m width between the two gateposts in order to ensure that the gates are appropriate within their setting. A method statement for the restoration of the original gateposts, as well as a condition requiring the re-planting of the site’s front boundary hedge (to match existing) partially across the current vehicular access on Grange Road (shown on the submitted proposed

street scene elevation), where landscaping has been previously removed is also required.

40. Overall, the proposal is considered to comply with Policy JP-P2 of the Places for Everyone Plan Joint Development Plan, Policy R1 of the Trafford Core Strategy and the heritage policies of the NPPF. In making this assessment, great weight has been given to the desirability of preserving the character and appearance and the significance of The Devisdale Conservation Area.

DESIGN

41. NPPF paragraph 131 states that *'The creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, create better places in which to live and work and helps make development acceptable to communities.'* Paragraph 139 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.'*
42. Relating to design, Policy JP-P1 of the Places for Everyone Joint Development Plan states that developments should have a clear identity that, *'respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used'*.
43. The Council's Supplementary Planning Document, SPD4: A Guide for Designing House Extensions and Alterations, paragraph 2.2.1 sets out that extensions should reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing. Paragraph 4.1.3 of SPD4 states that proposals within Conservation Areas must be carefully designed to enhance and complement their distinctive qualities and to take account of their settings and that higher standards will be applied by the Council in these areas.
44. Paragraph 3.12.3 of SPD4 states that *"Domestic means of enclosure are a prominent feature within residential streets. They define residential boundaries and contribute to the quality and character of the street scene. Where there is a distinctive type of frontage in a residential area, including an open frontage, it will be desirable to keep and reinforce this type of boundary treatment in new development. Applications for boundaries that are in keeping with the original characteristic boundaries in a local area are likely to be considered favourably. For example, large parts of Trafford are defined by low boundary walls with planting behind, and in such areas, boundary treatment proposals should be in keeping with this prevailing type of boundary. Any development proposal should as far as practicable retain as much as possible of existing characteristic boundary treatments and/or re-create the predominant type of boundary*

treatment. Where poor examples exist in the local area, these will not be sufficient reason for new proposals to not comply with these guidelines or an unsympathetic proposal to be approved by the LPA.”

45. Paragraph 3.12.4 states that *“The type, height, length, design and siting of a boundary treatment are all important considerations as to whether it would be acceptable. Good quality characteristic materials help to reinforce local character, particularly in areas of historic interest with distinctive qualities. Boundary treatments such as planting or low walls with planting, are considered more appropriate as they soften residential frontages and contribute to the street scene...Boundary treatments should not be so tall so as to over-dominate and have an overbearing impact on pedestrians and the street scene...Prominently sited and uncharacteristically tall boundaries are generally harmful to domestic character. Defensive, high gates, walls and fences will not normally be acceptable on street frontages, in particular to the front of properties.”*
46. The proposed extension, raised rear patio and enlarged rear lightwell by way of their scale, form, siting and massing would appear as a complementary and proportionate addition to the existing building and site. The proposal would utilise matching brickwork and slate. As noted above, whilst the expanse of glazing to the rear elevation would not match the original dwelling, given their siting within a modern rear extension, it is considered acceptable in this site specific context.
47. The replacement of the unauthorised uPVC windows to the front elevation of the application property with new timber windows to match the historic windows is considered to be in keeping to the existing dwelling. The alterations would correspond with the adjoining semi-detached property, No.34 Grange Road and would be sympathetic to the wider street scene.
48. In addition, the widening of the vehicular access with the re-instatement of the property’s historic gate posts would not be discordant with neighbouring frontages. The design, material, height and scale of the associated front gates are also considered to be acceptable within this particular location, with permeable views through to the driveway and property beyond seen. The gates would have a maximum height of 1.5m and would have a curved top, which provides relief in height and would not appear visually oppressive and intrusive in the street scene.
49. Overall, subject to appropriate conditions, the proposal would provide a acceptable design and appearance, corresponding with Policy JP-P1 of the PFE Joint Development Plan and the provisions of the NPPF.

RESIDENTIAL AMENITY

50. Policy L7 of the Core Strategy, relating to design, specifies about residential amenity in paragraph L7.3:

'In relation to the protection of residential amenity, 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.'*

51. Paragraph 2.15.2 states *'Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable, unless there is adequate screening such as significant mature evergreen planting or intervening buildings. Where windows are proposed above first floor e.g. second storey or dormer windows, the above figure should be increased by 3m to 13.5m.'*

52. Given the proposed side extension's single storey height and 1.2m separation distance to the shared boundary with No.30 Grange Road, it is considered that there would be no unacceptable overbearing or overshadowing impact on this property. It is also noted that no windows are planned on the north (side) elevation. In relation to the proposed glazing to the rear elevation of the extension, a minimum separation distance of 10.8m is to be retained to the site's rear boundary. It is also recognised that given the positioning of No.45 York Road, there would be no undue impact on this neighbour's habitable room windows. Similarly, it is considered that the 0.76m high raised patio to the rear of the proposed extension would not result in any undue overlooking of neighbouring properties, given that the existing boundary treatments at the development site are considered to provide adequate screening from any potential loss of privacy.

53. No amenity concerns are anticipated as a result of the proposed widening of the driveway and installation of a new vehicular access gate.

54. As such, it is considered that the proposal would not have any unacceptable impact on the residential amenity of any neighbouring dwellings and would comply with Policy L7 of the Core Strategy and the policies of the NPPF in this respect.

PARKING AND HIGHWAY SAFETY

55. The LHA has raised no objections to the proposal. Whilst the demolition of the site's attached garage would result in the loss of one parking space, parking provision for two vehicles is to be provided on the site's driveway. It is also noted that the proposal does not see the addition of any bedrooms but instead reduces the number of bedrooms from four to three bedrooms following internal alterations. As such, it is considered that the proposed development would be

acceptable in terms of parking impacts and would comply with SPD3 guidelines in this respect.

DEVELOPER CONTRIBUTIONS

56. 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.

PLANNING BALANCE AND CONCLUSION

57. It is considered that the proposed development has a neutral impact on the character and appearance and the significance of Bowdon Conservation and the Non-Designated Heritage Asset. As such, the proposal complies with the heritage policies of the NPPF and Policy JP-P2 of the Places for Everyone Joint Development Plan.

58. All other detailed matters have been assessed, including design and visual amenity, residential amenity and parking. The proposal has been found to be acceptable and complies with the development plan when taken as a whole and policies in the NPPF in relation to these matters. It is therefore recommended that planning permission should be granted, subject to conditions.

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended 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, numbers: 1364-12, 1364-13, 1364-14 (received by the Local Planning Authority on 2nd September 2024), 1364-08, 1364-09, 1364-10, 1364-11, 1364-15 and 1364-16 (received by the Local Planning Authority on 13th August 2024).

Reason: To clarify the permission, having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no works involving the use of any materials to be used externally on the dwellinghouse or hard surfacing shall take place until samples and / or full specifications of all materials

(including timber windows/doors, facing brick, brick cills, slate roof tiles and rainwater goods) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy JP-P1 and JP-P2 of PfE and Policy R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. Notwithstanding the submitted details, no development involving the replacement of windows to the front elevation of the dwelling shall take place until 1:5 scale drawings detailing the replacement windows including glazing, method of opening and cills have been submitted to and approved in writing by the Local Planning Authority. All new windows to the front elevation shall be constructed from solid timber and set back from external brickwork within a minimum 100mm reveal. The mouldings, sections, method of opening and associated furniture shall be of a traditional design and profile. All joinery shall have a painted finish, not sprayed, to an agreed colour scheme. A sample of the proposed window material shall be submitted and approved in writing by the Local Planning Authority. Development shall be implemented in strict accordance with the approved details.

Reason: To preserve the character and appearance of the Non-Designated Heritage Asset and Conservation Area, having regard to Policies R1 of the Trafford Core Strategy, Policy JP-P2: Heritage of PfE and the National Planning Policy Framework.

5. No development in connection with reinstatement of the stone gate posts shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide details of the method of restoration of the two stone gate piers to include protection during the course of the works; storage on site; a schedule of works and specifications of repair. Any repairs should match the existing in terms of size, material and finish. Samples of all materials will be required and should be kept on site during the course of the works. The approved statement shall be adhered to throughout the construction period.

Reason: In order to preserve the character and appearance of the Non-Designated Heritage Asset and Conservation Area having regard Policies R1 of the Trafford Core Strategy, Policy JP-P2: Heritage of PfE and the National Planning Policy Framework.

6. Notwithstanding the details shown on the approved plans, the erection of the side hung timber gates hereby permitted shall not take place unless and until full

detailed specifications and samples have been submitted to and approved in writing by the Local Planning Authority. The details shall include 1:20 elevational drawings of the proposed gates which shall be of a maximum 1.5m in height and a total maximum width of 3.5m, showing materials (including colour) and method of the gates' attachment to the restored stone gateposts. The works shall be implemented in accordance with the approved details.

Reason: To preserve the character and appearance of the Non-Designated Heritage Asset and Conservation Area, having regard to Policies R1 of the Trafford Core Strategy, Policy JP-P2: Heritage of PfE and the National Planning Policy Framework.

7.

(a) The landscaping works (planting of hedge to match the existing front boundary hedge on Grange Road), as shown on drawing number 1364-15 (received by the Local Planning Authority on 13th August 2024) shall be carried out within the next planting season following the construction of the new vehicular access hereby permitted.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policy R2 and Policy R3 of the Trafford Core Strategy, Policy JP-P1, Policy JP-G2 and Policy JP-G7 of Places for Everyone, and the National Planning Policy Framework.

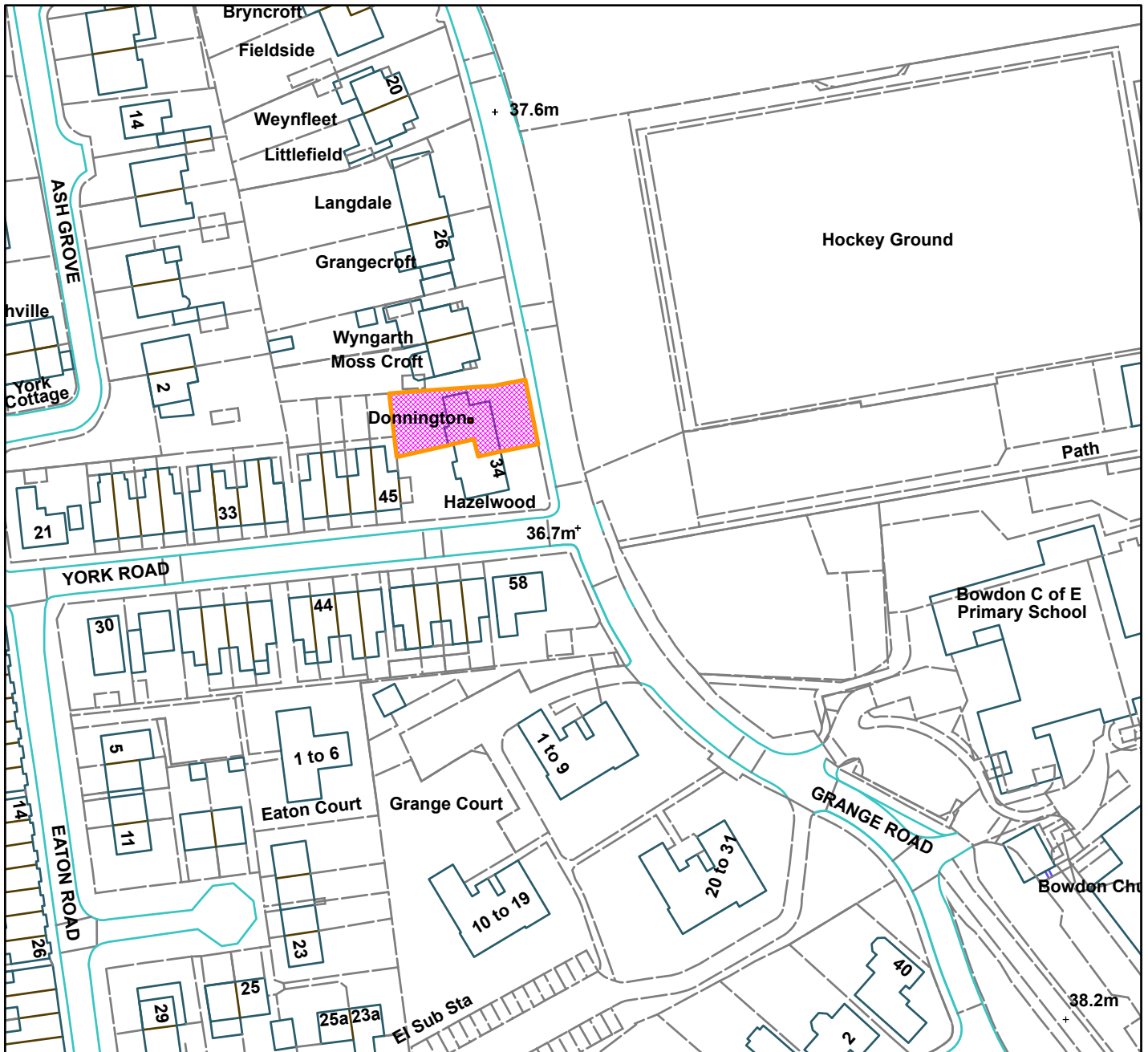
8. The rooflights hereby permitted shall be of 'conservation' style with frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof. The rooflight shall be finished in a similar colour to the adjoining roof.

Reason: To preserve the character and appearance of the Non-Designated Heritage Asset and Conservation Area, having regard to Policies R1 of the Trafford Core Strategy, Policy JP-P2: Heritage of PfE and the National Planning Policy Framework.

SAMP



Donnington, 32 Grange Road, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 17/10/2024
Date	07/10/2024
MSA Number	AC0000809316 (2022)

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TRAFFORD COUNCIL

Report to: Planning and Development Management Committee
Date: 17 October 2024
Report for: Decision
Report of: Head of Planning and Development

Report Title

Infrastructure and Development in Davenport Green – Developer Contributions

Summary

This report provides an overview of the Davenport Green allocation and outlines the need for an interim formula for equalised contributions to help fund and deliver the infrastructure required to support the allocation.

Davenport Green is allocated for development through Places for Everyone (PfE). The specific development requirements for the allocation are set out in PfE Policy JPA 3.2 Timperley Wedge. This includes a requirement for a detailed Masterplan, which is currently being progressed by the principal landowner, Royal London Asset Management (RLAM) in collaboration with other landowners and key stakeholders, with guidance from Council officers.

However, following the adoption of PfE in March 2024, planning applications are expected on some parcels, in advance of the completion of the Masterplan. It is therefore vital that an appropriate mechanism is established to ensure that any future development makes proportionate contributions to the site wide infrastructure necessary to support and deliver the whole of the Davenport Green allocation.

The need for an interim approach to collecting equalised contributions, to ensure new development and infrastructure are suitably coordinated at Davenport Green, was recently reported to the Council's Executive. The Executive requested on 22 July 2024 that the Planning and Development Management Committee approve an interim formula for developer contributions, pending completion of the Davenport Green Masterplan.

This report outlines an interim formula for equalised infrastructure contributions to apply with immediate effect, and until such a time as it is replaced by the equalised contribution in the Davenport Green Masterplan.

The infrastructure contributions would be in addition to 45% on-site affordable housing provision.

Recommendation(s)

That the Planning and Development Management Committee:

- (i) Note the content of this report; and
- (ii) Approve the formula for the calculation of interim developer contributions in Davenport Green set out in Appendix 1, for the purposes of the determination of planning applications with immediate effect; until such time as it is replaced by the relevant infrastructure contributions set out in the adopted Davenport Green Masterplan.

Contact person for access to background papers and further information:

Name: Caroline Wright – Strategic Planning and Growth Manager

Background Papers: None

Appendices: Appendix 1 – Interim Contributions Calculation Formula

1.0 Introduction

- 1.1 Davenport Green has been allocated as a strategic development site under Policy JPA 3.2 of the Places for Everyone (PfE) joint Local Plan and has been removed from the Green Belt.
- 1.2 The PfE plan was adopted by the constituent Councils on 21 March 2024, and now forms the starting point of the statutory Development Plan for Trafford: making the principle of development on the relevant parts of the site, acceptable in planning terms, subject to compliance with the forthcoming masterplan.
- 1.3 Policy JPA 3.2 (entitled ‘Timperley Wedge’) allocates the Davenport Green site for approximately 2,500 new homes and 60,000 sqm of employment floorspace, alongside a new large publicly accessible rural park.
- 1.4 To unlock this scale of development, and create a new sustainable and accessible community, a significant amount of new and improved infrastructure will need to be provided, including:
 - New and improved sustainable transport and highways infrastructure, including delivery of a spine road through the site;
 - A network of new and safe cycling and walking routes through the allocation;
 - Extension to the Manchester Airport Metrolink Line Western Leg including Metrolink stop(s);
 - A local centre comprising a range of shops and services to meet local needs;
 - Provision of a new primary school and/or school places; and
 - A range of types and sizes of open space.
- 1.5 To ensure that the whole site is delivered in accordance with the requirements and aspirations of adopted Policy JPA 3.2 the first criteria requires ALL development to:
“Be in accordance with a Masterplan that has been developed in consultation with the local community and other stakeholders, and approved by the Local Planning

Authority. The Masterplan must include a robust phasing and delivery strategy, as required by policy JP-D1. This will be prepared in partnership with key stakeholders and ensure the whole allocation is planned and delivered in a coordinated and comprehensive manner with proportionate contributions to fund necessary infrastructure”.

- 1.6 A site-wide Masterplan is therefore critical for Davenport Green to create a holistic and comprehensive plan that facilitates a clear path for the delivery of new homes and employment floorspace, whilst also ensuring that the necessary and supporting infrastructure is in place or planned for at the right time and is appropriately funded.
- 1.7 It will also provide certainty to local communities and the development industry that the allocation will be delivered and provide the benefits, improvements and enhancements upon which its delivery has been predicated.
- 1.8 The Masterplan will enable high quality place making through the provision of clear and unambiguous planning and delivery guidance. In doing so, the Masterplan will consider the aims and requirements of the whole allocation to facilitate the coordinated delivery of development alongside all types of necessary infrastructure, facilitating place making across the site as well as ensuring integration with existing communities and environments.
- 1.9 In short, the Masterplan will be used as a blueprint for the future delivery of the entire site, guiding the development management process by (principally):
 - Enabling applicants to prepare detailed policy compliant development proposals with a high level of certainty – de-risking the planning process;
 - Enabling policy compliant planning applications to be determined expeditiously without need for lengthy pre-application engagement and/or unnecessary delay;
 - Generating appropriate and proportionate contributions towards necessary infrastructure, providing certainty for applicants, de-risking the planning process and enabling early delivery of infrastructure; and
 - Enabling the Council to leverage in additional funding and investment to support the delivery of the site.

2 Places for Everyone Legal Challenge

- 2.1 A Legal Challenge was made to the Places for Everyone Plan in April 2024 and the PfE authorities are collectively defending the Plan. Until the outcome of the Legal Challenge to Places for Everyone is known, the plan remains in full force. As such it is right to continue to develop a Masterplan for this site and apply the adopted planning policies within with vigour in both plan-making and decision-taking

3 The Davenport Green Masterplan – Progress to date

- 3.1 Royal London Asset Management (RLAM) - the largest landowner within the allocation, began work on a Masterplan in May 2023, in advance of the adoption of PfE and appointed a team of consultants to help them prepare their version of a Masterplan for the site.
- 3.2 In the intervening period, Council officers have provided comments and offered guidance on the emerging Masterplan proposals, as they would do for any large development scheme. Input has also been provided by other relevant stakeholders to help inform the development of the Masterplan.
- 3.3 RLAM launched a public consultation on their emerging Masterplan proposals on 18 July, which ran for nine weeks, closing on 20 September.

3.4 It should be noted that while Council officers have provided guidance to RLAM and have had some input into their draft Masterplan, the emerging Masterplan proposals have not been formally endorsed or approved by the Council.

4 The Davenport Green Masterplan – Next Steps

4.1 Once the RLAM consultation on the emerging Masterplan is complete, it is anticipated that production of the final Masterplan will be passed to the Council to take forward.

4.2 Thus, over the course of the coming months, the Strategic Planning and Growth team will further develop the Masterplan, which will be subject to further public consultation.

4.3 This will involve testing and assessing the proposals put forward by RLAM to ensure they are robust, deliverable, fundable and sustainable in the long-term and are compliant with relevant policies, strategies and legislation.

4.4 Once formally adopted by the Council, planning applications will be assessed against this new Masterplan alongside the overarching planning policy contained in the Places for Everyone plan and other relevant planning policies.

4.5 The indicative timetable for the production of the Davenport Green Masterplan is as follows:

- July – September 2024 – RLAM consultation on emerging Masterplan proposals
- October 2024 - Royal London review feedback and make necessary changes to Masterplan proposals
- November 2024 - Masterplan proposals finalised by Royal London and submitted to Trafford Council to then prepare the document.
- 2025 onwards - Public consultation on draft Masterplan and Council adoption.

5 Planning Approach prior to adoption of Davenport Green Masterplan SPD

5.1 As set out in section 3 of this report, the Masterplan required by Policy JPA 3.2 of the Places for Everyone plan is underway. However as set out above, the Davenport Green site has been removed from the Green Belt and allocated for development, making the principle of development on the relevant parts of the site, acceptable in planning terms.

5.2 Consequently, and notwithstanding the current progress with the Masterplan, it is expected that some planning applications for development within the allocation, will be submitted in advance of the adoption of an approved Masterplan.

5.3 There is, therefore, a need for Trafford Council to establish an interim infrastructure funding position for the Davenport Green allocation, in advance of the adoption of the Masterplan. This will ensure that any planning applications determined ahead of this date make an appropriate contribution towards the infrastructure required to support the whole allocation.

5.4 This approach was endorsed by the Council's Executive on 22 July 2024, whereby it was agreed that the Council should have in place an interim approach to collecting equalised contributions from development within the Davenport Green allocation, to ensure new development and infrastructure are suitably coordinated, in advance of an approved Masterplan for the whole site.

5.5 Notwithstanding this position, it is imperative to note that prior to the adoption of the Masterplan, the Council will be highly unlikely to be supportive of any proposals for development at Davenport Green, and use of the Interim Contributions Calculation Formula should therefore be viewed as a last resort.

- 5.6 While financial contributions may help to pay for infrastructure, there is a significant risk that the granting of planning permission(s) ahead of the Masterplan will undermine real-world delivery. For example, without knowing the exact alignment and land take needed to deliver the spine road, it is possible that a scheme(s) could be approved which would build over the land needed for it, leading to substantial costs and delays on all fronts.
- 5.7 It is therefore imperative that the opportunity to deliver the necessary infrastructure is not threatened in any way. Consequently, it is important the Council acts now to manage development coming forward and ensure proportionate contributions are made to local infrastructure.

Implications of not collecting interim contributions

- 5.8 The Davenport Green site has been removed from the Green Belt and allocated for development. It is therefore possible that some planning applications will be submitted in the coming weeks and months.
- 5.9 Without a mechanism to secure contributions (as a last resort), ahead of the adoption of the Masterplan, it is entirely possible that planning applications could be brought forward quickly to avoid paying the proportionate and equalised contribution.
- 5.10 This was the case with the World of Pets site within the allocation, for which only £297,036.00 worth of education contributions were required, following a successful appeal; compared to a £3.8m contribution which would be required under this interim infrastructure contribution calculation.
- 5.11 The resultant effect of developments not contributing to site-wide infrastructure would be that development coming forward later in the plan period could stall as the necessary infrastructure would not be delivered to unlock or support it, and insufficient funds would be available to provide it, making future phases unviable and/or undeliverable.
- 5.12 This could also lead to consequential effects on the delivery of affordable housing on the site, which could be substantially reduced if significant areas of the site are not appropriately supported/ unlocked.
- 5.13 In turn, the failure to deliver the number of homes set out in Policy JPA 3.2 would likely mean that other areas of Green Belt and countryside in Trafford would come under increased pressure from speculative housing applications, in order to meet housing needs.

Planning Tools to secure contributions

- 5.14 Financial contributions can be secured with the grant of planning permission by the use of a Planning Obligation – a legally binding agreement between the Council, applicant and other interested parties. Contributions cannot normally be secured by conditions attached to planning permissions, but the Council can employ the use of so-called ‘Grampian’ conditions to ensure certain obligations are met before work is carried out.
- 5.15 A ‘Grampian’ condition is a negatively worded planning condition prohibiting development authorised by a planning permission taking place until a specified action has been taken. They can be used in respect of actions which are not taking place within the application site, or on other land in the applicant’s ownership, and the action does not need to be in the control of or carried out by the applicant.

6 The Proposed Interim Approach to Contributions

- 6.1 Development proposals submitted within the Davenport Green allocation will not be supported in advance of the adoption of the site wide Masterplan, required by Criterion 1 of Policy JPA 3.2.
- 6.2 However, the Council cannot stop planning applications being submitted and is aware that planning applications are being prepared for some development parcels within the allocation. It is therefore sensible to establish an interim approach for Infrastructure Contributions at Davenport Green, in advance of the Masterplan.
- 6.3 The total cost of all the critical infrastructure, as detailed in Appendix 1, is estimated to total approximately £103m and includes various junction and road upgrades, public transport and active travel improvements as well as education and open space provision.
- 6.4 The following interim calculation approach ensures that in the event of a planning application being permitted, appropriate contributions are secured towards the cost and/or provision of the necessary infrastructure requirements for the whole allocation.
- 6.5 The use of the interim calculation should be viewed as a last resort, as there is a clear policy requirement for the development of the allocation to be delivered in accordance with an approved site wide masterplan.
- 6.6 The essence of an interim approach is that it will be a simple calculation, based on work already undertaken to support the PfE plan. Consequently, it will inevitably be less sophisticated and detailed than the work to be carried out under the Masterplan.
- 6.7 The detailed formula for calculating interim contributions can be found in Appendix 1 of this report. The calculation results in a required contribution of £33,325.03 per residential unit and a contribution of £396.73 per sqm for employment development.
- 6.8 In short, the formula takes the net amount of development proposed in Davenport Green (including that which might come forward beyond the plan period) and apportions it between residential (77%) and employment (23%). This apportionment is based on the overall relative quantum of development proposed by Policy JPA 3.2 and yet to be permitted.
- 6.9 As the residential development in PfE is (as is usual) quantified using the number of dwellings rather than floorspace, the equivalent residential floorspace has been calculated for the purposes of the formula. This is on the basis that the 'average' dwelling will be a Nationally Described Space Standards compliant 3 bed 4 person dwelling at 84sqm. The total likely infrastructure costs for Davenport Green are then calculated.
- 6.10 A 30% contingency has then been added. This contingency is significant because of the substantive unknowns in respect of the costs of infrastructure, both now and in the future.
- 6.11 Existing and known future funding and contributions (including CIL and Section 106 contributions derived from the World of Pets appeal decision) are netted off against the total infrastructure cost. This net figure for infrastructure is then divided by the net amount of new development.
- 6.12 Costs have been taken from the PfE viability assessment. Several inputs are only relevant for residential development and therefore only influence that calculation. Adjustments have been made for inflation and for already committed / constructed development.
- 6.13 To reflect this position there will be a re-proportioning mechanism in any future S106 agreement which would enable the reduction and / or redistribution of contributions on a case-by-case basis if the output from the first stage of the Masterplan work is that

the equalised contribution is less than the interim contribution. In the case of residential development, some contributions may be redirected to affordable housing.

- 6.14 It is anticipated that some of the necessary infrastructure will be delivered as an integral part of development schemes coming forward. In circumstances where a developer bears the cost of direct delivery of infrastructure, the contribution will be adjusted accordingly to take account of this.

Affordable Housing Provision

- 6.15 There is a requirement for development of the Davenport Green site to include a minimum of 45% on-site affordable housing.
- 6.16 The infrastructure contributions set out in Appendix 1 would be in addition to this on-site provision.

Viability

- 6.17 The infrastructure contributions set out in Appendix 1 have not been subject to viability assessment.
- 6.18 However, the requirements of Policy JPA 3.2 were tested and were found to be viable. This included 45% on-site affordable housing provision and the c.£66m of infrastructure costs identified in the PfE Viability Assessment.
- 6.19 The impact of the additional c.£37m of infrastructure costs set out in Appendix 1, will need to be assessed via the Masterplan process, to ensure that development remains viable and that appropriate levels of contributions are sought.
- 6.20 This exercise (among others) will be undertaken once responsibility for the preparation of the Masterplan passes from RLAM to the Council.

7 Securing the Contribution – Planning Obligation with Overage/ Clawback Clause

- 7.1 Any planning permission granted ahead of the Council approving a site-wide Masterplan will be subject to a Planning Obligation, securing the proportionate infrastructure contributions set out in Policy JPA 3.2 as set out in this interim calculation.
- 7.2 Until the Masterplan is significantly advanced in all areas, and the costs of the necessary and supporting infrastructure have been updated and are known (insofar as is possible), there may be instances where the costs set out in individual planning obligations in accordance with Appendix 1 are greater or potentially lower, than may be derived through the approved Masterplan.
- 7.3 To ensure that approved development does not contribute less or more than what is required, an overage or clawback clause will be inserted into Planning Obligations for development at Davenport Green. This mechanism will ensure that any future changes to infrastructure costs are proportionately contributed to by ALL relevant developer(s), irrespective of the route, time or manner under which planning permission was secured.
- 7.4 An overage or clawback clause will also ensure that no additional burdens are unnecessarily placed on public finances.
- 7.5 The specific wording of the overage or clawback clause will be drafted as and when necessary to support the Council in its planning functions.

8 Conclusions

- 8.1 Davenport Green will be the one of the largest growth points in Trafford, for the next twenty years. It will therefore require ongoing efforts to ensure development is

coordinated with necessary infrastructure, and that there is effective place-making to bequeath successful communities to future generations.

- 8.2 The first step is to ensure the timely delivery of the necessary infrastructure for the site, as this will unlock land for development.
- 8.3 This process will take place as part of the phasing and infrastructure delivery plan developed as part of the site wide Davenport Green Masterplan. Until this document has been finalised and approved by the Council, an interim mechanism needs to be established to ensure that proportionate contributions are able to be collected on any development which gains planning permission ahead of the Masterplan.
- 8.4 Without this mechanism, there is an acute risk that funding for, or provision of necessary infrastructure will be delayed or not able to be delivered.

9 Recommendation

- 9.1 That the Planning and Development Management Committee notes the content of this report.
- 9.2 That the Planning and Development Management Committee approves the formula for the calculation of interim developer contributions in Davenport Green set out in Appendix 1, for the purposes of the determination of planning applications with immediate effect; until such time as it is replaced by the relevant infrastructure contributions set out in the adopted Davenport Green Masterplan SPD.

APPENDIX 1 – INTERIM DAVENPORT GREEN DEVELOPER CONTRIBUTIONS FORMULA

Minimum Indicative Infrastructure Costs Associated with Development of Davenport Green					
Indicative Infrastructure Required		Cost	Notes		
a	Places for Everyone (PfE) Transport Costs	£ 45,500,000.00	Cost identified in the PfE Viability Assessment (page 40). Includes Medi Park development as well - cannot be disaggregated.		
b	Education	£ 8,665,543.00	Cost identified in the PfE Viability Assessment (page 178).		
c	Open Space ($k \times 2322$)	£ -	Per dwelling cost of £0 identified PfE Viability Assessment (page 178).		
d	Other S106/ 278 ($k \times 5000$)	£ 11,920,000.00	Per dwelling cost of £5,000 identified PfE Viability Assessment (page 178).		
e	Sub-Total Indicative Minimum Infrastructure Costs	£ 66,085,543.00			
Amount of Development Proposed and Approved in Davenport Green					
		Amount of Development	Notes		
f	PfE Policy JPA 33 Employment Figure (sqm)	60000	As set out in PfE Policy JPA 3.2		
g	PfE Policy JPA 33 Housing Figure (number of homes)	2500	As set out in PfE Policy JPA 3.2		
h	Employment Floorspace with Planning Permission/ Built	0	All approved employment and residential development within area covered by Davenport Green allocation since Core Strategy adoption in 2012.		
i	Number of Homes with Planning Permission/ Built	116			
j	PfE Policy JPA 33 Net Employment Floorspace (sqm) ($f - h$)	60000	Amount of employment floorspace and homes remaining to be approved/ built and therefore subject to updated infrastructure contributions.		
k	PfE Policy JPA 33 Net Number of Homes ($g - i$)	2384			
Indicative Infrastructure Costs + Inflation/ Indexation and Apportionment (77% Residential Development and 23% Employment Development)					
Indicative Infrastructure Required plus Inflation/ Indexation		Residential Development	Employment Development	Total Contribution	Notes
l	PfE Transport Interventions ($a + Build Cost Inflation$)	£ 49,831,550.17	£ 14,884,748.75	£ 64,716,298.92	BCI applied at 11% p.a. 2021 - 2023, and 4% p.a. 2024 - 2030

m	Education Contributions (<i>b CPI indexed to 2024</i>)	£ 10,542,644.67	£ -	£ 10,542,644.67	Only applicable to residential development
n	Open Space Contributions (<i>c CPI indexed to 2024</i>)	£ -	£ -	£ -	
o	Other S106 and 278 Agreements (<i>d CPI indexed to 2024</i>)	£ 11,359,307.16	£ 3,248,088.67	£ 14,607,395.83	Apportionment of d
p	Sub-Total Indicative Minimum Infrastructure Costs (<i>l+m+n+o</i>)	£ 71,733,501.99	£ 18,132,837.42	£ 89,866,339.41	
q	30% Risk Factor/ Contingency (<i>p x 0.3</i>)	£ 21,520,050.60	£ 5,439,851.23	£ 26,959,901.82	
r	Total Gross Indicative Minimum Infrastructure Costs (<i>p+q</i>)	£ 93,253,552.59	£ 23,572,688.64	£ 116,826,241.24	
Existing and Future (Known) Funding and Contributions and Apportionment (77% Residential Development and 23% Employment Development)					
	Funding Source	Residential Development	Employment Development	Total Contribution	Notes
s	City Region Sustainable Transport Settlement 1 (CRSTS 1)	£ -	£ -	£ -	
t	Growth Deal 3 (TFGM) (GD3)	£ -	£ -	£ -	
u	Housing Infrastructure Fund (Homes England) (HIF)	£ -	£ -	£ -	
v	Evergreen Funding	£ -	£ -	£ -	
w	GMCA Brownfield Funding	£ -	£ -	£ -	
x	Strategic Community Infrastructure Levy (CIL) at 31/03/2024	£ -	£ -	£ -	
y	S106 Infrastructure Contributions Secured/ Agreed at 31/03/2023	£ 297,036.00	£ -	£ 297,036.00	Secured funding. Apportioned according to planning approvals (from World of Pets appeal decision - 105905/OUT/21 / APP/Q4245/W/22/3306715).
z	Likely Future CIL Contributions (<i>£80/sqm + CIL Indexation</i>)	£ 13,509,649.46	£ -	£ 13,509,649.46	Current CIL Charging Schedule includes £0 charge for employment uses. Includes 45% affordable housing exemption.

aa	Gross (Known/ Potential) Financial Contributions Secured/ Likely to be Secured $(s+t+u+v+w+x+y+z)$	£	13,806,685.46	£	-	£	13,806,685.46
ab	Total Net Indicative Minimum Infrastructure Costs $(r - aa)$	£	79,446,867.13	£	23,572,688.64	£	103,019,555.78
ac	Contribution Per Home (ab/k)	£	33,325.03		N/A		
ad	Contribution Per sqm of Employment (ab/j)		N/A	£	392.88		

***Minor variances in amounts shown may occur due to decimal rounding in the calculations in the contribution's formulae.*

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