



**TRAFFORD  
COUNCIL**

**AGENDA PAPERS FOR  
PLANNING DEVELOPMENT CONTROL COMMITTEE**

Date: Thursday, 5 June 2014

Time: 6.30 pm

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

<b>A G E N D A</b>	<b>ITEM</b>
1. <b>ATTENDANCES</b>	
To note attendances, including Officers and any apologies for absence.	
2. <b>MINUTES</b>	
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 8 <sup>th</sup> May, 2014.	2
3. <b>ADDITIONAL INFORMATION REPORT</b>	
To consider a report of the Head of Planning Services, to be tabled at the meeting.	
4. <b>APPLICATIONS FOR PERMISSION TO DEVELOP ETC.</b>	
To consider the attached reports of the Head of Planning Services.	4
5. <b>IMPLEMENTATION OF THE TRAFFORD COMMUNITY INFRASTRUCTURE LEVY</b>	
To note the attached report of the Head of Planning Services.	5
6. <b>PUBLIC PATH STOPPING UP ORDER (FOOTPATH BETWEEN SMITH STREET AND LUND STREET, OLD TRAFFORD)</b>	
To consider the attached report of the Head of Highways, Transportation, Greenspace and Sustainability.	6

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

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

**THERESA GRANT**

Chief Executive

Membership of the Committee

Councillors Mrs. V. Ward (Chairman), D. Bunting (Vice-Chairman), R. Chilton, T. Fishwick, P. Gratrix, E.H. Malik, P. Myers, D. O'Sullivan, B. Sharp, B. Shaw, J. Smith, L. Walsh and M. Whetton

Further Information

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

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This agenda was issued on **Tuesday, 27 May 2014** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

## PLANNING DEVELOPMENT CONTROL COMMITTEE

8<sup>th</sup> MAY, 2014

### PRESENT:

Councillor Mrs. Ward (In the Chair),  
Councillors Bunting, Chilton, Fishwick, Gratrix, Malik, Myers, O'Sullivan, Sharp, Shaw,  
Smith, Walsh and Whetton.

In attendance: Head of Planning Services (Mr. R. Haslam),  
Development Control Manager (Mr. D. Pearson),  
Senior Planner (Mrs. J. Johnson),  
Transport Strategy and Road Safety Manager (Mr. D. Smith),  
Solicitor (Mrs. C. Kefford),  
Democratic Services Officer (Miss M. Cody).

Also present: Councillors Cordingley and Duffield.

### 110. MINUTES

RESOLVED: That the Minutes of the meeting held on 10<sup>th</sup> April, 2014, be approved as a correct record and signed by the Chairman.

### 111. ADDITIONAL INFORMATION REPORT

The Head of Planning Services 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.

### 112. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.

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

<u>Application No., Name of Applicant, Address or Site</u>	<u>Description</u>
81698/LB/2013 – CTIL – Essoldo Buildings, 1123 Chester Road, Stretford.	Listed Building Consent to replace four telecommunications antennae on northern elevation; replace two telecommunication antennae on the southern elevation; and to install three remote radio units and additional ancillary equipment.
81829/FULL/2013 – Peel Energy Ltd – Irlam Locks, Irlam Road, Urmston.	Construction of a hydroelectric plant scheme on south embankment. Excavation works within embankment to create intake and

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	outfall channels, fish and eel passes, and to accommodate turbine and associated plant equipment. Erection of above-ground plant-building, installation of railings, and formation of hard-surfacing.
81864/COU/2013 – Mr. Muzaffar Hussain – Booze Zone Plus, 40 Riddings Road, Timperley.	Change of use from A1 to A3 & A5 restaurant and takeaway.
82396/FULL/2014 – Partington Primary School – Partington Primary School, Central Road, Partington	Construction of a lecture hall and additional education facilities to the rear of main school building. Minor modifications to siting of existing games cage and trim trail.

(b) Permission refused for the reasons now determined

Application No., Name of Applicant, Address or Site

Description

82430/FULL/2014 – Mr. John Dempsey – Land at Wood Lane / Thorley Lane, Timperley.

Erection of detached bungalow with associated parking.

**113. APPLICATION FOR PLANNING PERMISSION 81697/FULL/2013 – CTIL – ESSOLDO BUILDINGS, 1123 CHESTER ROAD, STRETFORD**

The Head of Planning Services submitted a report concerning an application for planning permission for the replacement of 4 antennae to northern elevation and 2 antennae to southern elevation together with installation of ancillary rooftop equipment and 3 remote radio units.

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

No development shall take place unless or until a scheme for the servicing / maintenance of the telecommunication equipment hereby approved has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall seek to ensure that the equipment is not serviced in a way that impacts adversely on the amenity of nearby residents, specifically as a result of the method of accessing the equipment. Thereafter, the equipment shall only be accessed in accordance with the approved scheme.

Reason. To protect the amenity of nearby residents having regard to Policy L7 of the Trafford Core Strategy.

**114. URGENT BUSINESS**

[Note: The Chairman agreed to allow consideration of the following matter as an item of urgent business in order to clarify the requirement for a s106 obligation in respect

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of application 81449/FULL/2013 which was determined at the previous meeting.]

Application for planning permission 81449/FULL/2013 – McDonalds Restaurants Ltd  
– Bass Drum, 1235 Chester Road, Stretford

The Head of Planning Services submitted a report concerning an application for planning permission for the erection of a 2 storey building to accommodate an A3 (Restaurant) and A5 (Hot Food Takeaway) use and drive-through, including customer order display and canopy, associated parking and landscaping following demolition of existing public house.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement and that such Legal Agreement be entered into to secure a maximum financial contribution of £3,221 split between £1,193 towards Highway and Active Travel Infrastructure, £1,098 towards Public Transport Schemes and £930 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).
- (B) That upon the satisfactory completion of the above Legal Agreement planning permission be granted subject to the conditions now determined.

The meeting commenced at 6.30 p.m. and concluded at 7.35 p.m.

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## **PLANNING DEVELOPMENT CONTROL COMMITTEE – 5<sup>th</sup> JUNE 2014**

### **REPORT OF THE HEAD OF PLANNING SERVICES**

### **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.

#### **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: Mr. Rob Haslam, Head of Planning Services  
Proper Officer for the purposes of the L.G.A. 1972, s.100D (Background papers): Mr. Rob Haslam, Head of Planning Services

#### **Background Papers:**

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

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

These Background Documents are available for inspection at Planning and Building Control, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, Manchester M32 0TH.

TRAFFORD BOROUGH COUNCIL

PLANNING DEVELOPMENT CONTROL COMMITTEE – 5 June 2014

Report of the Head of Planning Services

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

<b>Applications for Planning Permission</b>				
<b>Application</b>	<b>Site Address/Location of Development</b>	<b>Ward</b>	<b>Page</b>	<b>Recommendation</b>
<a href="#"><u>80126</u></a>	221 Marsland Road, Sale, M33 3NR	Brooklands	1	Minded to Grant
<a href="#"><u>80912</u></a>	Windswood, 4 Park Road, Bowdon, WA14 3JF	Bowdon	12	Grant
<a href="#"><u>80962</u></a>	Windswood, 4 Park Road, Bowdon, WA14 3JF	Bowdon	17	Minded to Grant
<a href="#"><u>81228</u></a>	Land at Manchester Road, adjacent to Beaconsfield Road and Viaduct Road, Broadheath	Broadheath	29	Minded to Grant
<a href="#"><u>81797</u></a>	Unit 17, Textilose Road, Trafford Park, M17 1WA	Gorse Hill	43	Minded to Grant
<a href="#"><u>81810</u></a>	Robins & Day, 253 Washway Road, Sale, M33 4BL	Brooklands	51	Grant
<a href="#"><u>82159</u></a>	Site at Bonville Road, Bowdon, WA14 4QP	Bowdon	60	Minded to Grant
<a href="#"><u>82483</u></a>	HSS Hire Service Group Ltd, Circle House, Lostock Road, Urmston, M41 0HS	Davyhulme East	69	Grant
<a href="#"><u>82558</u></a>	96 Framingham Road, Sale, M33 3RN	Village	75	Grant
<a href="#"><u>82598</u></a>	3 Grange Avenue, Hale, WA15 8ED	Hale Central	79	Grant
<a href="#"><u>82661</u></a>	302 Northenden Road, Sale, M33 2PA	Sale Moor	84	Refuse
<a href="#"><u>82704</u></a>	Former St John the Baptist Church & Presbytery, Thorley Lane, Timperley, WA15 7AZ	Village	90	Minded to Grant



**ERECTION OF 2NO. X TWO AND A HALF STOREY SEMI DETACHED DWELLINGHOUSES AND 1NO. X TWO STOREY DETACHED DWELLINGHOUSE WITH ASSOCIATED CAR PARKING AND LANDSCAPING.**

221 Marsland Road Sale M33 3NR

**APPLICANT:** Mr Mark Massey

**AGENT:** Calderpeel Architects

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

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**SITE**

The application relates to a part brownfield, part backland greenfield site, the latter formerly being garden land. The site is situated on the southern side of Marsland Road, on the eastern corner with Brooklands Crescent. The site previously contained a large two storey detached dwelling, which was demolished over 6 years ago. The site is situated in a predominantly residential area and is close to the Brooklands Metrolink stop. Residential dwellings bound the site to the south and east.

**PROPOSAL**

The application proposes the erection of 2no. two and a half storey semi-detached dwellinghouses which would have a maximum height of 9.8m, a maximum depth of 11.3m and a measure 13.25m across the two properties. The properties would front Marsland Road and comprise of kitchen/dining room, w.c, hall and integral garage at ground floor level, a living room, two bedrooms and a bathroom at first floor level and two bedrooms, one with an en-suite, at second storey level within the roof. Windows are proposed to the front, side and rear elevations and garage doors are also proposed to the front elevation.

The application also proposes the erection of a part two, part one and half storey detached dwellinghouse, which would front Brooklands Crescent, which would have a maximum height of 8.05m, a maximum depth of 8m and measure 14.2m wide. The property would comprise of a kitchen/dining room, kitchen store, living room, hall and w.c at ground floor level and three bedrooms, a bathroom, store and landing at first floor level. Windows are proposed to the front, side and rear elevations. Car parking for this property would be situated to the northern side of the dwellinghouse.

**DEVELOPMENT PLAN****The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and

Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes

L2 – Meeting Housing Needs

L3 – Regeneration and Reducing Inequalities

L4 – Sustainable Transport and Accessibility

L7 – Design

L8 – Planning Obligations

## **PROPOSALS MAP NOTATION**

Unallocated

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

None

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

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

## **RELEVANT PLANNING HISTORY**

78241/FULL/2012 - Erection of four semi-detached two-and-a-half storey dwellinghouses with associated car parking and landscaping - Withdrawn.

H/70655 - Demolition of existing building and erection of a three storey building to form six self-contained flats and development ancillary thereto – Approved with conditions 12/01/2011.

H/60750 – Demolition of existing buildings and erection of a three storey block of 5 apartments: provision of 8 car parking spaces with access from Brooklands Crescent and widening of footway along part of Brooklands Crescent. (Revision to planning permission H/55994) – Approved with conditions 11/02/05.

H/55994 - Demolition of existing property and erection of three-storey building to form 5 apartments; car parking with access onto Brooklands Crescent and widening of footway along part of Brooklands Crescent – Approved with conditions 05//06/03.

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement, a Transport and Sustainability Statement and sun studies in support of the application. The information provided within these documents is referred to where relevant in the Observations section of the report.

### **CONSULTATIONS**

**LHA** – No objections, comments are discussed in detail in the Observations section below.

**Pollution & Licensing** – No objections, contaminated land condition is recommended.

**Drainage** – No objections.

**Greater Manchester Police Design for Security** – No objections, provided that a condition requiring the properties to be built to Secure by Design standards is included. Window standards and fencing heights are recommended.

**United Utilities** – No objections, recommend that a condition requiring a Sustainable Urban Drainage System is attached.

### **REPRESENTATIONS**

Prior to the submission of the final set of amended plans, 7 letters of objection from a resident of Brooklands Crescent and current and prospective neighbours on Marsland Crescent (the adjacent property No.291 Marsland Road was up for sale at the time of the submission of the application), which raised the following concerns: -

- Consider it an overdevelopment of the site.
- The site is not large enough to accommodate a house behind the main road frontage, every attempt to do this creates an unacceptable impact on the neighbouring properties.
- It is an unacceptable form of backland development of this green field, garden land which will have a detrimental effect on the character of the area and amenities of the neighbours. As such it will be contrary to both local and national policy.
- It seeks to introduce tandem development at odds with the established layout of the streets and roads here.
- The property to the rear will overlook their garden for most of its length.
- It will dominate the rear gardens of the neighbouring properties to at least No.213 Marsland Road.
- The sun path analysis shows the scheme will have a significant impact on the rear gardens, particularly in late afternoon and evening.
- The scale of the dwellings is disproportionate to neighbouring properties, standing noticeably greater in height than No.219.
- The design is not in keeping with the adjacent properties, increasing the sense of dominance of the proposed dwellings, belittling the architectural presence of dwellings such as No.219.

- The arrival of vehicles to the rear house will impact on the garden space of No.219 visually and audibly through noise pollution of cars arriving and leaving and visually through headlights of vehicles.
- The front elevation of the rear house is considerably under the regulated distance of 21.2m for the aspect-to-aspect relationships between dwellings.
- The detached property is too close to the road, all other properties in the area are more significantly set back from the road, particularly on Brooklands Crescent.
- Lack of spaciousness around the detached property which is not in keeping with Brooklands Crescent and the development will look cramped.
- The semi-detached properties will not have sufficient car parking and garden space, which is contrary to the Council's guidelines for new residential development.
- Not adequate room for cars to pull onto the drive or garage of the detached property. Cars would also be waiting on the road to open the garage door.
- The provision of 'extensive shrubbery' along the western boundary would make the pavement unusable and dangerous to pedestrians.

4 letters of support from 2 neighbouring properties on Marsland Road and Brooklands Crescent were also received prior to the submission of the amended plans, which state that the site is a waste ground that looks dirty, untidy and overgrown. In the past it has attracted graffiti and undesirable characters. Rats have also been seen. They do not mind being disturbed by building work. They also state that with less density it appears to overcome objections raised on the previous application.

Letter has also been received from a neighbouring resident of Marsland Road formally complaining about the condition of the application site.

Neighbouring residents have been re-consulted on the proposal following the submission of amended plans in May 2014. No comments have been received from neighbouring residents to date in regards to the amendments; any comments received following the publication of this report will be reported in the Additional Information Report.

## **OBSERVATIONS**

### **PRINCIPLE OF PROPOSAL**

1. The northern half of the application site, where the pair of semi-detached houses is proposed, was last occupied by a dwellinghouse and therefore the use of this part of the site for residential development has been established. The southern half of the site, where the detached property is proposed, was previously garden land. Annex 2: 'Glossary' of the National Planning Policy Framework explicitly excludes private residential gardens from being classed as 'previously developed land' and as such the southern half of application site falls to be classed as undeveloped, or 'greenfield' land and therefore needs to be assessed against the tests of Policy L1.7 of the Core Strategy.
2. Paragraph 51 of the NPPF also details how local planning authorities should approve planning applications that seek to bring vacant buildings back into active residential use if there is an identified need for additional housing in the area. The Office of National Statistics has recently released figures detailing the Housing Interim Projections for 2011 to 2021. The housing levels for Trafford are expected to increase to 103,000 households by 2021, which represents an increase of 9% since 2011. This will add pressure to an already fluctuated housing market.

3. Policy L1.7 of the Trafford Core Strategy indicates that 80% of new housing should be on brownfield land. The proposed detached dwelling would not contribute to this target, however it is recognised that it is only one unit, which is considered to fall on sustainable urban land. As such the proposal would not unduly affect this target for the siting of new housing. It is also noted that two of the three units proposed would be located on brownfield land. It is further considered that the development meets the third test set out in Policy L1.7 in that it contributes towards achieving Strategic Objective 1 (meeting housing needs) within the Core Strategy.
4. As the proposed development would contribute to the provision of new family housing within the Borough and is considered to comply with Policies L1 and L2 of the Trafford Core Strategy, it is thus considered that the proposal is acceptable in principle.

## RESIDENTIAL AMENITY

5. Residential dwellings bound the site to the east and the south. Residential properties are also situated close to the site on the western side of Brooklands Crescent due to the narrow width of the road.
6. The proposed semi-detached dwellinghouses fronting Marsland Road would not project beyond the front or rear elevations of the adjacent terraced property No.219. There are no principal windows situated on the side elevation of No.219 and no principal windows are proposed to the side elevations of the semi-detached properties. The windows proposed to the eastern side elevation facing No.219 would serve bathrooms. A condition is recommended requiring that these windows are obscure glazed to ensure that privacy is retained to the neighbouring properties.
7. The adjacent property No.219 benefits from a rear garden that is 20m in length. The rear elevation of the proposed detached dwelling would face onto the rear garden of No.219. A minimum distance of 5m would lie between the property and the common boundary with No.219. A distance of 11m would lie between the proposed detached property and the rear elevation of No.219. The first floor rear windows of the proposed dwelling would be obscure glazed and the window closest would also be fixed shut. A condition is recommended to ensure that these windows are retained in obscure glazing. The applicant has also submitted sun studies that demonstrate that the proposed development, whilst being close to the rear garden of No.219, would only result in very limited overshadowing of the property or garden of the neighbouring properties, at certain times of the year and day. This very limited level of overshadowing is not considered sufficient to warrant a refusal of planning permission.
8. A distance of 12.8m would lie between the proposed semi-detached properties and the neighbouring property No.223, which is situated on the western side of Brooklands Crescent. There are no principal windows on the side elevation of No.223 and the windows proposed to the western side elevation of the semi-detached properties are secondary bedroom and living room windows. A condition is recommended requiring that these windows are obscure glazed to ensure that privacy is retained to No.223. It is noted that the proposed dwellings would be

situated 0.6m further away from No.223 than the original property that lay on the site and the previously approved apartment scheme (ref: H/70655).

9. A distance of 17m would lie between the proposed two storey detached dwellinghouse and the northern side elevation of No.1 Brooklands Crescent, which is situated to the south of the site. As the rear elevation of No.1 lies directly on the rear boundary of the property, the main private garden area to the property is to the northern side, adjacent to the application site. No windows are proposed to the southern side elevation of the property, thus ensuring that a loss of privacy would not occur to the property or garden of No.1.
  
10. A minimum distance of 14m would lie between the proposed detached property and the front elevation of No.2a Brooklands Crescent. This distance would increase to 15m at the two storey part of the proposed dwelling. Three windows are proposed at first floor level on the front elevation of the property; two of these windows are secondary bedroom windows and are proposed to be obscure glazed thus ensuring that inter-looking does not occur to the first floor bedroom of No.2a. The third window would serve the landing and would be recessed, achieving a distance of 16.7m between the window and the front elevation of No.2a. It is also noted that a large dense hedge lies along the front boundary of No.2a which would partially screen many views of the proposed development from No.2a. The occupants of No.2a have also written in support of the proposed development.
  
11. Residential terraced properties fronting Heywood Road are situated south-east of the site. The rear elevation of No.10 Heywood Road partially faces the eastern boundary of the application site. A minimum distance of 11.2m would lie between the rear elevation of the proposed detached property and the two storey outrigger at No.10. The two storey outrigger comprises of a kitchen window at ground floor level and a bathroom window at first floor level. The outlook from the kitchen window is predominantly screened by a large brick wall situated on the south-eastern corner of the site and runs along the rear boundary of No.1 Brooklands Crescent. The parts of the proposed dwelling closest to No.10 would also have hipped roofs to reduce the massing of the property. A minimum distance of 15m would lie between the proposed property and the ground floor rear lounge window and first floor rear bedroom room window of No.10. There are no first floor windows proposed on the rear elevation of the property closest to No.10 and all windows that are proposed at first floor level on the rear elevation would be obscure glazed and either fixed shut or low level opening only (depending on the style of window).
  
12. It is therefore considered that the proposed development would not have an overbearing impact or result in a loss of light or privacy to the neighbouring residential properties.
  
13. A distance of 8.8m at single storey and 10.2m at first floor level would lie between the rear elevation of the proposed semi-detached properties and the common boundary with the proposed detached dwellinghouse. This distance would increase to 12m at single storey and 13.4m at first floor level to the side elevation of the detached property. The applicant has submitted cross sections of the dwellings which demonstrate that overlooking would not occur from the rear velux windows of the semi-detached properties to the detached dwellinghouse. The proposed four

bedroomed semi-detached properties would each have 72m<sup>2</sup> of private garden amenity space, additional to open front gardens. The proposed three bedroomed detached property would have 92m<sup>2</sup> of private garden amenity space. The separation distances between the properties and the amenity spaces provided are considered acceptable and largely in accordance with the Council's Planning Guidelines for New Residential Development. It is therefore considered that an acceptable level of amenity would be provided for future occupants of the proposed dwellinghouses.

14. Whilst the separation distance between the proposed dwellings and their relationship to neighbouring residential properties are considered acceptable, future extensions and alterations to the properties could lead to unacceptable relationships between the properties and neighbouring dwellings. A condition is therefore recommended removing permitted development rights for extensions, outbuildings and external alterations to the dwellinghouses.

## DESIGN AND VISUAL AMENITY

15. The proposed semi-detached properties fronting Marsland Road would be two and a half storeys in height, measuring 9.9m to the ridge and 6.2m to the eaves. Whilst the ridge line of these properties would be 1.2m higher than the adjacent Victorian terraced properties, this relationship is considered acceptable on this corner plot. It is also recognised that the dwellings would not have a greater height than the proposed apartment development previously approved on the site. The proposed houses would also have a lower ridge height than No.1 Brooklands Crescent situated to the rear of the site.
16. The proposed detached dwelling to the rear of the site would have a lower ridge height of 8.05m. This is partly to overcome potential undue impacts on the amenity of neighbouring properties and gardens, though it is also necessary to ensure that the property does not appear unduly prominent within the street scene as a distance of only 2m would lie between the dwelling and the footway.
17. The design of the proposed dwellinghouses is considered acceptable. Whilst it does not replicate the design of immediately neighbouring houses, it is recognised that there are a variety of styles of houses in the surrounding area. In particular, No.'s 223 Marsland Road and 2a Brooklands Crescent are unique modern architectural examples of their time. Brooklands Crescent also comprises of individually designed properties and a three storey apartment building.
18. It is noted that a distance of only 1m would lie between the proposed two storey detached dwellinghouse and the southern side boundary. However, a distance of 17m would lie between the proposed dwelling and the side elevation of No.1 Brooklands Crescent. A minimum distance of 12m would also lie between the proposed semi-detached properties and the proposed detached dwelling.
19. The proposed development would include the erection of a 1.1m high boundary wall, with 0.3m high railings above, to the north and western boundaries of the site. A 1.8m high wall is also proposed along the boundary between the rear garden of the

proposed western semi-detached property and Brooklands Crescent to ensure that privacy is provided to the rear garden of the property. Neighbouring properties No.'s 223 Marsland Road and 2a Brooklands Crescent also have boundary walls that are approximately 1.5m high along their boundaries with Brooklands Crescent. 1.8m high fencing is proposed between the dwellings. The applicant has submitted an indicative landscaping plan which shows the provision of planting to the front and rear of the properties, including the provision of trees.

20. It is therefore considered that the proposal would not result in a cramped form of development and would not adversely impact on the existing street scene or the character of the surrounding area. It is also recognised that the existing site has been vacant for over 6 years, is unsightly and is having an adverse impact on the existing street scene. As noted by some neighbouring residents, it is considered that the redevelopment of this part brownfield, part greenfield site would have a positive contribution to the street scene and character of the area.

#### HIGHWAY SAFETY AND PARKING PROVISION

21. To meet the Council's car parking standards, the provision of three car parking spaces are required for the four bedroom semi-detached properties and two car parking spaces are required for the three bedroom detached property. The proposals include the provision of two car parking spaces per dwelling. Whilst this is one less for each of the semi-detached properties, the car parking standards are maximums. It is considered that in this location, a short distance to Brooklands Metrolink station and close to bus routes, the car parking provision is considered acceptable and that it is unlikely to result in much on-street car parking. As one of the two spaces provided for each of the semi-detached properties is a garage parking space, a condition is recommended preventing the conversion of the garages into living accommodation.
22. The arrangement of the driveways and car parking spaces are also considered acceptable. Angled boundaries also allow for visibility and acceptable manoeuvring of vehicles to the detached property.
23. It is noted that the footpath running along the side of site on Brooklands Crescent is currently very narrow, predominantly due to overgrown shrubbery from the application site. The proposal would create a pedestrian footway that is 1.2m wide. A low level wall would run along the boundary of the site, which would prevent shrubbery from overhanging the footway again in the future, whilst also defining the curtilages of the proposed dwellinghouses.
24. It is therefore considered that the proposed development is acceptable on highway and pedestrian safety grounds.

#### CRIME PREVENTION

25. Comments from the Greater Manchester Police Design for Security Team are noted, however it is not considered reasonable for the proposed development to comply fully with Secure by Design as this may require a re-design of the scheme. A



condition is however recommended requiring the submission of a Crime Prevention Plan.

## DEVELOPER CONTRIBUTIONS

26. The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	N/A	N/A	N/A
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£465.00	N/A	£465.00
Public transport schemes (including bus, tram and rail, schemes)	£921.00	N/A	£921.00
Specific Green Infrastructure (including tree planting)	£2,790.00	N/A	£2,790.00
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£7,818.54	N/A	£7,818.54
Education facilities.	£23,043.16	N/A	£23,043.16
<b>Total contribution required.</b>			<b>£35,037.70</b>

27. The contribution for Specific Green Infrastructure is based upon the requirement to provide 9 trees within the site. The applicant has submitted an indicative landscaping plan which shows that these trees can be provided within the site.

28. The applicant has submitted a viability appraisal setting out the costs associated with the proposed development, which concludes that the above financial contributions would make the development unviable. After due consideration, the viability appraisal has been considered acceptable by the Council's surveyors. It is however recommended that an overage clause be attached to any approval which allows the issue of viability to be revisited upon completion of the proposed development, and

for contributions to be secured if it is found to perform better than the developer initially anticipated.

## CONCLUSION

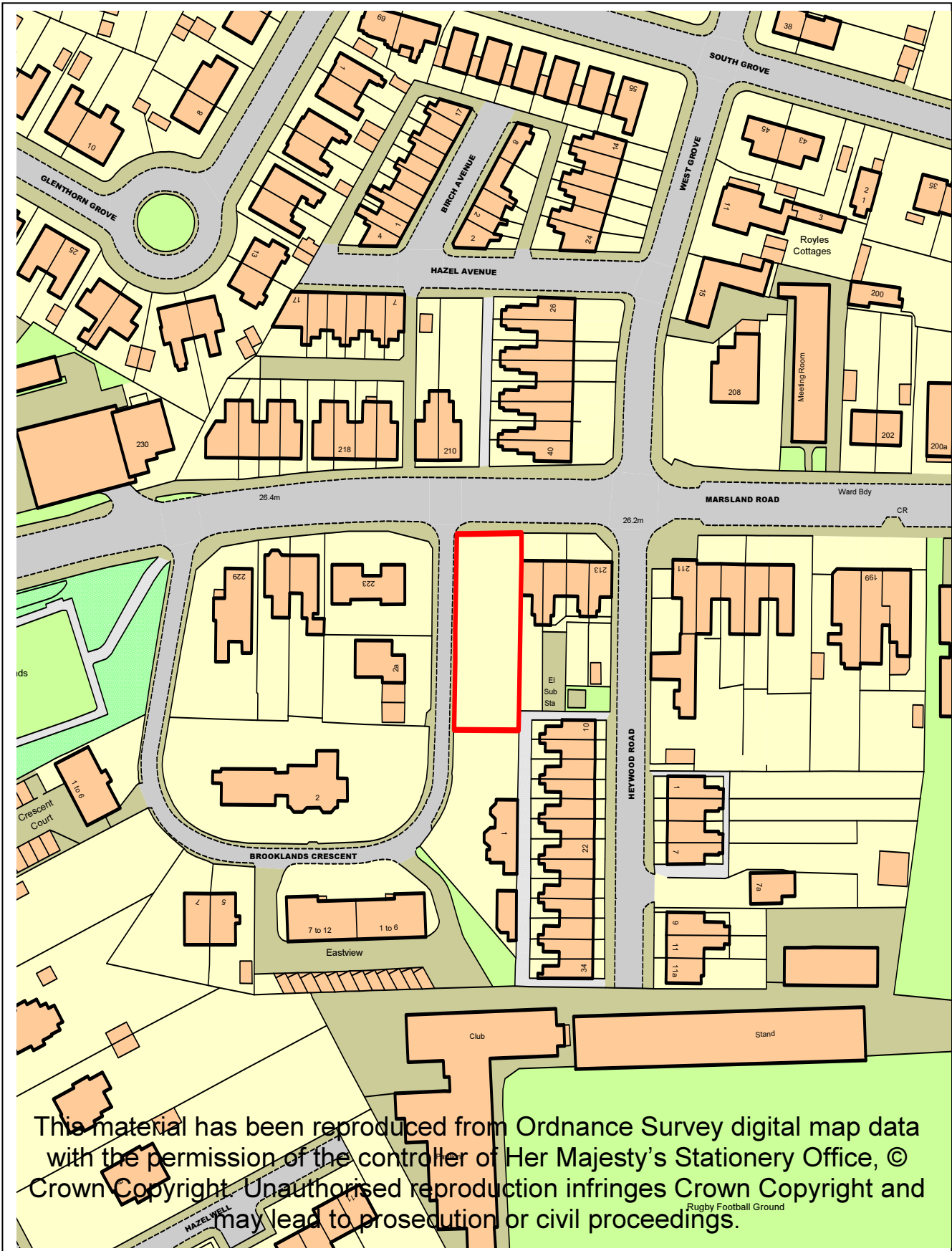
29. The erection of 2no. two and a half storey semi-detached dwellinghouses and 1no. two storey detached dwellinghouse with associated car parking and landscaping is considered acceptable in this location and to not unduly impact on residential amenity and highway safety. The redevelopment of this run-down part brownfield, part greenfield site is considered to have a positive impact on the existing street scene and the character of the surrounding area. The proposal would create a sustainable form of development that would deliver the three main roles, economic, social and environmental, as outlined in the NPPF. The proposal is therefore considered to comply with all relevant Policies in the Core Strategy and related Supplementary Planning Guidance. The application is therefore recommended for approval subject to the necessary S106 agreement.

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

- (A) That the application will propose a satisfactory development for the site upon completion of a legal agreement which would require a nil contribution but subject to an overage clause to ensure that a contribution up to the value of £35,037.70 could be secured should the developer's assumption about the viability of the development prove to be incorrect upon the development's completion.
- (B) In the circumstances where the S106 Agreement has not been completed prior to the 7<sup>th</sup> July, the final determination of the application shall be delegated to the Head of Planning Services;
- (C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
1. Standard Time
  2. List of approved plans including amended plans
  3. Materials
  4. Landscaping
  5. All areas for the manoeuvring and parking of vehicles shall be made available for such and retained at all times.
  6. Removal of permitted development rights for extensions, outbuildings, insertion of new openings, means of enclosure.
  7. Garages to be made available for the parking of motor vehicles at all times
  8. Contaminated Land
  9. Obscure glazing and restriction of openings to the side elevations of semi-detached houses; first floor front, side and rear elevations of detached house.
  10. Sustainable Urban Drainage
  11. Submission of a Crime Impact Statement

VW

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**LOCATION PLAN FOR APPLICATION No: - 80126/FULL/2013**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**CONSERVATION AREA CONSENT FOR DEMOLITION OF EXISTING DWELLING HOUSE AND DETACHED GARAGE.**

Windswood, 4 Park Road, Bowdon, WA14 3JF

**APPLICANT:** Mr John Finlan

**AGENT:** Calderpeel Architects

**RECOMMENDATION: GRANT**

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**SITE**

The application site is located on the north side of Park Road, Bowdon and is currently occupied by a large two storey dwellinghouse with detached double garage. The dwellinghouse and garage are on an elevated level with a significant drop in levels down to Park Road. To the rear of the dwelling is a small raised garden and a larger area of garden to the front. Site boundaries to the rear and side boundaries of the site include a number of mature trees and established hedgerows.

To the west side of the site is a substantial four storey detached apartment block (Cornhill) positioned close to the application site boundary. To the rear, north side of the site are residential properties onto Green Walk. To the east side of the site is a private access road leading to a number of detached dwellings. The application site has a vehicular access onto Park Road with a driveway leading to an area of parking to the front of the dwelling. The application site is located within the Devisdale Conservation Area.

**PROPOSAL**

This application seeks Conservation Area Consent for the demolition of the existing dwellinghouse and detached garage.

**DEVELOPMENT PLAN****The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

R1 – Historic Environment

## **PROPOSALS MAP NOTATION**

Devisdale Conservation Area

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

ENV21 – Conservation areas

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

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

## **RELEVANT PLANNING HISTORY**

80962/FULL/2013 - Erection of detached building to form 6 no. apartments with living accommodation over four floors and car parking within basement, following demolition of existing detached dwelling house and garage. Erection of new vehicular gates and gate piers with landscaping throughout. – Application recommended for approval and appears elsewhere on this agenda

77527/FULL/2011 - Erection of detached building to form 8 no. apartments with living accommodation over five floors and car parking within basement, following demolition of existing detached dwellinghouse and garage outbuilding. Landscaping throughout. – Appeal against non-determination, dismissed 09/08/2012

77526/CAC/2011 – Conservation Area Consent for demolition of existing dwellinghouse and detached garage – Appeal against non-determination, dismissed 09/08/2012

74517/FULL/2009 - Erection of three & four storey building to provide 7 apartments with basement and surface car parking and associated groundwork's following demolition of existing buildings. Alterations to existing access onto Park Road. – Refused 19/04/10 - The application was subsequently dismissed at appeal on the 13/12/10.

H/67482 - Erection of two- and three-storey building to form 5 apartments with basement and surface car parking and associated groundwork's following demolition of existing buildings. Alterations to existing access onto Park Road – Approved 30/07/2009.

H/CC/67479 – Conservation area consent for demolition of existing detached house and garage. Approved on 19 February 2009.

H/CC/48555 – Conservation area consent for demolition of existing garage. Approved on 10 February 2000.

## **APPLICANT'S SUBMISSION**

In support of the application the applicant has submitted the following information:-

- Tree Survey
- Bat Survey
- Design & Access Statement
- Heritage Statement

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Neighbours – Eight letters of objection received, points raised as follows:-

- House of genuine character (Vernacular part of a bygone age)
- New apartment block will be too high
- Will result in congestion into Bowdon
- More apartment blocks
- Will impact adversely on the character and the appearance of the area
- Proposed new building will impact on residential amenity and will also impact on Highway and pedestrian safety.
- Concern over the amount of demolition traffic that will be required (school children cross this road nearby bus stop)
- House in good condition and in keeping with its surroundings

## **OBSERVATIONS**

### CONSERVATION AREA (HERITAGE ASSET)

1. The existing dwelling and garage on site are not considered to have such architectural or historic significance that would prevent the demolition of the buildings.
2. Whilst the existing house and garage do not make a positive contribution to the character and appearance of the Devisdale conservation area, it is important that a suitable replacement development would be erected on site to ensure that an unsightly gap is not left. A planning application for the redevelopment of the site which involves the erection of a detached building to house six apartments appears elsewhere on this agenda (ref:80962/FULL/2013) which is recommended for approval.

### TREES & LANDSCAPING

3. The submitted tree survey indicates approximately six trees to be removed and replaced, due to poor condition and proximity to the proposed development. It is

considered that an appropriate tree protection condition is required to ensure the well-being of those trees to be retained.

## BATS

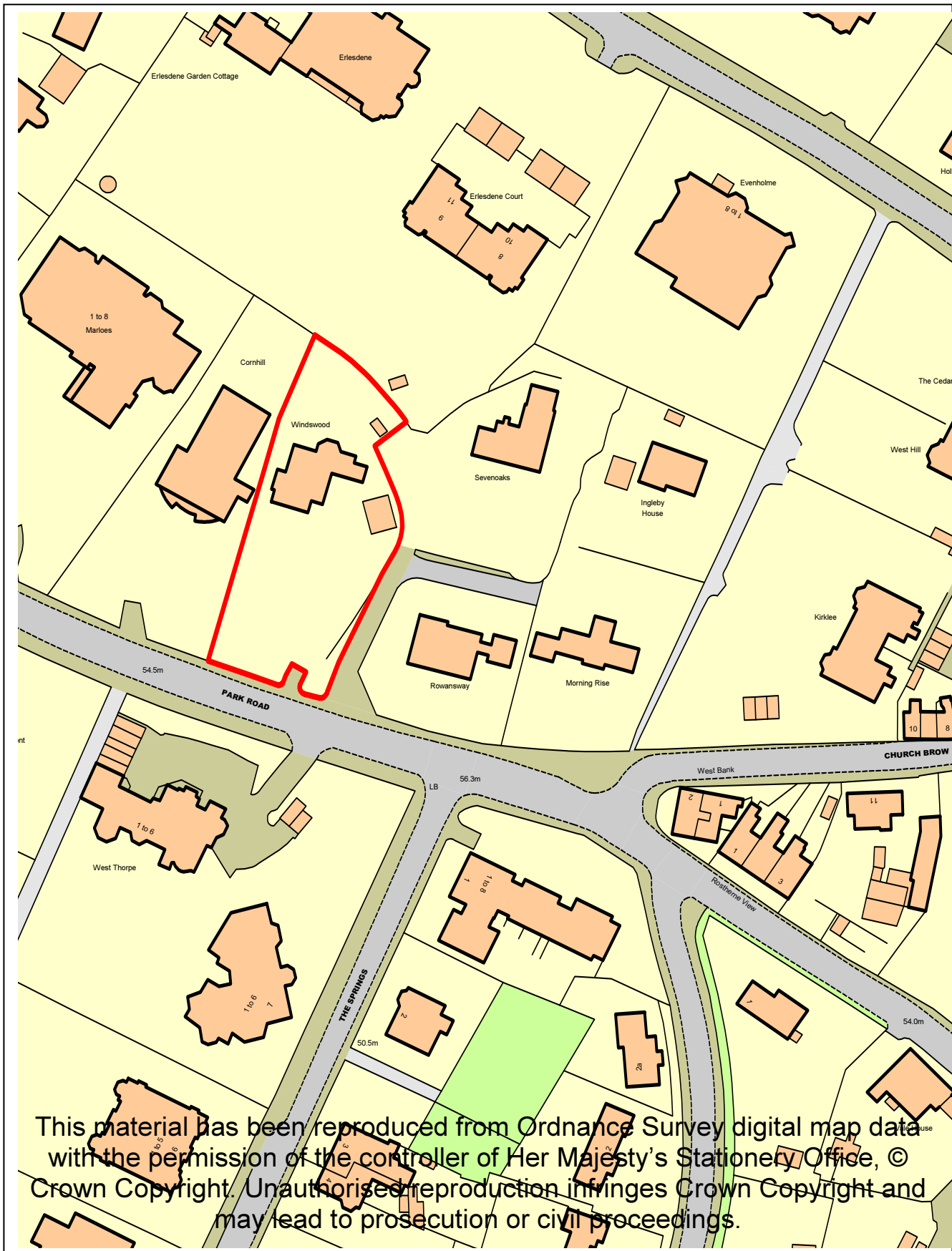
4. No evidence of bats uncovered either within the main house or garage. The survey was undertaken in December 2012 and it is caveated that the survey is generally valid for 12mths. It is therefore recommended that an updated survey is undertaken prior to any demolition works taking place and details to be submitted to the LPA for approval.

### **RECOMMENDATION: GRANT subject to the following conditions:-**

1. Standard Conservation area Consent
2. No demolition until scheme for redevelopment of the site has been approved
3. Tree Protection
4. Details of Updated bat survey to be submitted

CM

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**LOCATION PLAN FOR APPLICATION No: - 80912/CAC/2013**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**ERECTION OF DETACHED BUILDING TO FORM 6 NO. APARTMENTS WITH LIVING ACCOMMODATION OVER FOUR FLOORS AND CAR PARKING WITHIN BASEMENT, FOLLOWING DEMOLITION OF EXISTING DETACHED DWELLING HOUSE AND GARAGE. ERECTION OF NEW VEHICULAR GATES AND GATE PIERS WITH LANDSCAPING THROUGHOUT.**

Windswood, Park Road, Bowdon, WA14 3JF

**APPLICANT:** Mr John Finlan

**AGENT:** Calderpeel Architects

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

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### **SITE**

The application site is located on the north side of Park Road, Bowdon and is currently occupied by a large two storey dwellinghouse with detached double garage. The dwellinghouse and garage are on an elevated level with a significant drop in levels down to Park Road. To the rear of the dwelling is a small raised garden and a larger area of garden to the front. Site boundaries to the rear and side boundaries of the site include a number of mature trees and established hedgerows.

To the west side of the site is a substantial four storey detached apartment block (Cornhill) positioned close to the application site boundary. To the rear, north side of the site are residential properties onto Green Walk. To the east side of the site is a private access road leading to a number of detached dwellings. The application site has a vehicular access onto Park Road with a driveway leading to an area of parking to the front of the dwelling. The application site is located within the Devisdale Conservation Area.

### **PROPOSAL**

This application seeks the erection of a detached building to form 6no apartments with living accommodation over four floors and designated car-parking within a basement area following the demolition of the existing house and garage (which is dealt with elsewhere on this agenda under application 80912/CAC/2013).

This proposed scheme has been influenced by the findings of the Planning Inspectorate with regards the dismissal of an appeal against non-determination (application reference 77527/FULL/2011 which proposed the following, *erection of detached building to form 8 no. apartments with living accommodation over five floors and car parking within basement, following demolition of existing detached dwellinghouse and garage outbuilding. Landscaping throughout* (Appeal dismissed 09/08/2012). The Council recommended refusal on that previous application, for the following three reasons:-

- i) *The proposed development would constitute overdevelopment of the site and harm the spacious character of the area by reason of its scale, massing, siting, design and proximity to the site boundaries. As such the proposal would fail to preserve or enhance the character and appearance of The Devisdale and Bowdon Conservation Areas and is contrary to Policies L7 and R1 of the Trafford*

*Core Strategy, ENV21 of the Revised Trafford Unitary Development Plan, the Council's approved Planning Guidelines for The Devisdale and Bowdon Conservation Areas and New Residential Development and national guidance as set out in Planning Policy Statement 5 (PPS5): Planning for the Historic Environment.*

- ii) The proposed development by reason of its position, scale, height and massing in close proximity to the common boundaries with adjacent residential dwellings ,would give rise to visual intrusion, an unduly overbearing effect and actual and perceived overlooking and loss of privacy to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to Proposal L7 of the Trafford Core Strategy and the Council's approved Planning Guidelines: New Residential Guidelines*
  
- iii) The applicant has failed to demonstrate that the proposed development will not result in harm to the public sewer and sewer capacity in the area and has also failed to demonstrate that the proposal meets the requirements of L5 in reducing surface water runoff from the development. As such the Proposal is contrary to Proposal L5 of the Trafford Core Strategy.*

The Planning Inspectorate upheld the Council's reasons for refusal, a summary of the Inspectors findings is as follows:-

*Character and Appearance – ‘it would appear as an overly large and dominant building in the streetscene, particularly since it would be elevated above Park Rd...., overall the proposal would have a significant harmful effect on the character and appearance of The Devisdale Conservation Area’.*

*Living Conditions – ‘The side elevation of the proposed building, facing Sevenoaks and Rowansway would be extremely tall as it would contain 3 storeys (above the ground) as well as accommodation in the pitched roofs...consequently when viewed from these dwellings and their gardens it would appear overly large and dominant.....the building would contain numerous terraces significant harmful levels of overlooking of Rowansway would occur from those at the front. Of particular concern are the first and second floor terraces which would wrap around the front and side of the building....given the distance between the proposed building, its rear boundary and the residential accommodation beyond I am not convinced that living conditions for residents there would be unduly harmed...also given the lack of habitable room windows in the side of Cornhill, the proposal would not harm living conditions for residents of those apartments.’*

*Drainage – ‘Policy L5 seeks to ensure, among other things, that developers improve water efficiency and reduce surface water run-off through the use of appropriate measures such as rain water harvesting, water recycling and other suitable sustainable drainage systems, while no details have been supplied to show how the scheme would comply with this policy it could be dealt with by a Grampian style planning condition.’*

## **DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan** (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
 L2 – Meeting Housing Needs  
 L4 – Sustainable Transport and Accessibility  
 L5 – Climate Change  
 L7 – Design  
 L8 – Planning Obligations  
 R1 – Historic Environment  
 R5 – Open Space, Sport and Recreation

## **PROPOSALS MAP NOTATION**

Devisdale Conservation Area

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

ENV21 – Conservation Areas  
 H4 – Release of Other Land for Development

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

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

## **RELEVANT PLANNING HISTORY**

80912/CAC/2013 – Conservation Area Consent for Demolition of existing house and detached garage- Application recommended for approval and appears elsewhere on this committee agenda.

77527/FULL/2011 - Erection of detached building to form 8 no. apartments with living accommodation over five floors and car parking within basement, following demolition of

existing detached dwellinghouse and garage outbuilding. Landscaping throughout. – Appeal against non-determination, dismissed 09/08/2012

77526/CAC/2011 – Conservation Area Consent for demolition of existing dwellinghouse and detached garage – Appeal against non-determination, dismissed 09/08/2012

74517/FULL/2009 - Erection of three & four storey building to provide 7 apartments with basement and surface car parking and associated groundwork's following demolition of existing buildings. Alterations to existing access onto Park Road. – Refused 19/04/10 - The application was subsequently dismissed at appeal on the 13/12/10

H/67482 - Erection of two- and three-storey building to form 5 apartments with basement and surface car parking and associated groundwork's following demolition of existing buildings. Alterations to existing access onto Park Road – Approved 30/07/2009

H/CC/67479 - Conservation Area Consent application for demolition of existing detached house and garage – Approved 19/02/2009

H/48554 - Erection of single and two storey extensions to form additional living accommodation following demolition of existing garage. Erection of detached double garage – Approved 17/01/2000

H/CC/48555 - Conservation Area Consent for demolition of existing garage – Approved 10/02/2000

### **APPLICANT'S SUBMISSION**

In support of the application the applicant has submitted the following information:-

- Tree Survey
- Bat Survey
- Design & Access Statement
- Heritage Statement

### **CONSULTATIONS**

**LHA** – No objections raised.

**United Utilities** – No objection to the proposal, provided that the following conditions are met:-

- A public sewer crosses the site we will not permit building over it. We will require an access strip width of 6m, 3m either side of the centre line of the sewer. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
- Site must be drained on a separate system, only foul drainage connected into the foul sewer – surface water should discharge to the nearby surface water sewer.
- No surface water from this development is discharged either directly or indirectly to the combined sewer network.

## **REPRESENTATIONS**

Neighbours – 13 Letters of objection have been received (two from the same address) regarding the proposal, points raised as follows:-

- Will result in loss of trees
- Will increase potential accidents on Park Road; access located to traffic island and bus stops used by school children; restricted visibility at the bend on Park Road.
- Will result in increase in dust during construction works
- The proposal will block out light to neighbouring sites
- This is a development purely for commercial profit
- Out of character with the area.
- Bringing building line forward is unacceptable.
- Driveway too narrow to accommodate refuse lorries; pavement may become blocked to pedestrians if wheelie bins left there

Bowdon Conservation Group objects to the proposal, raising the following issues:-

- Proposal is contrary to guidance within the NPPF and Council's Core Strategy with regards impacting adversely on the Heritage Asset (Conservation Area) and building on greenfield sites.
- Will impact on adjacent residents
- Will result in an increase in traffic and impact on highway safety
- Applicant has failed to engage with local residents or the Bowdon Conservation Group which is encouraged within the Council's statement of community involvement.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The proposal is for development on previously developed land within the urban area and in a sustainable location, and having regard to Policies L1 and L2 of the Trafford Core Strategy and advice within the NPPF. The site has been subject of a previous approval for redevelopment for the erection of a detached building to comprise five apartments (Ref: H/67482, Approved 2009). The Council has no land use policy objection to the proposed development.

### DESIGN, SCALE & LAYOUT AND IMPACT ON DEVISDALE CONSERVATION AREA

2. In considering this current proposal it is important to assess this scheme against existing situation on the site but also having regard to the approved scheme (H/67482) and the recently refused scheme (77527/FULL/2011) whilst also considering the comments from the Planning Inspector.
3. The current proposal will measure approximately 11.8m at the highest point from ground level to ridge height, have a width of approximately 20m at the widest point and is approximately 26.2m in length. The refused scheme measured approximately 14.9 at the highest point from ground level to ridge height, had a width of approximately 20m and measured approximately 27.3m in length. The approved scheme measured approximately 10.6m in height at the highest point

from ground level to ridge height, measured approximately 21.6m in width and approximately 26m in length.

4. The new building will retain a distance of between 4m-5m to the western boundary with Cornhill which was similar to the previous refused scheme and also the approved scheme as was the distance retained to the eastern boundary with which varies between 5m-10m given the irregular boundary (a section of the building at a pinch point to the north-west boundary will retain approximately 2m).
5. The new building will retain a distance of 31m from the front boundary with Park Road; the previous refused scheme retained a distance of 29m, the approved scheme retained a distance of between 30m-32m. One fundamental change to this current scheme compared to the previous refusal, is the removal of the basement garage entrance from the front (south) elevation and the large expanse of external parking and manoeuvring space which extended down to within a few metres of the boundary with Park Road. The omission of the vehicular entrance to the basement from this front elevation will also remove the need for substantial excavation works to the front of the site to permit the access. The new access to the basement garage will be on the east side elevation. It is considered that these amendments represent a considerable improvement over the previous schemes.
6. The building retains a distance of approximately 13.5m – 20m to the rear boundary with Erlesdene Court, this is a similar distance to the previous refused and marginally closer than the approved scheme.
7. In order to address the Planning Inspectors fundamental concerns over the refused scheme in particular to its scale and massing which the Inspectors said would result in an overly large and dominant building; the applicant has removed an entire floor of accommodation, reducing the scheme down from 8 to 6 apartments. This amendment has significantly altered the scheme and with the varying ridge lines, the scale, bulk and massing of the building has reduced. A useful comparison is the adjacent building Cornhills which is a large flat roof contemporary apartment block. The previous refused scheme was of a similar height to that building, but the new proposal has now been significantly reduced in height and is considered to be a far more appropriate scale for the site and the conservation area than the adjacent building at Cornhills.
8. The design of the proposed scheme follows a similar design to the refused scheme. The approach adopts steep pitch gables, extended elements of glazing and proposes use of a variety of materials such as brick, stone, aluminium, and timber. The design of the building is considered a positive approach that adopts elements of the historic character of the area (Victorian Villas). Whilst the approved scheme was obviously considered to be acceptable, it had a style influenced more by Cornhills; the reduced massing and the architectural style of the development now proposed are considered to be more appropriate to the conservation area.
9. The fundamental reason for refusal on the previous scheme related to the unacceptable height and associated scale and massing which was considered to have an adverse impact on the character and appearance of the Devisdale Conservation Area, a designated heritage asset. A key element of this character is the impression of spaciousness, the previous scheme was considered to impact adversely on the spaciousness of the site and its immediate context, this was exacerbated by the extensive excavation works to provide basement access to the

front of the building and formation of a new car-park to the front of the site extending down to the Park Road boundary.

10. The amendments to the scheme are considered to be a positive development that will result in a building that will add to the character of the Conservation Area. This is very much applicable to the high quality design of this building which is considered in keeping with the character of the area acknowledging the historic context within which it is located.

## RESIDENTIAL AMENITY

11. With regard to the Planning Inspectorates consideration of the previous refused scheme (Ref: 77527/FULL/2011) it was concluded that, that particular proposal would have an adverse impact on the amenity of the occupants of Rowansway and Sevenoaks to the east side of the site by reason of the proposed buildings scale, height and massing. In addition it was found that the wrap around balconies at upper levels would result in unacceptable levels of overlooking.
12. With regards the scale, height and massing concerns previously raised on the refused application, the applicant has now reduced the building by an entire floor which has resulted in a significant change to the buildings overall scale bulk and massing. The building will retain a distance of 24m to Sevenoaks (building to building) and approximately 23m to Rowansway (building to building). The new building proposed is not immediately adjacent to either Sevenoaks or Rowansway which are located to the north-east and south-west respectively (the new building positioned centrally between both). The private access road to these dwellings (and which also serves Ingleby House and Morning Rise) is located adjacent to the shared boundary with the application site.
13. The previous size of the building which was refused was considered to be accentuated by its amount of brickwork, lack of windows, elevated position and proximity to the boundary. The removal of an entire level of accommodation has reduced the building to a height (approximately 11.8m) which is not an uncommon height for large period or modern properties in the general area. A similar level of fenestration has been retained on the eastern elevation of the new building, as to add further windows is considered to give a perceived perception of being overlooked. The distance to boundary and elevated position are considered acceptable given the overall reduction in the building size and which it should be noted has varying eaves and ridge heights which also contributes to reducing the building's scale and massing.
14. With regards overlooking from the wrap around balconies on the refused scheme, these have now been omitted. The applicant has now provided enclosed balconies at first floor level. At second floor the balconies are shown with glass balustrades on the side. These would not be acceptable; however, an appropriate screen on the flanks of the second floor balconies can be delivered by way of an appropriate condition. All the balconies proposed face either southwards or northwards i.e. to the front and rear; there are no balconies on the side elevations.
15. All of the main habitable rooms are laid out so that bedrooms and livingroom/kitchen areas face south and north i.e. front and rear. At first floor level on both side elevations are two en-suite windows which can be obscured glazed by an appropriate condition. To the rear of the site are two large detached buildings which contain apartments. The new proposed building retains a distance of

between 13.5m -20m to the rear northern boundary, these distances comply with Council guidance on privacy distances (13.5m minimum distance to boundary from any sole window of main habitable room accommodation above first floor) the building to the rear is positioned approximately 30m from the boundary which comprises a dense band of tree screening. It should be noted that that the Planning Inspector when considering the larger scheme which was subsequently refused stated *'given the distance between the proposed building, its rear boundary and the residential accommodation beyond I am not convinced that living conditions for residents there would be unduly harmed. Also, given the lack of habitable room windows in the side of Cornhill, the proposal would not harm living conditions for residents of those apartments'*.

## DRAINAGE

16. One of the Councils three reasons for refusal on the previous scheme related to the location of the building close to a main sewer which extends part way across the site and which United Utilities objected to. In addition, the applicant did not provide sufficient details to demonstrate that the proposal would not result in harm to sewer capacity in the area and had also failed to demonstrate that the proposal would contribute towards reducing surface water runoff from the development.
17. The applicant has submitted an indicative layout which demonstrates that a 6m easement strip can be achieved along the extent of the sewer strip which United Utilities have indicated would be acceptable subject to details being submitted through an appropriate condition.
18. With regards reducing surface water runoff from the development, the Planning Inspector stated that such measures could be dealt with by an appropriate condition requesting details to be submitted.

## HIGHWAYS AND ACCESS

19. The proposed scheme will involve utilising the existing vehicular access from Park Road and using the existing side driveway which will be extended to along the eastern boundary with a small three car parking area located off the driveway to facilitate visitor parking. The driveway will be extended to its widest point of 5.1m to accommodate two cars (currently 4m wide). The basement area will accommodate 12 car-parking spaces and six cycle spaces. The Council car-parking standards require two spaces per dwelling; the scheme is providing 15 in total. As such it is considered that the scheme is acceptable on highways, access and parking grounds.

## FRONT BOUNDARY TREATMENT

20. New vehicular gates and gate piers are proposed; the gate piers would be approximately 1.7m in height constructed from natural stone with a close board solid timber gate approximately 1.6m in height. The design and size of the gates and piers are considered acceptable and an appropriate condition is recommended to ensure the precise position of the gates along the driveway is acceptable.



## TREES & LANDSCAPING

21. The submitted tree survey indicates approximately six trees to be removed and replaced, due to their poor condition and proximity to the proposed development. Subject to appropriate tree protection condition and a landscaping plan to ensure appropriate replacement planting is undertaken it is considered that the proposal is acceptable in terms of trees and landscaping.

## BATS

22. The submitted survey confirms no evidence of bats being uncovered either within the main house or garage. The survey was undertaken in December 2012 and it is caveated that the survey is generally valid for 12 months. A condition is therefore recommended that an updated survey is undertaken prior to any demolition works taking place.

## DEVELOPER CONTRIBUTIONS

23. The development proposal is subject to Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations, which are detailed in the table below.
24. The applicant submitted a viability appraisal in order to forego the affordable housing contribution (this scheme required the provision of 2x affordable units); this was rejected by the Council. The Council's preference is for these units to be made available within the development. However, in this case it has been acknowledged that as this development was at the upper end of the residential market, delivering high quality apartments, a registered provider would have difficulty in delivering affordable units in this development.
25. The Council have undertaken consultation with a registered provider to establish an off-site commuted sum in lieu of delivery on site. The affordable housing requirement is two units which have been determined to be two bedroom units - one to be Shared Ownership and one to be Affordable Rented. The open market value is set at £200,000.00 per unit based upon comparable unit information provided by the registered provider. The discounts on open market value required by a registered provider to make the units financially viable are a 25% discount on the Shared Ownership unit and 35% discount on the Affordable Rented unit. The total commuted sum required for these two off-site units would be £120,000.00.

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	£120,000.00	n/a	£120,000.00
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£318.00	£155.00	£163.00

Public transport schemes (including bus, tram and rail, schemes)	£1,206.00	£384.00	£822.00
Specific Green Infrastructure (including tree planting)	£1,860.00	£930.00	£930.00
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£15,026.15	£2,968.13	£12,058.02
Education facilities.	£34,319.60	£11,350.57	£22,969.03
<b>Total contribution required.</b>			<b>£156,942.05</b>

## CONCLUSION

26. The proposed scheme is now considered to be acceptable in terms of residential amenity and also overcoming previous concerns regarding its impact on the character of the Conservation Area. In addition the issue relating to building over a sewer is now considered to have been resolved.

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

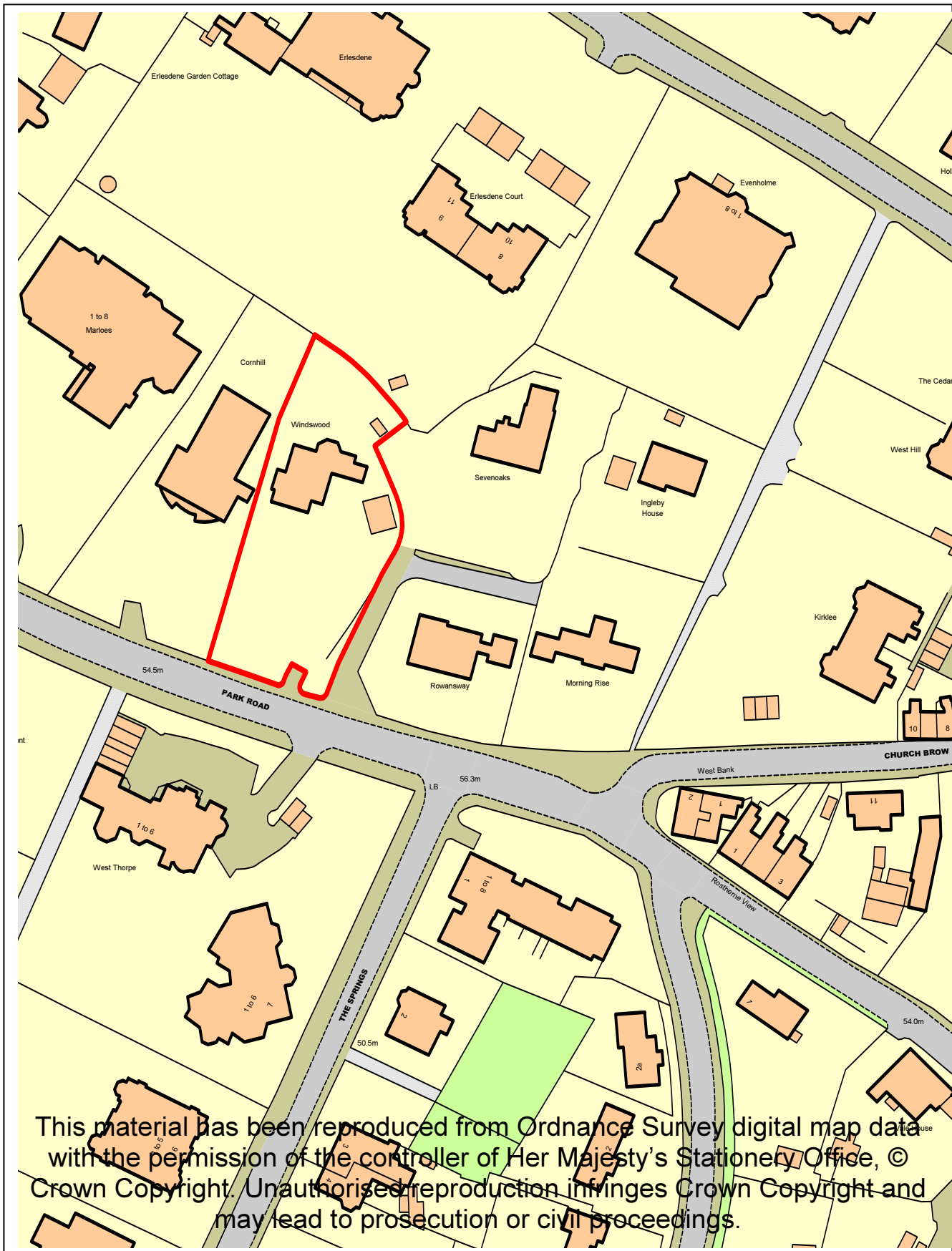
- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £156,942.05 split between: £120,000.00 towards Affordable Housing; £163.00 towards Highway and Active Travel infrastructure; £822.00 towards Public Transport Schemes; £930.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); £12,058.02 towards Spatial Green Infrastructure, Sports and Recreation; and £22,969.03 towards Education Facilities; and
- (B) In the circumstances where the Legal Agreement has not been completed by the 7 July 2014, the final determination of the application shall be delegated to the Head of Planning Services; and
- (C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard
2. Approved Plans
3. Submission of materials
4. Tree Protection
5. Landscaping
6. Obscured Glazing
7. Submission of Gate details including (plan view)
8. Details of access strip to sewer
9. Drainage

## 10. Updated Bat survey

CM

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**LOCATION PLAN FOR APPLICATION No: - 80962/FULL/2013**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**ERECTION OF A TWO STOREY CHILDREN'S DAY NURSERY (USE CLASS D1), CAR PARK WITH ACCESS FROM VIADUCT ROAD AND ASSOCIATED DEVELOPMENT INCLUDING DEMOLITION OF SECTION OF FORMER RAILWAY VIADUCT FRONTING VIADUCT ROAD AND REDUCTION IN GARDENS OF 6 AND 8 BEACONSFIELD ROAD TO FORM ADDITIONAL PARKING.**

Land at Manchester Road, adjacent to Beaconsfield Road and Viaduct Road, Broadheath.

**APPLICANT:** Selbourne Group Limited

**AGENT:** Nathaniel Lichfield & Partners

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

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**This application has been called in by Cllr Wilkinson for the reasons set out in the Representations section in the report below.**

### **SITE**

The application site is a 0.2ha site fronting Manchester Road. It lies to the north and south of Beaconsfield Road and extends to Viaduct Road and includes part of the back gardens of 6 and 8 Beaconsfield Road and demolition of two of the arches of the former viaduct. The part of the site to the north of Beaconsfield Road is currently laid out and used for car parking with landscaping and the area to the south is grassed and landscaped. The site is bounded to the north by No. 186 Manchester Road occupied by The Co-operative Funeral Care with residential properties beyond, to the east by residential properties fronting Churchill Road and Beaconsfield Road and the remainder of the railway viaduct, to the south by Viaduct Road with the Bridgewater Retail Park beyond and to the west by Manchester Road and Altrincham Retail Park.

### **PROPOSAL**

The proposal is to erect a part single part two storey day care nursery on the land to the north of Beaconsfield Road with parking to the south. The nursery will cater for 160 children. The hours of opening have not been indicated and it is hoped to include this information in an Additional Information Report. Two arches of the former railway viaduct fronting Viaduct Road will be demolished and the rear gardens of 6 and 8 Beaconsfield Road reduced in depth by 11m to between 5 and 7m to provide additional parking. 17 car parking spaces and 5 motor cycle spaces will be provided in the main car park with a further 6 car parking spaces provided in place of the demolished section of viaduct. Both car parks are accessed from Viaduct Road. Cycle parking will be provided in the southern section of the site along the boundary with 2 Beaconsfield Road and bike racks for staff are proposed on the wall of No. 1 Beaconsfield Road.

The nursery will front Manchester Road and Beaconsfield Road with the north, east and west frontages primarily of brick with large panels of glazing. The south western corner and southern elevation of the nursery will be completely glazed. The nursery will occupy most of the northern portion of the site with some outdoor garden areas. It will be accessed from Beaconsfield Road via two pedestrian access points. The first access point is to the main entrance of the nursery and the second links to a passageway which will be used for

servicing. It is proposed that there will be a first floor play deck at the northern end of the building and gardens for babies and “woddlers” between the building and Manchester Road, with associated fencing and a garden for toddlers at the rear between the building and the rear gardens of 1-7 (odds) Churchill Road.

A number of amendments have been made to the proposal. These include the relocation of external plant originally proposed at first floor level at the rear of the building to an internal location on the first floor, the enclosing of an area to the rear of the play deck, removal of an area of glazing at the rear of the building, additional landscaping on the corner of Viaduct Road and railings and hedging along the front of the site.

The applicant has also submitted plans showing works proposed to no. 1 Beaconsfield Road which is outside the site boundary but in the ownership of the applicants. The applicants have indicated these have been submitted in order to reduce the impact of the proposed development on that property. These include erecting a single storey rear extension and removing an existing store to allow the re-orientation of the external door serving the kitchen.

It is intended that the nursery will be operated by Kids Allowed a local, independent family owned childcare company operating in the North West. They have indicated that the nursery on Manchester Road will be the sixth nursery in the Kids Allowed Portfolio.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford’s Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

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

## **PROPOSALS MAP NOTATION**

Trunk and Primary Road Network  
Improvements to the trunk and primary route network  
Quality Bus Corridor  
Woodland Planting Improvement

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

None

## **DRAFT LAND ALLOCATIONS PLAN**

None

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

Application site:

H/65228 Creation of private car parking area to north side of Beaconsfield Road. Associated landscaping throughout. Approved 9/02/07

H/63527 Variation of condition no. 1 of planning permission H/OUT/50355 to extend the period for submission of reserved matters in relation to development of the site for a car wash with associated access road and car parking areas. Approved 19/01/06

H/OUT/60845 Outline application for the use of site for the sale of cars, erection of office unit and highway works. Refused 17/01/05

H/57657 Variation of condition no. 1 of planning permission H/OUT/50355 to extend the period for submission of reserved matters in relation to development of the site for a car wash with associated access road and car parking areas. Approved 18/12/03

H/OUT/50355 Erection of detached building to form car wash with formation of associated access road and car parking area. Approved 25/01/01

H/35343 Laying out of land as temporary car park (27 spaces) with vehicular access from Beaconsfield Road following demolition of existing buildings. Approved 17/06/92

186 Manchester Road:

76090/COU/ 2010 Change of use of ground floor from offices (Class B1) to Funeral Director (Class A1). Approved 11/1/11.

## **APPLICANT'S SUBMISSION**

This is contained within a Planning Statement dated July 2013 and further statements dated 24<sup>th</sup> September, 26<sup>th</sup> November and 30<sup>th</sup> January 2014. Comments made include:

- There are not any material considerations that suggest a departure from the development plan and that at the heart of the NPPF lies a presumption in favour of sustainable development. Officers have not questioned the sustainable credentials of this site.
- The applicant has already amended the layout of the scheme following pre-application consultation. The one way car park system is aimed at minimising the potential or need for parents to navigate Beaconsfield, Churchill and Salisbury Road. This combined with a contractual '3 strikes and you're out' approach is considered to be a fairly robust approach of preventing parents using an alternative route.
- The traffic impact analysis contained within the Transport Assessment confirms that the development peak hour two way flows can be accommodated on the local highway network. It is assumed that 50% of development traffic will already be using the A56 and simply divert into the site.
- The site can be accessed in a safe and efficient manner from the local highway network.
- Although below the Council's maximum standard the scheme provides adequate parking which is laid out to current design guidelines. There is little scope for a re-arrangement of the parking layout but revised drawings show significantly enhanced landscaping to Viaduct Road and Manchester Road.
- The building has been designed to give the visual impression of it being in three parts. The stepped profile of the roof line contributes to reducing the massing of the building. Would not be overly dominant on the street scene and will not impact upon local amenity.
- Only 16.5m of the viaduct will be demolished and any noise from the Broadheath Central Club and the adjacent Bridgewater Park is unlikely to affect the residents of 14-22 Beaconsfield Road.
- The Acoustic Planning Report demonstrates that the noise generated by children using outdoors spaces is likely to be "reasonable". It recommends a number of mitigation measures including a 2m high acoustic fence along the eastern boundary and increasing the height of the wall at the northern boundary to 2.4m.
- The development plan does not stipulate separation distances between residential and commercial properties and it is considered that development is suited to a mixed commercial/residential urban area
- The double height rear window in the east elevation has been removed from the proposal although they consider that there is no policy justification for this.
- Visual intrusion- the planning system does not afford protection to private view. There will be a change in outlook but this is not considered as visual intrusion.
- Technical reports submitted demonstrate that there will not be any adverse impact in terms of noise or movements on the highway
- Kids Allowed has identified a commercial requirement to operate a nursery in this location and will regenerate this site.
- The site is a sustainable location which is easily accessible by public transport. The design of the building and its curtilage, including the significant investment proposed for new tree planting and landscaping will result in a much improved local environment. These factors all point to a scheme that is positive and sustainable. The development is the type of sustainable development to which the NPPF refers.
- The height of the building has been reduced by 1.1m. This reduces the height and massing and should alleviate any remaining concerns about the potential effects on the amenity of residents.



- The playdeck had been redesigned and in part replaced by a covered area. An inward facing blank façade and monopitch roof should alleviate concerns about the amenity of residents in Beaconsfield and Churchill Roads.

A Daylight and Sunlight Assessment was also submitted in March 2014. The results of the daylight analyses for neighbouring properties indicated that all of the windows assessed serving the accommodation within 153 Manchester Road, 2 and 4 Beaconsfield Road, 1-3A Churchill Road and 5-7A Churchill Road will fully comply with the BRE guidance with the scheme in place. That the scheme would not cause any materially noticeable effect in relation to these properties. No. 3 Beaconsfield Road would experience some marginal breaches in relation to two neighbouring windows. There would be some impact on No. 1 Beaconsfield Road in the ownership of the applicant and proposals have been made to help address this.

## **CONSULTATIONS**

**LHA** - No objection in principle to a day nursery in this location subject to revisions to the original scheme. The creation, amendment or removal of a pavement crossing will require Streetworks Approval.

Comments on the proposal are incorporated, where appropriate, in the Observations section below.

**GM Ecology Unit** – No objections on nature conservation grounds. The development will not have a significant impact on the wildlife corridor and consider that the buildings affected do not have a high potential to support bats. Should bats be found the developers would need to stop work immediately and seek professional advice.

**Pollution and Licensing** – Prior to development commencing a contaminated land Phase 1 report should be submitted and approved in writing by the Local Planning Authority. Should the Phase 1 report recommend that further investigations are required an investigation and risk assessment should be submitted.

No information is provided as to hours of operation and what type of activities will take place in the evening.

## **REPRESENTATIONS**

**Cllr Jaki Wilkinson** - objects to the proposal on the following grounds:-

- the proposal will result in an unacceptable increase in traffic at peak times on the A56,
- considerable traffic disturbance,
- noise nuisance and
- loss of visual amenity and privacy for local residents in particular in flats on Churchill Road
- insufficient parking provision,
- a flawed travel plan,
- a totally inappropriate place to put a nursery especially relating to road safety issues and air pollution within the proposed outside play area.

- compartmentalising of children into babies, waddlers and toddlers is degrading and distasteful; this sounds like a battery farm for babies and should be rejected.

**Cllr Denise Western** – objects to the proposal on the following grounds:-

- concerned about the increase in traffic movements that would be generated by a nursery of this size.
- the proposed level of car parking (23 spaces) is not anywhere near sufficient to cope with the parents of as many as 160 children each day
- as a result many parents will simply choose to park on already busy neighbouring streets rather than make use of this facility.
- notes the argument that drop-off times would be staggered but aware of the length of time it takes to drop off when young children are involved
- The problem of traffic/parking on local streets would be further exacerbated by the fact that the car park is extremely tight. Parents travelling north at peak times will be tempted to leave Manchester Road at Salisbury Road. Concerns already exist about the safety of the traffic junction at Salisbury Road/Manchester Road which cannot be remedied due to financial pressures
- Noise impact for residents living on the evenside of Beaconsfield Road many of whose properties would back onto a proposed car park and would be frequented by young families from as early as 7.30am
- Impact of the proposal on the residents of flats on Churchill Road the majority of whom are over 70. A number of the residents back directly onto the proposed nursery, as well as a loss of visual amenity and reduction of light there would be an increase in noise from children playing out all day particularly given the emphasis on outdoor play set out in the application details.

**Neighbours**

Objections

A petition containing 74 names has been submitted expressing concern about the scale of the proposed development, the impact on traffic in the immediate area and inadequate parking provision.

A petition containing 8 names has been submitted expressing concern about the impact of the traffic and that the proposal does not take into account the impact on the local residents. Although the application states there will be eight car parking spaces at the top of Beaconsfield Road for drop offs and staggered times this will not be viable to alleviate traffic issues. Also that the developer states that staff will be encouraged to arrive on public transport or park at the Selbourne offices on Manchester Road bridge - this causes a hazard as staff would have to walk to the nearest crossing or take a risk and run across the road.

Twenty six letters of objection have been received regarding the proposal, points raised as follows

- Size of the development is too large for the area, given the close proximity of existing properties, the amount of land available and the impact on residents from all sides.
- For many years residents in the Salisbury fields area have been plagued with issues of cars parked and blocking elderly and disabled drivers in and this still happens on a regular basis

- Developers do not seem to have considered residents. Although they state there will be one way in and another way out, this cannot be enforced.
- Car parking spaces at the top of Beaconsfield Road for drop offs and staggered times will not alleviate traffic issues.
- Increased noise and traffic will occur from around 6.30am for 52 weeks a year.
- Some parents will inevitably use the Manchester Road/Salisbury Road junction and travel along Salisbury Road/ Churchill and Beaconsfield Road and park along Beaconsfield Road causing further congestion at the junction at peak times.
- Delivery vehicles will have to access the nursery at various times of the day.
- If there are 160 children there will be over 100-130cars each morning and evening turning into Viaduct Road, parking up and taking their children into the nursery.
- There will be a backlog of vehicles trying to turn into Viaduct Road in the mornings. The box junction at Manchester Road/Viaduct Road is often blocked in the morning
- Also advised staff would be encouraged to arrive on public transport and other staff would park on the Selbourne offices on Manchester Road Bridge - this causes a hazard to staff who would have to walk to the nearest crossing or take a risk and run across the road.
- Staff will park on the surrounding roads rather than park off site and walk especially if it is raining.
- Manchester Road is hazardous should a child run into the road
- The demolition of the viaduct wall will increase noise into the back gardens of 14-22 Beaconsfield Road. This currently screens traffic noise along Viaduct Road where vehicles are going to the retail park and existing businesses in the arches and noise from the Broadheath Central Club. Wall gives a good amount of privacy into the gardens and houses.
- Knocking down part of the viaduct and part of the history of Broadheath that is over 160 years old for the sake of a token six car parking spaces.
- The nursery will overlook 1-3 and 5-7 Churchill Road.
- Play area at the top of building would be open to noise and traffic pollution, the bus stop is directly outside the proposed site and traffic queues to enter the retail park directly outside the site.
- Policy L5 of the Core Strategy requires developers to demonstrate that noise is of an acceptable level this development would surely not meet this criterion.
- There are ample nurseries in the area. There are at least 8 large nurseries and a lot more smaller playgroups in a 2 mile radius.
- Will put some local child minders and small nurseries out of business.
- Application is about quantity rather than quality of child care
- There are a lot more suitable areas for a nursery of this scale such as the Halfords site or empty buildings in Altrincham.
- Not very appropriate having children playing next to a chapel of rest.
- The proposal will see the destruction of a green open space with concrete and a road.
- Economic growth in the area would be much more welcome on some of the surrounding derelict sites rather than overdeveloping an area with the demolition of a viaduct and the only green patch along this section of Manchester Road.
- Building style is completely out of character with the housing style and surroundings.
- There are bats present in the area at twilight hours.

### Support

2 Letters of Support have been received.

Trafford College considers:

- The nursery would provide greater training apprenticeships and work experience for students wishing to pursue a career in childcare.
- Convenient for staff and students to safely place their children. It would not only bring employment and training but help regenerate the area and give consumers a competitive choice.

Altrincham and Sale Chamber of Commerce believe that:

- careful consideration has been given to the needs of local residents and that appropriate steps have been taken to limit disruption from noise and traffic.
- The company who will operate it are keen to create jobs for youngsters and to work with local education providers such as Trafford College.
- The impact on job creation and local economy would bring significant benefit with upwards of 55 jobs being created.
- As an employer they should be encouraged to establish in Broadheath.
- Subject to noise reduction and traffic management plans very little negative impact on area. Traffic increase would appear to be negligible.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The site is located in an area where there is a mixture of uses including retail parks accessed off Manchester Road and Viaduct Road, a mixture of A1, A2, A3 and A4 uses in a parade on the opposite side of Manchester Road, a funeral directors with residential properties to the north and residential properties to the east in Churchill road and Beaconsfield Road. The principle of a Day Care Nursery on this site is therefore considered acceptable.
2. It is recognised that the nursery is likely to have a positive impact on the economy of the area resulting in job creation and providing placements for students at Trafford College. It would also increase the choice of child care provision for students and staff at the college and local residents. Concern has been expressed by third parties that possibly some small local nurseries and child minders may lose business as a result and could close.

### RESIDENTIAL AMENITY

3. Policy L7 of the Trafford Core Strategy sets down that 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.
4. Following discussions the applicant has reduced the maximum height of the building by 1.8m. This is welcomed in terms of impact on adjoining properties and the street scene.

5. The side wall of the proposed building would be approximately 2 metres from the side of the house at 1 Beaconsfield Road, sufficient for an access gate through to the rear gardens of the development. The area at the side of the building adjacent to 1 Beaconsfield Road would be used for services and deliveries and would also provide wall mounted bike racks for staff. It should be noted that the roof of the proposed building would overhang the ground floor and would project to within 0.25 metre of the rear corner of 1 Beaconsfield Road. Furthermore, the proposed building would extend across the back of the garden of No.1. The building would extend some 30 metres beyond the rear garden boundary of No.1 and over 40 metres beyond the main rear elevation of the house. Concern has been expressed about the significant impact of the proposed building on that property. To help mitigate this concern, the applicant proposes minor works to this property (it is within their ownership) to improve outlook from and light received to the rear elevation. Whilst no formal assessment of these works has been carried out it is likely that they could be carried out as permitted development. It is not likely that these works would have an unacceptable impact on the adjoining house.
6. The applicant has made amendments to the proposed play deck located at first floor level. The rear section has now been enclosed to form a storage area and to reduce the noise and disturbance which would be experienced by properties in Churchill Road. The external play deck would front the A56. An area of plant at the rear of the building has also been removed (with the plant area now provided internally) and a 2m high acoustic fence would be provided. A further consideration is also that the building would provide a barrier to traffic noise from the A56. Whilst there are garden areas adjacent to the rear of the residential properties along Churchill Road as well as 1 and 3 Beaconsfield Road, it is considered that the development would not result in such levels of noise and disturbance to justify refusal of permission.
7. Properties on Churchill Road backing on to the site comprise ground and first floor maisonettes all with habitable rooms facing the site. The rear elevations of those properties are between 7 and 12 metres from the boundary of the site. The proposed building would be 2 metres from this boundary at its closest point (to a single storey element) and 8 metres at the maximum distance from the boundary (to a two storey element). The minimum distance between the rear of these properties to the two storey element of the proposed building would be 15 metres (measured across the rear garden boundary of 1 and 3 Beaconsfield Road) and existing trees along the boundary would be retained. The applicant has demonstrated in their Day Light and Sunlight Assessment that the impact on the windows of 1-3A Churchill Road and 5-7A Churchill Road would be within BRE guidance. There would, however, remain some general overshadowing of the gardens of those properties, and the proposed building would clearly present a significantly different outlook from those properties on Churchill Road given the length of the two storey element and the angular roof design. But on its own this is not considered to be so overbearing as to justify a refusal of this application.
8. Following discussions the applicant has removed a large window at first floor level from the east elevation. This is an improvement over the originally submitted scheme and removes concerns regarding overlooking of the properties in Churchill Road.
9. Parking is proposed at the rear of 2-20 (evens) Beaconsfield Road. In part this is possible due to a reduction in the size of garden areas at 6 and 8 Beaconsfield Road (also in the applicants' ownership). An existing wall will provide screening

for 2 and 4 Beaconsfield Road and this should be continued to provide similar protection to nos. 6, 8 and 10. Additional planting adjacent to these boundaries could be sought through an appropriate condition. The removal of part of the viaduct would also facilitate parking to the rear of properties along this side of Beaconsfield Road. Whilst these car parking areas would have the potential to cause some disamenity to residents arising from the movement of vehicles, it is considered that the harm arising would not be so significant as to warrant a refusal of planning permission (a condition restricting this particular area to staff use would have the benefit of minimising vehicle movements during the day).

## DESIGN AND APPEARANCE

10. The proposed building would be set back a maximum of 9m from the Manchester Road frontage. At the closest point the building would be 0.4m from the edge of the pavement and 1m from the rear of the bus stop. The railings and hedge around the toddlers and baby gardens would be located along the edge of the pavement and 0.3m behind the bus stop. The use of railings and hedging is an improvement over the fencing initially proposed.
11. The development will result in the loss of a landscaped site south of Beaconsfield Road and an existing car park with landscaping. The proposed parking would be on a prominent corner with the A56. A brick planter and low wall on the corner approximately 1.5m wide will be provided. This is considered an improvement over the 0.6m wide planter originally proposed. The Council's Supplementary Planning Document SPD2 A56 Corridor Development advises that surface car parking should be located to the rear of a building away from the A56 frontage. However, this would not be possible in this case and the use of landscaping would help to mitigate the impact on the street scene to some degree.
12. The National Planning Policy Framework advises Local Authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness. It extols the importance of high quality design for all development. The Framework expects planning decisions to aim to ensure amongst other matters that developments add to the overall quality of an area, reflect the identity of local surrounding and are visually attractive. The applicant considers the elevation and boundary treatments will reflect those used locally and advises that the nursery will be constructed of a brick that is similar to that of surrounding buildings. The building will be a modern design and it is considered that this approach is appropriate for this site given the context of a variety of designs in the vicinity, including the retail park opposite. The design and massing are therefore considered to be acceptable in this location.

## TRAFFIC AND PARKING

13. To meet the Council's car parking standards the provision of 29 car parking spaces, 5 motorcycle parking spaces and 20 cycle parking spaces should be made. The proposals include 23 car parking spaces (in two areas) and 5 motorcycle parking spaces accessed off Viaduct Road. 20 bike spaces are also proposed and these are shown within the main car parking area adjacent to the side elevation of 2 Beaconsfield Road; further wall mounted bike racks for staff are also proposed and these are should within the service passageway between

the nursery building and 1 Beaconsfield Road. It has been suggested to the applicant that an additional spaces could be provided by stopping up the end of Beaconsfield Road. This suggestion has not been included in the proposal. The applicants also previously suggested that six car parking spaces at Trafalgar House could be used for staff in connection with this proposal. This is not considered a suitable arrangement because there is no guarantee the two sites would remain linked. In addition the applicant has not submitted information to indicate that the level of parking provided at that site is in excess of the Council's Car parking standards.

14. It is considered that the main car park layout is acceptable. The 6 car parking spaces that are proposed to be accessed from a separate access (i.e. those where the part demolition of the viaduct is proposed) should be designated and signed as staff parking only to keep the movements to a minimum.
15. The LHA is of the view that amendments can be made to the proposals in order to make the layout more acceptable, in particular in respect of the cycle parking arrangements. It is considered that this could be dealt with by way of appropriate conditions.
16. The proposed scheme has implications on the parking at No. 186 Manchester Road. Planning permission (76090/COU/2010) was granted for the use of the ground floor of this property as a funeral directors. An area shown on the approved plans for three car parking spaces in connection with that use has been included as garden and for a storage shed as part of this application. The applicant has, however, submitted a "swept path analysis" to demonstrate that hearses would still be able to manoeuvre on site and enter and leave in forward gear. It is considered that there would be no significant adverse effects on the access and servicing arrangements for that property arising from the current proposals.
17. The applicants carried out a Transport Assessment which demonstrated that the proposed development is accessible by a range of non-car sustainable transport modes. It also demonstrated that the Viaduct Road/Manchester Road junction will continue to operate within its capacity. It concludes that the proposal will generate approximately one additional vehicle per minute at peak times on Viaduct Road which will not impact upon the safe and efficient operation of the highway network.
18. A travel plan would be required by condition. It is noted in the information submitted that there will be a clause in the childcare contracts which states that parking on local roads will not be tolerated and that there will be a three strikes and you're out approach. This should be included in the Travel Plan.

## DEVELOPER CONTRIBUTIONS

19. If the Council was minded to grant the application the Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations would be:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	0	0	0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£7,137	0	£7,137
Public transport schemes (including bus, tram and rail, schemes)	£23,803	0	£23,803
Specific Green Infrastructure (including tree planting)	£13,640	0	£13,640
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	0	0	0
Education facilities.	0	0	0
<b>Total contribution required.</b>			<b>£44,580</b>

20. The applicant has requested that £23,000 should be deducted from these contributions for landscaping the site. Although deductions can be made from the figure for trees planted on the site and other green measures such as green roofs it is not intended that all landscaping cost are taken out of the proposed planning obligations. The proposal will result in the loss of some existing trees and it is considered that the proposed landscaping is not more than one could reasonably expect for such a development

## CONCLUSION

21. Overall it is considered that the proposal will constitute a sustainable development which will bring economic benefits to the area. The replacement of the existing car park with an appropriate development is to be welcomed. The design and massing of the proposed building would relate to the commercial setting of this section of Manchester Road from where it will be primarily viewed. The applicant has made efforts to reduce the impact of the building on surrounding residential properties and following these changes to the scheme it is



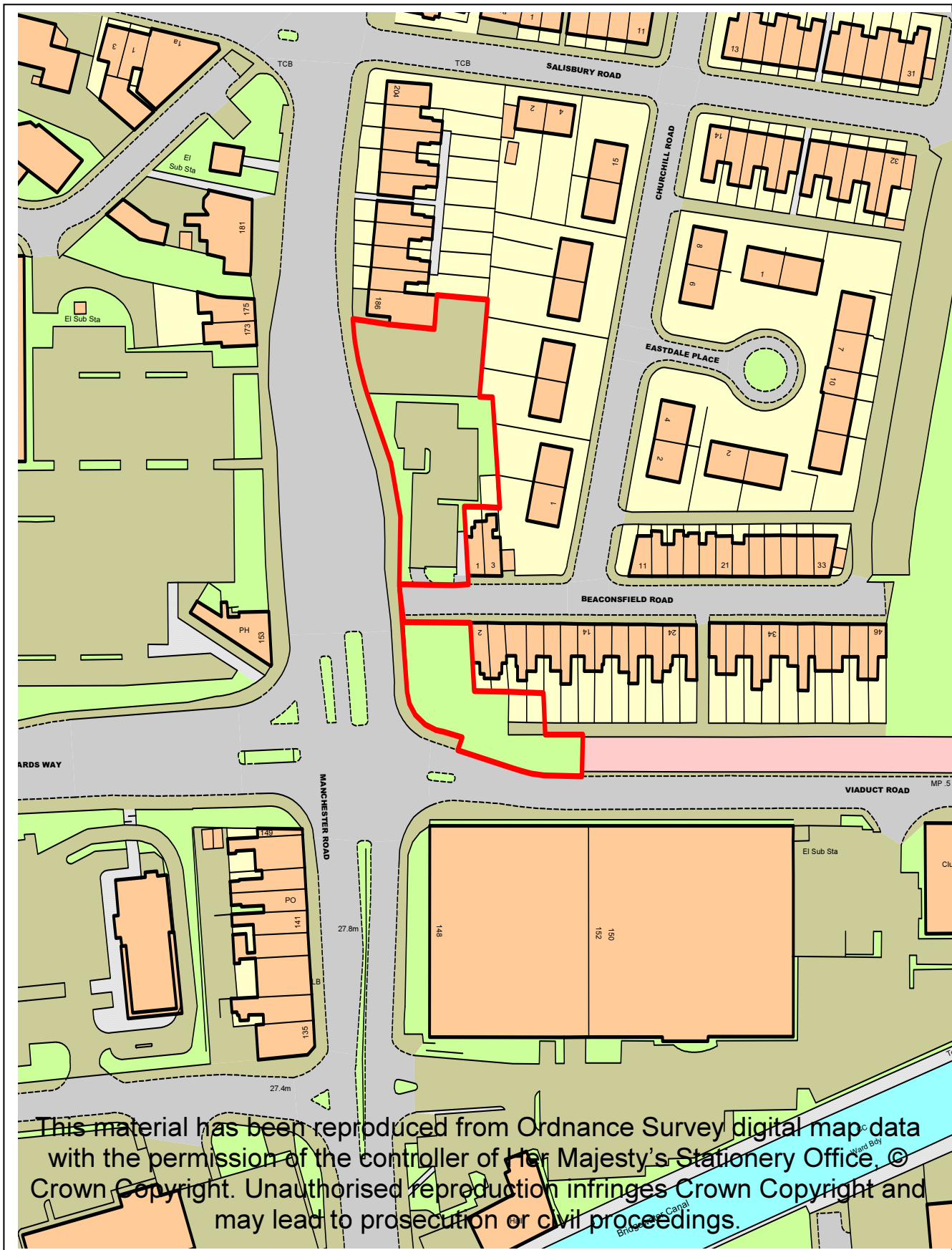
now considered that on balance the scheme can be recommended for approval subject to the prior completion of a Section 106 agreement.

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

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £44,580 split between: £7137 towards Highways and Active Travel Infrastructure, £23,803 towards Public Transport Schemes and £13,640 towards Specific Green Infrastructure; and
- (B) In the circumstances where the Legal Agreement has not been completed by the 7 July 2014, the final determination of the application shall be delegated to the Head of Planning Services; and
- (C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
1. Standard time limit
  2. List of approved plans
  3. Landscaping scheme to be submitted including details of boundary fencing, walls and railings.
  4. Provision and retention of parking
  5. Scheme for cycle and motor cycle parking to be submitted and agreed.
  6. Porous surfaces
  7. Approval of materials
  8. Use of 6 car parking spaces fronting Viaduct Road to be indicated for staff only.
  9. Submission of travel plan
  10. Wheel washing
  11. Contaminated land Phase 1 report
  12. Prior to first use of the nursery works shown to be undertaken at 1 Beaconsfield Road shall be implemented.
  13. Hours of operation
  14. Number of children not to exceed 160 at any time.

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**LOCATION PLAN FOR APPLICATION No: - 81228/FULL/2013**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**CHANGE OF USE FROM B2 (GENERAL INDUSTRIAL) TO D2 (INDOOR TRAMPOLINE CENTRE).**

Unit 17, Textilose Road, Trafford Park, M17 1WA

**APPLICANT:** Urban Bounce Ltd

**AGENT:** n/a

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

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**SITE**

The application site relates to an industrial unit located within the Severnside Industrial estate, Textilose Road off Westinghouse Road within the Trafford Park core industrial area. The Severnside Industrial Estate has 24 units in total with approximately half of these currently vacant. The estate is bound to the south by the Bridgewater Canal and to the north by Westinghouse Road. Industrial units which do not fall within the Severnside estate are situated immediately to the east, and those centred on Queensmead Place are reliant on Textilose Road for access. Textilose Road loops around the estate to meet itself encircling four industrial units including the application site.

The site currently has a gated service yard to the rear (west side) and an area of car-parking along the eastern boundary for 15 cars. The building has an existing floor space of approximately 1504sqm.

The building is a traditional industrial unit and adjoins a second unit 14 Severnside; two additional units are located to the west and south west of the site, units 15 & 16.

**PROPOSAL**

This application seeks a change of use from B2 (General Industrial) to D2 (indoor trampoline centre). The proposed floorspace of the business will be approximately 1578sqm (which includes an area of mezzanine area).

The proposal also involves the use of the rear service yard as additional car-parking; the total onsite parking will be 61spaces (4 of which will be disabled parking) and an additional 15 spaces for staff parking only will be provided at the adjacent site unit 16, giving a total of 76 spaces. Six cycle spaces will be provided along with three motorcycle spaces.

The proposal will use a pre-booking system with a maximum capacity of 60 people using the trampoline arena at any one time; people turning up without a booking will be accommodated if sufficient capacity. A café area for users of the business will be provided

at ground floor and a viewing gallery will be created with the introduction of a mezzanine floor measuring approximately 74sqm in size.

The proposed hours of use will be 10:00hrs – 21:00hrs Monday – Sunday (inc. Bank Holidays).

The applicant has stated that there is currently no such trampoline parks within the UK.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

L8 – Planning Obligations

W1 – Economy

R5 – Open space, Sport and Recreation

R6 – Culture and Tourism

## **PROPOSALS MAP NOTATION**

Trafford Park Core Industrial Area

Special Health and safety Development Control Sub Area

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

D5 – Special Health and Safety Development Control Sub-Areas

TP1 – Trafford Park Core Industrial Area

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

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

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

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

- Transport Assessment & Travel Plan
- Sequential Test
- Loss of employment land justification report

## **CONSULTATIONS**

**LHA** - No objection in principle - The off-site parking would need to be secured by legal agreement and it is considered that this parking should be limited to close proximity to the site in case this unit becomes unavailable and the parking has to be located elsewhere.

All parking spaces will need to be formally laid out with paint and maintained as such. Staff parking spaces (those that identified earlier as need to be allocated for staff) will need to be signed and marked out as such also.

A condition to limit the numbers on the site would give some comfort.

Clarification is required over opening hours / closure of barrier times. The applicant has provided this information but the LHA questions whether that the gates would be closed in the evening not only on Sundays.

Will the use be pre-book? The LHA is still concerned if just anyone can turn up at any time. At peak times: school holidays and bank holidays this may result in congestion and amenity issues.

**Pollution and Licensing** – No objections in relation to noise or pollution issues

**Public Protection (Environmental health)** – No objections regarding food safety or public safety

**Health & Safety Executive (Hazardous Installations Directorate)** – No objections

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Under Policy W1.12, when determining applications for the loss of employment floorspace to other uses within allocated employment areas such as Trafford Park Core, the following tests need to be considered:

- There is no need for the site to be retained for employment purposes and it is therefore redundant;
  - There is a clear need for the proposed land use(s) in this locality;
  - There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;
  - The proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users; and
  - The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford.
2. In terms of the market demand for the office floorspace on this site, the applicants have detailed that the building has been actively marketed for over 12 months. Whilst there have been several enquiries, no offers have been made and there remain other similar units within the same industrial estate that are vacant. The applicants also argue that there are a large number of other similar industrial units currently available within Trafford Park so the loss of these particular employment premises would not be significant. On the basis that there is no apparent demand for this type of industrial unit in this location, it is considered that the proposal satisfies the first test in Policy W1.12.
  3. In relation to the need for this type of indoor leisure facility in this locality, the applicants argue that there is local demand given the poor state of existing facilities nearby, evidenced by Trafford Leisure Trust. It is considered that this does represent a reasonable need for the proposal.
  4. In relation to criterion 3 of W1.12, the applicant has demonstrated that they have considered other potential sites for the proposal and that none were suitable, available or viable for the proposed use. Therefore, it is considered acceptable in relation to criterion 4 of Policy W1.12.
  5. It is considered that the proposal would be consistent with the primary function of the locality in that it is consistent with surrounding industrial and employment uses, particularly as the peak usage of the facility would be outside the normal operation times of the surrounding businesses. It is therefore considered to be acceptable in relation to criterion 4 of Policy W1.12.
  6. In relation to the sequential test for the retail element, as required by Core Strategy Policy W2 and paragraph 24 of NPPF, the applicant looked at 10 potential sequentially-preferable sites and were able to adequately demonstrate that none were suitable, available or viable particularly given the specific requirements (in terms of eaves heights, etc.) of the proposed use. The proposal is therefore consistent with CS Policy W2 and NPPF.
  7. It is considered that the proposal is acceptable in terms of the loss of employment land and in relation to town centres and retail policy and is therefore consistent with Policies W1 and W2 of the Adopted Core Strategy.

## PARKING AND HIGHWAY SAFETY

8. The applicant has undertaken detailed discussions with this service and the LHA with regards to the parking provision required for this form of development. The proposal requires the provision of 77 car-parking spaces for both staff and customers. A bus stop is located near to the junction of Westinghouse Road and Textilose Rd.
9. The application site as currently laid out can accommodate approximately 15 cars along the eastern side of the site. By utilising the rear service yard the applicant is able to provide 47 car-parking spaces within this service yard area and 14 along the eastern side (four of which are disabled parking spaces). A total of 61 spaces will therefore be provided on site for use by customers of the business.
10. In addition staff car-parking will be provided within the parking area of unit 16 with 15 spaces being provided in total. The proposed scheme will therefore provide 76 spaces in total, one short of the recommended figure of 77; it is considered that the shortfall of one space would not be sufficient to justify a refusal. The LHA have requested that all staff spaces be marked accordingly for that use as well as the customer parking to also be marked out. An appropriate condition is to be attached to require details of car-parking layouts. Six cycle spaces will be provided along with three motorcycle spaces.
11. Planning permission was granted in December 2013 (Ref:81441/FULL/2013 for the erection of 2no. electronically operated gates on Textilose Road by the estate landlords (Canmoor). The gates are controlled by 24hr 7 days a week intercom to an operator. An appropriate condition is to be attached to ensure the submission of an access-gate entry system to ensure safe access can be gained to the site at all time during its operation.
12. With regards trip movements to site, the applicant has undertaken a development flow forecast which states that *'there will be no increase in vehicle movements during weekday peak hours, as even the 6pm session each day is only likely to generate 4.25 two-way car journeys. This is in line or less than would be expected if the unit retained its B1, B2 & B8 use. At the weekend, there is likely to be 89.1 two-way vehicle movements per day generated by the redevelopment of Unit 17. This would work out to be 40.5 two-way journeys during the peak hours on a Saturday. This is likely to be more than if the unit retained its B1, B2 or B8 use and would increase traffic on Textilose Road by approximately 1/3 during this period (not taking account of any traffic generated if it's B1, B2 or B8 use was retained). However, it is to be noted that the baseline figures used are exceptionally low due to most local businesses being closed on a Saturday. There is therefore no indication that any real impact would be felt on the local transport network.'*
13. It is considered that the proposed development is acceptable with regards the proposed parking and access arrangements, and vehicle movements in this location. Use of off-site areas for parking provision would need to be included within the Section 106 Agreement.

## IMPACT ON THE STREET SCENE

14. The proposed family entertainment centre would be contained within existing warehouse units. The application proposes utilising existing access to the site and consequently the impact of the proposal on the streetscene would be minimal.

## IMPACT ON AMENITY

15. As the site is located within an industrial estate within the Trafford Park area, there are no residential properties in the vicinity of the site. The application site is accessible by a public footpath if visitors to the site choose to walk or take the bus. Other uses within the estate include a cash and carry; courier service; vehicle bodyshop repairs and a plumbing centre. The proposal is not considered to result in any disamenity within the locality.

## DEVELOPER CONTRIBUTIONS

16. The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below. As this is a new start up business within the borough, it has been agreed that the applicant spread the contributions over an appropriate period of time to help the business become established. The detail of this would be included within the Section 106 agreement.

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	n/a		n/a
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£9,168.00	£1,545.00	£7,623.00
Public transport schemes (including bus, tram and rail, schemes)	£32,256.00	£1,875.00	£30,381.00
Specific Green Infrastructure (including tree planting)	n/a		n/a
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	n/a		n/a
Education facilities.	n/a		n/a
<b>Total contribution required.</b>			<b>£38,004.00</b>

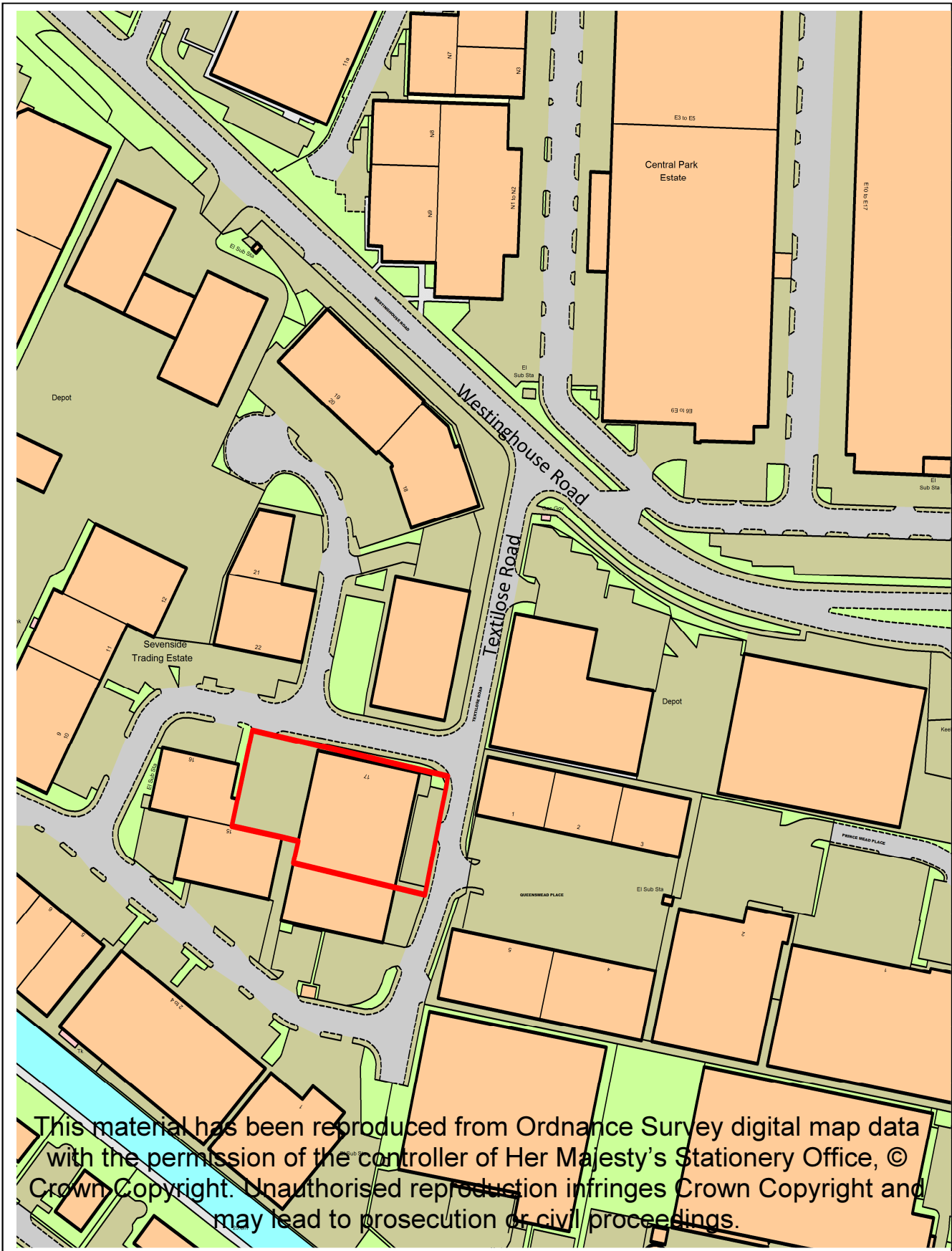


**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £38,004.00 split between: ££9,168.00 towards Highway and Active Travel infrastructure and £30,381.00 towards Public Transport Schemes; and
- (B) Provision and retention of 15 parking spaces off-site within the Textilose Road/Sevenside Industrial Area or at another location that has been previously agreed in writing by the Local Planning Authority; and
- (C) In the circumstances where the Legal Agreement has not been completed by the 7 July 2014, the final determination of the application shall be delegated to the Head of Planning Services; and
- (D) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
  - 1. Standard
  - 2. Approved Plans
  - 3. The premises to which this relates shall be used for an indoor trampoline centre only and for no other purpose (including any other purpose within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.
  - 4. Proposed car park plan – Provision & retention
  - 5. Details of cycle and motorcycle parking provision
  - 6. Details of gate access operational plan

CM

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**LOCATION PLAN FOR APPLICATION No: - 81797/FULL/2013**

Scale 1:2000 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**INSTALLATION OF VARIOUS EXTERNAL LIGHTING ACROSS THE SITE.**

Robins & Day , 253 Washway Road, Sale, M33 4BL

**APPLICANT:** Robins & Day Limited

**AGENT:** David J Stewart Associates

**RECOMMENDATION: GRANT**

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**SITE**

The application site is located on the south east side of Washway Road and measures approximately 1.78 hectares (7217 sq.m). It is currently occupied by a car dealership for Peugeot and Citroen dealers and carries out car sales, servicing and MOT of motor vehicles. The site frontage is dominated by an external car display with customer parking to the south, north and east boundaries. The MOT function is located on the south side of the building and the servicing workshop is located on the north side of the building.

The Life Centre is located to the north and the application site fronts Washway Road to the west. The application site is bounded by a vehicular track to the east, beyond which are the rear boundaries of residential properties fronting Alston Avenue and partially the side boundaries of properties fronting Raglan Road. The southern boundary is shared by rear boundaries of residential properties fronting Fairlands Road and the side boundary of 263 Washway Road. The site is covered by hard standing with scattered trees along the south and east boundaries.

**PROPOSAL**

Retrospective planning permission is sought for an external lighting scheme erected on the perimeter boundaries and within the car display area to the frontage of the site. As erected on site all lighting columns measure 6m tall. There is also building mounted lighting on the building, but this in itself is not considered to require planning permission. An amended proposal has been submitted that comprises 4no. lighting columns to the south boundary, 4no. lighting columns to the east boundary, 4 lighting columns to the north boundary, 5no. lighting columns to the front (west) perimeter and 4 within the car display area at the frontage (23 columns in total).

In the revised scheme, all the lighting columns measure 6m in height. The revised scheme has removed 2 no. 6m tall lighting columns from the southern boundary, replacing them with 4no. low level bollards measuring 1.15m in height and has reduced the number of luminaires on specific individual columns throughout the site, as discussed in the report.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL CORE STRATEGY POLICIES/PROPOSALS**

L4 - Sustainable Transport and Accessibility  
 L5 - Climate Change  
 L7 - Design  
 L8 - Planning Obligations

## **PROPOSALS MAP NOTATION**

Immediately adjacent to A56 Strategic Route & Quality Bus Corridor

TPO 198

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

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

## **RELEVANT PLANNING HISTORY**

80060/NMA/2013 - Non material amendment to application 77582/FULL/2012 for erection of replacement car dealership to increase the amount of glazing to the southern elevation of showroom- Approved 27/3/2013.

80056/VAR/2013 - Application for minor material amendment relating to Condition 2 (approved plans) of application 77582/FULL/2011, to allow for the installation of additional vehicular loading door to southern elevation of workshop - Approved with conditions 9/7/2013.

77582/FULL/2011 - Demolition of existing building and erection of replacement car dealership unit including MOT bay, parking, access and landscaping- Approved with conditions 16.01.13.

H/58807 - Continued use of site of former petrol filling station for car display and sales. Approved with conditions - 23/03/2004.

H/54043 – Change of use from petrol filling station to car display and sales for a temporary period of 12 months - Approved with conditions - 17/05/2002.

### **APPLICANT'S SUBMISSION**

The application is accompanied by technical commentary on the external lighting design and spillage contours. Relevant parts of this supplementary information will be referred to in the Observations section of this report where necessary.

### **CONSULTATIONS**

**Pollution & Licensing** - No objection to the revised scheme. The main points raised will be discussed in the observations section.

**Street Lighting** – No objection to the revised scheme. The main points raised will be discussed in the observations section.

**GMP Design for Security** – No objection.

### **REPRESENTATIONS**

5 letters of objection have been received from the occupiers of Washway Road, Raglan Road and Fairlands Road, raising the following concerns:

- Loss of property value
- The previous dealership did not require such extensive lighting.
- As the dealership is located in a residential area, there are family houses with children in bed potentially waking them up at night.
- Object to leaving the lights on all night.
- In other dealerships, full lighting is not on after normal working hours. Full lighting should be limited to normal working hours for residential amenity.
- The main building lights are bright, there is no need for perimeter lighting, not so high and bright.
- Unsightly columns and luminaires that are excessively tall and visible.
- High columns are installed directly against residential boundary walls.
- They cannot be concealed in their location though they should as far as practicable be concealed from view. View of the columns has to be endured day and night.
- System installed is without any understanding of the residential environment and of neighbouring property
- Two lights have been installed against a neighbouring boundary wall at different angles, the backspill light will cross, doubling the lux. Neighbouring garden has no screening, lighting up the back of the property throughout the night til dawn with the security lighting.
- Backspill light falls within neighbouring home causing intrusion and annoyance of unwanted light which is unreasonable.
- Careful lighting design could ensure the luminaires are concealed from sight.
- Revision of the scheme could result in a nuisance not being caused by unnecessary, excessive artificial light.
- Backspill light lights up a large area of neighbouring properties.
- Proposal states that the night time selective lighting will deter criminals but this is a myth. Lighting an area increases the chance of criminals seeing what they are doing
- The backlight of the high columns exposes neighbouring property to criminal activity.

- Technology allows security cameras to operate without excessive light.
- Not in line with previous design and access statement submitted with original application that stated lighting would be kept to a minimum and would only be building mounted on the north elevation.
- Loss of outlook
- Adversely effects enjoyment of garden
- Detrimental impact upon health
- It is understood that adequate lighting is important to a commercial property but privacy and amenity are equally important to residents who do not believe it is fair to endure external lighting.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The development proposes an external lighting scheme for a long established car sales and servicing use on a site which is unallocated in the Revised Unitary Development Plan. The principle of the development is therefore considered to be acceptable subject to not having an adverse impact upon the surrounding area in terms of visual and residential amenity, and highway safety.

### **IMPACT ON RESIDENTIAL AMENITY**

2. The justification outlined in the applicant's submission for the external lighting scheme is that it is required for health and safety reasons to enable safe movement of pedestrians and vehicles during hours of darkness, illumination of the external car display, enabling the safe movement of workshop and containment vehicles on site during hours of dark when trading and operational, and for security purposes at night/during hours of darkness to enable selective security illumination to deter criminals and assist the CCTV cameras.
3. Guidance contained within the ILP Guidelines (Institute of Lighting Professionals) is material to the determination of this planning application as it outlines a means of assessing potential light intrusion to residential properties. It outlines that in suburban areas, a measurement not exceeding 10 lux pre-curfew and not exceeding 2 lux post-curfew at windows in residential properties is not harmful. It contains a suggested curfew of 2300 hours. All of the lighting columns as shown in the amended proposal are compliant with the ILP Guidelines, which would demonstrate that the proposed scheme would not result in light intrusion to these properties in accordance with this guidance. The Council's Pollution and Licensing Department and Lighting Engineer advise that the proposal would not result in light pollution or cause nuisance to surrounding residential occupiers due to its compliance with the above guidance.
4. The amended scheme proposes operational hours of being turned on at dusk and off at 23.00 hours with a selective group of lights (annotated as S/C on the drawing) to be kept on until dawn. There are 5 no. lighting columns that are proposed to be lit until dawn. Whilst the building mounted lighting does not in itself need planning permission, it is considered that together with the free-standing lighting columns, the combined illumination would be excessive and

- detrimental to residential amenity beyond 21:00 hours. The applicant has therefore agreed to turn off all of the building mounted lights at 21:00 hours with exception of one on south elevation above a staff entrance. This is covered by condition 6.
5. The amended proposal has reduced the overall site illumination through measures such as a reduction in the number of luminaires on certain columns on the north and south boundaries, amending the positioning and angle of luminaires to control and minimise backspill, and the use of light controlling louvre equipment on selected columns to control and prevent light spillage. These measures combined with the restriction upon the operational hours of the building mounted lights has resulted in a reduction in the overall level of site illumination.
  6. The lux levels as shown on the amended light contour plans demonstrate that the proposal would not result in high lux levels with regard to the lux level at the windows within properties, which ensures that the proposed scheme would not cause nuisance to the neighbouring properties. This report further examines the impact of the lighting scheme upon neighbouring gardens and properties due to backspill light from the lighting columns in addition to the subject of light nuisance as defined in the ILE guidelines. As outlined above, it is proposed that with the exception of one light on the south elevation above a staff entrance that would remain on until 23:00 hours, all building mounted lighting would be turned off at 21:00 hours. Therefore the submission includes two lighting contour plans that show varying light levels pre-21:00 hours and post-21:00 hours.
  7. The lighting erected on the frontage would be sited in excess of 30m from the front elevations of properties to the west on the opposite side of Washway Road across the public highway of the A56. The proposed 5 columns along the front and additional 4 within the car display in the frontage would result in lux levels of approximately 1 lux on pavement in front of these properties fronting Washway Road both pre and post 21:00 hours. These light levels would not result in demonstrable harm to the nearby residential properties on the opposite side of Washway Road in terms of light nuisance. Furthermore, as the building mounted lighting would be turned off at 21:00 hours, combined with the separation distance and the existing impact of street lighting in the context of Washway Road, this would further reduce the potential light intrusion for these respective residential properties.
  8. The lighting columns erected along the shared boundary with the Life Centre, along the north boundary of the site, would be located approximately 50m from the fronts of residential properties sited on the opposite side of Raglan Road. The Life Centre screens the front of the application site from Raglan Road and the rear of the site is viewed through its car park to the rear. As such, where the lighting is visible through the car park, the separation distance helps to mitigate any potential light intrusion impact to properties on the north side of Raglan Road. The submitted light contour plans demonstrate a lux level of 0.5 in the centre of the car park of the Life Centre, which demonstrates a minimal impact to properties on the opposite side of Raglan Road.

9. To the east of the site are located properties fronting Raglan Road and Alston Avenue. There is a vehicular track to the rear of the site which is approximately 6.5m wide, and with regard to the properties fronting Alston Avenue there is established planting, comprising numerous mature trees, between these properties and the application site. The lighting columns would be sited on the opposite side of the existing track and there is a substantial landscaped screen between these properties and the site. No comments have been received from the properties fronting Alston Avenue. The lux levels post 21:00 hours would measure approximately 10 lux towards the rear of the gardens, which combined with the separation distance and additional screening, would not result in an adverse impact upon these properties with regard to light intrusion into the neighbouring gardens. An objection has been received from a dwelling located on the south of Raglan Road, however the proposal to turn the building mounted lighting off after 21:00 hours in the amended scheme combined with the separation distance to the boundary of this property would help to mitigate any potential light intrusion.
10. With regard to all of the above properties sited to the north, west and east of the application site, it has been outlined the separation distances from the lighting columns to each of these properties and their residential boundaries, and the proposed lux levels, helps to mitigate any potential unacceptable lighting up of their residential gardens to the detriment of their amenity.
11. The residential properties located to the south of the site share their rear or side boundaries with the application site and the amended proposal has been revised to minimise the impact to these properties. With regard to the properties fronting Fairlands Road to the south, the shared boundary is defined by a 2m tall boundary treatment with intermittent planting. In places, this contains trees that are approximately between 3-5m tall and in parts there is minimal planted screening above the existing boundary fence. Objections have been received from four of these properties concerning visual intrusion and unacceptable lighting up of their properties and rear gardens at evening and night.
12. There were two columns in the initial submission, that have been erected on site, in the south east corner that were exceptionally visible to some of the adjacent properties and lit up the gardens to an unacceptable extent at night. These columns were considered to result in unacceptable impact visually and in terms of light intrusion into gardens at evening and night time when their gardens were not previously lit. The removal of these two columns and replacement with low level bollards at a height of 1150mm has removed the lighting equipment from sight and would remove the lighting impact upon the two nearest residential gardens that have minimal screening. All luminaries mounted along the southern boundary would be set at a maximum of 30 degrees offset rather than 45 degrees as previously proposed to ensure that localised light spill is avoided beyond the boundary. The boundaries to the rear of No.s 43 and 41 Fairlands Road have more established, taller screening in the form of evergreen trees that help to screen the light emission. On the basis of the additional screening along this section of the boundary and the reduction to 2 luminaires on the lighting columns, the amended proposal is considered acceptable as the screening and reduced illumination would not unduly light up the gardens of No. 43 and 41 Fairlands Road.



13. In relation to No. 263 Washway Road, the two lighting columns along this boundary have been reduced to two luminaires, set at 90 degrees projecting into the application site and would be fitted with light controlling louvre accessories, all of which would control the downlight and light spill into the property's rear garden to minimise the light intrusion. The column sited to the front of the site, adjacent to the side of No. 263 Washway Road, has been reduced to one luminaire and would be fitted with a controlling louvre to again minimise light spillage.
14. Therefore, the revised scheme which has removed the lighting columns from a section of the shared boundary with the least screening and replaced it with low level lighting, combined with reducing the level of illumination on the columns and fitting light controlling louvre accessories on certain columns, has sufficiently reduced the impact to the neighbouring residential occupiers to not result in an unacceptable lighting up of gardens along the southern boundary.
15. The revised scheme is not considered to cause undue harm to the neighbouring properties by reason of light pollution or lighting of rear gardens to an unacceptable extent during evening and night time to warrant a refusal of planning permission. In this respect the proposal is considered to comply with Core Strategy Policy L7.

## **DESIGN STANDARDS**

16. The proposal is to be considered against SPD2 which seeks to ensure that development is appropriate and contributes to the character of the A56 corridor.
17. The erection of an external lighting proposal within a commercial site is acceptable in principle for the commercial operation of the premises. The external lighting as viewed from Washway Road, within the context of a public highway with street furniture, and against the backdrop of the commercial building, would not appear out of character. The lighting scheme as viewed from Raglan Road, where visible, would be viewed through the car park of the Life Centre and the lighting scheme within this car park which has installed floodlighting columns along its perimeters, which helps to mitigate any adverse visual impact.
18. With regard to potential visual intrusion to neighbouring residential properties, the lighting columns are screened sufficiently by established planting and the separation distance between properties and the boundaries, to mitigate any adverse impact. The greatest potential for harmful visual intrusion has been mitigated by the removal of the respective two columns on the southern boundary.
19. In conclusion, the scheme is considered to represent an acceptable form of external lighting that would be operationally proficient without detriment to surrounding residential occupiers in terms of visual intrusion or harm to the character and appearance of the A56 corridor. In this respect the proposal is considered to comply with Core Strategy Policy L7.

## **ACCESS & PARKING**

20. The retrospective and proposed lighting scheme would have no impact upon the vehicular movement or parking arrangement within the site, therefore there are no highway issues.

## **DEVELOPER CONTRIBUTIONS**

21. The development does not require the provision of any financial contributions.

## **CONCLUSION**

22. The proposed development is considered to be acceptable in terms of its design and appearance, impact on highways and in terms of its impact on the amenity of nearby residents. It is considered to accord with the provisions of the Core Strategy and is consistent with the objectives of the NPPF.

## **RECOMMENDATION: GRANT subject to the following conditions**

1. Standard
2. Approved plans (Amended)
3. Lighting equipment to be installed in strict accordance with the submitted details
4. Materials in accordance with approved scheme
5. Operational hours of free-standing external lighting – dusk to 2300 – with exception night time security lighting columns
6. Building mounted lighting to be operational - dusk to 21:00 hours only excluding one light on south elevation to be operational dusk to 23:00 hours

RW

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**LOCATION PLAN FOR APPLICATION No: - 81810/FULL/2013**  
Scale 1:1250 for identification purposes only.  
Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH  
**Top of this page points North**

**ERECTION OF 2 X SEMI-DETACHED DWELLINGHOUSES; ERECTION OF GATES AND GATE PIERS AND ASSOCIATED LANDSCAPING THROUGHOUT.**

Site at Bonville Road, Bowdon, WA14 4QP

**APPLICANT:** Aspect Developments

**AGENT:** Mr I Jones

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

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**SITE**

The application site relates to a parcel of land approximately 0.2ha in size that had previously formed part of the garden of 4 Normanby Chase (located to the east of the site). Planning permission was granted in December 2009 for extensions and alterations to the existing dwelling and the erection of a new detached dwelling within part of the garden area. The extensions and alteration works have been undertaken at 4 Normanby Chase, but the new dwelling element of the development has not been implemented.

The site is accessed from Bonville Road and has been annexed from 4 Normanby Chase by the erection of a timber fence along the eastern boundary of the application site separating both sites. To the north side of the site is 2 Normanby Chase a detached two storey dwelling; to the south side is a public pathway beyond which is Dunham Forest Golf Club. To the west side of Bonville Road is a residential development of detached dwellings, Bonville Chase. The application site is a cleared site and is on a slightly elevated level to Bonville Road. Bonville Road narrows as it extends southwards leading to the Golf Club with vehicular access for golf club maintenance vehicles

The surrounding area especially to the west and south side of the site is characterised by mature trees and landscaping. The application site is located within the Devisdale Conservation area. Immediately beyond the southern boundary of the site the land is designated Green Belt; Protected Landscape Character; Wildlife corridor and area of Nature Conservation Value, but the application site does not fall within these designations.

**PROPOSAL**

This application proposes the erection of two semi-detached dwellings occupying a similar position within the site as the previously approved dwelling.

Plot 1 (closest to Bonville Road) would have accommodation at basement, ground, first and second floors;

Plot 2 (closest to 4 Normanby Chase) would have accommodation at ground, first and second floors.

The applicant has undertaken a number of amendments to the scheme as originally submitted, following concerns raised by officers, these include:-

- Omission of new secondary vehicular access onto Bonville Road
- Omission of balcony at first floor level on the northern elevation of Plot 2
- Reconfiguration of Plot 1 master bedroom layout at first floor level, to ensure that no sole habitable room windows would over look neighbours boundaries.
- Amendment to roof to include varied ridge line.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
 L2 – Meeting Housing Needs  
 L4 – Sustainable Transport and Accessibility  
 L7 – Design  
 L8 – Planning Obligations  
 R1 – Historic Environment

## **PROPOSALS MAP NOTATION**

Devisdale Conservation Area

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

ENV21 – Conservation Areas

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these

are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

77294/HHA/2011 – Creation of first floor accommodation above existing attached double garage involving raising roof height of garage and insertion of 2 no. dormer windows – Refused 29/11/2011 – Appeal dismissed 23/01/2012.

74208/FULL/2009 – Partial demolition, extension and alterations to existing house and erection of one detached dwelling – Approved 7<sup>th</sup> December 2009.

H/68578 – Erection of two detached houses following demolition of existing dwelling – Approved 24/09/2008.

### **APPLICANT'S SUBMISSION**

In support of the proposed development, the applicant has submitted the following information:-

- Planning Statement
- Noise Survey
- Design & Access Statement
- Heritage Impact Assessment
- Highway Access Report

### **CONSULTATIONS**

**LHA** - No objections – Applicant must ensure that adequate drainage facilities or permeable surfacing is used on the area of hardstanding to ensure that localised flooding does not result from these proposals.

**United Utilities** – No objections – If possible this site should be drained on a separate system with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority

### **REPRESENTATIONS**

**Neighbours** – Eight letters of objection have been received regarding the proposal, points raised as follows:-

- Proposed semi-detached dwellings out of keeping with other properties in the area (would ruin the whole ambience of the area)
- Height of properties will be overwhelming when viewed from surrounding area, exacerbated by Bonville Road being 3ft lower than the site
- Will result in loss of privacy towards neighbouring properties

- Will result in a loss of light from the west because of its height
- Will result in a loss of part of the sandstone boundary wall with Bonville Road
- The section of Bonville Road by the application site not suitable for increase in traffic and its narrow width will restrict manoeuvring (increase in level between Bonville Road and site will cause access problems)
- No pavements and the road is used by dog walkers and pedestrians.
- Parking near Bonville Road/Bradgate Road junction has affected visibility
- No garages being provided and very little car-parking
- Water pressure is already low in the area and will be exacerbated by the development
- To many apartment type developments in the area
- Developer was caught by the sub-prime mortgage collapse, now changed their mind from developing site for two detached dwellings and are trying to make up some of their losses.
- Does not comply with Conservation area guidelines
- Bonville Road is a private road, no mention made of how the applicant is to landscape and resurface the road.

**Bowdon Conservation Group** - no objections to the proposal in principle but raise concern over how trees will be protected during any construction works.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The application site benefits from an extant planning approval (74208/FULL/2009) which has been partly implemented following the completion of works at 4 Normanby Chase. The permission also allows for the erection of a new detached dwelling house with six bedrooms, which could be implemented at any time by the applicant. The principle of residential development is therefore established and the proposal must be considered in relation to issues such as residential & visual amenity, heritage, landscaping and parking and access.

### LAYOUT, SCALE OF DEVELOPMENT AND VISUAL AMENITY AND IMPACT ON CONSERVATION AREA

2. The proposed new building which would contain the two new dwellings has a larger footprint than that of the extant scheme for one dwelling (232 sq.m compared to the previously approved 174sq.m). The positioning of the new building is similar to the extant approval, adjacent to the eastern boundary of the site. The foot print has a staggered formation again reflecting the previous approval. This arrangement with dwelling No.1's main entrance set back on the most recessed of the west facing elevation gives the impression of a single detached dwelling and not the conventional arrangement normally associated with semi-detached dwellings. The approved scheme retained a uniform distance of approximately 1.2m to the shared boundary with 4 Normanby Chase; the current proposal retains approximately 1m at the nearest point extending out to 2.8m given its slightly different reorientation with regards the eastern boundary.
3. The height, scale and massing of the new development is also similar to that previously approved. The extant permission included an integral garage with living

accommodation above (located on the northern elevation) measuring approximately 6.3m from ground level to ridge level with the main section of the house measuring between 8m – 8.5m due to the varying ridge line. This current application also includes a small section of building on the northern elevation (part of Plot 1), however, no integral garage is included within this proposal. The ground to ridge height of this section of building is approximately 7.5m with the main section of the building measuring between 9m-9.2m again due to the variation in the main ridge line.

4. The nearest properties 2 and 4 Normanby Chase are reflective of the style of property in the immediate vicinity, detached two storey dwellings with pitched roofs, with ridge heights of approximately 7m. Whilst the proposed new building will be higher than these buildings, the design of the new building is such that there is a variation of roof heights to provide an acceptable contrast. It should also be noted that the extant permission resulted in a building that had a higher ground to ridge height than the surrounding dwellings.
5. The proposed scheme also follows the same design approach as that adopted under the extant permission. This involves steep pitched roofs, varying gable sizes throughout, extensive areas of glazing and the use of similar materials (i.e. facing brick, feature stone, slate and timber windows). Whilst the new building differs in design from the prevailing house type in the area, it is considered that the building is of a high quality design which will assimilate into the surroundings and will be a positive addition in this location. This design approach has already been accepted on this site.
6. The current scheme will see the sub-division of the site to provide two plots with garden areas located to the south side of the site. The positioning of the new building in the same location as the extant permission is considered acceptable with regards its relationship with Bonville Road. The new building will be orientated slightly closer to Bonville Road, retaining a distance of approximately 7m at the nearest point to the western site boundary with Bonville Road, the extant permission retained 8m. The new building is not considered to result in any adverse impact with regards the general streetscene.
7. Whilst the new proposal involves a marginal increase in footprint and its overall height, it still follows the same prevailing pattern of development as previously approved. The changes to the scheme are considered minor with regards what has been approved under the extant scheme and they will contribute positively to the overall redevelopment of this site.
8. The applicant has amended the scheme to now remove the additional vehicular access onto Bonville Road which would have resulted in removal of part of the historic sandstone wall.
9. The proposed design of the new building is considered acceptable with regards its location within the Devisdale Conservation Area. The new building is considered to be of a high quality design that would add positively to this particular part of the conservation area.

#### IMPACT ON RESIDENTIAL AMENITY

10. The nearest residential dwellings to the application site are 4 Normanby Chase to the west side and 2 Normanby Chase to the north side.



11. As indicated previously in the report a number of amendments have been made to the internal layout, specifically to dwelling No.1 at first floor level, to ensure no overlooking would occur towards the occupants at 2 Normanby Chase. The revised plans now include a traditional window opening to the master bedroom on the north facing elevation in lieu of double doors and balcony. In addition the en-suite has been located to the east side of the master bedroom so that a main habitable window to the master bedroom can be located on the west facing elevation (towards Bonville Road) and therefore the additional windows on the north and east facing elevation can be obscured glazed. The bathroom window and bedroom 2 secondary window on the east facing elevation would also be obscured glazed through an appropriate condition.
12. The balcony to bedroom two (dwelling No.1) on the south facing elevation replicates a similar balcony approved on the previous scheme. It is considered that the reorientation of the new building will result in the balcony facing southwards instead of south-east towards the garden area of 4 Normanby Chase, an improvement on the previous arrangement.
13. 2 Normanby Chase has a side elevation facing the application site. At ground floor is a secondary kitchen/dining room window and a utility room window which is the only window to that room, at first floor is an obscured glazed bathroom window. A distance of 12m at the nearest point and 14m is retained between the south facing side elevation of 2 Normanby Chase and the north facing elevation of the new building. 2 Normanby Chase is set at a slightly lower level than the application site and has a 1.3m high timber fence and 2m-2.5m Beech hedge along the boundary (the hedge being on the neighbours side).
14. The new building has been set marginally away from 2 Normanby Chase compared to the previously approved dwelling due to the reorientation of the new building. Whilst the north facing elevation of the new scheme involves a marginal increase in width (due to reorientation) and height the proposal is very much in keeping with the previous approval and will actually involve less areas of glazing on this particular elevation. The new building is not considered to result in any adverse impact on the occupants of 2 Normanby Chase.
15. 4 Normanby Chase to the east side of the site has no sole habitable room windows on the elevation facing the application site. At ground floor level is a secondary kitchen window, a utility room/w.c window and a garage window. At first floor level are two obscured glazed windows. Following the partition of the site under the extant approval, the new boundary fence has been positioned between 1m-2m from the west facing elevation of 4 Normanby Chase providing a means of access passageway around this rear elevation with no useable amenity space feasible. The new building being proposed has been positioned away from the boundary, an improvement from the extant permission. The new scheme does result in additional bulk on the east elevation however the design has retained the 'cat slide roof' as included on the initial approval to lessen impact on neighbouring occupants. Sufficient weight must also be given to the extant approval for a new dwelling in this location which was part of the redevelopment of 4 Normanby Chase, this new revised building type proposes marginal changes to the extant approval.

## HIGHWAYS & ACCESS

16. The removal of the secondary vehicular access will result in the existing vehicular access being used for both properties. A new additional area of hardstanding will be

provided to the front of plot 2. The scheme still allows for the provision of three car-parking spaces to each of the dwellings with sufficient manoeuvring space.

## TREES

17. TPO 076 relates to this site. No trees are to be removed as part of the proposed scheme. The submitted tree report proposes the planting of 15 trees along the western boundary (to Bonville Road). It is considered appropriate to require a tree protection condition to be attached to any grant of planning permission to ensure protection of neighbouring trees throughout construction works.

## DEVELOPER CONTRIBUTIONS

18. The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations for the proposed development are set out in the table below:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	0	0	0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£324.00	£00.00	£324.00
Public transport schemes (including bus, tram and rail, schemes)	£1,018.00	£00.00	£1,018.00
Specific Green Infrastructure (including tree planting)	£1,860.00	£00.00	£1,860.00
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£6,906.75	£00.00	£6,906.75
Education facilities.	£17,208.82	£00.00	£17,208.82
<b>Total contribution required.</b>			<b>£27,317.57</b>

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

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £27,317.57 split between: £324.00 towards Highway and Active Travel infrastructure; £1,018.00 towards Public Transport Schemes; £1,860.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); £6,906.75 towards Spatial Green Infrastructure, Sports and Recreation, and £17,208.82 towards Education Facilities; and
- (B) In the circumstances where the Legal Agreement has not been completed by the 7 July 2014, the final determination of the application shall be delegated to the Head of Planning Services; and
- (C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
1. Standard
  2. Approved Plans
  3. Submission of materials
  4. Tree Protection
  5. Obscured glazing
  6. Landscaping Plan (Soft and hard Landscaping Details)
  7. Retention of parking
  8. Parking – Submission of porous materials for parking area.
  9. Removal of Permitted Development rights.

CM

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**LOCATION PLAN FOR APPLICATION No: - 82159/FULL/2014**  
Scale 1:1250 for identification purposes only.  
Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH  
**Top of this page points North**

**RETENTION OF 11 NO. CONDENSER UNITS LOCATED ON THE ROOF.**

HSS Hire Service Group Ltd, Circle House, Lostock Road, Urmston, M41 0HS

**APPLICANT:** HSS Hire Service Group Ltd

**AGENT:** Porta Planning LLP

**RECOMMENDATION: GRANT**

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**Councillor Cornes has requested that this planning application be determined by the Planning Development Control Committee for the reasons set out in the report.**

**SITE**

The application relates to a four storey office building situated on the northern side of Lostock Road. Car parking serving the offices is situated to the front and rear of the site. A residential dwellinghouse bounds the site to the east and a two storey office building and petrol station bound the site to the west. Kingsway Park recreational ground bounds the site to the rear and a car sales garage is situated opposite the site on the southern side of Lostock Road. The application site is situated outside of, though close to Davyhulme Circle Neighbourhood Centre.

**PROPOSAL**

The application seeks retrospective planning permission for the siting of 11no. condenser units on the roof of the building.

**DEVELOPMENT PLAN****The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan** (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

W1 - Economy

## **PROPOSALS MAP NOTATION**

Unallocated

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

None

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

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

## **RELEVANT PLANNING HISTORY**

82666/FULL/2014 - Retrospective planning permission for the installation of 2 Portakabins to the front of Circle House. (Temporary period of 1 year) – Approved with conditions 13/05/2014.

## **APPLICANT'S SUBMISSION**

The applicant has submitted a Noise Report. The information provided within this report and accompanying noise investigations is referred to where relevant in the Observations section of this report.

## **CONSULTATIONS**

**Pollution & Licensing** - No objections provided that conditions relating to the restriction of time of operation of the condenser units and the servicing of the units are attached. Further comments provided are discussed in detail in the Observations section of the report.

## **REPRESENTATIONS**

Councillor Cornes is concerned about the noise from the condenser units severely affecting residents occupying the domestic home next door.

One letter of objection has been received from the neighbouring residential property No.19 Lostock Road, which raises concerns regarding the noise emitted from the condenser units. They state that they produce a low frequency dull, hum drone, vibrating noise which resonates through their house, especially upstairs and the bedrooms adjacent to the units.

They state that this issue started when the units were installed and is at its loudest throughout the night/ early hours of the morning when there is no background noise. They only had relief on Christmas Day when they were switched off. They further state that this noise has affected their health and sleep, which awakes them in the night. They have provided evidence to show the impact on their health, these details are confidential and therefore not reported in detail in this report. They do not consider that the acoustic assessments carried out on behalf of the applicant have not been carried out correctly and are therefore not accurate. They have independently contacted acoustic companies, who have looked at the submitted reports, and they state that the noise levels reported are higher than what they should be and that the test should have been carried out differently. The acoustic companies also comment on the high number of units in close proximity to a residential property. They have offered to pay for the installation of an acoustic screen around the units.

The applicant has responded to this objection and provided the comments below: -

- The air conditioning units are programmed to operate between 07:00 and 21:00 hours. One of the units which serves a meeting room can operate between 21:00 and 22:00 hours if required. Two of the units which supply the server room operate between 21:00 and 07:00 hours. Access to the timer controls is restricted to certain employees and an engineer.
- Anti-vibration pads were installed in August 2012. Additional pads were installed following a meeting with the objector.
- Small electrical heaters are used by employees when the units are programmed to turn off at 21:00 hours.
- The units were in operation on 25<sup>th</sup> December 2013.
- They are not aware of any request from the objector to install an acoustic fence at his expense.
- They have visited No.19 Lostock Road on two separate occasions, firstly with a Council Environmental Health Officer and secondly with their acoustic engineer. On both of these occasions it was only the objector who could hear the noise referred to.
- The location of the noise monitoring equipment for the noise surveys was agreed with the Council's Environmental Health Officers.
- The results of the survey demonstrate that only two low-noise condensers operate late at night, which do not generate any excessive noise at low-frequency or otherwise. None of the other units operate during the night.

## **OBSERVATIONS**

### PRINCIPLE OF PROPOSAL

1. There are no policies within the Trafford Core Strategy that presume against this form of development. The proposal is therefore considered acceptable in principle. The main areas for consideration are therefore the impact of the proposal on residential amenity and the visual impact of the development.

### RESIDENTIAL AMENITY

2. A minimum distance of 15.2m lies between the condenser units and the adjacent residential property No.19. Due to the high level of the units, they are not easily visible from the property or garden of No.19, only the far eastern units are partially

visible from the rear garden of No.19. It is considered that the siting of the units on the roof do not appear visually intrusive to the occupants of No.19.

3. An objection has been received from the occupants of No.19 in regards to the noise levels emitted from the condenser units. The applicants have carried out noise assessments in regards to the units, in particular Report No: 22057.01v2, prepared by Hepworth Acoustics in January 2014 and a further report No: 22057.02v1 prepared in April 2014. The Council's Pollution and Licensing Section have considered the submitted assessments and have no objections to these reports. The Pollution and Licensing Section have also installed noise monitoring equipment inside No.19 on three separate occasions and carried out Officer visits out of hours up to midnight. No evidence of a noise nuisance or a low frequency noise problem was determined on these occasions. It is noted that a number of different Environmental Health Officers have been unable to hear the noise complained about on each occasion that they have been at No.19.
4. The occupants of No.19 have questioned the investigations carried out and have submitted comments that they have obtained from acoustic consultants. The consultants state that the noise levels reported are higher than what they should be and that the test should have been carried out differently, although there is no evidence from the submitted information that these consultants have carried out any assessment on site themselves. The Pollution and Licensing Section have also advised that the occupants of No.19 complained to their service about noise nuisance from existing condenser units at the application site in July 2012 prior to these units actually being installed in autumn 2012.
5. Whilst it is recognised that the objector has strong concerns about the condenser units, following detailed investigations it is considered that the noise levels are not such that this would justify refusal. To ensure that amenity is maintained to neighbouring residents, conditions regarding the hours of operation of the units and the servicing and maintenance of the units are recommended.

## VISUAL IMPACT

6. The condenser units are situated on the roof of the four storey building. The units are clustered together, varying in size, with the largest having a maximum height of 1.1m, and are white in colour. The units are situated 4.8m from the northern rear edge and 3.7m from the southern front edge of the building. The front elevation of the building increases in height and therefore the units are not visible from Lostock Road. A distance of approximately 25.5m lies between the units and the rear boundary of the site with Kingsway Park. A line of mature trees lie within the park, adjacent to the boundary with the application site. These trees provide further screening and as a result the units are not clearly visible from the park. It is therefore considered that the condenser units do not unduly impact on the appearance of the existing building and that their retention would not adversely impact on the existing street scene or the character of the surrounding area.

## CONCLUSION

7. It is considered that acceptable evidence has been presented to and assessments carried out by the Council which demonstrates that the 11no. condenser units do not emit an undue level of noise or vibration to neighbouring properties. It is also considered that the siting of the units on the roof has an acceptable visual impact on



the host building and surrounding area. It is therefore considered that the proposal would result in a sustainable form of development, in accordance with the NPPF and in compliance with all relevant Policies in the Core Strategy. As such it is recommended that planning permission should be granted, subject to conditions.

**RECOMMENDATION: GRANT subject to the following conditions**

1. List of Approved Plans
2. No condensers shall operate between the hours of 22.00hrs and 07.00hrs apart from the two condenser models PUHZ-RP100 which may operate in cooling mode only which serve the second floor communications room.
3. All the approved condensers shall be serviced and maintained in accordance with the manufacturer's instructions.

VW

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**WARD: Village**

**82558/HHA/2014**

**DEPARTURE: No**

**REPLACEMENT SINGLE DETACHED GARAGE.**

96 Framingham Road, Sale, M33 3RN

**APPLICANT:** Mrs Amarjit Doow-Powell

**AGENT:** n/a

**RECOMMENDATION: GRANT**

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**This application is being referred to the Planning Development Control Committee as the applicant is an officer of the Council.**

**SITE**

The application relates to a two storey semi-detached dwelling located on the north-western side of Farmington Road, Sale; situated within a large residential area the application site has properties of a similar style and type to all sides. The main dwelling itself has a gabled roof design with bay windows within its main front principal elevation at both ground floor and first floor level; a single storey outrigger is located to the rear of the main dwelling. Also, sited to the rear of the site adjacent to the southern side boundary lies a single detached garage with a gabled roof design.

**PROPOSAL**

The application details the replacement of the existing garage.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

L4 – Transport and accessibility

## **PROPOSALS MAP NOTATION**

None

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

None

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

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

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

None

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

### **DESIGN AND APPEARANCE**

1. The proposed replacement garage would be built to a similar scale to the existing. The proposal does however detail an increased projection towards the rear south-western side rear boundary of the site by approximately 2.2 metres; and an increased width of 0.1 metres to the northern side boundary. The replacement would not project any further forward than the existing.
2. As the increase in projection would be sited to the rear and to the northern sides of the site, it is considered that this would hold little or no impact upon the wider street scene as the increases would not be readily visible from the main road.
3. All of the proposed materials are detailed to match those on the existing garage.

4. The proposed garage would also reflect the existing garages roof design as this would also be gabled. However the overall height of the garage would be increased slightly from the existing to a maximum ridge height of 3.3 metres.
5. It was apparent from the site visit conducted on the 24/04/2014 that the existing garage too has a reasonable height due to having a gabled roof design. Therefore this increase in height is considered to be marginal. It should also be noted that the adjoining neighbouring property to the southern side of the site also has a garage running parallel to the existing; this has a higher height than the existing.
6. Therefore the increase in size of the proposed garage is considered not to harm the visual appearance of the site in question or wider street scene.

#### RESIDENTIAL AMENITY

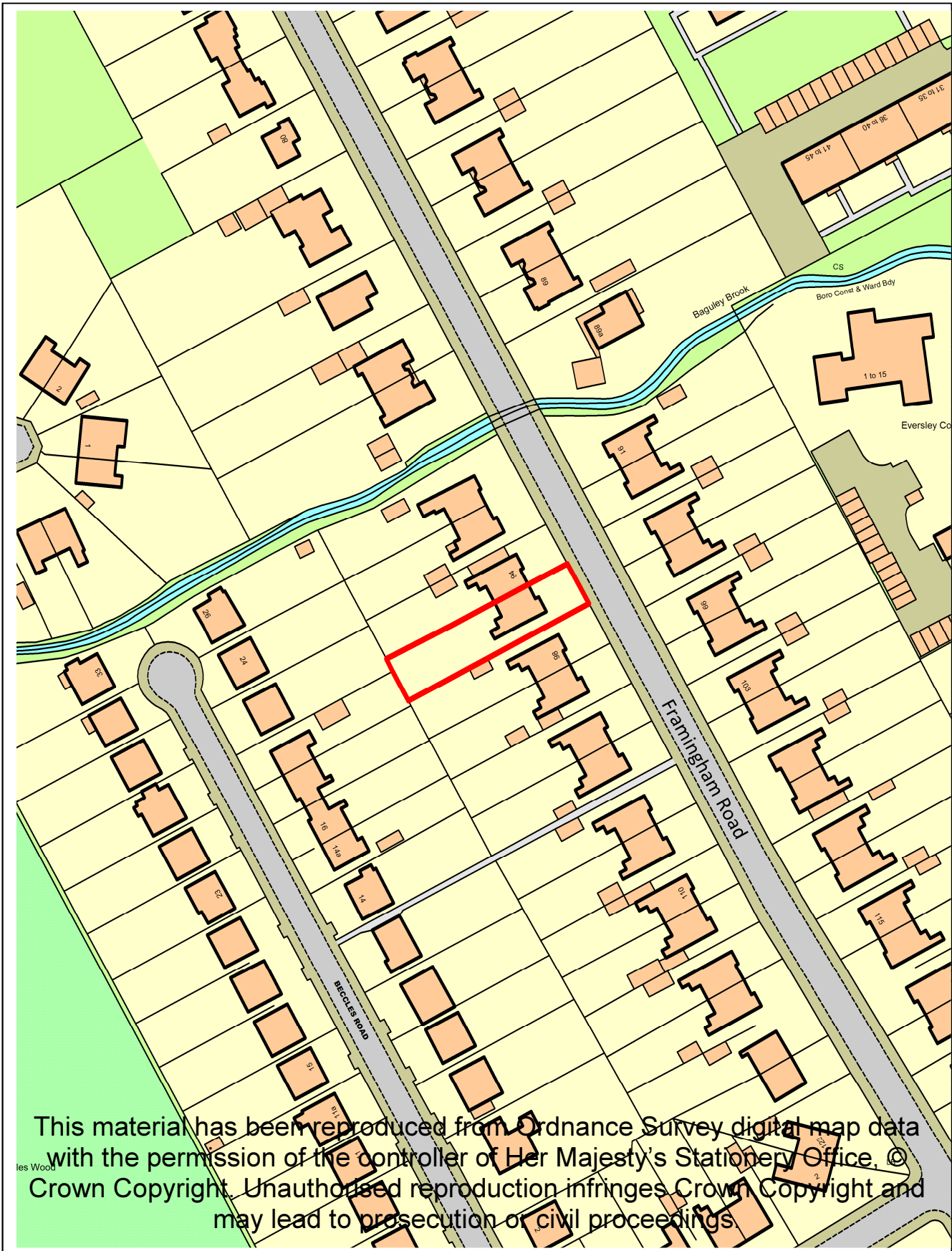
7. In relation to residential amenity, Policy L7 of the Core Strategy states development must not prejudice the amenity of the occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking or visual intrusion. The garage proposes two openings to the northern side boundary of the site and a single opening to the rear. As the garage would not act as a main habitable room and given the current form of boundary treatment, a 1.8 metre fence; it is considered that any increase in overlooking from the proposal would remain minimal.
8. As the garage would not be stepping any further forward than the existing and due to the increase in projection being to the rear, it is considered that any overbearing effects upon both the application dwelling and the neighbouring property, number 98 would remain minimal.
9. Number 98 has a large amount of private garden space to the rear, therefore any overbearing effects posed by the garage would be concentrated to a small area of this which adjoins the side boundary; and thus it is considered any such affects would remain minimal.
10. Parking – the proposal would not result in a reduction in on-site parking and thus remain compliant with policy L4 of the TBC Core strategy.
11. The proposal would not affect the current bin storage on site.
12. The proposal would not lead to a material reduction of private garden space.

#### **RECOMMENDATION: GRANT subject to the following conditions**

1. Standard time conditions
2. Matching materials
3. Compliance with plans herby approved

IG

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**LOCATION PLAN FOR APPLICATION No: - 82558/HHA/2014**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**ERECTION OF SINGLE STOREY FRONT EXTENSION. ALTERATIONS TO WINDOWS AND DOOR ON SIDE ELEVATION.**

3 Grange Avenue, Hale, WA15 8ED

**APPLICANT:** Mr Fergal Farrell

**AGENT:** Tony Camilleri

**RECOMMENDATION: GRANT**

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**SITE**

The application relates to a two storey semi-detached dwelling located on the north-western side of Grange Road, Hale; situated within a large residential area the site has properties of a similar style and type to all sides. The main dwelling itself has a gabled roof design and features bay windows within its main front principal elevation at both ground floor and first floor level. The dwelling also features a small porch within this elevation, with a hipped roof design.

**PROPOSAL**

The proposal details the erection of a single storey front extension with a hipped roof design, alongside alterations to the eastern side elevation of the dwelling at ground floor level. The proposed front extension would have a maximum projection of 1.2 metres towards the front boundary of the site and it would have a total width of 3.6metres, taking its eastern side elevation flush with that of the main house. The works to the eastern side elevation would see an existing door and window opening being re-sited and the creation of a new window opening, featuring obscure glazing. Those on the ground floor in the existing side elevation would be permitted development; those on the upper floor are considered as part of this application.

Currently on site there are works taking place regarding a previous approval for planning permission last year, application number 80771/HHA/2013.

**DEVELOPMENT PLAN****The Development Plan in Trafford Comprises:**

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

within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 - Design

## **PROPOSALS MAP NOTATION**

None

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

None

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

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

## **RELEVANT PLANNING HISTORY**

80771/HHA/2013 –Erection of a part single storey/part two storey rear extension, erection of an extension to existing front dormer to infill void between dormer and front gable. Approved with conditions on 31/07/2013.

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Neighbours - 8 objections were received in relation to the proposed works from the neighbouring properties. These have been summarised below:

- Objected on the grounds of the proposal being too large and thus appearing obtrusive within the wider street scene
- Proposal appearing out of keeping with the wider street scene and therefore posing visual harm to the area
- The proposal would overstep the building line that runs along the street scene
- The side facing windows appearing too large for the elevation



## **OBSERVATIONS**

### DESIGN AND APPEARANCE:

1. The proposed extension is considered to be of a small scale and thus is considered to be subordinate to the main house. It has a forward projection of 1.2 metres on the eastern side of the site and 0.6 metres on the western side; the extension much like the existing porch would have a lean-to roof design, as such it is considered to remain in keeping with the design of the existing dwelling.
2. The extension would have a width to 3.8 metres, and still be set away from the existing bay window within the main front elevation, therefore it is considered that it would not act as a dominating feature within the front elevation of the main dwelling.
3. Although the adjoining properties to the west and east do not have such extensions erected, it is considered that due to the small nature and scale of the extension it would not form an obtrusive or dominant feature within the wider street scene. It should also be noted that properties further down the street have erected both front and side extensions.
4. The extension is detailed to be built at single storey level with materials to match the existing, the eaves level will also be kept at the same level as the existing as will the maximum ridge height. The extension would also have fewer openings than the existing and thus proposes a much simpler and more aesthetic design.
5. The extension would not project any further forward to the eastern side boundary of the site; as such it would not pose harm to the spaciousness of the wider site and prevailing street scene.
6. The new openings proposed within the eastern side facing elevation are proposed at a similar scale to the existing openings; and therefore would not appear too large or out of keeping with the existing.

### RESIDENTIAL AMENITY

7. The proposed front extension would create fewer openings than the existing and as these would be for the main entrance/hallway of the house are considered not to lead to an increase in overlooking.
8. The proposed windows within the eastern side facing elevation would again not act as openings for a main habitable room; and two of these would act as replacements for existing openings. As there lies a reasonable distance to the side boundary and due to the fact that the single new opening would feature obscure glazing, it is considered that the works would again not lead to any new issues of increased overlooking.

### **RECOMMENDATION: GRANT subject to the following conditions**

1. Standard
2. Matching materials
3. Compliance with submitted plans

4. Obscure glazing – first floor window in north-east side elevation

**IG**

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**CREATION OF A VEHICULAR ACCESS ONTO NORTHENDEN ROAD.**

302 Northenden Road, Sale, M33 2PA

**APPLICANT:** Mr Jonathan Brass

**AGENT:** n/a

**RECOMMENDATION:** REFUSE

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**Councillor Freeman has requested the application be determined by the Planning Development Control Committee for the reasons set out in the report.**

**SITE**

The application relates to a two storey semi-detached property occupying the corner of Northenden Road and Dunollie Road; the site is located opposite Norley Drive. The application site has an existing vehicular access point on Dunollie Road, with a detached garage in the rear garden. The application site has a hedge row to the front and side, part of which has been chopped down to create an opening for the proposal. Work is currently being undertaken in respect of paving the front garden to accommodate vehicle parking.

**PROPOSAL**

The current application is a resubmission of the previously refused planning application 82023/HHA/2013 for the creation of vehicular access fronting onto Northenden Road. No changes have been made to the proposal, which would consist of a dropped kerb to measure 3.5m wide.

**DEVELOPMENT PLAN****The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

Policies of particular relevance to this application,

L4 (Sustainable Transport and Accessibility) Maximum levels of car parking for broad classes of development are set out in Appendix 3 as part of a package of measures to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion as well as minimise the dangers to public and highway safety and the loss of amenity and convenience likely to be caused by on-street parking.

L5 (Climate Change) states that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.

L7 (Design) clearly sets out that development must be appropriate in its context, make best use of opportunities to improve the character and quality of an area and enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment. Furthermore, policy L7 reveals that development must be compatible with the surrounding area and must not prejudice the amenity of the future occupiers of the development or occupants of adjacent properties.

## **PROPOSALS MAP NOTATION**

No allocations.

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

None relevant.

### Supplementary Planning Guidance

#### **Supplementary Planning Document 4 (SPD4): A Guide to Designing House Extensions and Alterations (Adopted 27th February 2012)**

Paragraph 2.1.2 states that when considering applications for domestic extension or alteration the Council will take the following relevant general principles into account:

- the design of the proposal in relation to the original dwelling.
- the impact of the proposal upon the amenities of neighbouring properties and the surrounding area, and that developments do not themselves suffer from a poor level of amenity.

Section 2.13 deals with parking layout and design and paragraph 2.13.1 states that:  
*“Parking layouts should be designed so as to not prejudice highway safety, complement the street scene and minimise the impact on neighbouring amenity. It is important to marry the need for parking provision with safeguarding the character of residential areas. Early consideration should be given to the impact of an extension on the parking arrangement within the property.”*

Paragraph 2.13.3 discusses measures that should be taken to avoid localised flooding and advises that:

*“Parking areas should be softened by planting trees, shrubs or other greenery around parking bays. Large areas of hard surfacing should be avoided as it is undesirable for aesthetic reasons and the impact on localised flooding. It is preferable for hard standing/driveways to be made of porous materials or to include direct run-off water from the hard surface to a permeable or porous area/surface within the curtilage of the dwelling. The incorporation of landscaping also helps to provide more sustainable drainage by reducing and slowing down surface run-off.”*

Section 3.12 of the SPD deals with boundary treatment (walls and fences).

Paragraph 3.12.9 continues:

*“The siting and height of boundary treatment should not impact on highway safety by reason of obstructing sight lines within the vicinity which effect safe access/egress for the car.”*

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

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

## **RELEVANT PLANNING HISTORY**

### This Site

82023/HHA/2013 - Creation of vehicular access fronting onto Northenden Road. Refused: 05/02/2014

Reason for refusal: The proposed vehicular access, by reason of its siting on a busy road and in close proximity to the junctions with two side roads, is likely to result in additional vehicular conflict, and would therefore be detrimental to highway safety. As such the proposal is contrary to Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations

### 304 Northenden Road

H/57147 - Construction of a vehicle pavement crossing from Northenden Road to provide access to car parking area within front garden. Approved with conditions: 03/09/2003.

## **APPLICANT'S SUBMISSION**

None.

## **CONSULTATIONS**

**Local Highways Authority** – Objects to the proposal due to the additional vehicle conflict caused by installing a vehicle access opposite an existing road junction, thus creating a 'crossroads'. The proposal would conflict with the Council's Highway Design Standards.

## **REPRESENTATIONS**

Councillor Freeman states:

- Not enough credit has been given to the applicant creating off road car parking for at least two vehicles;

- The proposals will prevent cars from parking on the junction;
- Support should be given to residents seeking to remove vehicles from the road;
- The proposals would not cause major concerns for road and foot passenger safety in the immediate area;
- There are many examples of similar developments across the borough.

1 letter of support was received, summarised as follows:

- No objections and fully in favour of the plans;
- The plans would allow the applicants to turn their cars within their garden;
- The proposals would create more space on the road for other vehicles;
- There are unknown cars being left at the entrance of the road which makes it very dangerous “in and out”.

## **OBSERVATIONS**

### **BACKGROUND**

The current application is a resubmission of the previously refused application 82023/HHA/2013. Following the refusal, the current application was submitted and subsequently ‘called in’ to Committee by Councillor Freeman.

### **DESIGN AND VISUAL AMENITY**

In relation to matters of design, Policy L7 of the Core Strategy states development must:

- Be appropriate in its context;
- Make best use of opportunities to improve the character and quality of an area;
- Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment;

SPD 4: A Guide for Designing House Extensions and Alterations, paragraph 2.13.1 states that parking layouts should be designed so as not to prejudice highway safety.

SPD3: Parking Standards and Design, paragraph 6.7.1 states that issues concerning highway safety will be of paramount importance. For example, this will include the location of entrances / exits, traffic movements and visibility splays, whilst giving consideration to the needs of all road users, and particularly vulnerable road users such as pedestrians.

The proposal would involve creating an opening of approx. 3.5m in the existing hedges to the front of the property. This work has already been undertaken and does not require planning permission.

An area of hard-standing would be created as a result of the proposals. A site visit revealed that this is currently underway, although this is not part of the current application. The extent or materials of the hard-surfacing is not clear; however it should be noted that planning permission would be required if the hard-surfacing would exceed 5msq and would consist of non-porous materials that would run directly into the existing drainage system. This is not a consideration to be made under the current application.

## HIGHWAYS AND PARKING

Northenden Road forms part of the B5166, which runs from Princess Parkway (A5103), through Sale Moor and Sale town centre, connecting to Carrington Lane to the west of Sale. The proposed dropped kerb would front onto Northenden Road close to the centre of Sale Moor; it would be located directly opposite Norley Drive and close to the corner of Dunollie Road.

The property when built had a driveway accessed off Dunollie Road which currently remains, due to the fact that the previous application for the proposed vehicular access was not refused. It is the LHA's view that the existing driveway could be amended and used to provide adequate car parking for the dwelling. In addition to the existing off-street parking spaces, there is also potential on-street parking on the Dunollie Road frontage of the property.

The Council's guidelines are set out in the Highway Design Standards for Adoption which states that 'private drives should be positioned clear of the radius curve forming a junction with another road'. It is the LHA's view that the whole of the frontage of 302 Northenden Road is opposite the radius curve that forms the junction with Norley Drive.

Due to the junction arrangement, the proposed dropped kerb would be situated directly opposite Norley Road; this would create a hazardous point of conflict for pedestrians and vehicles. Furthermore the proposed dropped kerb would also be located in close proximity to the junction to Dunollie Road, which would create an additional hazard. As such, the proposal is against the Council's Highway Design Standards For Adoption.

Comments received from LHA also raised issues of inadequate visibility at the proposed vehicular access point, caused by the boundary hedge. The highways authority further indicated that even if the visibility were to be improved, given the exact location, this would not be an adequate solution to sufficiently mitigate the harm caused by the addition of a vehicular access point on Northenden Road.

Although there have been some instances where second vehicular access points have received planning approval on Northenden Road (including 304 Northenden Road), it is considered that given the particularly awkward situation arising from the proximity to side roads; in this case it is not acceptable on highways grounds.

## CONCLUSION

No changes have been made to the current application following the refusal of the previous application 82026/HHA/2013. It is therefore recommended that planning permission should be refused due to the highway safety concerns outlined above.

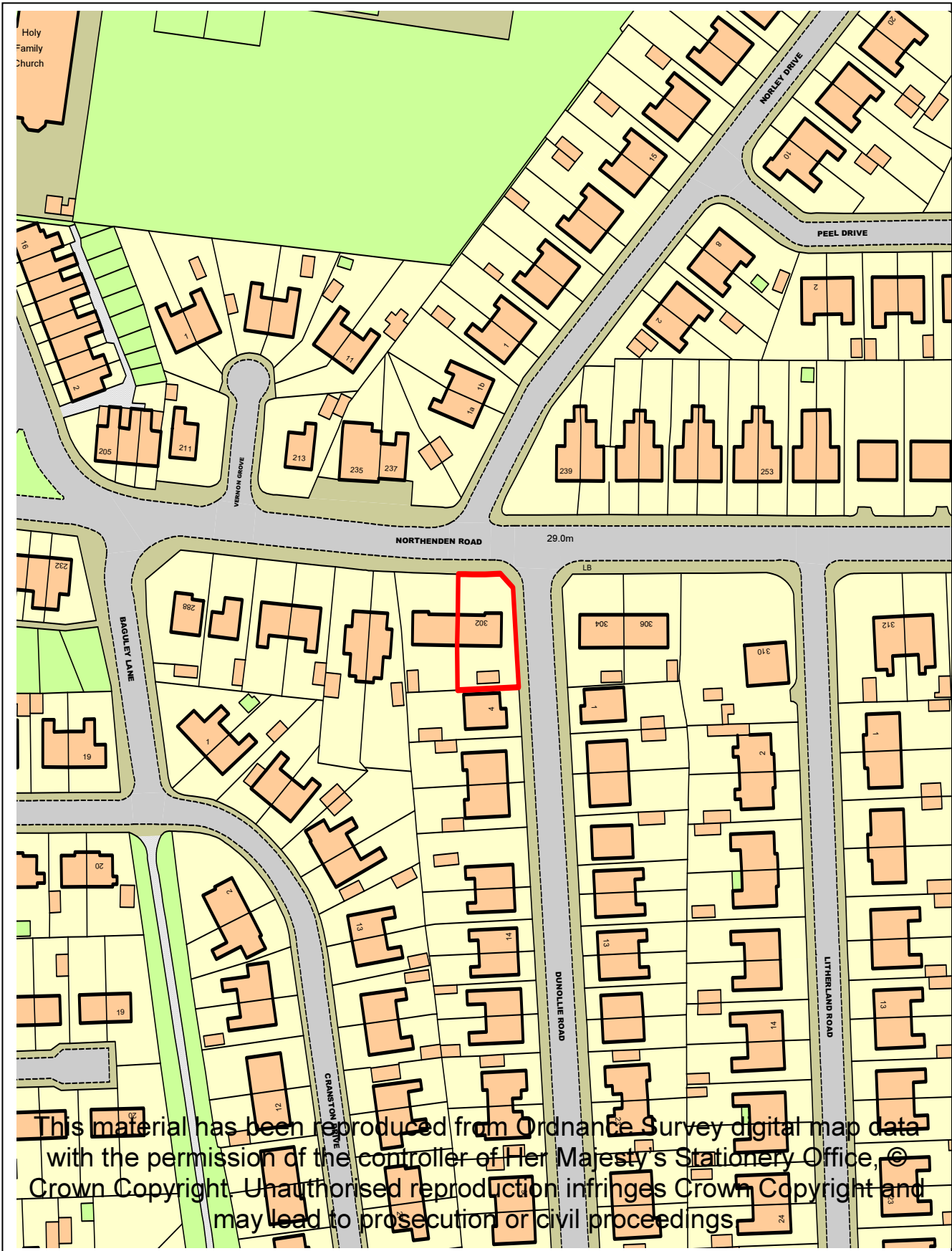
## **RECOMMENDATION: REFUSE subject to the following reason**

The proposed vehicular access, by reason of its siting on a busy road and in close proximity to the junctions with two side roads, is likely to result in additional vehicular conflict, and would therefore be detrimental to highway safety. As such the proposal is contrary to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document, SPD4: A Guide for Designing House Extensions and Alterations and SPD3: Parking Standards and Design.

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OSt-A





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**LOCATION PLAN FOR APPLICATION No: - 82661/HHA/2014**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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**ERECTION OF 44 SHELTERED APARTMENTS FOR THE ELDERLY, INCLUDING COMMUNAL FACILITIES (CATEGORY II TYPE ACCOMMODATION), WITHIN A PART THREE STOREY AND PART TWO STOREY BUILDING AND ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING.**

Former St John the Baptist Church & Presbytery, Thorley Lane, Timperley, WA15 7AZ

**APPLICANT:** Churchill Retirement Living

**AGENT:** Planning Issues Ltd

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

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**SITE**

The application site is located on the west side of Thorley Lane to the south of the centre of Timperley, close to the junction of Thorley Lane with Shaftesbury Avenue. The site extends to approximately 0.65ha and is vacant following the demolition of the St John the Baptist Roman Catholic Church and an attached former presbytery last year. There are a number of trees to the site frontage and within the grounds of the site, all of which are protected by an area Tree Preservation Order. To the rear part of the site is a large area of hardstanding (former car park) and the remainder of the site is grassed.

The site is within a predominantly residential area, being surrounded on all sides by residential property. To both sides of the site there are two storey detached houses on Thorley Lane and on Larkhill Close and Mayfield Close which adjoin the rear part of the site. On the opposite side of Thorley Lane there are detached bungalows and to the rear there are two storey detached houses on Mosley Road.

**PROPOSAL**

Permission is sought for erection of a part three storey and part two storey building to provide 44 sheltered apartments for the elderly. The accommodation includes 28 x 1-bed apartments and 16 x 2-bed apartments, communal facilities including an owner's lounge, well-being suite and laundry on the ground floor and guest apartment on the second floor. The plans also indicate air source heat pumps and a sub-station adjacent to the building.

The development would be Category II type residential sheltered housing (Use Class C3). The applicant's submission describes the development as being specifically designed to meet the needs of independent retired people and provides self-contained apartments for sale. The development includes a lodge manager who is available to provide assistance and security for the owners of the apartments, video entry system, owners lounge, lift, communal landscaped garden and a guest suite. The apartments are sold with a lease containing an age restriction which ensures that only people of 60 years or over, or those over this age with a partner of at least 55, can live in the development.

The proposed building is T-shaped with the front section extending some 59m across the site and the 'T' projecting some 31m to the rear. It has three floors of accommodation and is therefore predominantly three storeys, although much of the second floor accommodation utilises the roofspace and dormer windows which minimises the extent of full three storey

high elevations. Viewed from the front the scheme comprises three large blocks designed to appear as large detached houses linked with a recessed two storey section between each block. It would be constructed predominantly in facing brick of two types (plain dark red and 'Farmhouse' red multi) with terracotta and slate grey coloured concrete tiles to the roofs and the detailing includes terracotta tile hanging to the first and second floor of the front gables, small areas of ivory coloured render, buff coloured feature brick, reconstituted stone or buff brickwork window heads and reconstituted stone window cills.

Vehicular access to the site is proposed via the existing access from Thorley Lane approximately half way along the frontage. The other existing access at the southern end of the frontage would be closed off as a vehicle access and pedestrian access provided in this position. The existing pedestrian access into the site at the far northern end of the frontage would also be retained. A total of 28 parking spaces would be provided to the front of the building.

Amended plans have been submitted in response to comments of officers which increase the parking to meet the Council's standard (from 25 to 28 spaces), provide cycle storage and motorcycle spaces, widen the internal access to meet standards and add pedestrian access from the south end of the frontage up to the building. The amended plans also seek to address concerns raised regarding privacy distances retained from some of the proposed windows and balconies to surrounding properties. In summary these show a number of windows as obscure glazed and screens to the balconies concerned.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

- L1 - Land for New Homes
- L2 – Meeting Housing Needs
- L3 – Regeneration and Reducing Inequalities
- L4 – Sustainable Transport and Accessibility
- L5 – Climate Change
- L7 - Design
- L8 – Planning Obligations

R2 – Natural Environment  
R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

None

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

H4 – Release of Other Land for Development

## **TRAFFORD LOCAL PLAN: LAND ALLOCATIONS CONSULTATION DRAFT (JANUARY 2014)**

The Council consulted on its Draft Land Allocations Plan between February and March 2014. Although not adopted, the plan should be considered as a material consideration in determining this application. Of particular note for this application is Policy HO3 – Residential Accommodation for Older Persons.

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

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

## **RELEVANT PLANNING HISTORY**

77288/FULL/2011 - Erection of 50 sheltered apartments for the elderly including communal facilities within a part three storey and part two storey building, following demolition of existing church and presbytery. Refused 24/12/13

76263/DEMO/2011 – Demolition of existing church, single storey link, presbytery and detached garage (Consultation under Schedule 2, Part 31 of the Town and Country Planning (General Permitted Development) Order 1995). Approved 20/01/11

H/ADV/66228 - Erection of two signs on fence and one free standing sign. Approved 13/03/07

H37674 - Display of non-illuminated free standing sign. Approved 07/09/93

H33570 - Construction of an extension to the existing car park to provide space for 14 additional cars. Approved 19/06/91

## **APPLICANT'S SUBMISSION**

The application is accompanied by the following detailed supporting statements: -

Planning Statement  
Design and Access Statement  
Affordable Housing Statement and Viability Appraisal  
Transport Statement  
Arboricultural Impact Appraisal and Method Statement  
Flood Risk Assessment

Extended Phase 1 Ecological Assessment  
Archaeological Desk Based Assessment  
Energy Strategy Report  
The Need for Private Retirement Housing in Trafford District

Relevant parts of these statements will be referred to in the Observations section of this report where necessary.

## **CONSULTATIONS**

**LHA** – No objections in principle to the proposals, subject to the provision of motorcycle parking spaces, improved pedestrian access and provided that the parking spaces, aisle widths and access width meet dimension standards. Amended plans have since been submitted in relation to these issues and the further comments of the LHA will be included in the Additional Information Report. The LHA confirm the parking provision is acceptable. Comments summarised in the Observations section of the report.

**Pollution and Licensing** – Comments not received at time of preparing this report and will be reported on the Additional Information Report.

**Environment Agency** – Refer to the Council's Strategic Flood Risk Assessment and that brownfield developments in such areas should aim to reduce surface water run off by 50% compared to the run off from the existing developed site. Recommend any approval includes a condition requiring a scheme to limit the surface water run-off from the development to be submitted and approved.

**United Utilities** – Comment that the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. No objection provided that the following conditions are attached to any approval: 1) details of the foul drainage scheme to be submitted and approved and to be drained on a separate system; 2) surface water drainage scheme and means of disposal to be submitted and approved and based on sustainable drainage principles.

**Greater Manchester Police (Design for Security)** – No objection to the principle of the development although comment such a scheme would be expected to include a crime impact statement. Recommend that a crime impact statement is submitted prior to determination or that a condition is included, which requires the developer to submit a comprehensive security plan for the scheme and which adheres to the principles of Secured by Design. Comments summarised in the Observations section of the report.

**Greater Manchester Archaeological Advisory Service** – No objections and accept the conclusions of the desk-based archaeological assessment, that there is negligible potential for remains to survive. Comment that there is no need to place any further archaeological requirement upon the applicant.

**Greater Manchester Ecology Unit** – The application can be forwarded for determination and any permission should be supported by conditions in relation to the following: 1) works to trees not to be undertaken in the main bird breeding season, unless nesting birds are found to be absent; 2) Lighting strategy to be carefully considered and consist of low level or directional luminaries to ensure minimal impact on foraging bats; 3) All trees to be retained

should be protected to prevent damage to the root system; 4) opportunities for biodiversity enhancement be incorporated into the development. Comments summarised in the Observations section of the report.

**Strategic Planning** – Comments incorporated in the Observations below.

## **REPRESENTATIONS**

**Neighbours** – 4 letters of objection received summarised as follows: -

- Overdevelopment of the site and will have considerable detrimental impact on surrounding properties.
- The three storeys will directly overlook the back of 17 Mayfield Close and result in no privacy.
- The bulky nature of the proposed building is not in keeping with the local area.
- The leg of the building is too close to the properties on the southern border and will impact in terms of view, light and will overlook the properties.
- No. 33 Mosley Road is not overlooked and the former church was further away from the boundary. The west elevation has 2 kitchen windows on both the ground and first floors which would directly overlook the garden and property and there is also a balcony to the side elevation. The previous application only had obscure glass windows in this elevation and no balconies. For at least six months of the year the trees on the boundary are without leaves and won't obscure the view of the west elevation.
- No. 1 Larkhill Close is currently not overlooked and would be subjected to gross invasion of privacy with some 32 windows and balcony doors looking directly into the house and garden. As the building is retirement apartments it suggests they will be occupied effectively all day. The boundary trees will offer no cover for six months of the year. A perfectly healthy tree is also proposed to be removed close to this boundary.
- Question whether the developers have been asked to produce an environmental impact report. The proposed heat pump will emit constant noise and should be avoided in close proximity to neighbouring properties.
- Thorley Lane is already a very busy and fast road and would become more dangerous during the construction phase and the final occupancy of the site.
- The site is also close to traffic lights at a busy crossroads. This crossing is difficult for pedestrians even though there are pedestrian crossings.
- Larkhill Close and surrounding roads will suffer from parking problems and increased congestion due to insufficient parking being provided.
- Timperley is more than adequately served by retirement homes and this continuing trend will have a detrimental effect on the balance of the residency of the area.
- The proposal will result in months of noise, dust, fumes and disruption followed by years of living with a considerable loss of privacy and constant noise intrusion.

One further letter states the Archaeological Assessment has missed a datestone of 1729 set into the wall on the north boundary of the site and this should be preserved.

## **OBSERVATIONS**

### **BACKGROUND**

1. A previous application for a similar development of 50 apartments was refused in December 2013 (ref. 77288/FULL/2011) for the following two reasons: -

The proposed development, by reason of its size, scale, height, depth, massing and design, in particular the design of the external elevations, would be an unsympathetic, overdominant development of the site which would be out of character with the residential scale and urban grain of the surrounding area and detrimental to the visual amenity and character of the street scene and the wider area. The proposed development would fail to take this opportunity for improving the character and quality of the area and would not be a sustainable form of development. As such the proposed development is contrary to Policies L2 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and advice contained within the National Planning Policy Framework.

The applicant has failed to demonstrate that the proposed development is only viable with the financial contribution put forward, which is below the Trafford Developer Contribution required for the type and scale of development proposed. The proposed development fails to meet the requirements of the area for the provision of Affordable Housing; Highways and Active Travel Infrastructure; Public Transport Schemes; Specific Green Infrastructure; and Spatial Green Infrastructure, Sports and Recreation. As such the proposed development is contrary to Policy L8 of the Core Strategy and guidance set out in SPD1: Planning Obligations and the National Planning Policy Framework and would result in an unsustainable form of development in that it would not contribute to the provision of community infrastructure necessary to help achieve the sustainable community development and environmental improvement objectives of the Core Strategy.

2. This current application seeks to address the above reasons for refusal with a scheme of reduced footprint and amended design and submission of a revised viability appraisal. The main amendments to the scheme are summarised in paragraph 11 below.

#### PRINCIPLE OF DEVELOPMENT

3. The NPPF includes within its core planning principles the need to deliver the homes that are needed and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy L2 of the Core Strategy (Meeting Housing Needs) states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy. Of relevance to this application it requires new development to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, not harmful to the character or amenity of the immediately surrounding area and in accordance with Policy L7 (Design) and other relevant policies within the Development Plan.
4. With regards to older persons accommodation, L2 states in order to meet the needs arising from the increasing longevity of the Borough's older residents, the Council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people. Policy L2 also specifically refers to providing for the "frail elderly" of the Borough and that the Council will seek to meet their needs through allowing 4% (approximately 500 units) of the overall housing land target to be developed as new housing for older person

households. This proposal will contribute to meeting both the overall housing land supply target and the specific needs of older persons.

5. Policy HO3 of the emerging Trafford Local Plan: Land Allocations, identifies a number of criteria against which proposals for older persons' accommodation should be judged; whilst not adopted Council Policy, it nevertheless provides a useful checklist in this case. Specifically Policy HO3 states that proposals for the development of sites that will help to deliver a range of high quality, well designed accommodation for the growing ageing population of Trafford, will be permitted where:
  1.
    - i. It is located close to local services, amenities and local centres or community hubs with high levels of community activity;
    - ii. It is easily accessible by a range of travel modes that provide alternatives to trips made by the private car; and
  2.
    - i. The development has been appropriately designed (paying particular attention to scale, massing, height and external appearance) to take account of the urban grain, local distinctiveness and character of the area;
    - ii. Its design reflects current best practice guidance and the design principles for such accommodation and;
    - iii. Where the overall delivery of general market housing is not jeopardised.
6. The site is unallocated in the Adopted Unitary Development Plan and in the emerging Land Allocations Plan. Since the church and presbytery were demolished last year it has been vacant and the site is partly grassed and partly hardsurfaced. Although it has characteristics of both previously developed land and greenfield land, it is considered to constitute previously developed land given that until recently there were buildings on the site and that there are large hardsurfaced areas remaining.
7. The site is within the urban area and a sustainable location given its proximity to local services and facilities in Timperley village only 0.5km further along Thorley Lane. The site is well served by public transport, being within walking distance of bus stops on Thorley Lane and which provide regular services between Timperley and Altrincham and between Altrincham and Stockport. It therefore meets the locational requirements of Policy L2 of the Core Strategy and both the above criteria in section one of the emerging policy.
8. The site has not previously been identified for general market housing, therefore given this and the fact that recent monitoring of the borough's housing land supply indicates that sufficient land is currently available to meet the five year housing land supply target, it is not considered that the proposed development will have a significantly adverse impact on the delivery of general market housing. Indeed it will, in part, contribute to the borough's 80% previously developed land target and will serve to add further flexibility to the borough's housing land supply. The scheme includes a mix of 1 and 2 bed apartments all of which would be available solely for elderly persons (described by the applicant as over 60, or over 55 with a partner over 60), which is in accordance with Policy L2 of the Core Strategy and guidance in the NPPF aimed at delivering a wide choice of high quality homes and create sustainable, inclusive and mixed communities.



9. Taking the above points into account it is considered the proposal will make efficient use of previously developed land and which is in a sustainable location, as well contribute to the provision of older person's accommodation, in accordance with the NPPF, Policies L1 and L2 and the contribution to the Core Strategy's overall objectives.

## IMPACT IN THE STREET SCENE AND ON THE CHARACTER OF THE AREA

10. The previous scheme was considered an unsympathetic, overdominant development of the site that would be out of character with the residential scale and urban grain of the surrounding area. The particular concerns were over its size, scale, height, depth, massing and design, with particular reference to the proportion of the site taken up by the building and extent of three storey development, the three storey wing to the rear and the uninterrupted length of ridge of this roof and that the scheme failed to visually break up the mass of the building into smaller constituent parts of more domestic scale and the various elements would result in an incoherent appearance. Regard was had to the NPPF and Core Strategy Policy L7 which emphasise that new development should make the most of opportunities to improve the character and quality of the area. Of relevance to this proposal Policy L7 requires development to be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and make appropriate provision for open space where appropriate.
11. In summary the current scheme differs from the previous scheme as follows : -
  - Design of the front elevation amended to give the impression of three large detached buildings (linked by recessed 2 storey elements);
  - The frontage width of the building has been reduced by approximately 3m, to 59m compared to 62m previously;
  - The height of the front elevation has been reduced from a full 3 storeys with 2 storey elements at each end, to 2 and half storeys with 2 storey elements at each end. The reduction in height of the main parts of the building are reduced from approximately 11-11.5m to 10-10.5m;
  - The length and height of the projecting section to the rear have been reduced and a stepped roof-line proposed to this section rather than a continuous ridge line. This section would retain 12m-12.6m to the rear boundary compared to 9.5m-10.5m previously and the height would be between 8.7m to 10.2m compared to 11m previously.
  - Amended roof design to incorporate a series of gabled and hipped roofs at differing heights.
  - Amended elevational treatment with greater articulation and wider palette of materials.
12. The proposed building would be set back from Thorley Lane on a similar building line to other buildings on the road. In relation to the adjacent dwellings on Thorley Lane, the front elevation would be set back from Nos. 38 and 40 to the south and on a similar alignment as No. 12 to the north, which is considered an appropriate siting relative to Thorley Lane. It would extend some 59m across the site retaining gaps of 10 metres to each side boundary and to a maximum depth of some 46 metres projecting towards the rear boundary. In terms of its height the proposed building is predominantly three storeys, although much of the second floor accommodation utilises the roofspace and dormer windows which minimises the extent of full three

storey high elevations. The building includes two storey elements to both sides of the front section of the building intended to provide a transition to the two storey houses on either side and also to the rear of the 'T' section projecting to the rear of the site.

13. The proportion of the site taken up by the proposed building is slightly reduced compared to the previously refused scheme but would still be significant; however, the height of each part of the building has been reduced and greater articulation introduced within the elevations which collectively break up the massing and reduce the perceived scale. The applicant's submission states that the combination of a reduction in height, inclusion of deep recesses and the use of appropriate materials all serve to reduce the perceived mass and bulk of the building and present a more 'domestic' appearance to Thorley Lane. Viewed from Thorley Lane the scheme comprises three large blocks designed to appear as large detached houses linked with a recessed two storey section between each block. This would give a sense of separation when the development is viewed along Thorley Lane rather than a single building extending across the site.
14. In terms of its height the proposed building is higher than surrounding dwellings although it is considered that having regard to the size of the site, the distance retained to site boundaries, the inclusion of two storey elements at each end and to the rear and the articulation provided in the elevations, the height of the development would be acceptable in its context.
15. In terms of external appearance and materials, the proposed building is to be of predominantly brick construction with gabled and hipped roof elements of differing heights to break up the massing. The elevation treatment to each element is designed to be of domestic proportions and appearance and includes two brick types are proposed to the elevations (plain dark red and 'Farmhouse' red multi), with the detailing including terracotta tile hanging to the first and second floor of the front gables, small areas of ivory coloured render, buff coloured feature brick, reconstituted stone or buff brickwork window heads, reconstituted stone window cills and white uPVC casement style windows. Two different types of roof covering are proposed - terracotta and slate grey coloured concrete tiles. This results in articulation and variation within all the elevations and successfully breaks up the massing whilst still retaining a coherent overall design.
16. In comparison to the previously refused scheme it is considered the reduced number of apartments and the amended design, roof form and palette of materials, visually breaks up the massing of the building into a series of smaller elements and reduce the scale and massing to an extent that would be more in keeping with the domestic scale and character of its surroundings. The amended roof form in particular comprising a number of individual roof elements at differing heights as opposed to a much larger roof mass as previously proposed successfully breaks up the building. There remains some concern with the overall scale of the scheme, specifically the extent of projection to the rear which is still relatively close to the rear boundary for such a large building. Nevertheless it is considered this would not amount to overdevelopment of the site or lead to demonstrable harm to the character of the area. It is relevant to take into consideration that the scheme complies with the Council's guidelines for distances that should be retained to site boundaries and adjacent dwellings (see below) and that, given the depth of the site, part of the development extending back into the site is consistent with making the best use of previously developed land. In conclusion it is considered the scheme would not be overdominant or out of character with the surrounding area. As such it is considered

the scheme complies with Policies L2 and L7 of the Core Strategy and relevant guidance in the NPPF relating to design.

17. The existing brick wall to the front boundary is to be retained (repaired as necessary) with metal railings erected above to an overall height of 1.5m which is considered would have acceptable impact within street scene.

#### IMPACT ON AMENITIES OF ADJACENT RESIDENTIAL OCCUPIERS

18. The Council's Guidelines for new residential development recommends that where there would be major facing windows, three storey dwellings should retain a minimum distance of 24m across public highways and 30m across private gardens and for two storey developments the minimum distances are 21m and 27m respectively. Distances to rear garden boundaries from main windows should be at least 13.5m for this type of development. Where there is a main elevation facing a two storey blank gable a minimum distance of 15m should normally be provided.
19. In relation to No. 38 Thorley Lane on the south side of the site, the front part of the proposed building would be positioned approximately 10.5m from the shared boundary and the rear section of the building approximately 8.5m from the boundary. The front elevation would be set back from No. 38 (by approximately 6.5m) and at the rear it would extend approximately 18.5m beyond the rear elevation of No. 38. Whilst this would be a significant rearward projection relative to No. 38 it is considered the distance it would be set away from the boundary together with screening provided by existing trees on the boundary ensure the building would not be overbearing from its rear windows or rear garden and would not have a detrimental impact on outlook. It is also relevant to have regard to the fact that the former church was positioned a similar distance from this boundary, extended a similar depth and was higher than the proposed building, therefore the proposed building would have no greater impact than this previous situation. Given its distance from the boundary and being to the north of No. 38 it would not result in loss of light or overshadowing to that property. The only upper floor windows proposed in the side elevation nearest No. 38 are 4 x first floor windows. These windows are less than the required 13.5m to the boundary and in response to this being raised as a concern amended plans have been submitted to show these as obscure glazed and fixed shut to ensure no loss of privacy (although 3 of these windows serve habitable rooms these are secondary windows to the rooms; therefore it is considered acceptable for these to be obscure glazed). The projecting section to the rear of the development would retain over 40m to the boundary with No. 38 and as such would be far enough away so as not to result in any loss of privacy to its rear garden.
20. Properties on Mayfield Close also adjoin the southern boundary and the nearest part of the proposed building would be at a distance of 24m from the boundary and 36m+ to the houses which meets the above guidelines and which is considered far enough away so as not to be overbearing or result in loss of privacy.
21. To the north side of the site the proposed building would retain between 8.5m and 10.5m to the boundary with No. 12 Thorley Lane and there would be a distance of 27m to 29m retained to the rear facing windows of that dwelling. These distances comply with the above guidelines and are considered sufficient to ensure the development would not be overbearing, although it is acknowledged the building would be highly visible through gaps in the trees along the boundary. With regards to whether any loss of light or overshadowing would occur (as the development is south

of this property), it is considered the distance retained to the boundary and with the nearest part of the building being two storey ensures this would not be significant and not to an extent that would be unduly detrimental to amenity. It is also noted this siting and height would be similar to the former presbytery that stood on this part of the site. The only windows proposed in the elevation facing No. 12 at first floor level are to a kitchen and corridor; the kitchen window would be approximately 10.3m from the boundary and the corridor window approximately 10.5m which it is considered would need to be obscure glazed given they are less than the guideline distance of 13.5m to the boundary. The amended plans confirm the kitchen window to be obscure glazed and top hung opening only and the corridor to be obscure glazed which would prevent overlooking of No. 12. As the kitchen window is the only window to a habitable room it is considered inappropriate for this to be entirely obscure glazed and therefore it would be acceptable for the top section of the window (from a minimum height of 1.7m above floor level) to be clear glazed.

22. In relation to numbers 1 and 2 Larkhill Close also to the north of the site, the main elevations of the projecting section to the rear would retain between 20m-22m to the boundary with these properties and approximately 31m-33m to the houses themselves. Although there would be a significant number of windows in this elevation, including balconies on the first floor, the distances retained to the boundary and to their rear elevations comply with the Council's guidelines of 13.5m to garden boundaries and 30m between facing windows. The balconies would retain between 18.3m and 19.5m to the boundary. Whilst the proposed development would be visible from these properties, it is considered its distance from the boundary is sufficient to ensure it would not be overbearing and the windows and balconies would not result in an unacceptable loss of privacy.
23. The scheme indicates air source heat pumps and a sub-station close to the north boundary and concern has been raised in the representations regarding potential for noise. The comments from the Pollution Section are awaited at the time of preparing this report and any issues with regards to this siting will be addressed in the Additional Information Report.
24. The rear of the site adjoins the garden boundaries of a number of properties on Mosley Road. The part of the proposed building nearest this boundary is 2 storey and would retain between 12m and 12.6m to the boundary whilst the 3 storey part of the building would be approximately 18.5m from the boundary. The distance retained to the rear elevations of houses in Mosley Road (No's 31, 33 and 35 which are directly behind) would be approximately 35m. In the case of the two storey section nearest the rear boundary this includes windows to kitchens to two of the apartments on the first floor and balconies to the side elevations which would be less than the 13.5m distance set out in the Council's guidelines. Amended plans have been submitted which show the windows as obscure glazed and with top hung openings only whilst the balconies would have a 1.7m high obscure glazed screen to the rear elevation. It is considered these amendments would prevent overlooking and a loss of privacy to the dwellings to the rear. As the kitchen window is the only window to a habitable room it is considered inappropriate for this to be entirely obscure glazed and therefore it would be acceptable for the top section of the window (from a minimum of 1.7m above floor level) to be clear glazed. In the case of the three storey section at the rear, this would comply with the guidelines of 13.5m to the boundary and 30m to the rear elevations of the houses directly behind which complies with the 30m guideline. It is acknowledged the projecting section to the rear would still appear relatively close to the rear boundary from the dwellings to the rear; however, it is considered this would not be overbearing or intrusive to an extent that would be detrimental to amenity and justify refusal on these grounds, having regard to the fact

that the distances retained comply with the Council's Guidelines. The rear elevation of the front part of the building would be some 40m from the boundary which is considered far enough so as not to be overbearing or result in loss of privacy.

25. The front elevation of the building would retain distances of almost 40m to the bungalows on the opposite side of Thorley Lane. This complies comfortably with the guideline of 24m across public highways and ensures there would be no loss of privacy arising from the proposed development, nor would it be visually overbearing at this distance.

## TRAFFIC

26. The proposed development is likely to generate more traffic onto Thorley Lane compared to the former use of the site as a place of worship (other than when it was in use at times of worship). The Transport Statement submitted with the application acknowledges this increase but concludes this would not have an adverse effect on the local road network in the context of existing traffic levels and transport infrastructure. The Statement also notes the site is in an accessible location in relation to bus stops, shops and other services and amenities and existing bus services and their frequencies would provide a choice of buses to serve the travel needs of the residents of the proposed development. In terms of traffic generation it is considered the impact of the development on the immediate road network would be acceptable. It is recommended any permission includes a condition requiring a Travel Plan to be prepared and implemented for the development.

## ACCESS

27. Vehicle access to and from the site would utilise the existing access approximately half way along the frontage, with the other entrance on the far left-hand side of the frontage closed off as a vehicle entrance and retained for pedestrian access. The LHA comment there are no objections in principle to the proposals subject to the provision of motorcycle parking spaces, improved pedestrian access and provided that the parking spaces, aisle widths and access width meet dimension standards. Amended plans have since been submitted in relation to these issues and the further comments of the LHA will be included in the Additional Information Report.

## CAR PARKING

28. The Council's parking standards for this type of development in this location is 1 space per 2 dwellings, 1 space per residential unit for resident staff and 1 visitor space per 8 dwellings. This equates to 28 spaces and the scheme provides this number of spaces, therefore the development is considered acceptable in terms of parking provision. The Council's standards also require 2 motorcycle parking spaces and 3 cycle parking spaces. The amended proposals include 2 motorcycle parking spaces and 4 cycle parking spaces in accordance with these standards and also a buggy store.

## IMPACT ON TREES

29. There are a number of mature trees within the site, particularly along the site boundaries and also a group in the south west corner of the site (mostly Limes) which are of significant amenity value to the area and contribute positively to the setting of the building. These trees are the subject of group Tree Preservation Orders and it is considered essential that any redevelopment of the site does not compromise these trees. The T-shape of the building is designed to avoid

disturbance to the group of protected trees in the south west corner and these trees are to be retained. The plans also show most trees along the site boundaries to be retained with some possible thinning to be undertaken. Trees to be removed are identified below. It is considered that the position of the building relative to protected trees would ensure they would not be compromised by the development.

30. A number of trees are proposed to be removed, including a group of Holly to the front boundary, a group within the site towards the rear comprising Catalpa, Cypress and Ash and a Hawthorn on the northern side boundary. These trees are all identified in the survey as being of poor form, declining, or in the case of the Holly being ornamental planting and has a history of regular canopy reduction.
31. Additional and replacement planting is proposed, including 3 trees to the front boundary to replace the Holly's to be removed, 3 trees to the rear boundary where gaps exist and planting of native woodland edge type shrubs in groups to the rear boundaries to provide understorey planting to the trees. In respect of impact on the trees it is considered the proposed development is acceptable.

## IMPACT ON ECOLOGY

32. An Ecological Assessment has been submitted with the application and has been assessed by the Ecology Unit who confirm that, although the survey was undertaken outside the optimum time to conduct such a survey, given the nature of the site they are satisfied that the results would not be significantly different if they were undertaken at the optimal time of year.
33. The Ecology Unit has made the following comments and suggested conditions:-

### **Birds**

The trees and shrubs on site have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). Recommend that works to trees should not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent.

### **Bats**

The site contains a single horse chestnut tree which has the potential to support roosting bats. This tree is to be retained as part of the development; it is recommended the lighting strategy for the proposed development is carefully considered. External lighting should consist of low level or directional luminaries to ensure there is a minimal impact on foraging bats. No lighting should directly illuminate the horse chestnut tree which is on the southern boundary of the site.

### **Trees**

All trees to be retained on the site should be protected from the development to prevent damage to the root system. Protection should follow guidelines presented within BS 5837:2012 'Trees in relation to design, demolition & construction' – Recommendations.

### **Biodiversity Enhancement**

In line with Section 11 of the NPPF, recommend that opportunities for biodiversity enhancement be incorporated into the new development. These could include:

- Bat bricks and/or tubes within the new development
- Bat boxes

- Bird boxes
- Native tree and shrub planting

## FLOOD RISK AND DRAINAGE

34. The site is within a Critical Drainage Area and over 0.5ha; accordingly a Flood Risk Assessment has been submitted. This concludes that surface water drainage design criteria have been proposed that will ensure the development is safe and secure from flooding and does not pass forward to the downstream catchment flows in excess of current discharges. A completely new surface water drainage system is required to support the proposed development which will, of necessity, be discharged to United Utilities public sewer(s).
35. The Environment Agency advise that as the site is within a Critical Drainage Area identified within the Council's Strategic Flood Risk Assessment, the development should aim to reduce surface water run-off by 50% compared to the run-off from the existing site. The submitted FRA does not recognise the SFRA's requirement to reduce the rate of surface water run-off. The EA recommend any permission includes a condition requiring a scheme to limit the surface water run-off from the development to be submitted and approved. The scheme should confirm existing and proposed receptors and show compliance with the Manchester City, Salford City and Trafford Council's Level 2 Hybrid SFRA User Guide, Final, dated May 2010.
36. It is recommended any permission is subject to the above condition, modified to also include a requirement to seek to achieve the 50% reduction in accordance with the SFRA objectives and Policy L5 of the Core Strategy.

## ARCHAEOLOGY

37. An Archaeological Desk Based Assessment has been submitted which concludes the development will not have an impact on any archaeological assets and no mitigation measures are required. GMAAS agree with these conclusions and advise there is no need to place any further archaeological requirement upon the applicant.
38. One of the representations received refers to the Assessment having missed a date stone of 1729 on the site, set within the brick boundary wall to the north boundary. The representation states the date stone was relocated from a building that used to stand at Greenhead Farm on Wood Lane, Timperley. This has been raised with the applicant who has confirmed if it all possible the date stone will be retained in-situ, or alternatively it will be protected during construction and incorporated into the scheme. It is recommended a condition is attached to any permission to ensure the stone is protected during vegetation clearance and construction, and that it is retained in-situ or a scheme for its re-siting and inclusion within the development is submitted.

## CRIME AND SECURITY

39. Greater Manchester Police (Design for Security) raise no objection to the principle of the development although they comment such a scheme would be expected to include a crime impact statement. In the absence of such a document it is not clear whether the applicant has given due consideration of the need to 'design out crime'. The proposals need to address the security of the fabric of the proposed building, creating a secure boundary to the rear of the site and a clearly defined boundary to the front, as well as the detailing how the facility will be managed from a security perspective. GMP recommend a crime impact statement is submitted prior to the determination of the application or that a condition is included, which requires the

developer to submit a comprehensive security plan for the scheme, one that adheres to the principles of Secured by Design. This has been raised with the applicant who has advised a condition requiring the submission of such a plan would be acceptable.

#### AFFORDABLE HOUSING

40. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The site is within a “hot” market location (Altrincham) where the affordable housing contribution set out in Policy L2 is 40%.
41. With regards to whether or not this development should require any affordable housing to be provided, the Council’s SPD on Planning Obligations is relevant and states that any residential use that involves individual units of self-contained residential accommodation, with their own front doors will be regarded as residential and Policy L2 will apply as appropriate. This includes sheltered or age restricted accommodation where it provides self-contained accommodation, even if there is a warden or administrator on site some or all of the time and limited shared facilities (paragraph 3.2.65). The proposed scheme meets these criteria and therefore affordable housing should be provided. The applicant has submitted an Affordable Housing Statement and Viability Appraisal which suggests a financial contribution towards off-site provision rather than provision of any affordable units within the development is more appropriate for this type of development.

#### DEVELOPER CONTRIBUTIONS AND VIABILITY

42. It is appropriate for this form of development to seek the Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations as set out in the table below:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	18 units	n/a	18 units
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£2,464	n/a	£2,464
Public transport schemes (including bus, tram and rail, schemes)	£9,724	n/a	£9,724
Specific Green Infrastructure (including tree planting)	£13,640	n/a	£13,640



Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£58,052.48	n/a	£58,052.48
Education facilities.	n/a	n/a	n/a*
<b>Total contribution required.</b>			<b>£83,880.48</b> <b>+ 18 affordable units</b>

\*No contribution having regard to SPD1 (paragraph 3.6.2) that certain types of housing such as specialist housing for older people will not directly generate increased demand for school places, and therefore contributions towards educational facilities will not be sought.

43. In the previous application it was considered the applicant had failed to demonstrate that the proposed development would only be viable with the financial contribution that was put forward at that time, which was below the Trafford Developer Contribution required for the type and scale of development proposed. Discussions have since taken place with the applicant and this revised application is accompanied by an Affordable Housing Statement and Viability Appraisal seeking to address the questions previously raised and to reflect the scheme being smaller (44 apartments compared to 50 apartments).

44. The Affordable Housing Statement and Viability Appraisal states for the scheme to be viable it could support a total contribution of £47,593, inclusive of a contribution towards off-site affordable housing. In summary the appraisal states the following: -

- When the application scheme is assessed for economic viability, using the Homes & Communities Agency Development Appraisal Tool, the proposed development may contribute £47,593 towards off site affordable housing and other S106 contributions. Contributions above this level would undermine the developer's return for risk and the proposed sheltered housing development would not be likely to come forward today.
- The viability appraisal exercise has been undertaken using the latest HCA appraisal toolkit and utilises up to date build costs provided by the independent BCIS service of the RICS and up to date sales values and follows the latest published RICS guidance on viability in planning.
- For the application scheme to contribute a higher amount to offsite affordable housing would require the developer profit to be reduced to below a level which any specialist developer might reasonably expect in difficult trading conditions or be required to achieve by development loan covenants.
- By granting planning permission and allowing the development of the proposed scheme to come forward, other planning objectives will be achieved; such as the delivery of much needed specialist housing for elderly home owners.

- In addition, by allowing the development to proceed now, construction jobs will be created for the benefit of the local workforce in an industry which has contracted as a result of the downturn in the housing market.
45. The viability appraisal and supporting information has been assessed by the Council's Principal Surveyor who is satisfied that the applicant has sufficiently addressed the issues and queries raised with the similar appraisal submitted with the previous application, subject to the clause set out in the following paragraph. Therefore it is considered the applicant has proven that the scheme would be unviable if a planning obligation was sought for £83,880 plus an affordable housing contribution for off-site provision to the value of 18 units, which for this "hot" market location has been calculated as approximately £1,080,000.
46. The appraisal shows a contribution of £47,593 can be afforded and in view of the fact that at this stage the appraisal has had to assume the time it will take to sell the units and therefore the holding costs thereof, it is recommend that a S106 Agreement be entered into which has an 'overage' type clause with the viability being revisited once the sale of the final unit has taken place. In other words the viability appraisal submitted now and dated 4 April 2014, should be updated with actual figures once the sale of the units is complete and the true costs incurred over the sales period are known.
47. The applicant has since advised that they would not be prepared to accept an overage clause and as an alternative way forward for commercial expediency and in an effort to reach an agreed position, they have given an undertaking to i) contribute £230,000 towards all S106 contributions and ii) commence the development within 12 months of planning permission in order to assist the Council's housing delivery and if they do not, a second viability appraisal will be submitted on the development's actual commencement and a higher contribution paid if the appraisal shows in excess of £230,000 can be paid. This suggestion and the question of whether any S106 Agreement would need to be subject to an overage clause are under consideration at the time of preparing this report and an update will be included in the Additional Information Report.

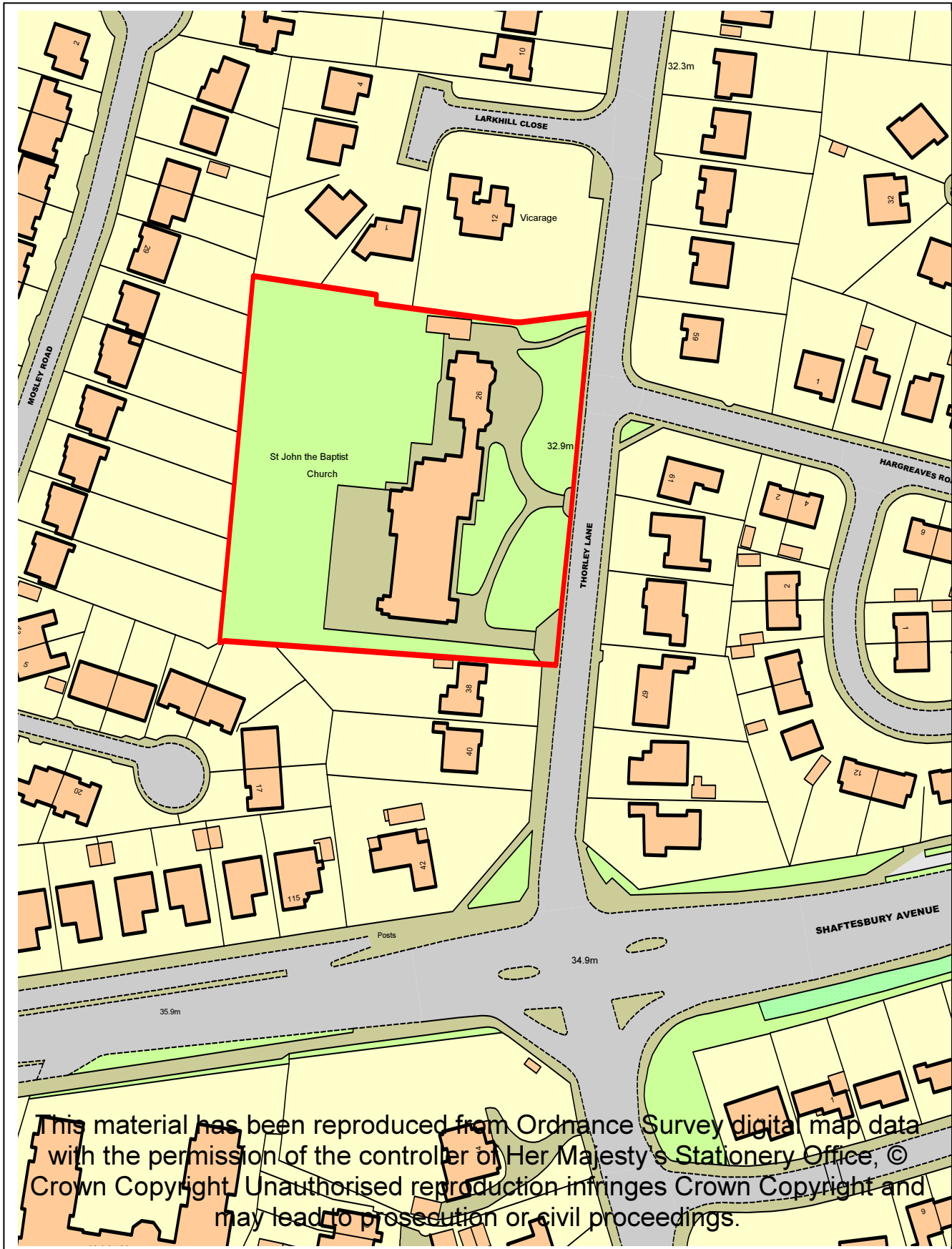
**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT and the following conditions:**

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £47,593 split between: £44,161 towards Affordable Housing; £100 towards Highway and Active Travel infrastructure; £400 towards Public Transport Schemes; £557 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); £2,375 towards Spatial Green Infrastructure, Sports and Recreation; and
- (B) To include an overage clause to ensure that an appropriate commuted sum up to a maximum of £1,163,880.48 is provided should the developer's level of net profit be better than predicted in the viability appraisal.
- (C) In the circumstances where the legal agreement has not been completed by the 7 July 2014, the final determination of the application shall be delegated to the Head of Planning Services.

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

1. Standard 3 year time limit
2. Approved plans
3. To be occupied by people of 60 years or over, or those over this age with a partner of at least 55.
4. Materials to be submitted and approved
5. Landscape scheme to be submitted and approved and to include details and specifications for soft landscape works, hard surface materials and boundary treatment
6. Landscape maintenance
7. Tree protection scheme to be submitted and approved
8. Contaminated land assessment
9. Works to trees and clearance should not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent.
10. External lighting strategy to be submitted and approved and to take into consideration the horse chestnut tree which has the potential to support roosting bats. External lighting should consist of low level or directional luminaries to ensure there is a minimal impact on foraging bats. No lighting should directly illuminate the horse chestnut tree which is on the southern boundary of the site.
11. Scheme for biodiversity enhancement measures to be submitted and approved. These could include Bat bricks and/or tubes within the new development; Bat boxes; Bird boxes; Native tree and shrub planting.
12. Provision and retention of car parking
13. Travel Plan to be prepared and implemented for the development.
14. Comprehensive security plan to be submitted and approved and to adhere to the principles of Secured by Design
15. The development hereby permitted shall not be commenced until such time as a Sustainable Urban Drainage Scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority. The scheme shall be designed to seek to achieve Strategic Flood Risk Assessment objectives in accordance with Trafford Core Strategy Policy L5 and should confirm existing and proposed receptors and show compliance with the Manchester City, Salford City and Trafford Council's Level 2 Hybrid SFRA User Guide, Final, dated May 2010. Thereafter the development shall proceed in accordance with the approved scheme.
16. Details of the foul drainage scheme to be submitted and approved and to be drained on a separate system
17. Details of wheel wash facilities to submitted and approved and provided on site
18. Obscure glazing to 4 x first floor windows in the south elevation, 3 x first floor windows in the west elevation (kitchen windows to be top hung opening only and clear glazed from a height of 1.7m) and 2 x first floor windows in the north elevation (kitchen windows to be top hung opening only and clear glazed from a height of 1.7m), all as identified on the amended plans
19. Balcony screens to the west elevation of the first floor balconies on the north elevation, as identified on the amended plans
20. Details of bin stores to be submitted and approved
21. Details of air source heat pump and sub-station to be submitted and approved
22. Date stone set within north boundary wall to be retained and protected during vegetation clearance and construction, or a scheme for its re-siting and inclusion within the development to be submitted and approved

RG



**LOCATION PLAN FOR APPLICATION No: - 82704/FULL/2014**

Scale 1:1250 for identification purposes only.

Head of Planning Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

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## TRAFFORD COUNCIL

**Report to:** Planning Development Control Committee  
**Date:** 05 June 2014  
**Report for:** Information  
**Report of:** Head of Planning Services

### Report Title

**Implementation of the Trafford Community Infrastructure Levy**

### Summary

This report is to inform Planning Development Control Committee about the implementation of the Community Infrastructure Levy on 07 July 2014.

### Recommendation

That Members of Planning and Development Control Committee:

- Note the forthcoming changes to the planning process due to the implementation of CIL.
- Note that those planning applications that are “minded to grant subject to a section 106 agreement” but are not signed prior to 07 July 2014 will need to be reconsidered by planning committee.

### Contact person for access to background papers and further information:

Name: David Pearson / Melanie Craven  
Extension: 3198 / 1484

## **1.0 Background**

- 1.1 The Community Infrastructure Levy (CIL) was created under the terms of the Planning Act 2008, and established a new system for collecting developer contributions to fund essential infrastructure.
- 1.2 Trafford Council has been developing a Charging Schedule to deliver a CIL for the Borough. At its meeting on 26 March 2014, Full Council formally approved the Trafford CIL Charging Schedule and supporting documents for implementation on Monday 07 July 2014. Changes to the validation checklist to allow for the introduction of CIL were also considered by Planning & Development Control Committee in April 2014.
- 1.3 Planning permissions issued on or after 07 July 2014 will be determined under CIL, therefore the Planning Committee held on 05 June 2014 will be the final meeting of the committee prior to the introduction of CIL.

## 2.0 Implications

- 2.1 Upon its introduction, CIL will replace many of the developer contributions currently required by the Council's Supplementary Planning Document 1 (SPD1): Planning Obligations (February 2012). To ensure that developments do not pay twice for the same type of infrastructure, SPD1 has been revised to scale back contributions secured through the use of legal agreements. SPD1 2014 will be used for development management purposes to assist in the implementation of CIL from.
- 2.2 The types of infrastructure that CIL monies can be spent on must be listed in a formal document known as the "Regulation 123 list". This document has been approved for use, and will be subject to further consultation in advance of April 2015, when it is anticipated that developments that are CIL liable will start to be developed. An extract of the infrastructure projects that could benefit from the application of CIL monies is provided in Appendix 1 of this report.
- 2.3 Planning applications that are subject to a legal agreement should be signed and the decision notice issued prior to the introduction of CIL. If the legal agreement is not completed before 07 July 2014, the application will then fall under the CIL regime, and may potentially incur a CIL liability instead. After this date the Council will not lawfully be able to request a S106 agreement for infrastructure provision that is the same as that which CIL will fund. As of 20 May 2014, there were 51 unsigned legal agreements still being worked upon.
- 2.4 In line with the Trafford Charging Schedule, the following types of development that will generally incur a CIL liability are as follows:
- New houses across the borough
  - Apartments in the south of the borough
  - Supermarkets outside of town centres
  - Retail units for bulky goods
  - Leisure uses and hotels
- 2.5 It should be noted that in Trafford the following types of development will not generate a CIL liability: industry and warehousing, offices, affordable houses, apartments in the "cold" and "moderate" charging zones and public/institutional facilities.
- 2.6 The liability is calculated on a £ per square metre basis and is based on the rates set out in the CIL "Charging Schedule", Appendix 2 of this report provides an extract of the rates. By way of example, a house that is 150sqm and located in Hale would generate a CIL liability of £12,000. It should be noted that existing floor space can be netted off proposed floorspace in certain circumstances, and this can substantially reduce the CIL liability.
- 2.7 Once CIL is introduced within Trafford, key infrastructure will be delivered in the following ways:
- Affordable housing delivery will be secured through the use of a S106, as before.
  - Highways and public transport will be tailored to the specific needs of the development. This may be secured through planning conditions, Grampian conditions, a S278 highways agreement or a S106 legal agreement.
  - Spatial green infrastructure will be delivered on site through the use of planning conditions, however phased developments will require a legal agreement to secure meaningful provision, rather than on a piecemeal basis.

- Tree planting will be secured through landscaping conditions for onsite delivery. It will not normally be accepted offsite, unless for example land is owned nearby which is better suited for the purpose.
- Health, flood defence, community facilities and other types of provision may be required, but these will typically be linked to major schemes.
- Education provision will be funded through CIL.

2.8 Schemes that already benefit from a “minded to grant” committee resolution but where the legal agreement has not been concluded in time may need to come back to Committee. Other schemes for Reserved Matters where an existing outline consent is in place will not be CIL liable. However, for resubmission of planning applications and where an applicant comes forward for a full consent following outline, this will generate a CIL liability where applicable.

### **3.0 Recommendation**

3.1 The Committee is requested to:

- Note the forthcoming changes to the planning process due to the implementation of CIL.
- Note that those planning applications that are “minded to grant subject to a section 106 agreement” but are not signed prior to 07 July 2014 will need to be reconsidered by planning committee.

### Extract from Regulation 123 list

Strategic transport infrastructure including:

- Western Gateway Infrastructure Scheme (WGIS)
- Extension of Metrolink through Trafford Park
- New Link Road to and through the development site at Carrington
- Significant improvements to public transport in Carrington and Partington
- Transformational junction improvement scheme in Stretford

Strategic flood risk and drainage projects, including those identified in the Local Flood Risk Management Strategy

School facilities including:

- Borough-wide expansion of primary schools to provide additional intake places
- Provision of a 1-form entry primary school to serve Pomona Island, Trafford Wharfside, Old Trafford and Lancashire County Cricket Club Quarter
- Provision of a 2-form entry primary school in Carrington
- Provision of a 1-form entry primary school in Altrincham
- Provision of a 1-form entry primary school in Stretford
- Borough-wide expansion of secondary schools to provide additional intake places

Strategic sport and recreational facilities including:

- Provision of a major wet and dry facility at Stretford
- Provision of a major wet and dry facility at Sale/Altrincham

Strategic green infrastructure, apart from those projects delivered directly on-site (including those for residential developments of 300 units or more)



## Appendix 2

### Extract from CIL Charging Schedule

Use	CIL charge (per sqm)
Private market houses in:	
<i>Cold charging zone</i>	£20
<i>Moderate charging zone</i>	£40
<i>Hot charging zone</i>	£80
Apartments <sup>1</sup> in:	
<i>Cold charging zone</i>	£0
<i>Moderate charging zone</i>	£0
<i>Hot charging zone</i>	£65
Retail Warehouses	£75
Supermarkets outside defined town centres	£225
Supermarkets within the defined town centres of Altrincham, Sale, Stretford and Urmston	£0
Public/Institutional Facilities as follows: education, health, community & emergency services, public transport	£0
Offices	£0
Industry and Warehousing	£0
Leisure	£10
Hotels	£10
All other development	£0

<sup>1</sup> Apartments include sheltered accommodation/retirement apartments

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WARD: Clifford

80863/FULL/2013

## THE BOROUGH OF TRAFFORD (FOOTPATH BETWEEN SMITH STREET AND LUND STREET, OLD TRAFFORD) PUBLIC PATH STOPPING UP ORDER 2014

APPLICANT: Kevin Glancy Ltd.

**RECOMMENDATION:** That 'The Borough of Trafford (Footpath between Smith Street and Lund Street, Old Trafford) Public Path Stopping Up Order, 2014' be confirmed as an unopposed order.

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### SITE

The Old Engine Works, 2 Lund Street, Old Trafford, M16 9NN.

### PROPOSAL

An Order has been made under S257 of the Town & Country Planning Act 1990 to stop up an area of highway in Old Trafford described below in the Schedule and shown on the attached plan. No objections have been received to the Order and it now requires confirmation as an unopposed Order.

### BACKGROUND

1. Following the granting of planning consent, on 29<sup>th</sup> July 2013, in respect of a single storey extension between existing buildings (including closure of existing public right of way between buildings) to provide a link corridor and additional operational floor space, Kevin Glancy Ltd. have made an application to close the passageway between the buildings under S257 of the Town & Country Planning Act 1990.
2. Approval was given to make and advertise a stopping-up Order under S257 of the Town & Country Planning Act 1990, at a meeting of this committee on 9<sup>th</sup> January 2014.
3. The Borough of Trafford (Footpath between Smith Street and Lund Street, Old Trafford) Public Path Stopping Up Order 2014 was made on 21<sup>st</sup> March 2014. A Notice was published in the Stretford & Urmston Advertiser on 26<sup>th</sup> March, and notices were also posted on site, at both ends of the proposed closure, and maintained until 30<sup>th</sup> April.
4. No objections to the Order have been received and it is therefore, proposed to confirm the Order in respect of the length of highway described in the Schedule to this report.

### SCHEDULE

The highway to be stopped up is located in Old Trafford and is more particularly delineated and shown hatched black on the plan attached to this report and is:

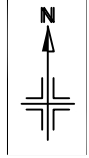
A length of footpath, shown on the Order map, from a point marked "A" to a point marked "B", a length of approximately 48m, between Smith Street and Lund Street, Old Trafford.

### RECOMMENDATION:

**That 'The Borough of Trafford (Footpath between Smith Street and Lund Street, Old Trafford) Public Path Stopping Up Order, 2014' be confirmed as an unopposed order.**

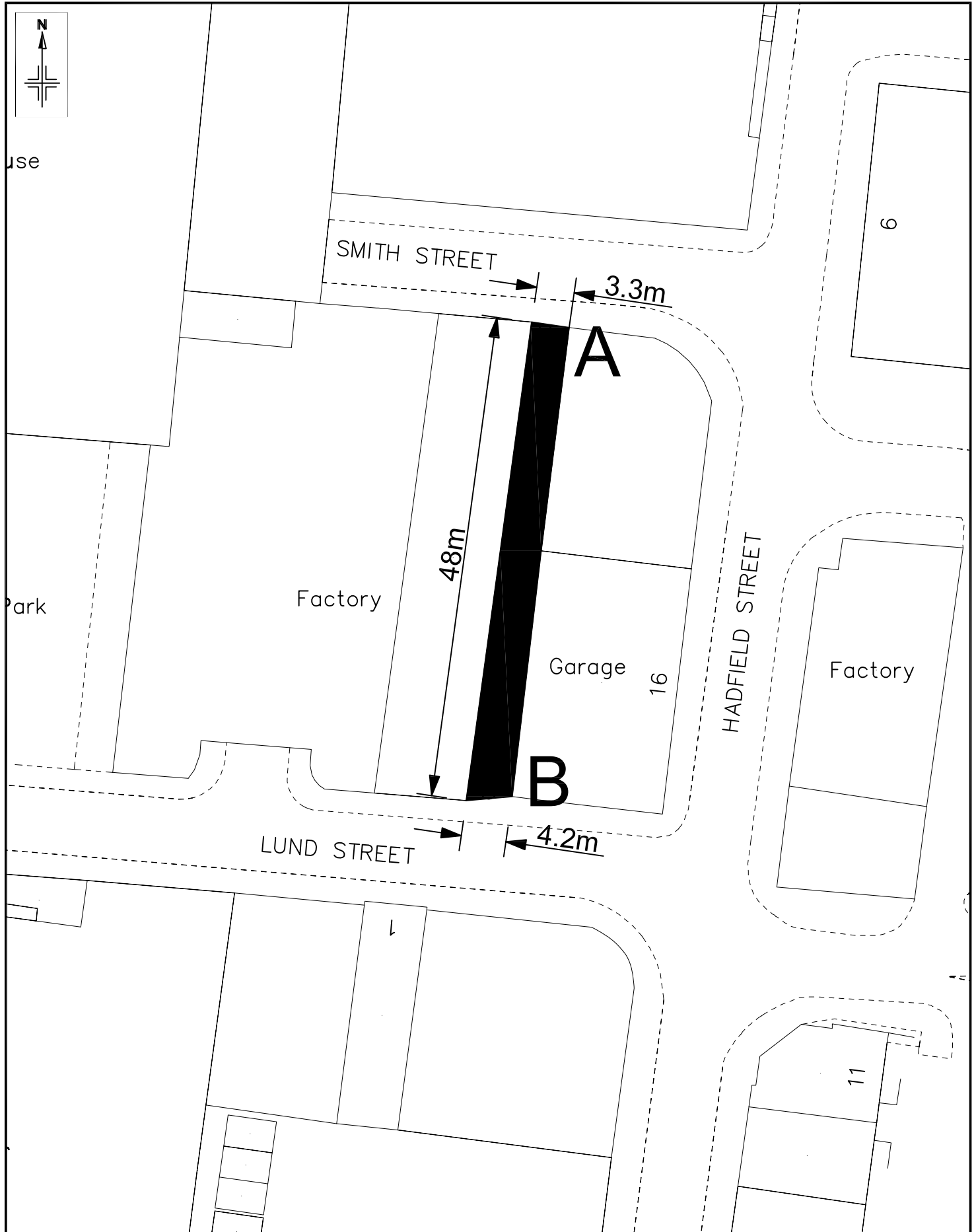
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use

Park



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Notes:  
No Dimensions to be scaled from this drawing. All Dimensions are to be checked on site.

REV.	DATE	REVISION DETAILS	DRAWN	CHECKED	APPROVED

**PROJECT & TITLE**  
Lund Street/Smith Street, Old Trafford  
Stooping Up of Footpath  
Location Plan



DRAWN KW SCALE 1:500@A4 DATE Sep.'13 FILE PATH R:\IBU\Environment\Built Environment\Traffic & Transportation\Cad & Digital Photographs\Stretford\Lund Street	CHECKED DRAWING NO. E/8872/01	APPROVED REVISION
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