

**OUTLINE APPLICATION FOR THE ERECTION OF A PART FOUR STOREY, PART THREE STOREY MIXED USE DEVELOPMENT INCORPORATING RETAIL, MANAGED WORKSPACE, RESIDENTIAL AND LEISURE WITH ASSOCIATED LANDSCAPING AND CAR PARKING.**

P. Fahey & Sons Ltd, Globe Trading Estate, 88 – 118 Chorlton Road, Old Trafford, Greater Manchester, M15 4AL

**APPLICANT:** P. Fahey & Sons

**AGENT:** Halliday Meecham

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

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**This application was considered at the 11th July 2011 Planning Committee where Members resolved to grant planning permission, subject to a legal agreement to require a financial contribution of up to £565,516.77. The application was considered prior to the adoption of the Core Strategy and SPD1 (Planning Obligations), which were adopted in early 2012. The legal agreement has not yet been signed and the applicant has requested that the application and specifically the financial contributions are considered under the Core Strategy. The report has been updated accordingly.**

**SITE**

The application site comprises of a roughly triangular shaped parcel of land on which is sited a number of buildings of varying ages and quality dating from the mid-Victorian period to the present day. Most are two stories high and are orientated around the edges of the site fronting Chorlton Road, Cornbrook Street and Carriage Street with a servicing yard in the centre to serve the Fahey's Removal business that occupies a large portion of the site. The remainder of the site is split into various ad-hoc units, a large number of which appear to be vacant whilst the remainder are occupied by a variety of commercial uses such as car repair garages.

The main active frontage to the site is on Chorlton Road, which forms the eastern boundary of the site on which the main vehicular entrance to the site is currently located. Many of the smaller units front on to Cornbrook Street to the south west, whilst the north west frontage is occupied by Fahey's own large depot.

The site is surrounded to the north, south and west by modest sized two storey residential properties from the mid-twentieth century whilst to the east on the opposite side of Chorlton Road are located three high rise blocks of flats, north of which are three storey residential properties. The northern tip of the site is located within the boundary of Manchester City Council.

## **PROPOSAL**

Outline planning permission is sought for the demolition the existing buildings on site and the erection of a part four storey, part three storey mixed used development incorporating retail, managed workspace, residential, leisure and community uses. The spread of development breaks down as follows;

- 2174m<sup>2</sup> of retail floor space with a 900m<sup>2</sup> food convenience outlet (Class A1) and the remainder split into thirteen smaller non food retail units of 98m<sup>2</sup>.
- 107 residential units split comprising 19 three bedroom house and 88 two bedroom flats with the houses to be open market properties and the flats to be social rented.
- 686m<sup>2</sup> of managed workspace split into seven units of 98m<sup>2</sup> each.
- 502m<sup>2</sup> of Health/Gym (D2 use) floorspace.
- 266 Car parking spaces

All matters other than access are reserved for future approval. However the applicant has provided an indicative site plan showing how the site may be laid out and indicative elevations to show the massing of the development.

## **THE DEVELOPMENT PLAN**

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

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.

- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

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

L2 – Meeting Housing Needs  
 L4 – Sustainable Transport and Accessibility  
 L5 – Climate Change  
 L7 - Design  
 L8 – Planning Obligations  
 W1 - Economy  
 W2 – Town Centres and Retail  
 R2 – Natural Environment  
 R3 – Green Infrastructure  
 R5 – Open Space, Sport and Recreation

#### **PROPOSALS MAP NOTATION**

None

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

H4 – Release of Other Land for Development  
 H10 – Priority Regeneration Area: Old Trafford  
 S10 – Local and Neighbourhood Shopping Centres  
 S11 – Development Outside Established Centres  
 S14 – Non Shop Uses Within Local and Neighbourhood Shopping Centres

#### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles  
 DP2 – Promote Sustainable Communities  
 DP4 – Make the Best Use of Existing Resources and Infrastructure  
 DP7 – Promote Environmental Quality  
 RDF1 – Spatial Priorities  
 L4 – Regional Housing Provision  
 L5 – Affordable Housing  
 MCR1 - Manchester City Region Priorities  
 MCR2 – Regional Centre and Inner Areas of Manchester City Region

#### **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**

No relevant history

## **APPLICANT'S SUBMISSION**

The applicant has submitted a number of supporting documents with their application including an indicative site layout plan and contextual elevations supported by a Planning Statement, Retail Statement, Design and Access Statement, Flood Risk Assessment, Geological Survey and a BREAAAM Assessment.

These documents are referred to when necessary in the Observations section of the report.

## **CONSULTATIONS**

Manchester City Council – No comments received

Local Highways Authority – No objections subject to the provision of a Traffic Regulation Order for highway works. Full consultation response included within Observations section of the report.

Environmental Protection - No objection subject to a condition requiring an investigation into contamination on the site.

Built Environment – No objection

Environment Agency – No objection subject to the following;

- That the Local Planning Authority are aware that a culverted waterway runs under the site the exact route of which has not be determined and the layout of the site may be subject to considerable change at reserved matters stage. The Environment Agency raise no objection provided the Local Planning Authority are prepared to accept that the layout could change markedly, and are also prepared to apply a condition requiring the detailed investigation of the Corn Brook Culvert.
- A condition be imposed requiring the submission of details in respect of the proposed basement and Corn Brook flood levels. The details shall identify measures to protect the basement against flooding and shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed.
- A condition be imposed requiring the submission of details of the layout in relation to the exact line and level of the Corn Brook culvert to be submitted to and approved in writing by the Local Planning Authority.
- A condition be imposed requiring a scheme of surface water regulation to be submitted to and approved in writing by the Local Planning Authority.

## **REPRESENTATIONS**

None received

## **OBSERVATIONS**

### BACKGROUND

1. Although the scheme hasn't changed since the application was previously considered, there have been changes to the Development Plan and national guidance, with the Revised Trafford UDP having been largely superseded by the Trafford Core Strategy and the introduction of the NPPF.

### PRINCIPLE OF DEVELOPMENT

2. The application proposes the erection of a part four storey, part three storey mixed use development comprising a retail foodstore, additional retail floorspace, 107 residential units, managed workspace, and floorspace available for health and community uses, with an emphasis on high quality landscaping and car parking facilities.
3. The application entails the comprehensive redevelopment of the site, with the proposal comprising the following:
  - § A foodstore of 900m<sup>2</sup> gross;
  - § Additional retail floorspace of A1, A2, A3, A4 and A5 uses, totalling 1274m<sup>2</sup> gross; and,
  - § 107 residential units with a 19/88, houses/apartments split.
  - § Health/Gym (D2 use) 502m<sup>2</sup>
  - § Managed workspace of 686m<sup>2</sup>
  - § 266 car parking spaces.
4. The Old Trafford and Gorse Hill area is designated as a Priority Regeneration Area and as such is an area the Council is committed to as a matter of priority. This will involve the regeneration and redevelopment of land, the conversion and refurbishment of available buildings, landscaping and other environmental improvements, and the construction of and improvements to local transport infrastructure. Sites and locations in Old Trafford are specified where opportunities exist relating to housing development, retail/commercial development, environmental improvements, dereliction and improved community facilities.
5. The Core Strategy sets out a number of Strategic Objectives and, more locally, Place Objectives for Old Trafford, which is in turn linked to the overall Vision for the Core Strategy. In developing these elements of the Core Strategy, consideration has been given to the vision and development proposals contained within the Old Trafford Masterplan. These Masterplan proposals are therefore supported by the Place Objectives for Old Trafford and Policy L3. Policy L3 identifies Old Trafford as a Priority Regeneration Area with the Council seeking development(s) that will support development that will;

- § Secure regeneration benefits as well as reducing inequalities;
- § Create truly sustainable communities; and
- § Make positive contribution(s) to achieving the Plan's Strategic Objectives and relevant Place Objectives.

- 6 The site forms the area allocated as 'Project 8: Fahey's Depot' as identified within the Old Trafford Masterplan. The Masterplan is a joint document produced on behalf of Trafford Council, Trafford Housing Trust and the Old Trafford Neighbourhood Partnership and adopted in October 2009. It sets the vision for the future development of the area focusing on 9 key project 'areas' of which the application site is one. Whilst this is not a statutory planning document it does form the Council's broad vision for the development and regeneration of the Old Trafford area and any planning application should take care to sit comfortably within its aims and aspirations. In light of this, the Masterplan does form a material consideration in the assessment of this application particularly for development within the identified project areas.
- 7 In respect of the application site, the Masterplan notes that there is an aspiration for a mixed use development on the site and that this includes a significant level of apartments and retailing. It also recognises that the amount of retailing is likely to cause challenges in terms of planning and proposes only a modest retail component. In light of this, the volume of retail floorspace notwithstanding, the application proposal sits comfortably within the aspirations for the site within the adopted Old Trafford Masterplan.
- 8 In respect of the retail, leisure, business and health uses within the development, Policy W2 of the Core Strategy requires a sequential test to be carried out in order to ensure that there are no preferable sites within established centres. The applicant submitted a sequential assessment to support the quantum of development taking into consideration nearby neighbourhood centres in both Trafford and Manchester at the time the application was submitted. These centres include; Shrewsbury Street, Ayres Road, Brooks Bar in Trafford; and Royce Road/Birchall Way and Hulme High Street in Manchester. Of these sites, there were a small number of small vacant units within Shrewsbury Street and Ayres Road, none of which are being actively marketed and as such could not be considered to be 'available'. Only the two vacant units within Hulme High Street were identified as being available.
- 9 Two sites were identified as being sequentially closer to established centres; land to the north of Hulme High Street and land at the junction of Royce Road/Birch Way, both of which have been fully tested in respect of their suitability, viability and availability. From the evidence presented, it is clear that neither site represents a viable alternative to the application site for reasons of location, size and availability and therefore they do not represent sequentially preferable sites.
- 10 In light of the above, it is therefore considered that the conclusions of the submitted Retail Statement are correct and that there are no sequentially preferable sites within any of these established neighbourhood centres.
- 11 The Retail Statement also included an impact assessment. The assessment concluded that the existing nearby centres are vital and viable centres and that the proposal will improve the top up convenience provision in the locality and reduce the need to undertake unnecessary trips. Any limited trade

diversion that may occur would be from main food shopping destinations, all of which appear to be trading well and are unlikely to be affected by the anticipated minimal level of trade diversion that may occur as a result of this proposal. In respect of other top up convenience provision, the nearest being Tesco Express on Upper Chorlton Road, this site does not benefit from being sited within an identified centre and can be afforded no policy protection. Notwithstanding this, the level of diversion is unlikely to result in any significant impact on the Tesco Express outlet. For these reasons it is considered the proposal will have no significant impact on nearby established centres.

- 12 The residential element of the proposal will improve the quality and diversity of the area's housing stock. The site also lies within the Inner Area boundary as identified in the Core Strategy which will be the focus for residential development in order to support major regeneration activity and the improvements of community facilities and the creation of sustainable mixed communities, appealing to a broad range of new and existing residents.
- 13 For the above reasons the proposed development is therefore considered acceptable in principle.

#### AMENITY

- 14 All matters relating to the proposal have been reserved with the exception of access. The applicant has submitted an indicative site layout to demonstrate that the proposed uses can be accommodated and how the mix of uses may be arranged on the site. This involves arranging the development around the edge of the site with the parking and amenity space located in the internal courtyard that it creates. The plan shows all the retail floorspace to be located along the Chorlton Road frontage with the convenience store at the southern tip at the junction of Chorlton Road and Cornbrook Street. Most of the residential apartments above are located above the retail units on Chorlton Road whilst the houses form the Cornbrook Road frontage. The Carriage Street frontage is occupied by the managed workspaces on the ground floor with apartments above. The community use is shown above the convenience store at the junction of Chorlton Road and Cornbrook Street whilst the healthy living/gym use is proposed on the corner of Cornbrook Street and Carriage Street. The central courtyard is occupied by a three tier decked car park located in the western corner of the site, some surface parking in the centre and an area of landscaped amenity space to the north and east of this space.
- 15 In arranging the site as outlined above with the built development around the edge of the site, this would assist in maximising the interface distances between the residential properties. Direct overlooking between properties is prevented with most interface distances exceeding 24m. The relationships between the properties at the corners of the site are naturally much tighter but well designed, single aspect properties should be able to overcome any potential issues that these relationships may raise.
- 16 The central decked car park adjoins one of the blocks of dwellinghouses and being three tiers is expected to extend up to two storeys with the residential properties being three storeys. This leaves what potentially may be an uncomfortable relationship between these residential properties and the decked car park with no opportunity for any sort of outlook at ground or first floor level for future residents. An indicative cross section has been submitted

by the applicant to demonstrate how this relationship may work. The detail design of the proposal is not the subject of this application; however any future detailed scheme will need to address this relationship to ensure amenity for future occupants is maintained without compromising the integrity of the development as a whole.

- 17 Amenity space for the apartments would normally be required at a level of 18m<sup>2</sup> per apartment. A large single space measuring approximately 1750m<sup>2</sup> has been shown within the central courtyard, giving approximately 19m<sup>2</sup> per apartment, and as such demonstrates sufficient space for each of the apartments. For the most part the houses have private, within curtilage, garden spaces although there are a number that do not. The applicant has indicated that these properties could be designed to incorporate private roof gardens and would also have access to the communal amenity space. It is considered therefore the applicant has demonstrated that sufficient amenity space may be accommodated within the site for the number of units proposed.
- 18 Most of the development on site is to be residential although there are a number of other uses proposed. The impact of the commercial uses on the amenity of occupiers of the residential properties will depend on the final siting of the units and the precise nature of the uses and their hours of operation. This is not a matter that can be tied down by this application. However the broad nature of the uses proposed are such that it is not considered they will raise any conflict between themselves and the other uses on site. Matters relating to soundproofing, servicing and hours of operation may be tied to any reserved matters application should it be deemed appropriate when the precise configuration of the various uses is worked up.
- 19 In light of the above there are no concerns in respect of the impact on amenity from the mix and quantum of development proposed.

## SCALE AND MASSING

- 20 The applicant has provided visualisations to demonstrate the massing of the buildings on site. For the most part, the buildings are to be three storeys high, reflective of the scale of the development on the opposite side of Chorlton Road in Hulme with the convenience store building shown as providing a corner feature at four storeys in height.
- 21 The area surrounding the site is occupied by residential properties varying in size and type. To the south west and north west of the site are low rise two storey properties from the 1970's whilst to the east on the opposite side of Chorlton Road are three tall tower blocks and blocks of modern three storey terraced dwellings.
- 22 The massing of the properties on site is shown as being largely reflective of those in the immediate surrounding area. The properties on Cornbrook Street and Carriage Street, being three storeys, will be taller than the existing residential properties opposite although the commercial buildings on site at present are relatively high and the proposed development will have no greater impact than the existing buildings. The indicative plans suggest that the retail premises fronting onto Chorlton Street are to be a similar height to the other units on the site. They have been arranged in blocks with glazed recessed stairwells to create a consistent active retail frontage along the whole of this

side of the site with the building mass being broken up at points along its length.

- 23 The corner site is shown as being four storeys high and it is intended to act as a focal point for the development. The layout of the site is such that this appears as a natural focus for the site. It is also the element closest to the high rise blocks opposite and is sited far away from the lower rise residential properties to the south west so as not to appear overbearing or overdominant. The indicative plans suggest that its impact would be further offset by the introduction of a recess on the top floor setting it away from the main elevations of the building and reducing its overall massing.
- 24 In short, the indicative elevations and street scenes demonstrate that the development can be of a scale and massing that will sit well within the street scene of the properties surrounding the site and represent an improvement on the existing site layout. As such, there are no concerns in this respect.

## HIGHWAYS AND CAR PARKING

- 25 The Council's car parking standards have changed since the application was previously considered and are now set out in the Core Strategy. It is considered that the following parking provision is required:
- 64 car parking spaces for the food retail
  - 64 car parking spaces for the non-food retail
  - 23 car parking spaces are required for the D2 use
  - 23 car parking spaces for the managed work unit
  - 88 car parking spaces for the flats, and
  - 38 car parking spaces for the houses.
- 26 As such the development requires a total of 300 parking spaces, compared to a previous requirement for 308 spaces. The indicative layout shows 266 parking spaces accommodated on site, which represents approximately 89% of the total parking standard. These spaces have been identified as follows;
- 85 car parking spaces in the courtyard to serve the all retail uses, but in particular the discount foodstore. An additional 21 on-street car parking spaces are also shown for retail uses. However as these remain part of the adopted highway they cannot be included as parking specifically for the proposals. Notwithstanding this, the applicant has demonstrated these spaces can be accommodated and can work, it is considered appropriate that the Council be more flexible on the parking standards within the site as a result.
  - 143 parking spaces are identified as being within the decked car park with 88 spaces allocated for the apartments, 14 for the managed work units and the remaining 41 spaces shared between the proposed D2 use and the retail units.
  - Through the provision of garages and driveway spaces for the 19 houses, approximately 2 car parking spaces per dwelling are shown (a total of 38 spaces overall). Were this to be submitted as the scheme for determination at reserved matters stage, the applicant would need to ensure that the dimensions of the parking spaces and garages comply with the minimum dimensions required to ensure the delivery of these spaces.

- 27 The parking allocation split as outlined above demonstrates that the parking standards for the residential uses and managed work uses can be met within the site. The provision of 126 spaces for the retail and D2 use falls short of the requirement for 151spaces. However, as noted above, the applicant has also demonstrated that 20 spaces can be accommodated on-street on the Chorlton Road frontage which may also serve the development. Furthermore, the applicant has indicated in their Transport Assessment that no more than 1194m<sup>2</sup> of the proposed total 2174m<sup>2</sup> retail floorspace is to be food retail (including the 900m<sup>2</sup> of convenience store floorspace), with the remaining 980m<sup>2</sup> is to be restricted to non-food retail. When this is considered alongside the likelihood of linked trips to the site, a reduced level of parking on the scale proposed is considered appropriate although the split between food and non-food retail floorspace will need to be restricted through a suitably worded planning condition. The exact number of spaces to be provided would only be determined at the reserved matters stage.
- 28 No cycle parking has been identified within the scheme although the applicant has stated that this is to be provided in secure, covered locations within the site. It is considered there is scope within the scheme for this to be accommodated and that it would be appropriate to secure through the imposition of a planning condition. Likewise, no details have been provided about motorcycle parking although again, this can be covered by condition.
- 29 In terms of the site layout, the applicant is applying for vehicular access to be approved as part of this application. There are two vehicle accesses to the site that provide general access to the site, these being from Chorlton Road and Cornbrook Street with a third restricted access operating as the exits to the service road to the convenience store onto Cornbrook Street. The two remaining accesses from Carriage Street are for emergency access only.
- 30 Swept paths have been submitted as part of the site plan demonstrating how articulated vehicles may pass through the site safely and the path of other rigid vehicles used for the servicing of the smaller units. The information submitted is considered to sufficiently demonstrate that this may be achieved and as such there are no concerns in this regard.
- 31 As noted previously, the proposal also outlines the provision of parking bays along the Chorlton Road frontage to aid the servicing of the smaller retail units and for short stay parking. The layout as shown is considered to be acceptable in highway safety terms although a Traffic Regulation Order would be required to be installed by the Local Highway Authority with the cost being borne by the applicant. Furthermore, any statutory undertaker diversion costs incurred as a result of this element of the proposal would need to be met by the developer.
- 32 Modelling information has been provided about the levels of trip generation from the proposed development which has been assessed as being reasonable and as such there are no objections in this regard.
- 33 The applicant has proposed that a puffin crossing, a roundabout and parking laybys be installed on the public highway as part of this scheme. Should Committee be minded to approve the application the developer should be required to fund any highway improvements associated with the application including those outlined above. Furthermore, all footways fronting on to the development will need to be reinstated and resurfaced to a standard

considered appropriate by the Local Highways Authority following completion of the building works and any necessary Traffic Regulation Orders. This will need to be secured through a Section 278 agreement with the Council.

## FLOOD RISK

- 34 The applicant has submitted a Flood Risk Assessment with the application to address matters in respect of flood risk associated with the proposal. The Environment Agency have raised no significant concerns in respect of the Assessment and have asked that a number of conditions be imposed to ensure the findings and recommendations of the Assessment are complied with. The Assessment also identified a culvert running through the site from north to south, entering the site from Cornbrook Street, just to the west of the junction with Chorlton Road and exiting on to Carriage Street. The precise route the culvert takes through the site is not known and as such, the applicant has undertaken work to demonstrate the likely route it will take and how the quantum of development proposed by the scheme may be rearranged to take account of the route it may take.
- 35 The applicant has conducted an investigation to determine the likely route of the culvert using existing known information and historic maps and used this to assess the degree to which the route may differ. On that basis, alternative layouts have been provided for the site in the event of worst case scenarios should the culvert be found not to follow the anticipated route. These amended layouts indicate that this would require the re-siting of two of the managed workspaces or four of the houses, depending on the route. The managed workspaces may be re-sited to the east of their current position without harming the detailed layout of the site or the other units. The removal of four houses would mean the introduction of an additional floor in the block at the southern tip of the site to accommodate these units. The introduction of an additional floor in this element of the scheme is not considered to give any cause for concern in massing terms. The application initially proposed an additional floor in this block to be occupied by a community use that was subsequently removed at the will of the applicant, the reintroduction of this floor should not therefore result in any concerns.
- 36 In short, whilst the precise route of the culvert has not been determined at this stage, the applicant has clearly demonstrated that the quantum of development proposed by the application can be adequately re-arranged on the site without prejudicing other elements of the scheme. As such, there are no concerns in respect of the potential impact of the culvert on the proposal. However it is recommended a condition be imposed in line with the consultation response from the Environment Agency requiring precise details of the route of the culvert to be provided.

## DEVELOPER CONTRIBUTIONS

- 37 The total of developer contributions required under the Revised Unitary Development Plan were £565,516.77 split as follows;
- (i) a contribution to children's play space and outdoor sports provision of £256,610.77 split between a contribution of £197,052.04 for open space and £59,558.73 for outdoor sports in accordance with the Council's SPG

'Informal/Children's Playing Space and Outdoor Sports Facilities Provision and Commuted Sums'.

(ii) a contribution to the Red Rose Forest of £65,410 towards tree planting in accordance with the Council's SPG 'Developer Contributions towards the Red Rose Forest', less £310 for each tree planted on the site as part of an approved landscaping scheme.

(iii) a contribution to highway network and public transport provision of £243,496 split between a contribution of £62,522 for the highway network and £180,974 for public transport provision in accordance with the Council's Supplementary Planning Document 'Developer Contributions to Highway and Public Transport Schemes'

(iv) 25% affordable housing with 27 units transferred to a Registered Social Landlord.

38 The overall contribution required under the Core Strategy and SPD1 is significantly less than that required under the Revised UDP. This is in part due to further clarification having been provided on the extent of existing floorspace on site, and because under the Core Strategy and SPD1, contributions for existing floorspace are offset against the required contribution for each TDC category. Furthermore, under the Core Strategy and SPD1, affordable housing is exempt from all contributions, whereas this wasn't the case previously.

39 The contributions required under the Core Strategy and SPD1 are set out in the table below. The SPD only requires the provision of 5 affordable dwellings on site. However, the applicant has indicated that 88 affordable dwellings would be provided on site. As such 88 of the 107 dwellings would be exempt from financial contributions. *The figures included in the table are the maximum contributions the applicant would be required to make based on the development as currently proposed.* The exact contribution payable would be dependent on the details of subsequent reserved matters applications, and particularly the number of affordable dwellings provided.

<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	88	N/A	88
Highways and Active Travel infrastructure(including highway, pedestrian and cycle schemes)	£56,433.00	£45,694.00	£10,739.00
Public Transport Schemes (including bus, tram and rail schemes)	£107,546.00	£45,080.00	£62,466.00
Specific Green Infrastructure (including tree planting)	£43,400.00	£50,840.00	£0.00
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor	£63,389.36	N/A	£63,389.36

and outdoor sports facilities)			
Education Facilities	£141,803.56	N/A	£141,803.56
<b>Total contribution required</b>			<b>£278,397.92</b>

## CONCLUSION

40. The application is for outline planning permission for a mixed use development incorporating residential, retail, leisure, community uses and office with all matters other than access reserved. The proposal will remove what is currently an unsightly and un-neighbourly mixture of uses in an area that is predominantly residential and replace it with mix of uses the will add to the vitality and viability of the area without harming other nearby Local Centres. The applicant has submitted supporting information demonstrating how units could be orientated on the site without prejudicing the residential amenity of the surrounding or future occupants whilst also following the broad character and form of the surrounding properties and streets. Sufficient off street parking can be provided for all properties where required and the units themselves can be designed in such a way that they will not appear as significantly out of character with the surrounding area.

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

A) That the application will propose a satisfactory development for the site upon completion of an appropriate legal agreement to secure 88 affordable dwellings on the site and a maximum financial contribution of £278,397.92 split between £10,739.00 for Highways and Active Travel infrastructure; £62,466 for Public Transport Schemes; £63,389.36 for Spatial Green Infrastructure, Sports and Recreation; and £141,803.56 for Education Facilities.

In the circumstances where the Section 106 Agreement has not been completed within 3 months of this resolution, the final determination of the application shall be delegated to the Chief Planning Officer.

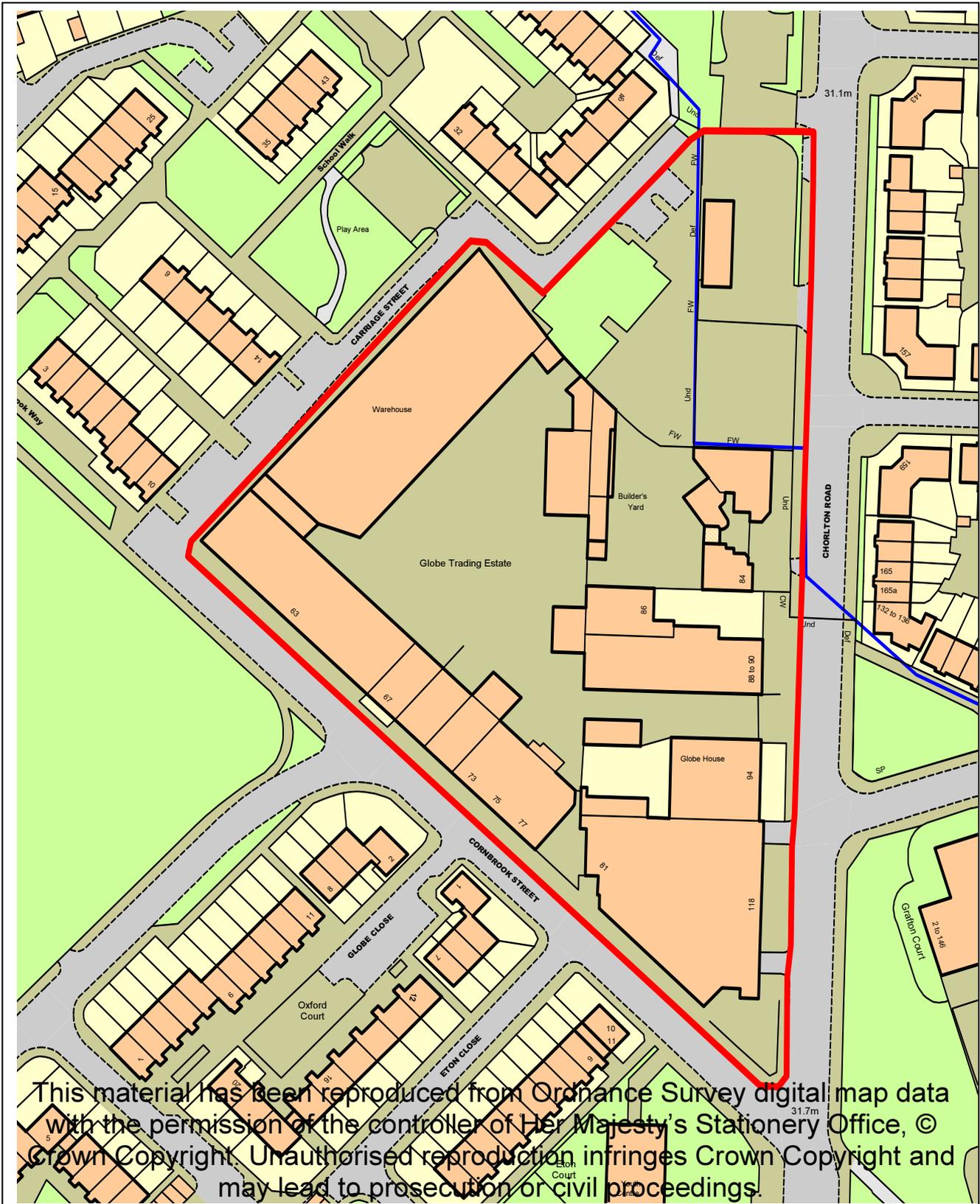
B) That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the following conditions and standard reasons:

1. Standard outline time limit
2. Time limit for submission of reserved matters
3. Retail floorspace not to exceed a maximum floor area of 2174m<sup>2</sup> split as a maximum of 1274m<sup>2</sup> non-food retail and 900m<sup>2</sup> food retail.
4. Managed workspace not to exceed a maximum floor area of 686m<sup>2</sup>
5. Material Samples.
6. Landscaping scheme.
7. Landscaping maintenance scheme.
8. Cycle and Motorcycle parking.
9. All parking and servicing areas to be suitably formed and laid out prior to first occupation to a scheme to be agreed with the Local Planning Authority.
10. Travel Plan.
11. Contamination condition.

12. The scheme of highway works comprising a roundabout, puffin crossing and lay-bys as identified on drawing no. SCP/10105/004 shall be implemented in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, such details shall include the precise technical details of the highway works to be carried out. The approved details shall be implemented in accordance with a timetable to be agreed with the LPA.
13. Submission of details of the proposed basement and Corn Brook flood levels.
14. Submission of details of the precise layout of the route of the culvert.
15. Submission of a scheme of surface water regulation.
16. Compliance with approved plans.

DP

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**LOCATION PLAN FOR APPLICATION No: - 75656/O/2010**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**CHANGE OF USE FROM RETAIL FLOORSPACE ASSOCIATED WITH ADJOINING SHOP UNIT (USE CLASS A1) TO INDEPENDENT HOT FOOD TAKEAWAY (USE CLASS A5). RE-SUBMISSION OF REFUSED APPLICATION 76858/COU/2011.**

66 Moss Road, Stretford, M32 0AY

**APPLICANT:** Mr Mohammad Shabaz

**AGENT:** Colin Williams

**RECOMMENDATION: REFUSE**

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**SITE**

The application site relates to a ground-floor retail unit set on the northern end of a parade of properties designated as a Local Shopping Centre. The building fronts onto Moss Road to the west, with a wide footpath separating it from the highway, whilst Grasmere Road runs immediately along the northern side of the site and allows for vehicular access into the rear yard. The application site itself comprises a ground-floor shop unit (Use Class A1) with apartment above, both of which were extended to the side in 2004 (ref: H/58043) to create additional floorspace, and again up to the Grasmere Road footpath in 2009 to form a staircase enclosure for access to the flat above (ref: H/71161).

The majority of the units within this terrace have been incrementally converted into residential accommodation, whilst those that do appear to retain a commercial use currently stand vacant, with the exception of the off-licence within the southern part of the application premises. The character to the north, east and west of the application site is entirely residential.

This section of Moss Road benefits from a series of parking bays on both sides of the highway, which allows for two-way traffic to pass each other whilst vehicles park on-street. A zebra crossing to Moss Road is located immediately opposite the application site.

In July 2011 planning permission was sought and subsequently refused for the division of the extended shop to form two separate commercial premises (ref: 76858/COU/2011). The original ground-floor of the property was set to continue to operate as a shop whilst a change of use was sought for the floorspace generated within the extension granted under H/58043 to form an independent Hot Food Takeaway (Class A5). Two reasons for refusal were associated with the decision, and these can be seen within the site history section below.

**PROPOSAL**

This application seeks to address the concerns raised within the reasons for refusal for application 76858/COU/2011 and create an independent Hot Food Takeaway within the ground-floor of the extension approved at 66 Moss Road in 2004.

## **DEVELOPMENT PLAN**

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

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

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

L7 – Design

W2 – Town Centres & Retail

### **PROPOSALS MAP NOTATION**

Local Shopping Centre

### **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**

### 66 Moss Park Road

H/58043 – Erection of a two-storey side and single storey rear extension to provide additional floorspace to ground-floor shop and extended living accommodation – Approved, 19/01/2004

H/71161 – Erection of a part single, part two-storey side extension to form staircase enclosure – Approved, 26/05/2009

76858/COU/2011 - Change of use from retail floorspace associated with adjoining shop unit (use class A1) to independent Hot Food Takeaway (use class A5) – Refused 06/07/2011 for the following reasons:

1. The proposed use of the property as a hot food takeaway shop, by reason of the noise and disturbance likely to be created by customer activity (including pedestrian and vehicular comings and goings, particularly late in the evening) would be unduly detrimental to the amenities that occupiers of nearby residential properties might reasonably expect to enjoy. As such the proposal would be contrary to Proposals D1 and D9 of the Revised Trafford Unitary Development Plan and the Council's approved 'Planning Guidelines Hot Food Takeaway Shops'.
2. The applicant has failed to demonstrate that a satisfactory ventilation extraction flue could be provided that would not be detrimental to the residential amenity of the occupants of nearby residential properties nor detrimental to the character and visual appearance of the street scene and the surrounding area by reason of its size, design and siting. The proposal would therefore be contrary to Proposals D1 and D9 of the Revised Trafford Unitary Development Plan and associated Supplementary Planning Guidance: Hot Food Takeaway shops.

## **CONSULTATIONS**

**Drainage:** No objections

**LHA:** No objections

**Pollution & Licensing:** No objections

## **REPRESENTATIONS**

### Support

A petition in support of the development with signatures from over 60 addresses accompanied the submission of this application.

### Objection

Councillor **Mike Cordingly** has submitted a letter in support of an objection from a nearby resident. This expresses concern that the development will put more parking onto Grasmere Avenue and that the zebra crossing close to the application site is already being compromised by the parking of customer vehicles on the pavement. The loss of amenity and insufficient parking will further undermine the zebra crossing.

Four letters of objection have been received and they can be summarised as follows:

- There would be the potential for noise nuisance and disturbance to be generated by customers loitering outside of the premises in the evenings. The development would result in the smell of food emanating from the premises and increased littering also (which is already a problem). There are already a number of youths who hang around the existing shop and the increased opening hours will encourage further youths to hang around for longer periods of time each day.
- There are already enough takeaways along Moss Road.
- The current application does not fit with the residential look and feel of the immediate properties and the increased shop hours will add to the brightly illuminated shop fronts.
- Parking and traffic problems will increase because of increased deliveries and an increased number of customers. The number of additional employees that the business will bring is in effect doubling the number of people working on this site.

## **ASSESSMENT**

### PRINCIPLE OF DEVELOPMENT

1. This proposal involves the change of use of the property to a hot food takeaway. The ground floor of the premises is to be occupied by an A5 use whilst the existing apartment at first floor, owned and occupied by the applicants, is to be retained along with its separate entrance to the side.
2. The site is located within a parade of shops designated as a Local Shopping Centre, although many of these have been granted planning consent to convert them into residential dwellinghouses. It is only the existing shop at No.66 which is currently in operation as a business premises as some of the other ground-floor units have been vacant for some time. Whilst an additional A1 unit would have been preferable over an A5 use, it is acknowledged that the proposal would not result in the loss of an existing A1 unit as the development relates to subdividing an extended shop. It is further recognised that there are long-term vacant units which could be brought back into retail use to meet the small scale day-to-day shopping needs of local residents. Therefore there are no objections to the principle of the proposed use.

### RESIDENTIAL AMENITY

3. In respect of hot food takeaways, noise and disturbance for local residents are the most frequent cause of problems associated with such uses, particularly because most such businesses operate late into the evening at a time when people can reasonably expect peace and quiet. Issues surround not just activity on the premises, but also the cumulative impact of intermittent and incidental noise outside the premises from comings and goings such as the closing of car doors, revving of engines and conversation from those congregating outside. As

such 'Planning Guidelines: Hot Food Takeaway Shops' recommends that where such development is proposed in close proximity to residential properties, permission ought not to be granted or in less intrusive circumstances, a condition restricting hours of operation be imposed.

4. Policy L7 – Design of the Trafford Core Strategy states that in relation to matters of protecting amenity, development must be compatible with the surrounding area; and must 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.
5. This application seeks consent to operate a hot food takeaway at 66 Moss Road, using the floorspace generated by a 38.5sqm extension granted under application H/58043. The premises would be open between 1100-1400 and 1700-2200 Monday-Friday; 1100-1400 and 1700-2300 on Saturdays; and 1700-200 on Sundays and bank Holidays. The result of this development would be the subdivision of an existing unit to form two independent businesses which operate during the day time and into the late evening with little or no respite. The number of uses within the property is to be doubled and activity is therefore likely to be intensified.
6. Residential properties are located opposite the proposed shop front on the western side of Moss Road; to the northern side of Grasmere Road, immediately at the back of the footpath; and also adjoining the application site to the east, on Skelton Road. A first-floor apartment is located at 64a Moss Road, although the existing shop at No.66 separates it from the proposed hot food takeaway. It is acknowledged that the existing apartment above No.66 is currently occupied by the applicants and owners of the ground-floor retail unit; however it is worth noting that this could be sold as an independent residential flat and occupied by people who have no association with the commercial unit below. If this were to happen then consideration would need to be given as part of any future application on this site to how the proposals would impact upon the residential amenity of the flat's occupants.
7. Given that the character of the area today is predominantly residential, and that the application site faces dwellings on three sides, it is considered that the impact of the proposed use on these surrounding properties is likely to be significant, particularly given that it is proposed to operate into the evening closing at 10pm during the week and 11pm on Saturdays. These hours match those proposed as part of the previous application for an A5 use on this site – 76858/COU/2011. As noted previously, there are likely to be movements to and from and within the premises late on into the evening, at a time when neighbouring residents should reasonably expect to enjoy a degree of peace and quiet. A5 uses generate noise both from within the premises and from outside from car doors, engines and individuals gathering outside. The problems of late evening opening could be curtailed through restrictive hours being imposed by way of a condition, however, the type of hours that would need to be imposed for this site in order to preserve residential amenity are likely to be so restrictive as to be unreasonable for the owners of the business, the majority of whose trade takes place during the evening. It is recognised that the applicant's existing shop operates similar hours but it is considered that the proposed use will have a significant additional impact on residential amenity. In short, the proposed A5 business use is considered inappropriate given its impact on residential amenity and is recommended for refusal as a result.

8. In an effort to address the second reason for refusal associated with 76858/COU/2011 the submitted plans indicate that an extractor flue will extend up internally through the first-floor flat and through the roof above to discharge food odours generated by the hot food takeaway in excess of 1m above eaves level. Whilst specification details have not been submitted with the application, the Council's Pollution and Licensing Officer is satisfied that there are measures that can be employed to sufficiently mitigate against any potential noise or smell disturbances for the first-floor flat associated with No.66. The termination height of the flue above eaves level also meets the necessary requirements from an odour disturbance respect.
9. It is considered that the siting of the proposed flue on the rear roofslope of the premises would not create an unduly prominent feature that would harm the character and appearance of the Grasmere Road streetscene. Therefore, given the above, it is considered that the second reason for refusal of 76858/COU/2011 has been adequately addressed.

#### ACCESS, HIGHWAYS AND CAR PARKING

10. The LHA has expressed concern about the lack of parking provision and servicing details associated with the proposed hot food takeaway. However it is acknowledged that on-street parking bays exist along both sides of Moss Road, close to No.66, and that those spaces on the eastern side of the highway could be used by customers and delivery vehicles visiting the proposed use. Therefore there are no objections to the proposal on Highways grounds and as such this does not form a reason for refusal.

#### CONCLUSION

11. The proposed hot food takeaway would generate a likely level of customer activity, including vehicular comings and goings, into the late evening that would result in undue noise and disturbance to the amenity of surrounding residents. The imposition of a restrictive operating hours condition in order to protect residential amenity would be unreasonable to the owners of the business and therefore the proposal has failed to address reason one of planning refusal 79076/COU/2012. It is considered that the use would have a detrimental impact on residential amenity as a result of noise and disturbance and the proposal is therefore recommended for refusal.

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

1. The proposed use of the property as a hot food takeaway shop, by reason of the noise and disturbance likely to be created by customer activity (including pedestrian and vehicular comings and goings, particularly late in the evening) would be unduly detrimental to the amenities that occupiers of nearby residential properties might reasonably expect to enjoy. As such the proposal would be contrary to L7 – Design of the Trafford Council Core Strategy and the Council's approved 'Planning Guidelines Hot Food Takeaway Shops'.

JK

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**LOCATION PLAN FOR APPLICATION No: - 79076/COU/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**OUTLINE APPLICATION FOR THE ERECTION OF UP TO 29 NO. DWELLINGS, FOLLOWING DEMOLITION OF INDUSTRIAL PREMISES WITH ALL MATTERS RESERVED.**

TMF House, Warwick Road South, Firswood, M16 0JR

**APPLICANT:** MHE Properties Limited

**AGENT:** ArchTec (IOM) Limited

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

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**SITE**

The application site comprises vacant industrial buildings on a parcel of land along Warwick Road South, in an area of mixed-use residential and commercial (industrial) buildings. To the rear of the site, residential properties share the site boundary for 70m and the remaining 44m adjoins allotment gardens (at the northern end). There are residential properties in front of the site on the opposite side of Warwick Road South along with the St Hilda's Parish Church building. Industrial buildings exist to the northern side of the site and a car repair garage and former petrol filling station exist to the southern side.

The Old Trafford Metrolink station and new depot are located a short distance to the north of the site and the junction with Kings Road is 45m to the southern side.

**PROPOSAL**

Outline planning permission is sought for the redevelopment of the site for residential purposes. The applicant has indicated that they seek permission for up to 29 dwellings on the land, following demolition of the existing industrial units on the site. All matters (including details of layout, landscaping, access, scale and appearance) are reserved for subsequent approval.

Submitted indicative elevations and indicative details set out within the application form identify a scheme for 29no. dwellings consisting of 15no. 4-bed town houses, 12no. 2-bed apartments and 2no. 1-bed maisonettes. However, in light of the outline nature of this application and following on-going discussions with the applicant, the application is to be considered on the basis of up to a maximum of 29no. non-defined dwellings.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

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

L1 – Land for New Homes  
 L2 – Meeting Housing Needs  
 L7 – Design  
 L8 – Planning Obligations  
 R2 – Natural Environment  
 R5 – Open Space, Sport and Recreation

#### **PROPOSALS MAP NOTATION**

Main Industrial Areas

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

E7 – Main Industrial 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**

H/60853: Demolition of existing buildings and erection of a three storey block of offices and 3 blocks of three-storey town houses (12 in total) and 2 blocks of three-storey apartments (12 in total). Construction of 3 access roads from Warwick Road South and provision of parking facilities (12 for the offices and 24 for the residential properties), amenity space and landscaping.

APPROVED, April 2007

H/OUT/57057: Demolition of existing industrial premises and development of land for residential and employment purposes.

NON-DETERMINED

H/OUT/55737: Demolition of existing industrial premises and erection of residential development.

WITHDRAWN, March 2003

## **CONSULTATIONS**

**GMP (Design for Security)** – No objection to the principle of development, but would expect such a scheme to include a crime impact statement in the supporting documents. In the absence of such a document it is not clear whether the applicant has given any consideration to the need to ‘design out crime’; indeed, there are aspects of the illustrative drawings that give cause for concern.

**Electricity NorthWest** – The development could have an impact on existing electricity infrastructure. Standard informative response has been provided that the applicant should be aware of.

**United Utilities (Water)** – No objection, subject to the following conditions being met:

- No surface water from the development discharged either directly or indirectly to combined sewer network.
- Site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a SUDs system to meet the requirements of the National Planning Policy Framework (PPS1 (2) and PPS25 (F8)) and part H3 of the Building Regulations.

Standard informative advice is also provided.

**GMEU** – The existing buildings have only low potential to support bats and a bat survey is not required. However, there have been frequent recordings of bats over the nearby allotments and there is likely to be a roost nearby. The applicant should be aware of the possible presence of bats in the buildings and of the need to stop working immediately if bats are found at any time and to seek professional advice.

**LHA** – (comments based on indicative 29 dwellings comprising 15 (4-bed) townhouses, 12 (2 bed) apartments and 2 (1 bed) maisonettes in 5no. 3-storey blocks).

No objections in principle, although some concerns were reported.

To meet the Council's standards 3 car parking spaces should be provided for each townhouse, 2 spaces for each apartment and 1 space for each maisonette. Furthermore, 1 bicycle space per 1 bed flat and 2 allocated/1 communal space per 2 bed flats are required.

Concerns were cited with the proposed location of bin stores and the impact of these on parking courts associated with the indicative apartment/maisonette arrangements. Furthermore, there were concerns with the indicative layout of driveways and parking arrangements for the townhouses. These would need to be addressed in any subsequent application.

Concern was also expressed regarding the indicative proximity of the apartments to the back of pavement on Warwick Road, particularly if gates were proposed.

Permission would also be required for any amendments to vehicle crossings and local flooding should be addressed in choice of hardstanding.

**Pollution and Licensing (Contaminated Land)** – The application area has a historical use for industrial and commercial processes and therefore the land may be contaminated. As such, the following condition is recommended:

- CLC1 – contaminated land phase 1 study (and potential phase 2 investigations, dependent on outcome of phase 1).

**Drainage** – Recommend standard drainage informative - R13

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The site is identified on the Proposals Map as a Main Industrial Area (UDP policy E7). Currently, work is ongoing on the Strategic Housing Land Availability Assessment and this particular site has been identified as a potential housing site.
2. Policy W1.12 of the Trafford Core Strategy identifies that in determining applications for non-employment uses on sites outside of the Strategic Locations, developers should demonstrate that
  - 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.
3. The applicant has submitted a covering letter and Design and Access statement which respond to the above points. They identify that there is no

need for the site to be retained for employment purposes. Indeed, the premises have been vacant for a long period, since the applicant's business relocated a number of years ago. It has since become the target of anti-social behaviour and 'fly-tipping'. In addition, the applicant has confirmed that planning permission for residential use on the site has been considered acceptable in the past [albeit with 1no. office building] and there had been no interest from prospective tenants of the "office" element of that previous scheme when it had been marketed previously. The applicant reveals that their own experience of operating from the site has highlighted that the application site and surrounding area is unsuitable for industrial operations.

4. There is an identified need for residential dwellings, particularly family homes in the Old Trafford Area and this would help support regeneration of the immediate area. There are no other identified sites in the locality which could sustain such development.
5. The primary function of the area is mixed-use residential, where the residential aspect is dominant. The industrial building immediately adjacent to the site to the north, operates as a printers and there are no concerns with the nature of the use of that unit or of unsociable working practices. As such, in principle, a residential use on the site would not compromise the primary function of the area and would be compatible with the operations of the neighbouring uses.
6. It is considered that the proposed redevelopment of the site is in accordance with other policies in the Development Plan for Trafford, which are explored further below.
7. As such, the principle of residential development on this site is considered to be acceptable.

#### DESIGN AND APPEARANCE

8. The submitted elevations are indicative only. Informal amended elevations demonstrated less physical accommodation (28no. units) on site and provided more elevation detail to front facades. Notwithstanding this, the specific details are not agreed at this stage, and it is considered that residential development of up to 29 units in some form could be suitably accommodated within the site, subject to acceptable scaling, massing and layout to respond to the surrounding residential area visually.
9. It appears that the character of the area has evolved since the now vacant industrial premises were in operation. With the exception of some light industrial units along Warwick Road South, around the junction of Warwick Road and Ayres Road and along Ayres Road itself, the area is now largely residential in character. It is considered that residential accommodation on this vacant, unkempt, industrial site would be a significant visual improvement to the area.

## RESIDENTIAL AMENITY

10. To both sides are commercial properties and although the indicative drawings indicate a tight relationship of built form to side boundaries, this relationship is considered acceptable in residential amenity terms.
11. Currently, to the rear of the site, the large industrial units are built right up to the rear boundary immediately adjacent to residential properties. This existing relationship is particularly poor in amenity terms. The indicative plans demonstrate that the residential properties would significantly improve this relationship and reduce overbearing and loss of light concerns by setting the proposed dwellings a minimum of 17m away from the rear boundary. Furthermore, the minimum 17m distance retained from any second floor windows to the rear boundary would avoid overlooking/loss of privacy issues to those residential properties on Warwick Court, in compliance with the Council's adopted Planning Guidelines – *New Residential Development*.
12. The distance across Warwick Road South from the proposed dwellings, on the amended indicative layout, to residential properties opposite is significant (circa 30m) and complies with guidelines as set out in *New Residential Development* to avoid overlooking/loss of privacy concerns.

## CAR PARKING AND HIGHWAYS

13. The LHA has expressed some concern over the amount of proposed parking provided off-street. The comments were based on the initial submitted plans and information contained within the application form, which although specifying house types, number and bedroom size is only for indicative purposes. The detail regarding dwelling size, numbers of units, siting and parking will be resolved at the reserved matters stage and it is considered that there would be capacity for sufficient off-street parking within the site for up to 29no. dwellings.
14. Any reserved matters application would also need to address the requirement for cycle parking provision in line with the Core Strategy.

## DESIGNING OUT CRIME

15. No assessment has been made at this stage relative to issues of designing out crime. The agent has been advised that this should be a consideration at any reserved matters stage application and it is recommended that a condition should be attached requiring this.

## DEVELOPER CONTRIBUTIONS

16. The indicative information contained within the application form, revealed that the application might provide 29no. dwellings comprised of 15no. 4-bed townhouses; 12no. 2-bed apartments; and, 2no. 1-bed maisonettes. Although this information is indicative only, the following table sets out what would be the maximum Trafford Developer Contributions (TDC) required by the Council's adopted Supplementary Planning Document, SPD1 Planning Obligations, based on the above breakdown:

TDC category.	Gross TDC required for proposed development.	Contribution to be offset for existing building/use (B2 use of 3,800 sqm).	Gross TDC required for proposed development.
Affordable Housing	1no. unit on site	n/a	1no. unit
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£3,067.00	£3,762.00	£0
Public transport schemes (including bus, tram and rail, schemes)	£6,859.00	£4,294.00	£2,565.00
Specific Green Infrastructure (including tree planting)	£18,290.00	£14,880.00	£3,410.00*
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£84,870.67	£0	£84,870.67
Education facilities.	£212,375.66	£0	£212,375.66
<b>Total contribution required.</b>			<b>£303,221.33</b>

\*less £310 per additional tree provided on site

17. Given that the application is not specific in terms of the number or size of residential units which will ultimately be sought on the site (up to a maximum of 29no.), it is not possible to identify an exact maximum figure for the Trafford Developer Contributions. Nonetheless, it is considered necessary at this outline stage to ensure that planning contributions are secured in accordance with SPD1, with the exact detail to be agreed at the reserved matters stage, where a supplemental s106 Legal Agreement could be entered into. A scheme of this nature, in this location would, where relevant, require planning contributions to mitigate impact on the following areas:

Affordable Housing; Highways & Active Travel infrastructure; Public Transport Schemes; Specific Green Infrastructure; Spatial Green Infrastructure, Sports and Recreation; and Education Facilities;

## CONCLUSION

18. It is considered that the redevelopment of the site for housing would be acceptable in policy terms and subject to detailed design, a development of up to 29no. residential units could be provided on the site without having unacceptable impacts on visual amenity, residential amenity or highway safety. It is therefore recommended that the outline permission should be granted.

**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 financial contributions, where applicable, towards: Highways and Active Travel infrastructure; Public Transport Schemes; Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); Spatial Green Infrastructure, Sports and Recreation; and Education Facilities, in accordance with the Council's adopted SPD1: Planning Obligations, and

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

1. Outline Condition No.1
2. Outline Condition No. 2
3. List of Approved Plans condition (Site Location Plan Only)
4. Cycle Storage provision – in any reserved matters application
5. Contaminated Land condition - CLC1
6. Standard Drainage condition
7. Restriction of buildings to a maximum of 3 storey height only.
8. Crime Impact Statement to be submitted with reserved matters application

MW

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**LOCATION PLAN FOR APPLICATION No: - 79462/O/2013**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Altrincham**

**79478/FULL/2012**

**DEPARTURE: No**

**ERECTION OF 4 NO. THREE BEDROOMED DWELLINGS, 3 NO. TWO BEDROOMED APARTMENTS AND 390 SQM OF OFFICE FLOORSPACE INCLUDING ANCILLARY SHOWROOM.**

Former filling station, Woodlands Road/Burlington Road, Altrincham, WA14 1HG

**APPLICANT:** Altin Homes

**AGENT:** De Pol Associates Ltd

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

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**SITE**

The application concerns a vacant site formerly occupied by a petrol filling station. The property is situated on the north side of Woodlands Road and is bounded by Woodlands Road and Burlington Road.

The surrounding area comprises a mixture of uses including religious, hotel, office and residential. Immediately adjoining the site in Burlington Road and Woodlands Road are Victorian dwellings and in Barrington Road are modern flats.

**PROPOSAL**

The proposal is to erect 4 semi-detached houses fronting Burlington Road, 3 flats fronting Woodlands Road and a 3 storey office building with showroom fronting Woodlands Road. This will be occupied by the applicant, Altin Homes as their head office.

The offices and flats will be of contemporary design with flat roofs and constructed of brick, glazing and cladding. The semi detached houses will appear as modern town houses on 3 floors and will be constructed of brick and slate.

Parking for the office and apartments will be provided in a car park accessed off the A560 Woodlands Road. The four semi-detached houses will have a private driveway and integral garage.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

W1- Economy  
 L1- Land for New Homes  
 L2- Meeting housing Needs  
 L3- Regeneration and Reducing Inequalities  
 L7- Design  
 L8- Planning Obligations

## **PROPOSALS MAP NOTATION**

None

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

None

## **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles  
 DP2 – Promote Sustainable Communities  
 DP4 – Make the Best Use of Existing Uses and Infrastructure  
 L4 – Regional Housing Provision  
 MCR3 – Southern Part of the Manchester City Region

## **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**

77752/FULL/2011 - Erection of retail unit (4000 sq. ft) with parking for 22 cars. Withdrawn

## **APPLICANT'S SUBMISSION**

The applicant has submitted additional supporting information in the form of a Transport Statement, Contamination Assessment, Sequential test and Affordable Housing Viability Study. The information provided within these statements will be referred to where relevant in the Observations section of this report.

## **CONSULTATIONS**

**Local Highway Authority** - To meet the Councils car parking standards for office use the provision of 1 car parking space per 30 sq m should be provided for the office use. 10 car parking spaces are provided for the office use within the site, the provision of 11 should be made. It is not felt that the shortfall, will cause a detrimental impact on neighbouring properties. (Parking reduced in amended plans, see report for comments)

The provision of 1 cycle parking space per 300 sqm and a minimum of 2 cycle parking spaces should be provided within the site. None are shown on the plan, however the TS states that two bicycle store stands are provided internally to the office at ground floor level and the houses garages are oversized. This doesn't provide parking for the flats though and the LHA would request that these are provided for in order to be acceptable on highways grounds.

The provision of 1 motorcycle parking space per 750 sqm and a minimum of 2 motorcycle parking spaces should be provided within the site. An area is shown within the car park, however, a lockable point should be provided in order to be acceptable on highways grounds.

The provision of 2 car parking spaces for a 2-3 bedroom dwellinghouse and 3 spaces per 4 + bedroom dwellinghouse should be provided. The proposals include 2 car parking spaces for the 3 bedroom dwellinghouses and 2 parking spaces each for the apartments which meets the Councils car parking standards.

The access and egress to the office car park should be a minimum of 4.5m wide to allow simultaneous access and egress to the site and the boundary treatment should allow an acceptable visibility splay and any gates would need to be set back 5m within the site. The applicant meets these dimension standards.

A new left turn only exit sign should be installed in the central refuge at the developers cost. There are two signs on the Woodlands Road frontage to the site, these may need to be relocated at the developers cost.

The servicing strategy for the site has been provided within which shows 4.6t light van turning within the site. All servicing should be undertaken within the site and not on the public highway.

The applicant's will need to gain further approval from Trafford Councils Streetworks Section for the construction, removal or amendment of a pavement crossing under the provision of section 184 of the Highways Act 1980.

The applicant must also ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

The two existing dropped kerbs to the Woodlands Road frontage should be removed at the developers cost.

Turning to Burlington Road, the applicant will need to pay for any necessary resiting of the dual carriageway/turn left sign on the frontage and H Bar markings to extend across the proposed driveways. The residents will not be eligible to apply for residents parking permits and the garages provided would be conditioned to be retained as garages in future.

If the above can be provided then there are no objections to the proposals on highways grounds.

### **Strategic planning**

Comments incorporated in report below

**United Utilities** – Surface water should not be allowed to discharge to foul/combined sewer as stated in the planning application. This prevents foul flooding and pollution of the environment. Requests a condition be attached for developer to confirm how surface water will be managed.

The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should be discharged to the soakaway/watercourse/surface water sewer and may require the consent of the LA. If surface water is allowed to be discharged into the public surface water sewerage system they may require the flow to be attenuated to a maximum discharge rate determined by United Utilities

A separate metered supply to each unit will be required at the applicant's expense.

## **REPRESENTATIONS**

### **Neighbours**

At the time of writing letters of objection to the proposal have been received from 2, 8, 25 Burlington Road, 21 Barrington Road, Apartments 7 & 12, 15 Barrington Road and 17 Burlington Court. They have raised the following issues;

- Overdevelopment
- No amenity space on site. Lack of greenery. Mature trees to be removed.
- The development is in front of the historic building line on Woodlands Road. The office development actually overhangs the pavement.
- Houses and gardens on Burlington Road will be overlooked including key living spaces. Proposed balconies a particular problem.
- 4 parking spaces on Burlington Road will be lost, parking spaces that are already fully used by office workers, visitors and residents.
- Two of the car parking spaces for the office development are not useable and tandem parking for the apartments is unlikely to be fully utilised which will further impact on the parking in Burlington Road. A residents parking scheme would benefit residents.
- Inadequate space for deliveries
- Entrance to office parking space is a significant traffic hazard
- The hardstanding to the parking areas in black tarmac is unattractive and contrary to present day thinking re. drainage and flooding.
- There is currently more than 20,000 sq m of empty office space within 400m of site.
- The site is outside the “Main Office Area” as identified on the UDP proposals map. The proposal will insert an inappropriate office block to the north of the delineated area.
- Affordable housing is clearly needed in Altrincham and the applicant is in an excellent position to provide this rather than the proposed inappropriate Office Block.
- Concern that changes to government regulations could result in offices being converted to residential without any requirement for planning permission.
- Site contamination. The remains of the former retail store on the petrol station site was used as infill.
- The design particularly the container like appearance of the offices is totally out of character with the mainly Victorian residential property in the neighbourhood. The proposed houses do not appear in keeping with the existing Victorian homes on Burlington Road.
- Utilising Burlington Road for all refuse from offices and apartments will not prove workable and will result in office and apartment bins being left in an exposed location overnight.
- Concerned if the showroom is to be used in the evenings and at weekends.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The application proposes the re-development of a vacant site which was formerly a petrol filling station. The application site is unallocated on the UDP proposals map. One of the key objectives set out within the NPPF, is the priority on reusing previously developed land within urban areas.
2. Policy L2 of the Core Strategy (Meeting Housing Needs) seeks to support the delivery of a balanced “housing offer”, providing the right quality and type of housing in the right places in line with national guidance and taking account of the findings of the Trafford Housing Market Appraisal (2006), the Greater Manchester Strategic Housing Market Appraisal (2008), the Trafford Economic Viability Study (2009) and the Trafford Housing Strategy (2009). Policy L2 states that the Council is required to not only ensure that sufficient land is made available to maintain a rolling five-year supply of delivery of land for housing, but also to ensure that there is an adequate mix of housing types and sizes to meet the needs of the community. It further 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 deliver 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.
3. In accordance with Policy L2 Altrincham is identified as a “hot” market location and therefore there is a requirement for 40% affordable housing to be provided on site which equates to 3 units. Having regard to the above it is considered that the provision of 7 new dwellings in this location is considered acceptable in principle.
4. Policy W1.5 of the Core Strategy states that B1 office space will be focused in the Regional Centre (Pomona and Wharfside) and in the town centres. As part of the application is for office development outside of the town centre then Policy W1.11 should be applied. Policy W1.11 states that outside these areas the Council will only permit employment uses provided that it is in accordance with other policies in the Development Plan for Trafford and that:
  - It will contribute significantly to the Plans overall objectives, including the economic growth of the city region;
  - It will contribute significantly to the achievement of the regeneration priorities set out in Policy L3;
  - It promotes the use of derelict, vacant or under-used previously developed land; and
  - It will be accessible by a range of alternative modes other than the private car.
5. In terms of the requirements of Policy W1.11 the application would contribute to achieving the following Strategic Objectives:

- SO1 – Meet Housing Needs
- SO3 – Meet Employment Need
- SO6 – Reduce the need to travel

The most relevant Altrincham place objectives are:

ALO2 – To maximise the provision of affordable units to meet the needs of the community;

ALO5 – To limit new residential growth to meeting local needs, particularly for affordable housing, with general market housing (in sustainable locations, well served by public transport) supporting local needs and regeneration priorities.

The proposed development utilises a prominent previously developed, derelict, vacant site and is located within an accessible location.

6. The NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan. In NPPF terms the site would be treated as “edge of centre”, being within 500 metres of the Altrincham Interchange. Due to the location of the application site a sequential test has been supplied by the applicant in support of the application.

The sequential test identified a total of 41 sites lying within or adjacent to Altrincham Town Centre. The sequential test concludes that although there is availability of existing office space within Altrincham Town Centre, none of it is capable of meeting the needs of the applicant. The majority of the units are only available for let and do not offer the opportunity to tailor the development to provide a showroom. Where there is an opportunity to buy the units are generally too small or in an unsuitable location.

Whilst it is accepted that the majority of the units are unsuitable for the applicant’s needs due to the size of the floor space available or restrictions in providing the showroom facilities; it is considered that site number 9 (7/11 Cross Street) could be suitable to accommodate the proposed office and showroom due to the provision of the office space available and its location. The applicant has discounted this site on the basis that there is no car parking space available with the site, the property is more suited to an A1, A2 or A3 use and the property is only available on a lease basis thus restricting the opportunity to make alterations.

7. It appears from the sequential assessment that there is another suitable site within Altrincham Town Centre which could accommodate the office element of the proposal. However taking into account the other benefits that the proposal will provide which include a contribution to the Council’s housing development target as set out in Table L1, contribution to achieving the Councils brownfield land target in accordance with Policy L1.7, the provision of family accommodation in accordance with Policy L2, regeneration benefits in the use of a previously developed, vacant, derelict site and the contribution to the Core Strategy’s overall objectives it is considered on balance that the proposal is acceptable.

The main areas for consideration are therefore the impact on residential and visual amenity and car parking.

## RESIDENTIAL AMENITY

8. The four semi-detached dwellings would front Burlington Road with the principal habitable room windows on the front and rear elevations. The rear windows would be in excess of 16.5m from the site boundary and 27m from principal windows in The Hollies. They would therefore be in accordance with recommended privacy distances.
9. Windows in the rear of the apartments would be approximately 5m to the rear boundary. However any overlooking would be of the car park at the rear Hollies and not windows serving principal rooms and would already be overlooked by existing windows in the flats. It is therefore considered that there would be no undue overlooking or loss of privacy.
10. A rear balcony has been removed from the proposed dwelling closest to No. 2 Burlington Road and the erection of a privacy screen to prevent overlooking of that property and amendments made to the layout to minimise the impact on side windows in that property.

## DESIGN AND VISUAL AMENITY

11. The proposed flats and offices are contemporary in design particularly with regard to the proposed fenestration. The houses fronting Burlington Road would retain a traditional pattern of pairs of semi-detached dwellings, constructed of brick but also of modern town house design. Overall it would create a development that would be appropriate within the wider street scene.
12. The proposed houses would be a similar height to the existing houses in Burlington Road and the apartment block and offices would be a similar height to the adjoining Saxonholm. They would also be lower than the hotel located to the west of the site. It is therefore considered that the massing would be acceptable.

## LANDSCAPING

13. A landscaped strip would be provided along the Woodlands frontage of the site and on the corner with Burlington Road. Some of the land to be landscaped on the corner is outside the site boundary. The applicant intends to provide landscaping and bollards on this to prevent parking, this would however need to be subject to the agreement of the Council. A small strip would also be provided at the rear of the apartments and 3 strips at the front of the dwellings and gardens to the rear. Further details should be required by condition to ensure adequate planting.

## HIGHWAY SAFETY AND PROVISION

14. The Council's parking standards require that 11 parking spaces be provided for the office development and two for each of the houses and apartments. The proposals include 2 car parking spaces for the 3 bedroomed dwelling houses in accordance with the standards. The applicant proposes to provide 8 dedicated spaces for the offices and 4 for the apartments plus a further 2 which would serve the offices during the day and the apartments at weekends and in the evening. The level of parking was reduced following submission to facilitate the inclusion of additional landscaping. The site is in a highly

sustainable location and it is considered that the shortfall will not cause a detrimental impact on neighbouring residential properties.

15. Two motor cycle parking spaces are required. Although an area is shown within the car park a lockable point should also be provided. This can be sought by condition
16. Two cycle parking spaces should be provided within the site for the offices and spaces should also be provided for the apartments. None is shown on the plans. The garages are considered oversized and could be used for bicycles belonging to the houses. This matter can also be dealt with by condition.

## DEVELOPER CONTRIBUTIONS

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

TDC category.	Gross TDC required for proposed development.	Contribution to be offset for existing building/use or extant planning permission (where relevant).	Gross TDC required for proposed development.
Affordable Housing	3	N/A	3
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£1,901	N/A	£1,901
Public transport schemes (including bus, tram and rail, schemes)	£4,325	N/A	£4,325
Specific Green Infrastructure (including tree planting)	£10,530	N/A	£10,530
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£18,934.41	N/A	£18,934.41
Education facilities.	£40,953.53	N/A	£40,953.53
<b>Total contribution required.</b>	<b>£76,653.94</b>	<b>NIL</b>	<b>£76,653.94</b>

The applicant has submitted an Affordable Housing Viability Study which has been carefully assessed by officers including the Council's Principal Surveyor. This appraisal demonstrates that the financial contributions required under SPD1 would render the scheme financially unviable. The scheme would still be viable with a contribution of £76,653.94 but not with the provision of the three affordable housing units. However, in the event that market conditions improve by the time the development is completed and the developer realises a profit in excess of that predicted in the submitted financial viability appraisal, for example if the development

costs are lower than anticipated and/or the sales prices higher, an increased level of contributions should be sought up to a maximum amount of the contribution cap. It is therefore recommended that legal agreement should incorporate an overage clause to secure an appropriate level of contributions in the event that the developer realises a profit in excess of that predicted in the current financial viability appraisal

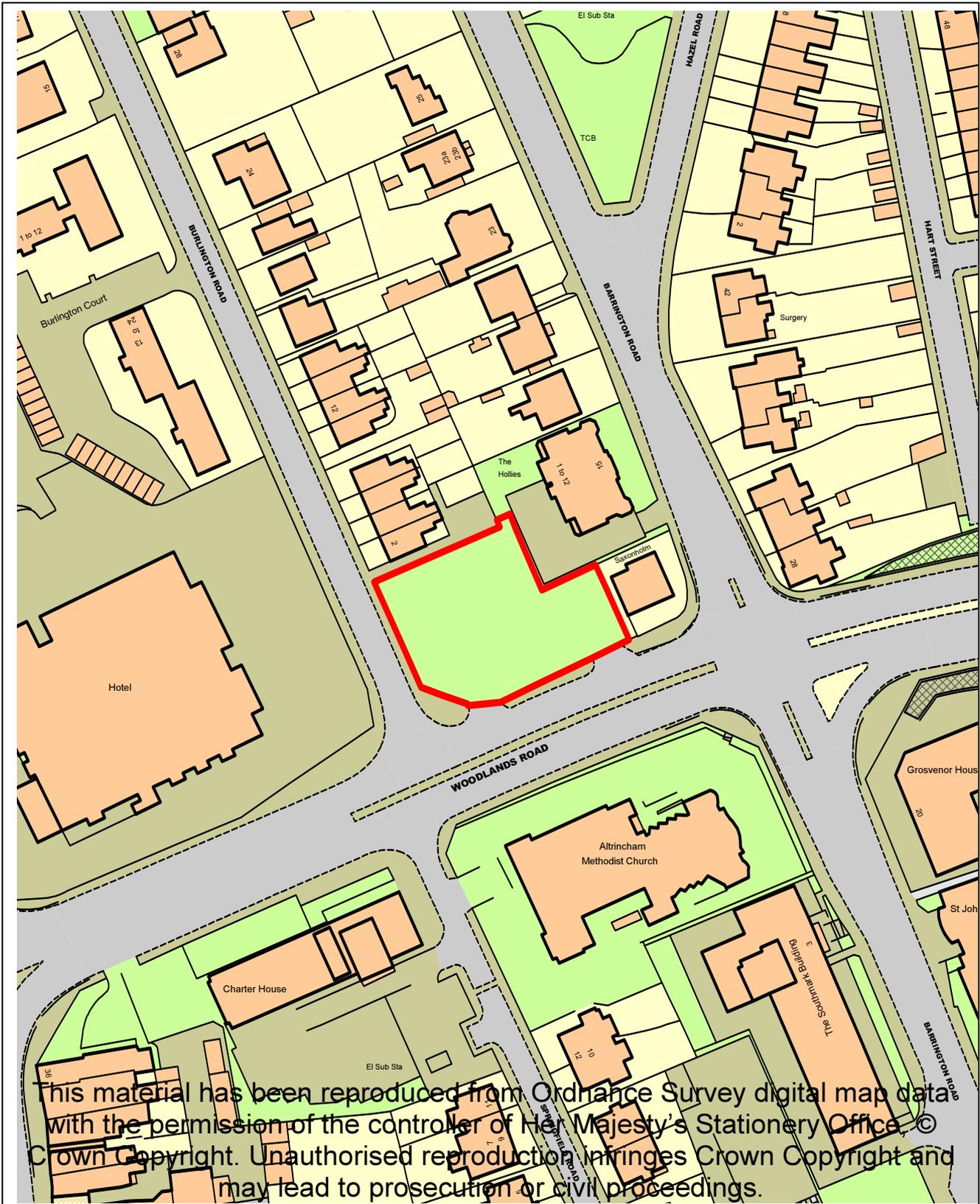
## CONCLUSION

The proposal to erect an office building, 4 dwellings and 3 apartments in this sustainable location is considered to be acceptable and to not unduly impact on residential amenity and highway safety. It would benefit the street scene and the visual amenity of the area by redeveloping this long standing, vacant and unsightly site. 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 the relevant policies in the Trafford Core Strategy and related Supplementary Planning Guidance. The application is therefore recommended for approval subject to the necessary legal 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 £76,653.94 split between: £1,901 towards Highway and Active Travel infrastructure; £4,325 towards Public Transport Schemes; £10,540 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); £ 18,934 towards Spatial Green Infrastructure, Sports and Recreation; and £40,953.53 towards Education Facilities. This legal agreement will incorporate a legal clause to secure an “appropriate level” of contributions in the event that the developer realises a profit in excess of that predicted in the current financial viability appraisal up to a maximum of £76,653.53 plus a figure, to be confirmed, in lieu of affordable housing.
- (B) 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. Materials to be submitted
  4. Removal of PD for houses
  5. Landscaping
  6. Landscape Maintenance
  7. All areas for manoeuvring and parking of vehicles shall be made available for such and retained at all times
  8. No retailing from the site. Show room ancillary to office use.
  9. Further details of proposed cycle and motor cycle parking to be provided.
  10. Further details of the proposed automatic gate
  11. Removal of any permitted development rights to convert office to residential
  12. Garages to be retained
-



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**ERECTION OF 2 STOREY REAR EXTENSION AND SINGLE STOREY FRONT PORCH.**

15 Irwin Road, Altrincham, WA14 5JR

**APPLICANT:** Mr Mike Stott

**AGENT:** Mr I Rogers (Structural Designer)

**RECOMMENDATION: GRANT**

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**Councillor Mrs Wilkinson has requested that the application be determined by the Planning Development Control Committee for the reasons set out in the report**

**SITE**

Semi-detached property in a street of similar hipped-roof, semi-detached properties. The street has tightly spaced properties with a general spacing pattern of 2.5m between adjacent pairs of semi-detached properties. Number 15 and the other dwellings (1 to 23 inclusive) on the southern side of Irwin Road have long, narrow rear gardens. There are a number of examples of single storey rear extensions in the vicinity whereas only number 26 and 28 (adjoining semi-detached properties) have extended at two storey level to the rear.

**PROPOSAL**

Permission is sought for the erection of a part single storey, part two storey rear extension to form 2no. larger bedrooms and the facilitation of an en-suite at first floor level, and to create a new kitchen area with utility room and WC, and an enlarged living room area at ground floor level.

Amended plans were received which reduced the initial proposed two storey rear extension from a 4m projection over two floors to a 2.5m projection at first floor level and 3.3m at ground floor level. The proposed extension would span the majority of the width of the rear elevation retaining a gap of 0.15m to the side boundary with number 13 and a distance of circa 1.2m from the side boundary with number 17.

Permission is also sought for the erection of a front porch. This would project 1.1m to front and be 3m in width. It would be to a height of 2.1m to eaves and 2.8m to the highest point.

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

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and

- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

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

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

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 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**

None for 15 Irwin Road.

Other applications for 2-storey rear extensions on Irwin Road:

### 26 Irwin Road

H/54913: Erection of a part single, part two storey rear extension to form additional living accommodation.

APPROVED, Feb, 2003 (*now built*)

### 28 Irwin Road:

H/55478: Erection of two storey rear extension.

APPROVED, Feb 2003 (*now built*)

Applications for 2 storey side extensions on Irwin Road:

### 27 Irwin Road:

H/51370: Erection of a two storey side extension to form additional living accommodation.

APPROVED, May 2001 (*now built*)

### 1 Irwin Road

H/27149: Erection of 2 storey side extension and single storey rear extension to provide garage, utility room, lounge extension and 2 bedrooms following demolition of existing garage

APPROVED, June 1998 (*now built*)

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

**Councillor Mrs Jaki Wilkinson** has requested, following receipt of amended plans, that the application be called-in to Planning Committee if recommended for approval for the following reasons:

- Overshadowing of the adjoining property at first floor level.

Councillor Mrs Wilkinson had also referenced overdevelopment as a reason for an objection to the original plans, prior to receipt of amended plans.

**Neighbours** – Letters of objection have been received from 2no. independent addresses in relation to both the original plans and the amended plans. The main planning related comments contained therein are summarised as follows:

### Original Plans:

- Overdevelopment/Too big
- Loss of light to habitable rooms and garden areas due to two storey extension
- Due to existing single storey extension to rear of number 19 and the proposed extension at number 15, the rear patio area of number 17 would be enclosed on both sides
- No other two storey rear extensions on Irwin Road
- Odd design and relationship to neighbouring extension

### Additional comments regarding the Amended Plans:

- Overshadowing - outlook from first floor windows of adjoining property (2.5m extension less than 1m from bedroom window)
- Out of character with Irwin Road which is small semi-detached properties.
- Impact on outlook from 2 storey extension

- Loss of light to kitchen at, and overbearing to, number 17

Although not specifically relevant considerations to this application, the following comments are also reported here:

- Maintenance issues given proximity of proposed extension to neighbours extension.
- Boundary encroachment
- No chimney shown on ground floor plan of original building – ambiguity over whether this is to remain
- OS plan out of date
- Plan error

## **OBSERVATIONS**

### DESIGN AND APPEARANCE

#### Rear Extension

1. The amended plans reduced the projection at two storey level from 4m to 2.5m and at single storey level from 4m to 3.3m. It is considered that the reduced extension is more proportionate to the dwelling.
2. The rear garden is long and can comfortably accommodate an extension of this size and projection. Sufficient amenity space would be retained. There is no sideward projection and as such, there are no loss of spaciousness concerns.
3. The proposed rear extension adopts a similar hipped-roof design and pitch to the existing dwelling. Although there are some concerns over the full width proposed rear extension and the size of the proposed extension roof, it is not considered that a refusal of this proposed extension on design grounds could be sustained.

#### Front Porch Extension

4. The design and projection of the front extension is modest and relative to the host dwelling.

### RESIDENTIAL AMENITY

#### Rear Extension

5. Given the length of the rear garden and the distance retained to rear boundary (circa 19m) and to properties at the rear (circa 27m), there are no concerns to properties beyond the rear of the site in terms of amenity impact.
6. The Council's adopted SPD4: A guide to Designing House Extensions and Alterations, sets out guidelines for safeguarding the amenity of neighbours. The guidelines relevant to this application are reported below for reference:

*“3.4.2. ....Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased*

*by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).*

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

- *3m + distance set in from boundary (single storey)*
- *1.5m + distance set in from boundary (two storey)”*

7. Although not specified in the guidelines, for the purposes of interpreting the relative impact from a first floor extension on first floor windows, the relevant guideline figures to avoid loss of light/overshadowing and overbearing impacts would be similar to those for single storey rear extensions to ground floor windows/gardens (i.e. a similar impact would be experienced).
8. Massing and height impacts from proposed extensions should also be considered when assessing overbearing and loss of light/overshadowing issues.

**Number 13 Irwin Road:**

9. Number 13 (the adjoining property) has an existing single storey flat roof extension which projects 3.3m into the rear garden and is built effectively up to the common boundary with number 15. There are no windows within that extension on the side elevation facing number 15. The single storey element of the proposed rear extension at number 15 would project a similar distance of 3.3m and would be set 150mm off the common boundary. As such, there is considered to be no impact on number 13 from the proposed single storey element.
10. The proposed first floor element of the rear extension would also be set 150mm off the common boundary with number 15 and would project 2.5m to rear. Had there been an impact on ground floor windows or a private garden area from this first floor extension, a maximum projection of 1.65m would have been acceptable under the planning guideline figures as set out in SPD4 (see above). However, given the existence of the single storey rear extension at number 13, the only impact is on the first floor bedroom windows of that property. As a result, the effective impact (as set out above) is similar to that of a single storey structure on a ground floor window. As such, a maximum projection of 3m would normally be considered acceptable (+0.15m due to the siting away from boundary). The proposed extension is comfortably within these guideline figures and as such, it is considered that the impact would be acceptable. Furthermore, the proposed extension is orientated to the eastern/east-north-eastern side of number 13 and it is considered that there will be very little loss of sunlight or overshadowing to number 13 as a result.

### **Number 17 Irwin Road:**

11. Number 17 is flanked on one side by an existing single storey rear extension to number 19 Irwin Road. The proposed extension to rear of number 15 would be set circa 1.2m in from the common boundary with number 17 and circa 2.5m distance from the dwelling at number 17.
12. The single storey element of the proposed rear extension would project 3.3m at a distance of 1.2m from the common boundary with number 17. This impact is considered acceptable and conforms to the guidelines as set out in SPD4. Given the separation between properties of 2.5m, it is not considered that a refusal on grounds of overbearing or “enclosure” could be sustained.
13. The two storey element of the proposed rear extension would be a 2.5m projection, a distance of 1.2m from common boundary. This is also within the acceptable guideline figures (see 3.4.3 above) for a two storey rear extension to avoid significant loss of amenity to number 17.
14. The proposed extension, although large is not of extraordinary massing or height to result in an unacceptable amenity impact.
15. As such, the impact from the amended rear extension is considered acceptable and complies with the guidelines as set out in SPD4 and is considered an acceptable form of development in amenity terms.

### Front Porch Extension

16. There are no residential amenity concerns associated with this scheme.

### VEHICLE PARKING

17. On-street parking is prevalent on Irwin Road. Some properties have created off-street parking, although the front garden areas are often sub-standard in terms of depth to accommodate a vehicle to the Council’s adopted parking standards. This is largely due to the projecting two storey bay windows and/or front porch extensions reducing the space in front of the dwellings.
18. The application does not increase the number of bedrooms, rather it extends one bedroom, replaces a small bedroom with an en-suite, and introduces a new bedroom to within the rear extension. The house will thus remain as a 3-bed dwelling. As such, there is no net increase in parking requirement over the existing situation.
19. The introduction of the porch further reduces the potential for off-street parking, although the nature of the site is such that off-street parking is currently problematic and a sub-standard area for parking exists in front of the existing bay, currently accessed over a “non-lowered” kerb. The applicant could create an off-street parking space without requiring planning permission, although in light of the above, it is not considered necessary in this instance to require it through a planning condition.

### OTHER ISSUES

20. There is an omission of note in the submitted plans and elevations. The plans do not indicate the existence of the two storey front bay. Although this

should have been included in the plans for completeness, there is no indication from the plans that the two storey bay is to be removed. Nonetheless, planning permission would not be required to remove the two storey bay. As such, it is not considered that this omission impacts on the planning application before the committee.

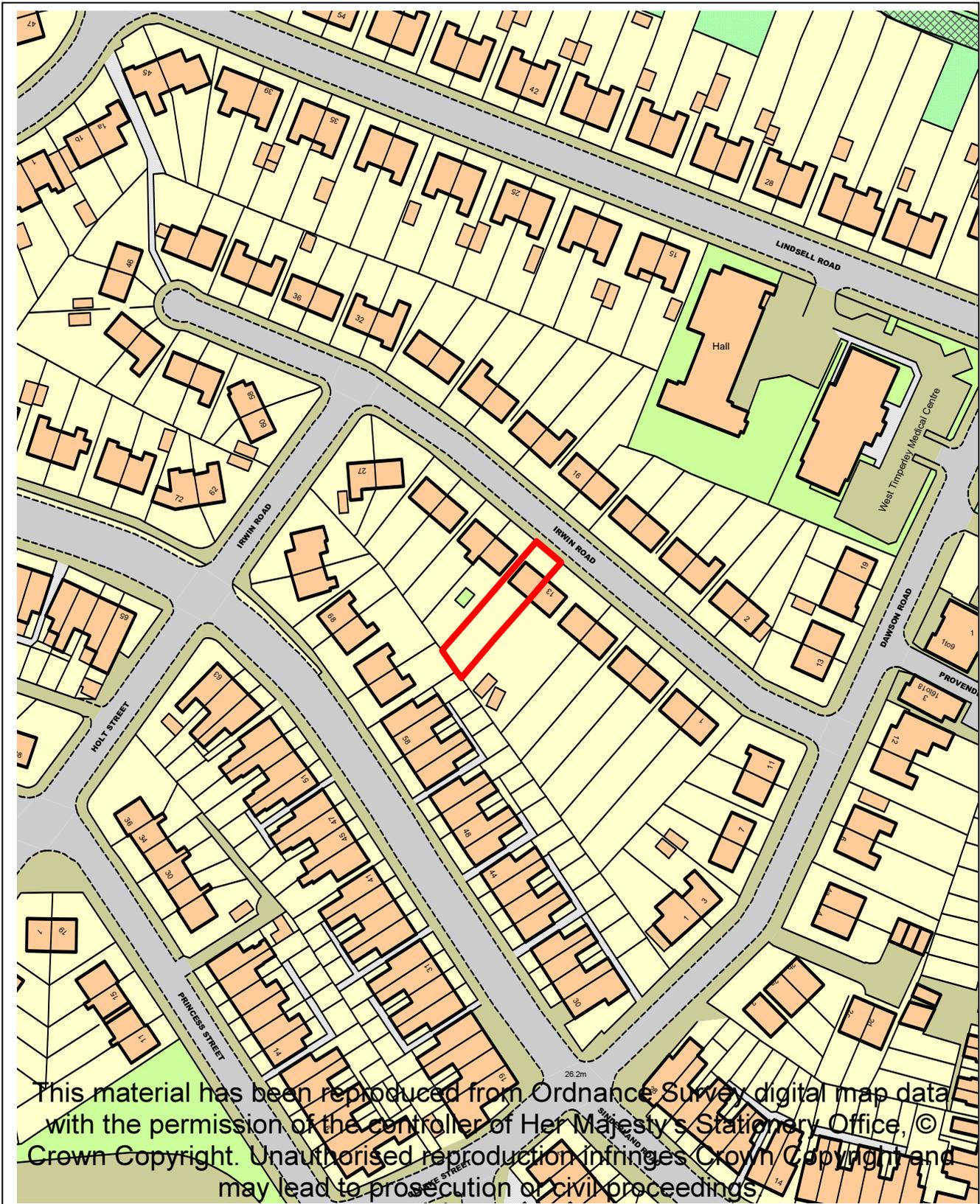
21. The OS plan is simply a Site Location Plan and is used as a means to identify the application site. It is not necessary that this demonstrates all extensions/alterations as they exist in the vicinity as long as identification of the site is possible. It is not uncommon for OS plans not to fully reflect the actual layout and form of some buildings in the vicinity. Extensions at adjacent properties were fully considered during the case officer's site visit and have been reported where relevant.

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

1. Standard Time Limit
2. List of Approved Plans
3. Matching Materials
4. No new openings at first floor level in side elevations

MW

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**LOCATION PLAN FOR APPLICATION No: - 79910/HHA/2013**  
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 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
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**VARIATION OF CONDITION 4 (AMENDED PLANS) OF APPLICATION 75384/FULL/2010 TO RETAIN GABLE END TO SUMMER ROOM AND OPEN PORCH TO EASTERN SIDE OF PROPERTY.**

36 Sandown Drive, Sale, M33 4PE

**APPLICANT:** Mr Lee Thwaite

**AGENT:** CLS Surveying Limited

**RECOMMENDATION: GRANT**

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**This application has been brought before the Planning Committee for determination at the request of Councillor Chilton due to concerns that the additional development has a deleterious effect on the amenity of neighbouring residents**

**SITE**

The application site relates to a newly constructed detached property set within a generous plot (1,300sq.m) at the head of a residential cul-de-sac. The site is surrounded by other detached residential development associated with Denesway, Cecil Avenue and Sandown Drive, and playing fields to the north-east.

In August 2010 planning permission was granted to demolish the 1970's detached property that formerly sat on the site, and replace it with a larger five-bedroom dwellinghouse with rear facing balconies (ref: 75384/FULL/2010).

The approved dwellinghouse included a single-storey sunroom that ran parallel to the common boundary with adjacent 29 Sandown Drive. This aspect of the development retained 2.4m to the side boundary, and 4.76m to the rear site boundary and included a hipped roof, designed to minimise any impact on the amenity of neighbouring No.29.

At present, construction of the new dwellinghouse approved under 75384/FULL/2010 is nearing completion, with the vast majority of the works having been carried out in accordance with the approved plans; however two additions have been made to the property which noticeably deviate from the final drawings, and subsequently fall to be classed as unauthorised works.

The projecting sunroom element, referenced above, has been constructed with a gable roof design rather than the approved hipped design. The gable-end has been fitted with a high-level triangular-shaped section of glazing that faces towards the rear boundary of the site and measures approximately 6.8sq.m in area.

Additionally, an open porch has been erected to the eastern side of the property, constructed from a mixture of brickwork, timber, and concrete roof tiles and covering a footprint of 12.8sq.m.

## **PROPOSAL**

This application seeks to vary condition 4 of planning permission 75384/FULL/2010 (Amended Plans) in order to gain retrospective approval for the unauthorised works that have been described above. At present Condition 4 is worded as follows:

*“The development hereby permitted, shall not be carried out otherwise than in accordance with the application as amended by the revised plans received by the Local Planning Authority on 5th August 2010 unless otherwise approved in writing by the Local Planning Authority.*

*Reason: For the avoidance of doubt because amended plans were submitted subsequent to the receipt of the application in order to protect the residential and visual amenities of the area and having regard to Proposals D1 and D3 of the Revised Trafford Unitary Development Plan.”*

It is intended the revised plans submitted as part of this application, which indicate the currently unauthorised works, would substitute those amended plans referenced in the above condition.

## **DEVELOPMENT PLAN**

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

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford’s Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government’s intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.

- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 - Design

## **PROPOSALS MAP NOTATION**

Unallocated

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

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

78354/FULL/2010 - Demolition of existing dwelling and erection of new part single, part two-storey detached dwellinghouse with balconies to rear elevation – Approved with Conditions, 12<sup>th</sup> August 2010.

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Four letters of objection have been received in response to this application, from each of the four properties that adjoin the application site. These letters have raised the following material considerations:

- The new gable-end to the summer room has an overbearing and obtrusive impact close to the rear boundary with 14 Denesway. The triangular window to the gable end is particularly bright and disturbing when lit up at night.
- Both the altered summer-room and the open porch are un-neighbourly additions that further impact on the over dominance of the structure. This impact could not be adequately mitigated with the addition of further landscaping.
- The porch to the side of the property results in a loss of privacy to the rear garden of 34 Sandown Drive.

## **OBSERVATIONS**

### **DESIGN, STREETSCENE, AND AMENITY**

1. The summer-room element of the new dwellinghouse has been constructed on the approved footprint, retaining a distance of 2.4m to the common boundary with 29 Sandown Drive, whilst projecting past the rear wall of this neighbouring property by 6.4m. However the ridge line of the summer room has been extended by approximately 3.5m to form a gable roof rather than the originally approved hipped roof. Its eaves height measures at 2.5m with the ridge topping out at 4.05m.
2. The closest habitable room window within the rear elevation of 29 Sandown Drive is located in excess of 6.5m from the common boundary with the application site. It is considered that this separation, combined with the orientation of the properties; the setback of the development from its own boundary; and the intervening tall landscaping that has recently been introduced, is sufficient to prevent this window suffering from a loss of light or an unduly diminished outlook as a result of the alterations that have been made to No.36.
3. It is recognised that the development projects for over half the length of No.29's private rear garden, and that the introduction of a gable roof increases the area of built development that extends parallel to the boundary, and which is subsequently visible from this neighbouring garden area. However the occupants of 29 Sandown Drive benefit from a rear garden approximately 270sq.m in size, and as such it is considered that this area of amenity space will not be enclosed, or subject to a feeling of an overbearing impact, as a result of this addition to such a degree that would warrant the refusal of planning permission, and a substantial amount of garden space will remain unaffected by the development. It is further noted that the orientation of the development to the north of No.29's rear garden means that it does not give rise to undue overshadowing, and that the tall landscaping that has recently been planted by the applicant along the common boundary serves to soften the appearance of the summer room to a reasonable degree. Therefore the impact of the hip-to-gable enlargement of the summer room on the amenity of neighbouring 29 Sandown Drive is considered to be acceptable.
4. The property of 14 Denesway backs onto the rear gardens of the application site and 29 Sandown Drive. As such a gable-end to the summer room now faces the rear garden of No.14 rather than the originally approved hipped roof, although the development continues to retain 4.77m to the common boundary between these two properties. The rear windows to No.14 are located approximately 37.5m away from No.36's summer room and therefore their outlook has not been unduly affected by the development as it is typical in urban areas for facing properties to retain a much shorter separation than this. The window feature that has been introduced into the gable-end of the summer room is located 2.6m above ground level and as such does not generate an overlooking issue by reason of its high level siting. Like the property of 29 Sandown Road, No.14 benefits from a generous rear garden (approx. 1,000sq.m). The introduction of a gable-end relates to a single storey structure and the additional impact created by it on an open garden of this size is not considered to result in significant harm to amenity and is not sufficient to warrant a refusal of planning permission. It is also worth noting that the eaves and ridge heights are in-line with those allowable for an extension under permitted development, which suggests that the impact of a facing gable-end of this size is acceptable.

5. The open porch that has been constructed to the side of the property brings the built development closer to the boundary of 34 Sandown Drive and results in a minimum distance of 2.18m being retained to the common boundary. Although the porch has created a raised platform that faces towards the rear garden of No.34, it is not considered that this has resulted in an unacceptable loss of privacy due to the height (2m-3m) and density of the landscaping that runs along the length of the common boundary, and that the platform is relatively low in height at some 300mm - which is in-line with allowances under permitted development. Therefore it is considered that this aspect of the scheme has an acceptable impact on the amenity of 34 Sandown Drive.
6. The design of the hip-to-gable alteration is considered to be in-keeping with the main body of the dwellinghouse, which has incorporated gable roofs throughout. The side porch has incorporated a similar design ethos and is also considered to sit relatively comfortably on the property and is not readily visible from the streetscene.

#### ACCESS, HIGHWAYS AND PARKING

7. The alterations to the property have not impacted upon its ability to provide the required level of off-street car parking spaces.

#### CONCLUSION

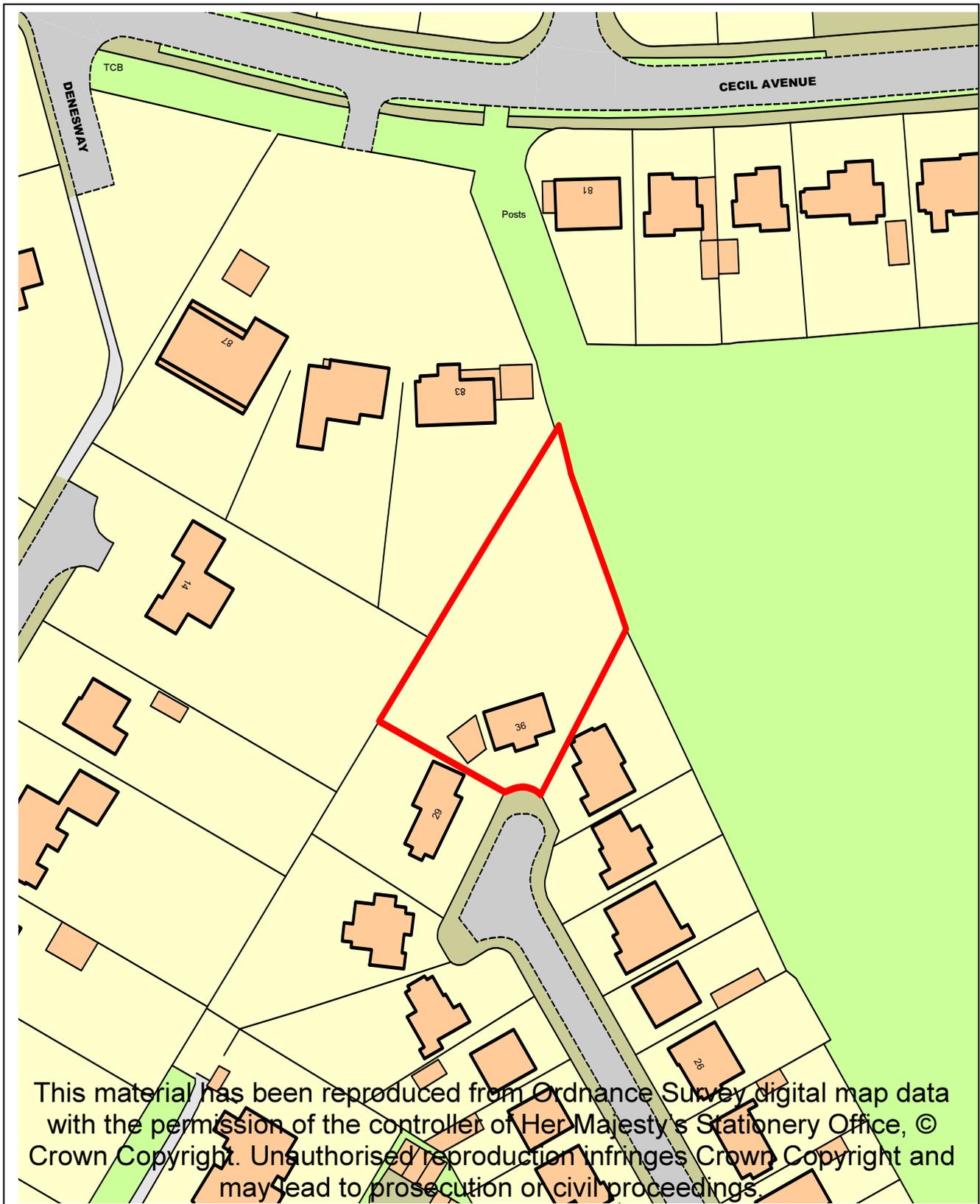
8. The unauthorised alterations that have been made to the approved drawings under application 75384/FULL/2010 are considered to be appropriate in their design and have an acceptable impact on the amenity of the surrounding residential properties. Therefore the development is in accordance with Policy L7 – Design of the Trafford Core Strategy and approved SPD4: A Guide for Designing House Extensions and Alterations.

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

1. Materials Condition
2. Landscaping Condition
3. Amended Plans

**JK**

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**LOCATION PLAN FOR APPLICATION No: - 79920/VAR/2013**  
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 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Davyhulme  
East**

**79972/HHA/2013**

**DEPARTURE: NO**

**ERECTION OF A SINGLE STOREY REAR EXTENSION TO FORM ADDITIONAL LIVING ACCOMMODATION.**

2 Denstone Road, Urmston, M41 7DT

**APPLICANT:** Mrs Karen Wilkinson

**AGENT:** Mr N.A. Perkins

**RECOMMENDATION: GRANT**

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**Councillor Cornes has called the application in to Committee for the reasons set out in the report.**

**SITE**

The application relates to a two storey semi-detached property located within a residential area characterised by predominantly detached dwellinghouses that are located relatively close together. Some properties within the locality have been extended, but the overall character of the area is of original properties with detached garages. The property currently has a two storey side and single storey rear extension.

**PROPOSAL**

The applicant seeks the erection of a single storey rear extension that would be set in from the common boundary with 4 Denstone Road by 353mm and project 3350mm from the original rear wall. The gable of the existing rear extension would be replaced with a lean-to roof and link with the proposed extension which would form an enlarged family room.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> 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; and

- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> 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.

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

L7 – Design

#### **PROPOSALS MAP NOTATION**

No notation

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

None.

#### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles

DP2 – Promote Sustainability

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP7 – Promote Environmental Quality

#### **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.

#### **SPD 4 – A GUIDE FOR DESIGNING HOUSING EXTENSIONS AND ALTERATIONS**

This SPD (Adopted Feb 2012) comprises procedural advice, general design and amenity principles that are applicable to all forms of household development, more detailed advice for specific forms of development and special factors that may need to be taken into consideration with some householder applications. This SPD replaces PG2 – House Extensions (1994).

The draft SPD was subject to a six week public consultation period between the 7th March 2011 and 18th April 2011. Elements of the SPD were also part of an earlier consultation on Supplementary Planning Documents – Scope and Issues that took place in October / November 2009.

### **RELEVANT PLANNING HISTORY**

H/57162 - Two storey side extension to form additional living accommodation. Approved November 2003

### **CONSULTATIONS**

None.

### **REPRESENTATIONS**

Councillor Cornes has called the application in due to the height and the depth of the proposed extension which will result in a “tunnelling” effect and the subsequent loss of amenity for residents of 4 Denstone Road.

One objection received from the occupier of 4 Denstone Road:

Main point raised is the over dominance of the proposed extension which would block views and light to rear lounge area. Satellite dish would also be affected.

### **OBSERVATIONS**

#### DESIGN AND APPEARANCE

1. In relation to matters of design, Policy L7 of the Core Strategy states development must:
  - Be appropriate in its context;
  - Make best use of opportunities to improve the character and quality of an area;
  - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment and;
2. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance relating to these areas.
3. The removal of the gabled design of the existing rear extension and providing a lean-to roof across the entire width of the rear extension is considered to be in-keeping with the character of the original dwellinghouse and other properties within the vicinity. Additionally, the brickwork, eaves, roof tiles and windows are proposed to match the existing property; therefore, the development is in accordance with the Councils SPD: A Guide for Designing House Extensions and Alterations in relation to the design and general appearance of the proposed development.

#### IMPACT ON RESIDENTIAL AMENITY

4. 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.
5. The Council's guidelines contained in SPD 4 (para 3.4.2) provides guidance relating to rear extensions. The most common situation where harm may be caused to the neighbouring property is in the instance of terraced and semi-detached properties however these guidelines also apply to detached properties. Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g., if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).
6. Amended plans received show that the proposed single storey rear extension would be built 353mm from the common boundary with 4 Denstone Road and project 3350mm. It is therefore considered that there would be no significant detrimental impact to the occupiers of 4 Denstone Road (which has a 0.8m projecting bay window providing light and outlook from the rear lounge).

#### ACCESS AND OFF-STREET CAR PARKING

7. The existing property currently has an attached garage and hardstanding for the provision of two cars. The proposed development would not increase the number of bedrooms or affect the existing parking provision and therefore would not have any impact in terms of on street parking.

#### CONCLUSION

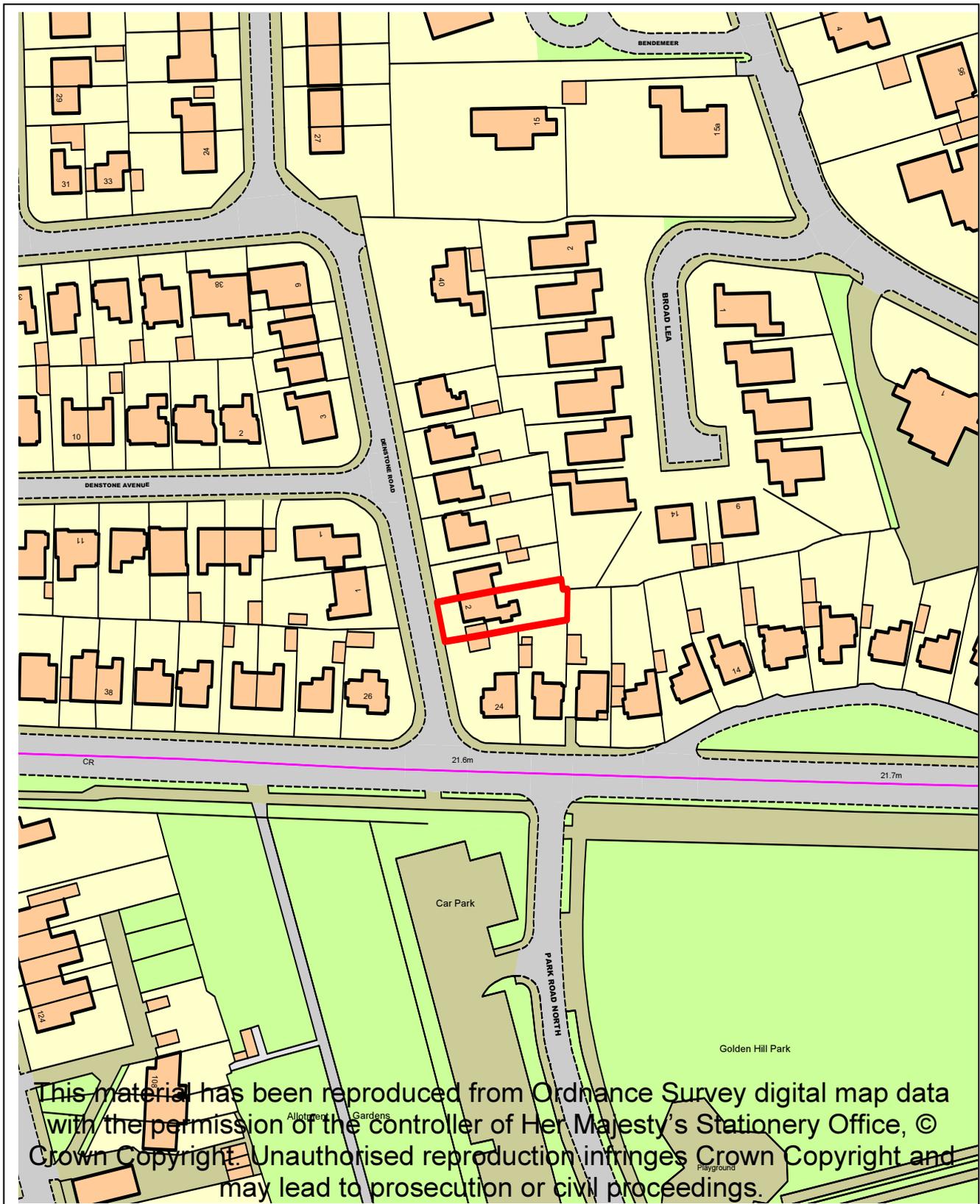
8. The proposal would comply with the Council's guidelines regarding design and would not cause any overlooking and loss of privacy to the detriment of neighbouring occupiers due to being only single storey in height. The extension would comply with the Council's guidelines regarding its projection from the original rear main wall and the separation distance provided between it and the common boundary shared with 4 Denstone Road. Furthermore, due to the proposed development being towards the rear of the property, the character and appearance of the streetscene would not be affected.
9. The proposed development would therefore comply with the provisions of the National Planning Policy Framework, the Council's Core Strategy and Supplementary Planning Guidance regarding house extensions.

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

1. Standard
2. Compliance with all plans
3. Matching

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materials



**LOCATION PLAN FOR APPLICATION No: - 79972/HHA/2013**  
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 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
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