

**WARD:** Brooklands

**88153/FUL/16**

**DEPARTURE: No**

Proposed external alterations including partial demolition of rear single storey structure and creation of a rear courtyard, bi-fold doors at rear ground floor level, construction of 1.1m high handrail above single storey side and rear element to provide escape refuge from first floor kitchen and the change of use of an area forming part of the existing forecourt into outdoor seating area with retractable awnings over. Change of use of first and second floors to restaurant use. Amendment to opening hours to allow opening from 09:00hrs to 00.00hrs. (Part retrospective)

179 Marsland Road, Sale, M33 3ND

**APPLICANT:** TIC Group

**AGENT:** Cube Architecture and Design

**RECOMMENDATION: GRANT**

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**This application has been called in by Councillor Boyes on the grounds of loss of residential amenity.**

### **SITE**

The application concerns a 3 storey property with basement in a parade of shops on the south side of Marsland Road. The basement and ground floors are in A3 use with the first and second floors having been previously used as a residential flat but having recently been converted to kitchen, office and storage space for the restaurant without consent. Immediately to the east of the site is a car sales business and to the west is a hot food takeaway. To the rear of the property are residential properties.

### **PROPOSAL**

The majority of the works subject to this application have already been carried out and therefore the application is, in the main, retrospective.

External alterations include partial demolition of the existing single storey structure including replacing the existing section of flat roof with a new flat roof surrounded by railings, inserting new patio doors at the rear ground floor level of the property and replacing a window with a door at first floor level. An open courtyard area to accommodate approximately two tables has been created at the rear of the premises.

At the front of the property the proposal includes replacing the stall riser of the existing shop front and erecting an awning and dwarf wall. External seating areas have been created to the front of the restaurant which project 3.1m from the building line and will accommodate 4 tables and approximately 12 chairs.

The former residential accommodation on the first and second floors has been converted to a kitchen, store and office at first floor and a store and lockers and toilets for staff at second floor.

The proposal also includes the erection of a black painted kitchen extract duct extending to approximately 1m above the eaves of the property.

The existing permitted opening hours of the restaurant are 10am to 10.30pm Sunday to Thursday and 10am to 11pm Friday and Saturday. The applicant is seeking in this proposal to open 9am until midnight every day  
No new built floorspace will be provided although the first and second floors are subject to a change of use from residential to restaurant use.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4- Sustainable Transport and Accessibility

L7- Design

## **PROPOSALS MAP NOTATION**

None

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

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

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

87782/FUL/16 Proposed external alterations including partial demolition of rear single storey structure and creation of a rear courtyard, installation of external fire escape stair to side, construction of 1.1m high handrail above single storey side and rear element to provide escape refuge from first floor kitchen and the change of use of an area forming part of the existing forecourt into outdoor seating area with retractable awnings over. Withdrawn 8/4/16

H/40649 Erection of single storey rear extension to form kitchen and alterations to existing shop front. Approved 1/6/95

H/29374 Erection of single storey rear extension to form kitchen. Approved 17/7/89

H/24903 Extension of rear extension to provide waiting room for existing restaurant - Approved 1/4/87

H/15984 Extension to restaurant kitchen Approved 15/4/82

H/15468 Change of use of ground floor shop to coffee shop/restaurant Approved 5/11/81 – Condition applied restricting hours of opening- closed between 10.30pm and 10am Sunday to Thursday and 11pm and 10am Friday and Saturday

### **Planning History for 181 Marsland Road**

H/49851 Change of use of ground floor from shop (Use Class A1) to restaurant/hot food takeaway (Use Class A3) and installation of extractor duct to rear. Approved 28/9/2000 Subject to a condition restricting opening hours to 9am to 23:00hrs every day.

A subsequent application H/63639 to allow opening to 01:00hrs every day was refused and dismissed on appeal.

## **APPLICANT'S SUBMISSION**

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

Design and Access statement

## **CONSULTATIONS**

**LHA** - Given that there are no highway implications as a result of these proposals, the LHA has no objection to this application on highway grounds.

**Pollution and Housing** – Hours of use of external areas acceptable based on the agent's description of the use of the premises as being a restaurant, not a bar. Patrons will not be visiting unless they are having a meal, and consequently the noise associated with a typical 'bar' situation should not arise. Suggest a condition to restrict access to the fire refuge area except in an emergency.

## **REPRESENTATIONS**

1 Councillor and 2 neighbours have made representations raising the following issues:

- Loss of residential amenity from noise and disturbance of diners and smokers using courtyard, general kitchen noise and staff noise from the kitchen area with window and fire exit door kept open on a permanent basis during opening hours, Particular problem during warm weather
- Overlooking of garden and windows serving habitable rooms from fire refuge area.
- Rubbish thrown from flat roof.
- Bins left on the street blocking pavement.
- Fumes from extract fans

## **OBSERVATIONS**

1. The main issues to be considered are ones of visual appearance and amenity.

### **Appearance**

2. Policy L7 of the Trafford Core Strategy advises that in relation to matters of design, development must:

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

3. The patio doors at the rear of the property would not be visible from outside the site boundary and are considered to be acceptable in terms of design.

4. The railings to the flat roof/ fire refuge area would not detract from the character or appearance of the area.

5. The works to the shop front including the retractable awning would be acceptable in

the street scene as would the low level wall constructed from vertical timber boards around the external seating area.

6. The stainless steel kitchen extract flue proposed would be visible from George's Road and since the application was submitted the applicant has painted it black to reduce the visual impact. Given the existing restaurant use, the flue is considered to be acceptable in terms of visual appearance on this basis.

### **Amenity**

7. Policy L7 of the Trafford Core Strategy advises In relation to matters of amenity protection, development must:

- Be compatible with the surrounding area; and
- Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

8. The main concerns of residents are about noise and disturbance from the kitchen area and the rear external courtyard and overlooking from staff standing out, taking rest breaks and smoking on the area intended as a fire refuge area.

9. There were no conditions restricting the use of the rear ground floor yard area on planning permission H15468 which allowed the use of this property as a restaurant. The applicant is seeking to use the rear yard area from opening time until 10pm Sunday to Thursday and until 11pm Fridays and Saturdays. With the previous layout access to the rear was through the kitchen and therefore the use would normally have been restricted to staff. The area is small and the use would be limited by the size and weather. It is therefore considered that the additional impact of this rear seating area would not be so significant as to justify refusing the application. The rear doors of the restaurant allow some additional noise to emanate from the property, however there are no conditions requiring the door of the kitchen in this location to be kept closed.

10. The applicant has advised that the first floor refuge area is required for Building Control purposes (this is being dealt with by an Approved Inspector rather than the Council's own Building Control service). The applicant has indicated that he will install a gate to restrict access to the flat roof beyond the extract fans, with a bamboo screen 1.8m high attached to a section of the railings to reduce overlooking. It is however considered that access to the whole of the flat roof should not be allowed except for emergency purposes and for access to maintain equipment as some overlooking would still be possible and staff would still be able utilise it as a break out and smoking area with resulting noise and disturbance. Whilst some noise would be generated as result of the kitchen door being opened, it is considered that any additional disturbance generated as a result of this would not be sufficient to justify refusal of the application.

11. The application seeks the use of the area at the front of the property for sitting out between 9am and 11pm. It is noted that there is a public house in the vicinity of the site

with a large outside seating area at the front of the property. Although there are residential properties in the vicinity of the site, the properties on either side are in commercial use and Marsland Road is a relatively busy road. It is therefore considered that with the opening hours permitted and restrictions on the use of amplified music there will not be an undue impact on the amenity of these properties.

12. The current permission allows opening until 22:30hrs Sunday to Thursday and until 23:00hrs on Fridays and Saturdays. The application seeks permission for the restaurant to be allowed to open until midnight with the front seating area in operation until 23:00hrs daily and the rear seating area in operation until 22:00hrs Sunday to Thursday and 23:00hrs Fridays and Saturdays. These hours are considered acceptable in this location.

13. During the course of the application, the applicant has extended the flue to extend above eaves level in accordance with the requirements of the Council's Pollution section. This is considered satisfactory. The flue has also been painted black to reduce the visibility in the street scene.

14. Whilst concerns have been raised about bins being left on the street, there is an area suitable for the storage of bins in the passageway to the rear of the property and the application is therefore considered to be acceptable in this respect.

### **Parking**

15. No parking is currently provided but it is considered by the LHA that the proposal will not impact on highway issues.

### **DEVELOPER CONTRIBUTIONS**

16. There is no increase proposed to the built floorspace, however there will be a change of use of the first and second floors from residential to restaurant use. The proposal is not therefore liable for CIL.

### **RECOMMENDATION:**

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

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AS484-04, Revision D and 05 Revision C.

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

2. The restaurant shall only be open for trade or business between the hours of: 9am until midnight on any day and not at any time outside of these hours. The external seating area at the front of the premises shall not be open for use by customers except between the hours of 9am to 11pm on any day and the rear courtyard shall not be open for use by customers except between the hours of 9am to 10pm Sunday to Thursday and 9am to 11pm Friday and Saturday.

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

3. There shall be no access at any time to the flat roof shown as an escape refuge area from the kitchen except in the case of an emergency and for access for the maintenance of equipment and this area shall not be used as a balcony, terrace or staff rest area at any time or for access by staff other than in the case of emergency.

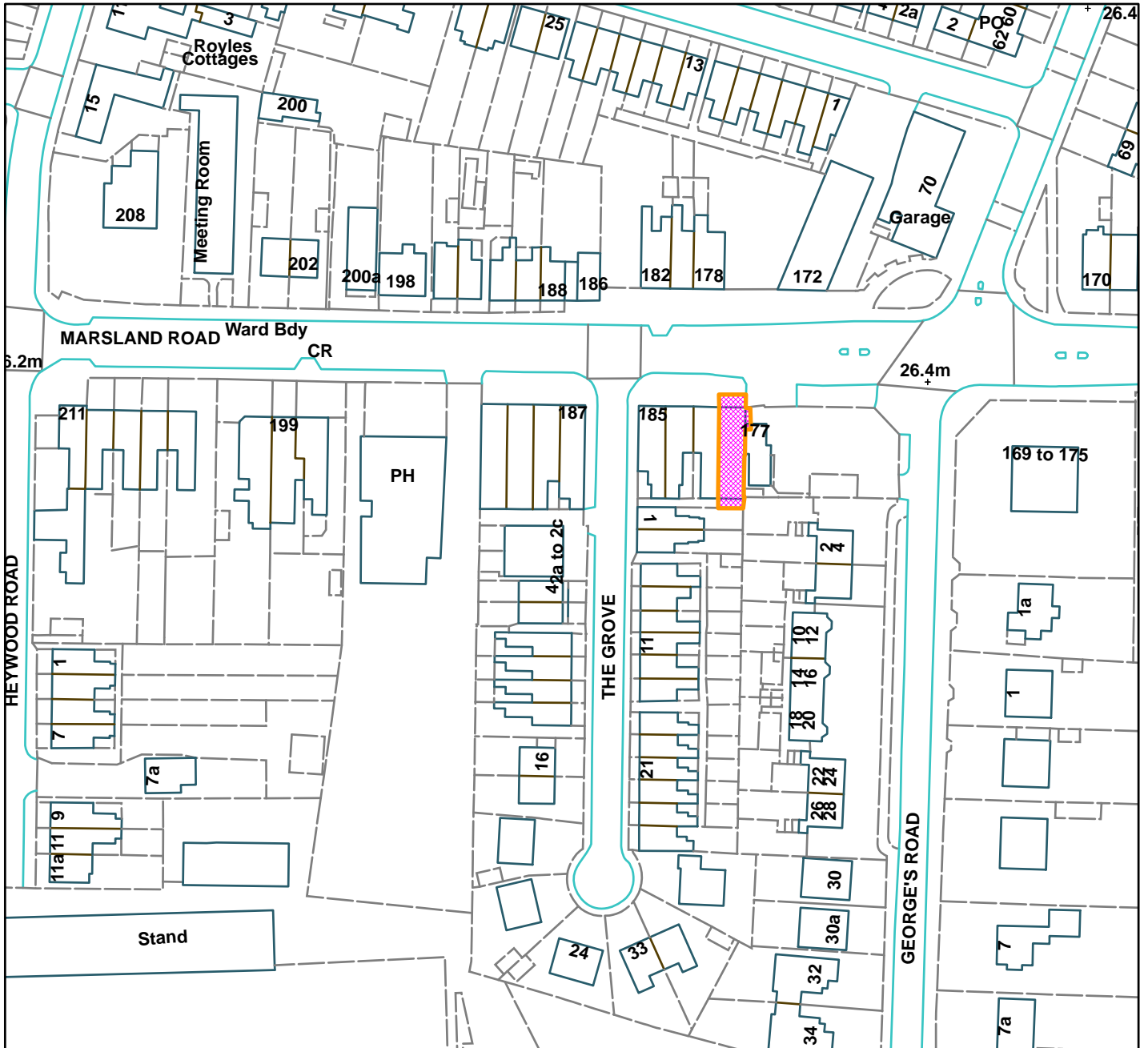
Reason: In the interests of residential amenity, having regard to Policy L7 of the Trafford Core Strategy.

CMR

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179 Marsland Road, Sale



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/09/2016
Date	25/08/2016
MSA Number	100023172 (2012)



**WARD:** Village

**88503/FUL/16**

**DEPARTURE:** No

**Proposed demolition of existing library building and construction of a ground floor medical practice and retail unit, a first floor library with community rooms and D1 (health care) and/or B1 (offices) on the third floor. To the rear of the site a reconfiguration of the car park to allow construction of a block of 25 no. apartments with first floor deck parking with hard and soft landscape works.**

Library, 405 Stockport Road and Car Park on Baker Street, Timperley, Altrincham, WA15 7XR

**APPLICANT:** Mr. A Gross, Citybranch Ltd.

**AGENT:** Calderpeel Architects

**RECOMMENDATION: GRANT**

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## **SITE**

The application relates to Timperley Library and the Baker Street public car park within Timperley District Centre. The site extends to 0.46ha and is located on the junction of Stockport Road and Baker Street. Vehicle access to the site is taken from Baker Street, to the rear of the existing library.

The library building forms part of a row of commercial properties which front on to Stockport Road. The library is a brick building with a large glazed entrance fronting Stockport Road. Along Stockport Road the library is two storeys in height with a pitch roof. To the rear of this, along Baker Street, the building drops to single storey with a large flat roof.

The Baker Street public car park to the rear of the library provides 125 parking spaces and makes up the remainder of the site. The existing car park is relatively flat and the boundaries are formed by a mix of wooden, palisade and concrete fencing. There are a group of trees at the entrance to the car parking and trees and shrubs within small landscaped areas within the car park itself.

Land to the east and west of the car park is predominantly residential in nature and the Altrincham/Stockport railway line forms the northern boundary of the site. Land outside the application site along the northern and part of the east boundary is heavily wooded.

## **PROPOSAL**

Planning permission is sought for the demolition of the existing library building and the construction of a ground floor medical practice and retail unit, a first floor library with community rooms and D1 (health care) and/or B1 (offices) on the third floor. To the rear of the site, the car park will be reconfigured to allow construction of a block of 25 No. apartments with first floor deck parking with hard and soft landscape works.

The proposed replacement building would be two and a half stories in height and would provide a retail unit (94sqm) and GP surgery at ground floor with 8 consultation rooms, a library, community rooms and kitchen at first floor whilst a flexible D1 (health care) and/or B1 (office) use is sought for the second floor of the building. The proposed hours of opening and anticipated number of employees have not been confirmed by the applicant at this stage. The applicant has confirmed that an existing GP practice on Park Road will relocate to the proposed replacement building.

The proposed replacement building would have a larger footprint than the existing library. The building would be sited forward of the existing front elevation along Stockport Road and would project further towards the rear running along the back of the pavement with Baker Street. In total the replacement building would be 18.3m wide and 41m deep. The building at the highest point would be three storeys in height with a pitched roof, being 11.2m in height to the ridgeline. There would be elements of flat roofs on the building too at both two storey and also single storey. The flat roofs at second floor level are shown on the proposed elevations as being enclosed by glazed balustrades to create roof terraces. The proposed elevations are to be constructed from brick with a traditional roof tile but are contemporary in design with large glazed openings, stone details, projecting canopies and cladded dormer features.

The proposed apartment building would be located on the Baker Street public car park. The apartment building itself would be an irregular shape and would be set back within the site and at the closest point would be 10.4m from Baker Street, 12.6m from the boundary with garden of 421 Stockport Road and 17.7m from the rear gardens of Dudley Road. The building would be four stories in height with the third floor of accommodation being located within the roof space of the building. The building would be 13.8m in height to the ridge and 9.3m in height to the eaves. The apartment building is more traditional in style taking reference from Victorian architecture with large inset balconies, stone head and cill detailing around the windows and tall chimneys. As with the mixed use building, the apartment building would be constructed from brick with roof tiles.

The proposed apartment building would accommodate 25 apartments in total; 22 two bedroom units and 3 one bedroom units. All the units would have kitchens, living rooms and bathrooms, the two bedroom units will also have a dining room and would benefit from a balcony.

All of the units would benefit from one car parking space which would be provided on a decked car parking area located to the rear of the building. The proposed decked car park would extend 12.5m from the north of the building and wrap around the north east corner of the apartment building projecting to 1.7m from the boundary with 421 Stockport Road. The decked car park will also project 12.1m from the west elevation of the proposed apartment building to, at the closest point 6.2m from the boundary with the gardens of dwellings on

Dudley Road. The ramped access to the decked area is provided between the decked car park and the northern boundary of the site. The decked car park would be constructed from a steel frame and clad externally with brick to match the apartments.

In respect of the remainder of the site around the apartment building, the majority of this will be reconfigured to provide a replacement public car park which will provide in total 89 spaces. This car park will be made available to the public, of which 16 spaces will be for the GPs practice. There is a landscaped area to the front of the building which will provide amenity space for the future occupiers whilst a landscaping scheme is proposed across the wider site.

## **VALUE ADDED**

The scheme has been subject to revisions following dialogue with the LPA. The main changes are a reduction in the size of the apartment building and reconfiguration of the internal layout of the apartments and the reorientation of windows in the block, the decked car parking area for the apartment have been repositioned, bin storage has been relocated and amendments have been sought to the car parking layout.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 - Land for new Homes  
L2 - Meeting Housing Needs  
L4 - Sustainable Transport and Accessibility  
L5 - Climate Change  
L7 - Design  
L8 - Planning Obligations  
W2 - Town Centres and Retail  
R3 - Green Infrastructure

## **PROPOSALS MAP NOTATION**

Town, District and Local Shopping Centres (DC1)

## **SUPPLEMENTARY PLANNING GUIDANCE**

SPD1: Planning Obligations

SPD3: Parking Standards and Design  
PG1: New Residential Development

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

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

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

H07790 – Erection of Branch Library – Application withdrawn 14<sup>th</sup> August 1978

H08796 – Erection of new Branch Library – Approved with conditions 10<sup>th</sup> May 1979

H23630 – Construction of enlarged car park and landscaping works – Approved with conditions 8<sup>th</sup> September 1983

Also of relevance to the determination of this application is an application for the temporary relocation of the library to the rear of Riddings Community Centre (reference 88511/FUL/16). Approved with conditions on 12<sup>th</sup> August 2016.

### **APPLICANTS SUBMISSION**

The application is accompanied by the following supporting documents which will be referred to where relevant in the report:-

- Design and Access Statement
- Community Infrastructure Levy Form
- Bat Report
- Transport Assessment
- Travel Plan
- Viability Appraisal
- Carbon Budget Statement
- Crime Impact Statement
- Noise Assessment

### **CONSULTATIONS**

**Lead Local Flood Authority** - No objections subject to conditions

**Local Highway Authority** – No objection to the scheme, more detail is set out in the report below.

**Ecology Unit** – Recommend conditions to protect bats and birds and improve biodiversity.

**Design for Security** – The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement (CIS) and a planning condition should be added to reflect the physical security specification listed within sections 4 & 5 of the appendices within the submitted CIS.

**Pollution** - No objection subject to conditions relating to noise securing the mitigation measures proposed in the noise assessment, servicing hours and noise from fixed plant machinery; more detail is set out in the report.

**Contaminated Land** – No objections subject to a condition requiring the submission of a Preliminary Risk Assessment remediation strategy and verification report.

**Economic Growth** – No comments received to date. Any comments received after the publication of the agenda will be included in the Additional Information Report

**Trafford Public Health** - No comments received to date. Any comments received after the publication of the agenda will be included in the Additional Information Report

**Network Rail** – Recommend that a risk assessment and method statement (RAMS) is prepared for the scheme to ensure that all works within 10m of the operational railway utilise safe methods of working and have taken into account any potential impact on Network Rail land and operational railway infrastructure, covering issues such as demolition, scaffolding, drainage, excavation and vibro-impact works. ie piling. These measures will be secured by condition.

Network Rail then go on to provide advice to the applicant with regard to working in close proximity to the railway covering issues such as obtaining a Basic Asset Protection Agreement, serving a party wall notification and this will be highlighted to the applicant by way of an informative.

Network Rail offer advice in respect of boundary treatments but the applicant has confirmed that in respect of fencing the existing boundary treatment along the railway boundary will remain as existing.

They recommend that appropriate mitigation measures are employed within the development to protect future occupiers from noise and vibration from the railway line.

In order to ensure that the development doesn't encroach onto Network Rail land they request that a 2m gap is maintained between any proposed structure on site and the boundary. The proposed access ramp would be 1.4m from the boundary whilst not maintain the 2m it is considered that there is sufficient room to ensure that the ramp can be maintained without encroaching on land outside their ownership.

**Environment Agency** – Do not wish to make comments on this application.

## **REPRESENTATIONS**

18 letters of objection have been received in response to the planning application publicity including from a Ward Councillor. Issues raised are summarised below:-

### Principle of developing the site

- The development of public land is better suited for other purposes, for example remaining as a car park or developing a village station. It is considered by objectors that a residential scheme will have no benefit to the wider community.
- This proposal would be overdevelopment of the site.
- Questions have been asked as to why a GP surgery is being provided as Timperley is already well served by GPs and chemists and also ask what will happen to the land where the GP is currently located.
- Houses should be provided rather than apartments. There is no demand in the area for apartments

### Car Parking and Highways

- The Statement of Community Involvement does not accurately portray the public objection to car parking.
- There is disagreement that Baker Street car park is only 28% utilised.
- Increase in traffic from the development will add to already congested roads and will have a detrimental impact on highway safety.
- The public car park will be completely un-useable during the construction period.
- Request clarification as to whether there would be a one way system into and out of the development.
- Note that the development should provide a total provision of 134 spaces. Objections considered that there is insufficient car parking for an apartment development, the proposed uses, for the existing village centre, visitors to Orchard Court, the nursery on Stockport Road and proposed 11 apartments on Baker Street. They also note that the need for car parking has decreased as a number of units in the centre are vacant and question what will happens if these units are let in the future.
- There are also concerns that the majority of the public car park will be taken up by users of the Medical Centre and parking will not be available for those who work or shop in Timperley.
- The apartment scheme should be reduced in size to allow for more public car parking.
- Questions are asked as to whether Baker Street is sufficiently wide enough to accommodate existing uses that use Baker Street for access and the new proposals and whether the junction of Baker Street and Stockport Road can be signalised.
- The level of disabled car parking proposed is not sufficient.

### Impact on Timperley Centre and the Local Area

- There are concerns that should car parking charging be introduced that it would impact on the village economy.
- Shoppers will have a loss of amenity due to the lack of available car parking.
- The lack of car parking will impact on the visitors of Orchard Court and this will contribute to the social isolation of elderly people.

- Insufficient public car parking provision will add to existing car parking pressures within Timperley impacting upon local businesses, the local economy and place more reliance on on-street car parking.

#### Apartment Building and Decked Car Park

- The proposed building with the inclusion of balconies and windows close to boundaries will overlook neighbouring properties impacting on privacy and will have an overbearing impact on amenity.
- The proposed apartment building will overshadow gardens and impact upon light received to solar panels.
- There will be an increase in litter as a result of the development.
- The light from the development will impact on amenity by reason of lighting a decked car park and headlights at first floor level.
- The decked car park will have an overbearing impact on amenity; be overshadowing, result in overlooking of neighbouring properties and increase noise and car fumes at the site.
- Concerns about the siting of the bin store given its proximity to neighbouring residents

#### Mixed Use Building

- The replacement library is smaller than that it replaces and therefore there are concerns that this would fail to satisfy public need.
- Having the library on the first floor restricts use for the elderly and disabled as they would have to rely on the use of a lift. If the lift stops working then this local community facility would be not be accessible to these people, and could result in book fines and could become trapped in the event of a fire.
- There is no space for parking of personal mobility vehicles and buggies for users of the library
- The proposed buildings will be taller than other buildings in the street scene which does not help to maintain a village feel.

#### Construction Period

- The construction project will take a long time. Noise, disturbance and dust will be created during the construction period to the detriment of the local residents and businesses.

Altrincham Kersal Rugby Football Club use the car park at weekends and they are concerned that this will be restricted once the development is in place and unavailable during any construction period. Visitors will therefore have to park in local streets this puts negative pressure on the highway network and creates tensions with the local community.

One letter of support has been received from a Ward Councillor who has been involved in the planning process and public consultation and is happy with the proposed scheme.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The NPPF states that planning should “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.*” Core Strategy Strategic Objective SO7 seeks to secure sustainable development through promoting the reuse of resources and Objective SO6 seeks to promote significant levels of development in the most sustainable locations in the borough. The proposed development site accommodates a library building and a surface car park and as such constitutes previously developed land as defined by Annex 2 of the NPPF. The proposed development therefore makes effective use of land by re-using land that has been previously developed, whilst protecting the need to release less sequentially preferable or greenfield sites and would assist in meeting the Council’s target of locating 80% of new housing provision on previously developed brownfield land in accordance with Policy L1.7 of the Core Strategy.
2. The application site is located within Timperley District Centre. Core Strategy Objective SO4 seeks to revitalise town centres by making them the focus for commercial, retail and leisure uses to meet the needs of the local population. Policy W2.7 states that within District Centres there will be a focus on convenience retailing of an appropriate scale, plus opportunities for service uses and small-scale independent retailing of a function and character that meets the needs of the local community. Policy W2.8 also acknowledges the need to enhance the convenience retail offer of all designated District Centres.
3. The provision of a replacement library, GP surgery and healthcare are all uses which will serve the local community and their location within the District Centre ensures that it is accessible to the local community it serves. The principle of a proposed retail unit and office space within an established District Centre accords with national and local planning policy. Overall it is considered that the uses proposed will complement the existing uses within the centre and help to encourage linked trips which in turn will have a positive impact upon the vitality and viability of Timperley District Centre.
4. The NPPF paragraph 23 recognises “*that residential development can play an important role in ensuring the vitality of centres.*” It also identifies at paragraph 47 a clear policy objective to, “*boost significantly the supply of housing*”. Core Strategy Strategic Objective SO1 promotes the provision of sufficient high quality housing in sustainable locations, of a size, density and tenure needed to meet the boroughs needs to contribute towards those of the city region. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
5. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.



6. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
7. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of *"boost(ing) significantly the supply of housing."* Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.
8. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the Plan policies seek to deliver. The proposed scheme makes a positive contribution towards meeting the Council's housing land and housing need targets as identified in Core Strategy Policies L1 and L2. The scheme will deliver 25 new homes in a sustainable location.
9. The development would consist of 3 one and 22 two bedroom units. Whilst it is recognised that policy L2.7 states that 1 bed units will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the regional centre, Core Strategy policy L2.6 goes on to state that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough and puts the focus on the developer to justify how their developments will; make a contribution to the creation of mixed and sustainable local communities, be adaptable to the needs of its residents over time; contribute to meeting the target split between small and large accommodation; and increase the provision of family homes. Census data (2011) indicates that the housing stock in Timperley predominantly comprises 3 bedroomed semi-detached dwellings. The Census data indicates that provision of one and two bedroomed units is below the average for Trafford and therefore it is considered that this scheme will make a valued contribution towards creating a mix of housing stock within the area and will contribute towards the creation of a sustainable mixed community.

## **AFFORDABLE HOUSING**

10. Core Strategy Policy L2.8 indicates that appropriate provision should be made to meet the identified need for affordable housing, whilst further guidance is set out in SPD1. The site is located within Altrincham Market Location and as such is classified as being a "hot" market location, where a 40% affordable housing target will be applied under normal market conditions, with a flexibility to raise this to a 45% requirement under "good" conditions. It also notes that the percentage can be decreased as is deemed necessary on an individual site basis under "poor" market conditions. The Council's Strategic Planning Team has confirmed that the housing market is operating under "poor" market conditions and as such there is a policy requirement for 40% affordable units to be provided on site. The applicant has submitted a viability case to argue that

the provision of affordable housing on this site is not viable. This will be discussed in more detail later in the Planning Obligations section of the report.

## **HIGHWAYS AND PARKING**

11. Core Strategy Policy L4.1 states that development should be prioritised within the most sustainable areas accessible by a choice of modes of transport. Policy L4.7 states that the Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured.
12. In accordance with policy L4.13 the applicant has submitted a Transport Assessment (TA) and Travel Plan (TP) in support of the planning application. The TA demonstrates that the site is situated in a District Centre, is well served by public transport and is accessible on foot or cycle and as such is considered to be a sustainable site for development. The TA acknowledges that the number of parking spaces will be reduced as a consequence of the proposed development and on that basis the existing local highway infrastructure is sufficient to serve the proposed number of parking spaces. The Local Highway Authority (LHA) has assessed the scheme and considers that there is no requirement for improvements to increase capacity at the priority junction between Stockport Road and Baker Street, and neither are there any other local highway infrastructure improvements required to facilitate the proposed development. The LHA has raised no objections in this regard.
13. Policy L7.2 states that development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; provide sufficient off-street car and cycle parking, manoeuvring and operational space; provide sufficient manoeuvring and operational space for service vehicles, as appropriate; provide appropriate provision of (and access to) waste recycling facilities, preferably on site. The proposal would retain and amend the existing access from Baker Street. An additional access into the car park would be created from Baker Street, to the north of the proposed apartments and a vehicular crossing giving access to 2No. disabled parking bays are to be created directly off Baker Street. There are no objections in principle to these works however the LHA recommend an informative that advises the applicant of the need to gain further approvals from Trafford Council's Streetworks Section for the construction, removal or amendment of a pavement crossing.
14. Servicing arrangements to the site will be via Baker Street. The proposal includes the provision of bin stores located in the east of the site which will serve both the apartments and the mixed use building. Details of refuse vehicle movements have been provided which show a large refuse vehicle is capable of turning within the site and maneuvering to the bin stores. The Local Highway Authority has reviewed this detail and consider it to be acceptable.
15. The table below sets out the maximum parking requirements for the proposed uses. These maximum standards have been determined from SPD3

Use	Standard	Maximum Required	Spaces
Pharmacy (A1)	1 space per 21 sqm (94.3 sqm)	4	
Apartments (C3)	1 space per 1 bed apartment 2 spaces per 2 bed apartment	47	
Medical Centre (D1)	1 space per 2 staff (22.5fte) plus 4 per consulting room (8No.)	43	
Library (D1)	1 space per 25 sqm (511 sqm)	20	
Healthcare and/or Offices	Healthcare - 1 space per 2 staff (unknown) plus 4 per consulting room (6No.)	24	
	Offices - 1 space per 32sqm (316sqm)	10	

The maximum number of spaces (based upon a healthcare facility at second floor) results in a maximum requirement of 138 spaces

16. The amended car parking layout comprises 114 parking spaces, including disabled parking. 25 of the spaces are allocated as private parking for the apartments on a separate upper deck parking area, 2 of which are disabled parking spaces. 16 spaces are allocated to the medical centre. The remaining spaces including 4 disabled spaces are denoted as public parking. The applicant has confirmed that none of the car parking provision will be secured i.e. by gates etc.
17. The proposed level of parking falls short of the maximum parking standards set out in the table above, however the LHA has confirmed that the provision of 114 spaces is acceptable as the site is located in a District Centre which is well served by public transport and is well located to local amenities. It is also noted that further parking is available within Timperley District Centre off Thorley Lane which could be used by future users. The amount of disabled parking represents an increase on the existing provision with an increase of one public space and two private spaces.
18. Two motorcycle spaces have been provided on site and are located within the public car park. The LHA have noted that these spaces should be provided with secure anchorage points, ideally 0.6m from ground level. This detail is not within the submission therefore will form part of a condition to be agreed with the LPA.
19. 26 Cycle parking spaces are provided to the front and side of the medical centre and library building. SPD3: Parking Standards and Design for Trafford states that cycle parking of one communal space per apartment is required. This equates to 25 communal spaces. Secure cycle parking for the 25 apartments has been provided in a lockable shelter under the decked car parking area. In addition visitor cycle spaces have been provided close to the main entrance of the apartment building. The LHA consider the level of cycle parking across the site to be acceptable. A full specification of the cycle storage has not been provided with the application and therefore this detail will be secured by condition.

20. Core Strategy policy L4.13 states that a Travel Plan should include measures to reduce congestion, improve road safety and promote public transport, walking and cycling as part of an integrated approach to managing travel demand. Although the site is accessible by sustainable modes, it is important to influence travel patterns and behaviours and as such a robust Travel Plan is a useful tool to promote sustainable travel. The Travel Plan should feature a range of measures promoting a choice of transport mode, and a clear monitoring regime with agreed targets. The applicant has submitted a Framework Travel Plan in support of the planning application which sets out the principles and range of measures and provides details of its management, implementation and monitoring. It is considered that the submitted document provides a useful starting point for the preparation and submission of a full Travel Plan. A full Travel Plan shall be submitted when an end user has been identified and potential funding streams have been identified and this can be conditioned as part of this planning permission.

## **LAYOUT, SCALE OF DEVELOPMENT AND VISUAL AMENITY**

21. Policy L2.2 requires new developments to be on a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents; to not be harmful to the character or amenity of the immediately surrounding area; and to be in accordance with L7 and other relevant policies within the Development Plan for Trafford.
22. Policy L7.1 states that design must be appropriate to its context, make the best use of opportunities to improve the character and quality of an area by addressing scale, density height, massing, layout, elevation treatment and landscaping. In terms of the proposed layout, it is appropriate that the proposed mixed use building sits on the same footprint as the existing library so it has a street frontage to Stockport Road. The introduction of a retail unit onto the Stockport Road provides an active frontage which is supported in terms of policy W2.11. This design approach results in the residential element of the scheme being located to the rear of the site. The residential building sits centrally within this part of the site and this has been shaped by the need to offset built development from the site boundaries. The irregular footprint of the proposed apartment building has created a centre point off Baker Street and this allows the building to have some interaction with the street. The inclusion of a landscaped area to the front of the building will create a welcoming entrance and will have a positive impact within the street scene. The need to provide a public car park as part of this development has had a clear influence upon the layout of the site and has led to the remainder of the space around the building, with the exception of a landscaped area being set aside for car parking. The apartment building will screen the extent of the car parking and limit the visual impact of the car parking from Baker Street. The site will be subject to a comprehensive landscaping scheme, details of this will be assessed in detail later in the report.
23. Policy L7.2 requires development to make appropriate provision of (and access to) waste facilities preferably on site. In respect of bin provision two bin stores located to the rear of 415 and 417 Stockport Road are to be provided on site. The location of the bin store has been discussed within the highway section of this report. There are no objections to the siting of the bin stores they are located away from the road frontage

and are practical in terms of servicing. The bin stores would be timber clad with a green roof which is considered to be acceptable in terms of their visual impact.

24. In respect of scale and massing the mixed use building is taller than the neighbouring properties in the street scene. The building has been designed to step up in height so that the highest point of the building and the main bulk and mass is along Baker Street which is considered to be acceptable as Baker Street itself provides a gap in the built form along Stockport Road street scene which ensures that the proposal does not look incongruous when viewed with 401 Stockport Road. Given this will be a civic building it is considered that the increase of height will be appropriate to define the building within the street scene. The building has also been designed to step back on the corner of Stockport Road and Baker Street and again on the corner of Baker Street and the access to the public car park, this step back in the footprint also helps to reduce any sense of being overbearing when viewed along these key pedestrian routes.
25. In terms of the apartment building this is taller than the mixed use building and whilst comparable in terms of floor to ceiling heights to Orchard Court the additional storey of living accommodation and the implications this has on the design creates a building which is much taller than anything in the immediate vicinity. Policy 10.2 of the Planning Guidelines: New Residential Development explores infill sites where development is taller than its surrounding and notes that this may be acceptable if it has significant space around the building. As discussed above this building is located within the centre of the site so there is space around the building which ensures that the massing of the building will not appear incongruous in the street scene. It is also considered that views of this building in the context of the building surrounding it would be limited, as such it would be difficult to substantiate a reason for refusal on the grounds of visual impact.
26. In terms of elevational treatment the two buildings significantly differ in their design approach. The design approach adopted for the mixed use buildings is contemporary in nature with large window openings, stone detailing, projecting canopies, clad dormers and glazed balustrade. The building does have a vertical rhythm which draws reference to the local context particularly the Victorian properties located to the east of the site along Stockport Road. The proposed traditional palette of materials with the modern interpretation will also ensure this building respects its local context.
27. In terms of the apartments, the design approach would be to replicate the Victorian style of housing which can be found in the local area. The applicant has prepared some justification showing how this would respect the local context. From the detailed elevations it is clear that the bulk of the building has been broken down by the use of balconies, window openings/dormers and brick/stone detailing. This creates interest in the elevations and improves the solid to void ratios which is supported to break up the massing. As with the mixed use building the elevations have a strong vertical emphasis which is in keeping with Victorian properties in the vicinity. Whilst the overall design could be considered to be pastiche, design is subjective and therefore it would be unreasonable to refuse the application on these grounds. There are no objections on design grounds to the decked car parking area as this will be constructed from steel frame and clad externally with brick to match the apartments.
28. It is proposed that both buildings, although of differing styles will be constructed in the main from brick with a tiled roof. It is not clear whether the buildings will be constructed

in the same materials and in order to ensure each building has its own identity it would be appropriate that the materials differ. To ensure that the materials are of the highest quality and are appropriate in their immediate context a material condition is recommended.

## RESIDENTIAL AMENITY

29. Core Strategy Policy L7.3 seeks to protect residential amenity, by ensuring that development is compatible with the surrounding area and does 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.
30. In respect of the replacement library, the adjacent properties along the northern side of Stockport Road are commercial properties. There is a beauty salon at no.409 and an Indian takeaway at no.401 and as such it is considered that the relationship between the proposed and existing would be acceptable. The closest residential uses are the 2 ½ storey apartments on the opposite side of Stockport Road. The habitable room windows in this building are 18.4m from the proposed front elevation of the library however it is noted that the habitable room windows are slightly angled and are not directly facing the proposed building. It is also noted that Orchard Court is 16m to the northwest of the application site, although this building does not have habitable rooms directly facing the proposed replacement building. The relationships and separation distances between the existing properties to the proposed replacement building are considered to be acceptable and sufficient to protect residential amenity of existing occupiers.
31. The mixed use building would include two roof terraces at second floor level. The terrace on the Baker Street frontage will not directly overlook any residential properties or their curtilages. The terrace fronting Stockport Road would be opposite apartments but given this separation distance between these two properties it is not considered that the introduction of this terrace would have an unacceptable detrimental impact on the privacy that these residents currently enjoy.
32. In respect of the proposed apartments, the mass will be located centrally within the site and will be 17.7m away from the boundary with properties on Dudley Road, 12.6m from the boundary with 421 Stockport Road and 20m from Orchard Court. This is considered acceptable to ensure that the building does not have an overbearing impact on the amenity of neighbouring residents. In terms of overlooking, all elevations of the apartment building have habitable room windows in them. In respect of those in the front elevation these do not directly face any windows in Orchard Court so no privacy issues are created. Windows in the west elevation are 17.7m from the boundary and on this elevation the habitable rooms serve bedrooms, this relationship is considered to be acceptable. The windows orientated north look over the railway line so no privacy issues are created. In the east elevation facing the garden of 421 Stockport Road the windows would be 12.6m from the boundary. The Council's Guidelines for new residential development para 11.4 states '*distances to rear garden boundaries from main windows should be at least 13.5 m for 2 storey flats or houses or flats with 3 or more storeys*'. This relationship falls short of this distance by 0.9m. The applicant has sought to amend the scheme to improve this relationship by repositioning balconies at

first, second and third floor levels to the south elevation and by including additional landscaping along the share boundary with 421. It is considered that on balance whilst short of the required distance having regard to the length of the garden at 421, the position of the dwelling and the proposed landscaping that this relationship is acceptable and would not lead to an unacceptable impact on the privacy the residents at 421 Stockport Road currently enjoy. Windows in the southern elevation of the building would be 29m from the boundary with commercial properties at 409-413 Stockport Road.

33. In respect of the proposed decked car park, this is to be sited to the rear of the building. To the east, the decked car park would be 1.6m from the boundary with 421 Stockport Road and would extend along the boundary for 16.4m. The siting of this decked car park along this boundary is considered to be acceptable as 421 Stockport Road has a very long garden and the decked car park would be adjacent to an area at the bottom of the garden which is heavily wooded. To the west, the decked car park would be 7.48m from the boundary with the properties on Dudley Road and 14.62m from the rear elevation of the properties that would directly face it. At this point the decked car park would measure 3.3m in height with a 1.7m screen on top of this. Given the total height of the structure at this point and its separation to the boundary and the habitable room windows it is considered that the introduction of this decked car park will not have an overbearing impact on the amenity on the residents of Dudley Road. In addition planting is proposed to the decked car parking area to soften its visual appearance which is supported. In respect of overlooking from the terrace a planted timber screen is proposed to the east and west of the deck to prevent overlooking of garden areas. In order to ensure that the landscaping proposals for the decked car park are appropriate and also become established a full landscaping condition has been recommended together with a landscape management plan.
34. The proposed bin stores are located close the boundary with residential properties. The proposed bin stores are 2.5m in height slopping down to 2.2m at the closest point to the boundary. This is not significantly taller that the boundary treatment in this location which is approximately 1.8m in height and as such it is not considered that the bins stores will have an overbearing impact on the garden areas of either 417 or 421 Stockport Road.
35. In respect of amenity of future residents, it is considered that adequate light and outlook would be provided from habitable room windows, by virtue of the layout of the building and landscaping. The Council's Guidelines for new residential development indicate 18sqm of adequately screened communal area per apartment is generally sufficient for the functional requirements. No outside amenity space for future occupiers would be provided within the development, other than a limited amount of soft landscaping to the front and perimeter of the building. All of the two bedroom apartments have private amenity space in the form of balconies which is supported. Whilst the amount of amenity space this is not ideal the site is located 350m from recreational grounds off Park Road and Shaftesbury Avenue which has facilities such as children's play areas and sports pitches. Given these facilities are within walking distance of the application site it is considered that a refusal of planning permission on the grounds of inadequate outdoor amenity space would not be justifiable or sustainable. .

## **TREES AND LANDSCAPING**

36. Policy L7.1 requires development to enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatments.
37. The scheme would result in the loss of trees within the site; there is a tree to the front of the existing library on the Stockport Road frontage, a group of trees at the entrance to the car park and trees within the landscapes areas within the car park. These trees within the application site do provide some amenity value however none of the trees are afforded protection through a TPO. The applicant proposes to fell all the trees within the site. Whilst the loss of trees is regrettable it is considered that a comprehensive landscape scheme can be secured across the site which will be an integral part of the new development and will have a positive impact on the visual amenity of the area. There are trees outside the site along the boundaries of the scheme which will require protection and therefore the Council's Arborist has recommended that a tree protection scheme compliant with British Standard 5837: 2012 – Trees in relation to design demolition and construction should be conditioned for approval prior to the commencement of development.
38. In respect of proposed landscaping, the landscaping proposals submitted with the application do not include specific detail such as detailed planting schedule, listing the trees, shrubs, climbers, hedging plants and herbaceous perennials to be planted have not been provided nor has a schedule which would include the scientific (Latin) names of the proposed plants, the sizes and types of nursery stock and the density of the planting (plants per square metre) in the case of shrubs. In light of the lack of detailed information the Council's Arborist has recommended that the submission and implementation of a landscaping scheme, including hardworks and softworks proposals, are secured by condition.
39. The applicant has confirmed that there will be some external lighting across the scheme which would include the erection of low level bollards on the decked car parking area. A condition is therefore recommended to ensure that the full implications of any lighting scheme are assessed prior to its installation. This will ensure that the visual impacts and the impact upon residential amenity are fully assessed in accordance with policies L5.13 and L7.3 of the Core Strategy. It is worth noting that the existing car park is currently lit by lamppost type lighting columns. The applicant has confirmed that their intention is to provide lower level and more focussed lighting than is currently on site.

## **CRIME PREVENTION**

40. Core Strategy policy L7.4 relates to matters of design and security and states that development must be designed in a way that reduces opportunities for crime and not have an adverse impact on public safety. The applicant has submitted a Crime Impact Statement (CIS) in support of the application The CIS provides an assessment of the scheme against the principles of 'Crime Prevention through Environmental Design'.



41. The CIS draws upon the positive aspects of the proposal which include the opportunity to include security features within the development, reception desks being well placed to observe, glazed facades offering surveillance opportunities in and out of the building, greater artificial lighting to the street and that the internal layout of the new community facilities allowing areas of the building to be zoned.
42. The CIS details a number of ways that physical security measures can be incorporated into the scheme to improve security. Some of the points raised have been addressed by the applicant and the scheme has been amended in this regard. These changes include removal of the access into the apartment building from the public undercroft car park, a door on the gable elevation of the library has been removed, defensible space has been added to ground floor habitable room windows and balconies in the apartment block and internal layout of the entrance into the apartments has been designed to not permit access to main building.
43. The CIS raises questions about the car parking strategy for the site, and is particularly concerned about the decked car park and how this has potential for gathering youths etc. Whilst their concerns are noted the scheme has to include a decked car park to cater for the parking demand that will be generated from the development and to provide sufficient parking provision for people visiting the District Centre. It is important to note that this part of the development will be covered by CCTV, lit and will fall within the management of the Council who can employ measures should this be an issue in the future. They also question whether the private car park can be gated, this question has been posed to the applicant who has confirmed this is not possible because of the ramped access arrangements.
44. The Design For Security team highlights that the footprint of the proposed library would be larger than that it replaces and would project closer to Stockport Road, obscuring a door in the gable of the adjacent property at 409 Stockport Road. It is acknowledged that the footprint of the building would reduce views of this door from Stockport Road but it is also recognised that views were already restricted to a degree. The CIS recommends gating the alley but this would not be practical as the boundary is in the centre of the alleyway so access could still be gained on the neighbouring land. CCTV is to be installed at the site and the applicant has confirmed that a camera can be located to overlook this alleyway. The applicant also believes that CCTV can be used to overlook the single storey element of the mixed use building which the CIS considers to be vulnerable as it could be used as a way in which offenders can gain unauthorised access into the building. CCTV could also be employed internally within the mixed use building to address concerns about two entrances into the pharmacy and provide surveillance of everyone entering and leaving the building. CCTV would be supported and therefore a condition for the CCTV scheme will be secured by condition.
45. The applicant has revised the scheme accordingly to address the matters raised by the Greater Manchester Police Design for Security team where possible and when considering all the points presented by the applicant it is considered that the scheme complies with Core Strategy policy L7, subject to the inclusion of a condition for the scheme to secure appropriate crime prevention measures including CCTV

## **FLOOD RISK AND DRAINAGE**

46. The application site is situated within an identified Critical Drainage Area. A Critical Drainage Area (CDA) is an area that has critical drainage problems and which has been notified to the local planning authority. Core Strategy policy L5.18 aims to reduce surface water run-off through the use of appropriate measures. The applicant has indicated that the surface and foul water will be discharged via the main sewer. A planning condition has been recommended to ensure peak discharge storm water rates are constrained in accordance with the limits indicated in the Council's Level 2 Strategic Flood Risk Assessment.

## **POLLUTION**

47. Core Strategy policy L5.13 states that 'development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place'.
48. The application has been supported by a Noise Assessment which has been reviewed by the Council's Environmental Health Officer. The acoustic report provides a number of options in respect of design solutions for glazing and ventilation to protect the amenity of existing and future residents. The Environmental Health Officer is satisfied that the options presented are suitable to safeguard amenity and therefore has recommended a condition where detailed the noise mitigation measures are agreed with the Local Planning Authority prior to the commencement of development.
49. In addition to this conditions are recommended in respect of noise from fixed plant machinery and also restricting deliveries and waste collections in order to safeguard the amenity of neighbouring residents. Subject to the conditions recommended above the development is considered acceptable in respect of potential noise impacts.
50. The site is not identified to be within an Air Quality Management Area. The Council's Pollution and Licensing Team have noted that there is no requirement for the submission of an Air Quality Assessment in support of this application and as such it can be concluded that the proposal would not have a significant impact upon air quality.
51. The Council's Contaminated Land Officer has reviewed the proposed scheme and identifies that the site is located on brownfield land and is to be developed for a sensitive use, as such it is recommended that the applicant submits a Preliminary Risk Assessment to assess the potential contamination risks of the site and whether any remediation measures are necessary. These matters can be secured by a suitably worded contaminated land condition and as such comply with the provisions of Core Strategy policy L5.13.

## **ECOLOGY**

52. The application has been supported by a bat survey which has assessed whether bats are present on site or within existing buildings. The survey found that Timperley Library does not offer any significant opportunities for bats and there was no current or historic evidence of bats. Whilst the survey acknowledged that there was some bat activity in the general area, no bats were recorded during the two surveys undertaken by the

applicant. GMEU have reviewed the report and have not raised any objections to it or its findings.

53. The survey makes a number of recommendations including that works to remove roof tiles and fascia boards are undertaken by hand and that the final development includes bat boxes to add biodiversity value. Given that bats are highly mobile creatures GMEU would like these recommendations to be secured by condition. It is also noted within the recommendations that if bats are encountered then works must cease and advice sought from a specialist this will be highlighted with the application through an informative.
54. There are trees within the site which will be removed to facilitate the development. GMEU note that trees on site should not be removed or pruned during the bird nesting season unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. An appropriate condition is included in the recommendation.

## **DEVELOPER CONTRIBUTIONS**

55. This proposal would provide the following uses, medical practice, retail unit, library with community rooms and D1 (health care) and/or B1 (offices) and apartments. In respect of Community Infrastructure Levy (CIL) the library, community facilities and health care element of the scheme are public/institutional facilities and therefore there would be no CIL charge for these elements of the development. The floor area of the pharmacy is less than 100sqm and consequently the development does not raise any CIL liability and there is also no liability for the provision of offices. The residential element of the scheme comes under the category of 'Apartments' (hot charging zone) and consequently the development will be liable to a CIL charge rate of £65 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
56. In accordance with the Planning Obligations SPD and Core Strategy policy L2, the proposal would be required to make a contribution towards the delivery of affordable housing. The applicant has submitted a viability appraisal with their application in order to demonstrate that the requirement for the payment of a commuted sum towards the provision of affordable housing would render the proposed development unviable.
57. Paragraphs 173 – 174 of the NPPF make clear that the sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. It also identifies that authorities should assess the likely cumulative impact on development viability of all existing and proposed local standards and policies when taken together with nationally required standards, and that this cumulative impact should not put implementation of the plan at risk and should facilitate development throughout the economic cycle.
58. The viability appraisal has been reviewed by colleagues in Asset Management and they have confirmed that the available profit on the scheme is not sufficient to ask that a financial contribution is also made towards affordable housing.

59. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. A proposal of this nature is expected to provide 1 tree per 30sqm GIA of community facilities and office 1 per 50sqm of retail and 1 per apartment, this equates to 72 trees. Due to the footprint of the proposed development there is only limited scope for tree planting on site. The SPD states the provision of alternative Green Infrastructure treatments could be provided in lieu of, or in combination with, tree provision. In this case, this may include scope for the provision of native tree and hedge species. The requirement to provide Green Infrastructure treatment on site and to include details of the tree planting and landscaping will be secured by condition.

## **CONCLUSION AND PLANNING BALANCE**

60. The proposed development will deliver a medical practice, retail unit, and a library with associated community rooms on a sustainable brownfield site located within Timperley District Centre. The proposed development will serve the local community and will complement the existing uses within the centre and will make a positive contribution towards the vitality and viability of the District Centre. The scheme will make an important contribution towards addressing the housing supply shortfall within the Borough and it accords with the government's requirement to *boost significantly the supply of housing*" (paragraph 47). The adverse impacts of the proposed development have been considered and assessed and it is considered that impacts associated with the proposed development would not significantly and demonstrably outweigh the benefits of the scheme as required by NPPF paragraph 14. Other development impacts associated with the scheme can be mitigated through the use of planning conditions and obligations where necessary. In accordance with paragraph 7 of the Framework, it is considered that the proposed development represents a sustainable form of development which would deliver significant benefits, including the delivery of housing and the associated community benefits of the proposed uses. The development will make a contribution towards achieving the strategic objectives set out within the Core Strategy and as such it is recommended that planning permission should be granted subject to the conditions listed below.

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

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

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

2. The development hereby permitted shall not take place out except in complete accordance with the details shown on the submitted plan, numbers  
Site Plan / Landscape Layout M2720.01 H  
Proposed Apartments Ground Floor Plan 14188 (PL) 100 D  
Proposed Apartments First Floor Plan 14188 (PL) 101 D  
Proposed Apartments Second Floor Plan 14188 (PL) 102 D  
Proposed Apartments Third Floor Plan 14188 (PL) 103 A  
Proposed Apartments South and West Elevations 14188 (PL) 200 D  
Proposed Apartments North and East Elevations 14188 (PL) 202 D

Proposed Apartments Front and Rear Elevations 14188 (PL) 204  
Proposed Apartments Front and Side Elevations 14188 (PL) 205  
Proposed Apartments Rear - Section through Deck 14188 (PL) 206  
Proposed Library and Medical Centre Floor Plans 14188 (PL) 110 B  
Proposed Library & Medical Centre SE & SW Elevations 14188 (PL) 210  
Proposed Library & Medical Centre NE & NW Elevations 14188 (PL) 211 B  
Screen Planters M2720.03  
Proposed Bin Store 14188 (PL) 302

Reason: To clarify the permission, having regard to Policies L1, L2, L4, L7 and L8 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

3. No development hereby approved shall take place until a phasing scheme for the development, which sets out the sequence in which the various elements of the development and its associated car park will be constructed and brought into use. The development shall be implemented in accordance with the approved phasing scheme.

Reason: To ensure the satisfactory development of the site in a phased manner and that phasing details were not submitted as part of the application. These details are required prior to works taking place on site to ensure impacts from the construction process are fully considered before works commences on site.

4. The demolition of the library shall be undertaken in strict accordance with Section 10.1 of the submitted Bat Report for Timperley Library (dated June 2016 and prepared by Whistling Beetle Ecological Consultants Limited)

Reason: To protect the interests of any protected species that may be present on site in accordance with the National Planning Policy Framework (March 2012)

5. Prior to the development first taking place a Biodiversity Enhancement Scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall identify the opportunities for biodiversity enhancement on site including the provision of bat bricks and bat boxes. The approved scheme shall be implemented in full accordance with the phasing details as provided by condition 3.

Reason: To secure opportunities for the enhancement of the nature conservation value of the site are considered at the detailed design stage, and in accordance with the National Planning Policy Framework (March 2012)

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

- human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for that phase of development.

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

Reason: To ensure that such issues are fully considered and mitigated against prior to work taking place on site and in the interests of the amenity of future occupiers in accordance with policy L5.13 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

7. No development, on any phase, shall take place unless and until full details of the works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development of any phase shall not be brought into use until such works within that phase as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

Reason: To ensure a satisfactory method of surface water disposal is considered at the design stage of the development and to reduce the risk of flooding elsewhere in accordance with policy L5.18 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7.1 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

9. Prior to development or works of site preparation taking place on any phase of the development hereby approved a tree protection scheme compliant with British Standard 5837: 2012 – Trees in relation to Design, Demolition and Construction shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a tree survey, an Arboricultural Impact Assessment (AIA) and an Arboricultural

Method Statement (AMS), the latter detailing the tree protection arrangements to be employed during the construction phase of the development. The associated phase of development shall be carried out in strict accordance with the approved details.

Reason: To ensure that trees to be retained on or adjacent to the site are protected before development takes place on site in the interests of visual amenity in accordance with Policy L7 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

10. (a) Notwithstanding the details shown on the approved plans no phase of the development hereby permitted shall be occupied until full details of both hard and soft landscaping works for that phase have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of first occupation of the development hereby permitted, whichever is the later.

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

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

11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In order to ensure a satisfactory appearance of the landscaping in the interests of visual amenity in accordance with Policy L7.1 of the adopted Trafford Local Plan: Core Strategy and the National Planning Policy Framework.

12. No development hereby permitted shall be occupied on any phase of the development until full details of the design and construction of the bin stores for that particular phase have been submitted to and approved in writing by the Local Planning Authority. Such approved bin stores shall thereafter be constructed and made available for use before the development of that phase is first brought into use.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7.1 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

13. Deliveries to and waste collections from the Library/Healthcare Facilities/ Community use rooms/retail building hereby approved shall only take place between the hours of  
07.00hrs to 21.00hrs Monday to Friday  
08.00hrs to 21.00hrs on Saturday  
and 10.00hrs to 21.00hrs on Sundays and Bank Holidays.

Reason: To safeguard the amenity of existing, neighbouring and/or future occupants of the development hereby approved in accordance with policy L7.3 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

14. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".

Reason: To safeguard the amenity of existing, neighbouring and/or future occupants of the development hereby approved in accordance with policy L7.3 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

15. The library, community use rooms and retail uses hereby permitted shall not be open to customers other than between:-  
  
7.00am till 11.00pm Monday to Saturday;  
and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenity of existing, neighbouring and/or future occupants of the development hereby approved in accordance with policy L7.3 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

16. The healthcare use hereby permitted shall not be open to customers other than between:-  
  
8.00am till 8.00pm on any day.

Reason: To safeguard the amenity of existing, neighbouring and/or future occupants of the development hereby approved in accordance with policy L7.3 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

17. Prior to any above ground works taking place, a scheme for noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based upon the details contained within Timperley Library and Residential Development, Planning Noise and Vibration Report ref 16306-R01-B dated 16th August 2016. The noise mitigation measures shall be installed prior to occupation of the development and a Site Completion Report shall validate that all works



undertaken on site were completed in accordance with those agreed by the Local Planning Authority. All mitigation measures shall thereafter be retained.

Reason: To safeguard the amenity of existing, neighbouring and/or future occupants of the development hereby approved in accordance with policy L7.3 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

18. No development shall take place, including any works of excavation or demolition, until a Construction Method Statement for that phase of development has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period of that phase. The Statement shall include:

- (i) A phasing scheme for availability of public car park;
- (ii) the times of construction activities on site which, unless agreed otherwise as part of the approved Statement, shall be limited to between 8am-6pm Monday to Friday and 9am-2pm Saturday only (no working on Sundays or Bank Holidays). Quieter activities which are carried out inside buildings such as electrical works, plumbing and plastering may take place outside of agreed working times so long as they do not result in significant disturbance to neighbouring occupiers;
- (iii) the spaces for and management of the parking of site operatives and visitors vehicles;
- (iv) the storage and management of plant and materials (including loading and unloading activities);
- (v) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- (vi) measures to prevent the deposition of dirt on the public highway;
- (vii) measures to control the emission of dust and dirt during demolition/construction;
- (viii) a scheme for recycling/disposing of waste resulting from demolition/construction works;
- (ix) measures to minimise disturbance to any neighbouring occupiers from noise and vibration, including from any piling activity;
- (x) measures to prevent the pollution of watercourses; and
- (xi) a community engagement strategy which explains how local neighbours will be kept updated on the construction process, key milestones, and how they can report to the site manager or other appropriate representative of the developer, instances of un-neighbourly behaviour from construction operatives. The statement shall also detail the steps that will be taken when un-neighbourly behaviour has been reported. A log of all reported instances shall be kept on record and made available for inspection by the Local Planning Authority upon request.

Reason: To safeguard the amenity of existing, neighbouring and/or future occupants of the development hereby approved in accordance with policy L7.3 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

19. An updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Such a plan shall provide details of the objectives, targets and measures to promote and facilitate public transport use, walking, cycling and practices/facilities to reduce the need to travel and to reduce car use. It shall also provide details of its management, monitoring and review mechanisms, travel plan

coordination, and the provision of travel information and marketing. The initiatives contained within the approved plan shall be implemented and shall be in place within 6 months of first occupation of each phase of the development.

Reason: To ensure that the travel arrangements to the development are appropriate and to limit the effects of the increase in travel movements in accordance with policy L4.13 of the adopted Trafford Local Plan: Core Strategy and the National Planning Policy Framework.

20. The car parking, servicing and vehicular access arrangements shown on the approved plans to serve any specific phase of the development hereby permitted shall be provided and made fully available for use prior to that part of the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with policy L7.2 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

21. No above ground development shall take place unless and until a scheme for secure cycle and motor cycle storage in association with each phase of the development has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before that phase of development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory provision is made for the parking of vehicles in accordance with policy L7.2 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

22. Prior to occupation of the development a scheme of crime prevention measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include details of the installation of CCTV coverage, including the design, type, mounting, and colour of all equipment. The approved scheme shall be implemented prior to the first occupation of each building and be retained at all times thereafter.

Reason: To ensure that the development is appropriately secured from crime in accordance with policy L7.4 of the adopted Trafford Core Strategy and the National Planning Policy Framework.

23. No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of the locations, design, luminance levels, light spillage and hours of use of, and columns for, all external lighting within the site and the approved scheme shall be implemented in full prior to first occupation of development or any phase of the development. Thereafter the site shall only be lit in accordance with the approved scheme.

Reason: In the interests of residential and visual amenity having regard to Policy L7.3 of the Trafford Core Strategy and the National Planning Policy Framework.

24. No development shall commence until a risk assessment and method statement (RAMS) for construction works associated with the development within 10m of the boundary with the Altrincham/Stockport railway line hereby approved is submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: To prevent any on site works and vibration from de-stabilising or impacting the adjacent railway in accordance with policy L4.10 of the Trafford Core Strategy and the National Planning Policy Framework.

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

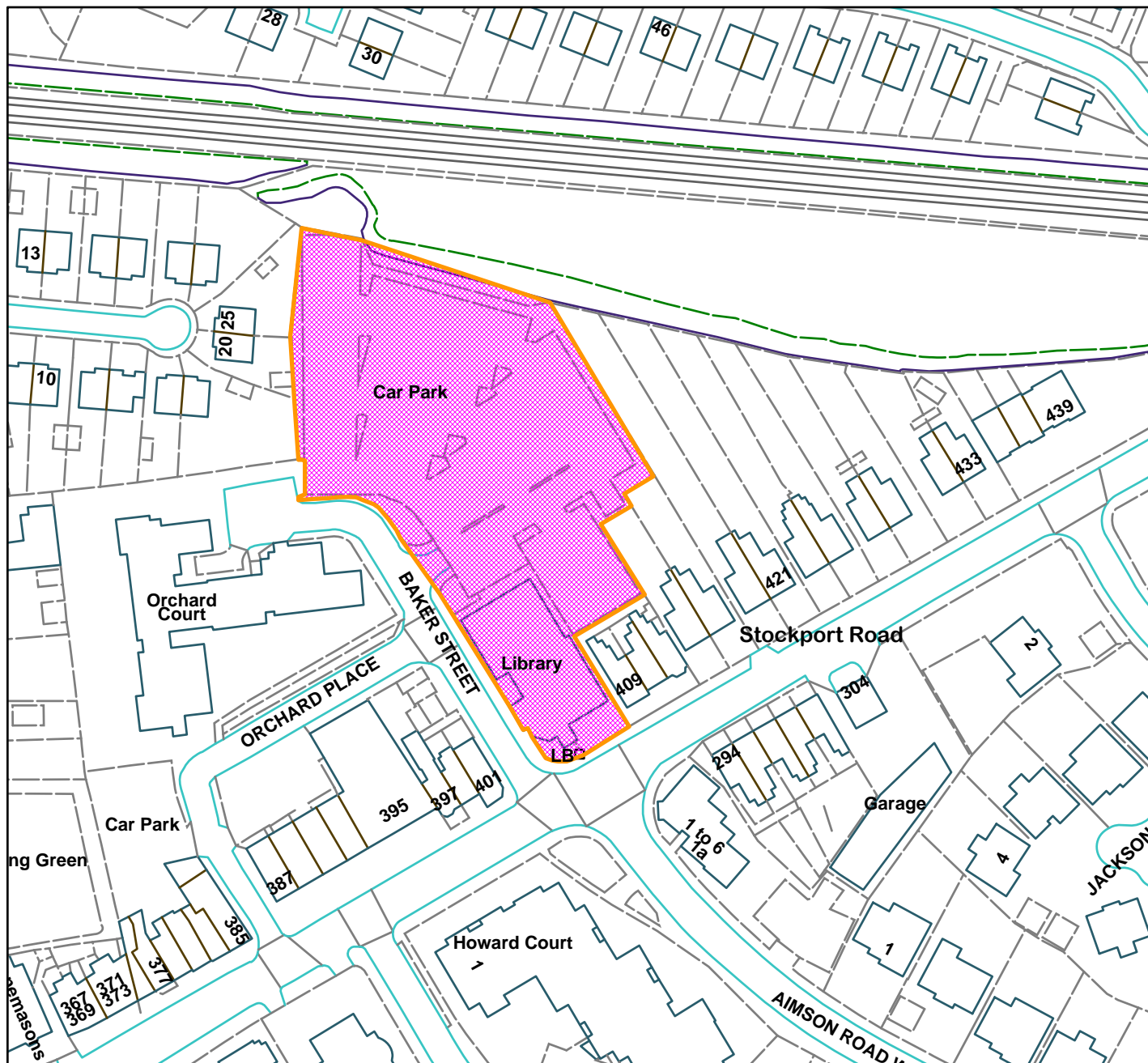
Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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CRA



Library, 405 Stockport Rd & Car Park on Baker Street, Timperley



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/09/2016
Date	25/08/2016
MSA Number	100023172 (2012)

**Demolition of commercial buildings and erection of a part single/part two storey residential dwelling.**

Hawthorn Court, 33A Hawthorn Road, Altrincham, WA15 9RQ

**APPLICANT:** Mr & Mrs Burns

**AGENT:** Trinity Architecture & Design Ltd

**RECOMMENDATION: GRANT**

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**SITE**

The application relates to a backland site to the rear of properties on Hawthorn Road and Finchley Road with an existing narrow drive access on the eastern side between nos. 33 and 35 Hawthorn Road. The site is occupied by a number of single storey and a two storey commercial unit which appear to be currently unoccupied. No. 33a, Hawthorn Court, Hawthorn Road is a 2 storey detached dwelling adjacent to the northern end of the site which was converted to residential accommodation from a joiners/plumbers workshop in the late 1980s. There are substantial brick walls enclosing the site and forming the boundary with the adjacent residential properties. The outbuilding at the southern end of the site has a flat roof with guardrails around it although this roof terrace does not appear to be accessible from ground level due to the removal of the associated steps.

The site is adjoined on the eastern and western sides by the rear gardens of residential properties fronting Hawthorn Road and Finchley Road respectively. These are predominantly 2 storey terraced properties although some have rear dormers associated with accommodation in the roofspace. At the southern end of the site are a pair of semi-detached properties, 1 and 2 Hawthorn Cottages, which are at a higher level than the application site.

**PROPOSAL**

Planning permission is sought for the erection of detached dormer bungalow with flat roofed single storey elements to the rear around a garden / courtyard with parking area to the front.

The design of the main house takes the form of a red brick dormer bungalow with a maximum ridge height of 6.3 metres and asymmetric hipped roof with flat roofed single storey elements to the rear around the courtyard area.

Access to the site would be via an existing access road between nos. 33 and 35 Hawthorn Road.

The various commercial outbuildings that currently exist on the site would be removed as a result of the proposal.

The total floorspace of the proposed new dwelling would be 183 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
W1 - Economy

## **PROPOSALS MAP NOTATION**

None

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

None

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

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

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

86138/FUL/15 - Demolition of existing commercial units and erection of 2 storey detached dwelling with associated parking and landscaping. – Refused and dismissed on appeal May 2016 due to the proposed dwelling being overbearing and visually intrusive in relation to the gardens of neighbouring properties.

84110/FUL/14 - Demolition of existing commercial units and erection of detached dormer bungalow with associated parking and landscaping – Approved Jan 2015

H/29954 – Demolition of existing offices and outbuilding and the erection of one pair of semi-detached houses. - Refused September 1989.

## **APPLICANT'S SUBMISSION**

The application is supported by a Design and Access Statement and two Bat surveys which will be referred to as necessary in the 'Observations' section of the report.

## **CONSULTATIONS**

### **LHA – Appropriateness of Access**

The existing access to the site is via a lane between Nos. 33 and 35 Hawthorn Road, this is to be retained.

### **Servicing Arrangements**

No servicing arrangements have been provided.

### **Car Parking, including disabled provision**

SPD3 Parking Standards and Design for Trafford states that for a three bedroom dwelling in this area, two car parking spaces are required. The proposals include a hardstanding area in front of the property which has sufficient space for three car parking spaces. Vehicles will be able to reverse from these spaces and exit the site in a forward gear. Parking provision is therefore acceptable.

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

If the above requirements are adhered to, the LHA has no objections to this application on highway grounds.

**Pollution and Licensing (Contaminated Land)** – No comments received at the time of writing. Any comments will be included in the Additional Information Report.

**Pollution and Licensing (Nuisance)** – No objections

**LLFA** - No objections subject to conditions to constrain the peak discharge of storm water from the development and to require the applicant to submit details of the implementation, maintenance and management of the sustainable drainage scheme.

**GM Ecology Unit** – Minor evidence of transient bat use in building 2 (which is to be demolished) by a single bat has been recorded. During the bat survey conducted in support of this application no bat droppings were found but further feeding remains were observed. The GMEU would not regard this as a substantive bat roost and it is not considered that the development proposal will have any detrimental impact on local bat populations.

Nevertheless buildings 1 and 2 do have some limited potential to support bats and given the mobile and sometimes cryptic habits of bats further precautions as regards bats are justified. The GMEU therefore recommend:

- That if demolition is delayed until after May 2017 a further bat survey should be required, to be undertaken by a suitably qualified person at an appropriate time of year, when bats are active. If bats are found during this survey then a method statement must be prepared giving details of measures to be taken to avoid harm to bats. Once completed and approved the method statement must be implemented in full. A condition to this effect should be placed on any permission, if granted.
- That the applicants be advised of the possible, albeit unlikely, presence of bats in the buildings at any time of year and of the need to stop any approved works immediately if bats are found at any time and seek advice from a suitably qualified person. An informative to this effect should be placed on any permission.

#### Biodiversity Enhancement

In line with Section 11 of the NPPF, it is recommended that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting

In conclusion the GMEU are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the condition/informative above.



## **REPRESENTATIONS**

**Neighbours:** - Objections have been received from 12 separate addresses. Grounds of objection summarised as follows:-

- Undesirable backland development – contrary to SPG for New Residential Development
- Overdevelopment – too large for the site and cramped, will dominate the landscape
- More than footprint of existing commercial property
- Design out of character and scale – does not respect the local context or street pattern of Victorian terraces - no details of materials provided
- The appeal decision should be taken into account as there appears to be no difference between this new application and the appeal
- Negative impact on peaceful enjoyment of neighbours' homes contrary to the Human Rights Act
- Loss of privacy from increased activity and windows overlooking gardens
- Loss of light and outlook – overbearing, oppressive, blank and overshadowing
- Noise from increased activity
- Loss of or damage to existing garden walls and mature trees in gardens adjacent to the boundary
- Maintenance problems – how could the house be built and maintained without access from neighbouring gardens. Would need to be agreed under the Party Wall Act and agreement will not be given by some neighbours
- Traffic generation leading to congestion. Inadequate visibility splays – dangerous to pedestrians especially children
- Bats have been seen in the vicinity of the buildings and they will be disturbed if the buildings are demolished – they are a protected species
- Breach of covenants relating to the site
- Detrimental impact on property values
- There should be a limit to the number of applications allowed to be made
- Why was the 2014 application allowed if it is impossible to build the upstairs rooms?
- The application has been made over the summer holidays when residents are less likely to be able to object
- Are the buildings even disused? They appear to be being used for storage.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The application site is unallocated in the Revised Adopted UDP proposals map. The site is surrounded by residential properties. The current authorised use of the site is for the storage and trade display of ceramic tiles.
2. An Employment Land Assessment was submitted in support of the previously approved application 84110/FUL/14 which stated that the commercial unit had been vacant for several years, following the retirement of the owner. Since then attempts had been made to lease the premises and due to its location and enclosed nature

there had been little interest. The unit is slowly falling in to a state of disrepair, as the owner cannot viably maintain its upkeep both economically and physically. There is little evidence to support the need to retain the commercial unit in this location and the principle of the replacement of a commercial unit with a residential property was established by planning permission 84110/FUL/14 which is still extant. Neighbours have commented that there has been some recent use of the units for storage of materials. No evidence has been provided of this and even if it is the case the usage appears limited. Notwithstanding this the principle of the use of the site for residential use is established and the principle of residential development was accepted in the previous appeal decision.

3. NPPF paragraph 47 identifies a clear policy objective to, “*boost significantly the supply of housing*”. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply. Paragraph 49 of the NPPF states that ‘*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*’
4. Policy L2 of the Core Strategy, which is entitled “Meeting Housing Needs”, states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council’s Sustainable Community Strategy. It requires new development to be:
  - (a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents;
  - (b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure (schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development;
  - (c) Not harmful to the character or amenity of the immediately surrounding area and;
  - (d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.
5. In the case of this application, this is a brownfield site located within a sustainable location close to Altrincham Town Centre and Hale District Centre and good public

transport links. In terms of dwelling type and size the proposed residential development will contribute to meeting the needs of the Borough by increasing provision of family housing. The proposed development will therefore make a contribution to Strategic Objective SO1 in terms of meeting housing needs. Policy L1.7 states that: An indicative 80% target proportion of new housing provision to use brownfield land and buildings over the Plan period has been set. To achieve this, the Council will release previously developed land and sustainable urban area green-field land, in the following order of priority:

- Firstly, land within the Regional Centre and Inner Areas;
- Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in Policy L3 and/or strengthen and support Trafford's 4 town centres; and
- Thirdly land that can be shown to be of benefit to the achievement of the wider Plan objectives set out in Chapters 4 and 5 of this Plan.

6. Taking the above points into account it is considered that the proposal is compliant with the NPPF in that it is sustainable development by virtue of being a brownfield site in a sustainable location which would make a positive contribution to the housing land target as set out in Policy L1.2. Notwithstanding this the development must also be compliant with other relevant policies in the Core Strategy in relation to the impact that the development may have in terms of design, environment, amenity and parking and highway safety considerations.

## DESIGN AND IMPACT ON THE STREETSCENE

7. Policy L7 states that 'In relation to matters of design, development must:

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

8. The proposed dwelling would be part dormer bungalow and part single storey to maximise the use of the land available and it is accepted that the design approach is out of keeping with the predominant design and pattern of the predominantly traditional terraced properties on either side of the site. The design is relatively simple, the main building taking the form of a dormer bungalow with asymmetric hipped roof with flat roofed single storey elements to the rear around a courtyard area. The single storey elements largely reflect the existing footprint of single storey buildings on the site although a section adjacent to the eastern boundary would be completely removed to form the garden area. The design of a dormer bungalow keeps the building at a relatively low level (6.3 metres to the ridge) but allows some accommodation in the roofspace. The design has been driven by the need to minimise the impact on residential amenity of the occupiers of adjacent properties

and a dormer bungalow on the site was accepted under planning ref. 84110/FUL/14. Albeit the designs are not identical due to the asymmetric element of the current proposal and the reduction in the number of dormer windows in the roof. The current scheme proposes only one dormer window in the front elevation whereas 84110/FUL/14 proposed two. No detailed information has been submitted regarding materials, although the walls would be red brick and the materials can be conditioned to ensure that they are not out of keeping with the local area. Given the size of the site, the existing amount of built development on the site and the amount and height of the of two storey development proposed it is not considered that this scheme for a single dwelling would represent overdevelopment.

9. The design would be materially different to the adjacent Victorian terraced properties to the east and west and the later two storey detached and semi-detached properties to the north and south of the site. However the constraints of this backland site make it impossible to replicate the height and design of the other properties in the vicinity. It is noted that the property is not located within a Conservation Area and that the existing buildings to be removed as part of the application do not contribute particularly positively to the area at the present time. As the building would be low level and to the rear of substantial properties fronting Hawthorn Road and Finchley Road to the east and west it is considered that the impact of the development on the streetscene would be negligible and that the removal of the existing somewhat dilapidated commercial buildings would have some benefit to the visual amenity of the area.
10. Therefore while the design does not reflect that of surrounding properties it is not in itself objectionable and would not warrant refusal of the proposed development on design grounds.
11. It is considered that there is a lack of landscaping proposed within the site, however this could be dealt with via appropriate conditions and therefore it is considered that the proposal is compliant with Policy L7 in terms of design and impact on the streetscene.

## IMPACT ON RESIDENTIAL AMENITY

### Background

12. There was a previous refusal in 1989 for the erection of a pair of semi-detached houses on the site (H/29954) and a subsequent approval in 2015 for one dormer bungalow (84110/FUL/14).
13. Following the approval of planning application 84110/FUL/14 a revised application was submitted for a two storey house (86138/FUL/15). This was refused in September 2015 for the following reason:

*'The proposed development, by reason of its siting, scale, height and massing in close proximity to the common boundaries with the adjoining properties, in particular No's 25 and 27, Hawthorn Road and No's 37 and 39 Finchley Road, would give rise to an unduly overbearing appearance, visual intrusion, loss of light and overshadowing to the private garden areas at these properties, to the detriment of the amenity that the occupants could reasonably expect to enjoy. As such the proposal is contrary Policies L2 and L7 of the Trafford Core Strategy and the Council's adopted Planning Guidelines New Residential Development.'*

14. This decision was the subject of an appeal which was dismissed in May 2016. This decision is a material consideration and the Inspector commented as follows:

*Para 2 'The main issue is the effect of the development on the living conditions of neighbouring occupiers'*

*Para 6 'Planning permission was granted for a single dwelling on the appeal site in 2014 and the principle of residential development is accepted by the Council. However, the design of the appeal proposal differs greatly from the previously approved house which was a dormer bungalow with a bespoke dual-pitched roof design, with lowered eaves and hipped elements to minimise the impact on neighbouring occupiers.'*

*Para 7 'The appeal proposal would extend to a height of 5.5m, which would be the maximum height of the two storey flat roof part of the dwelling; this would be 1.2m lower than the ridge height of the previously approved scheme. However, the two storey flat roofed part of the dwelling would project at a distance of 9.7m alongside the eastern and western boundaries of the site which would form a continuous solid mass of development visible to neighbouring occupiers. Owing to its siting and scale, I consider that the proposal would appear overbearing to neighbouring occupiers with consequent adverse effects on their enjoyment of their rear garden areas.'*

15. The Inspector did however state in para 8 that *'The overshadowing would not be harmful to the neighbouring occupier's reasonable enjoyment of their gardens as it would be for a limited period of the day and only a small area of the very rear of the longer gardens of the dwellings in Finchley Road would be affected. Similarly, regarding the loss of light, this would be limited to the very rear garden area of those houses in Finchley Road.'*

16. The Inspector concluded *'Although the proposal would not cause overshadowing or a loss of light which would have an unacceptably harmful effect it would create a development which would be overbearing and visually intrusive. This intrusion would cause unacceptable harm to the enjoyment of the rear gardens areas which adjoining neighbouring occupiers are entitled to expect. The proposal therefore conflicts with Policies L2 and L7 of the Trafford Core Strategy and the New Residential Development SPG.'*

## The Current Application

17. Policy L7 states that 'In relation to matters of amenity protection, development must:
- Be compatible with the surrounding area; and
  - Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
18. SPG1 (New Residential Development) states that '*Tandem development (a new building behind an existing one with shared access from the road) will not normally be acceptable*'. It goes on to explain that '*The main problems with this type of development are that it introduces disturbance into formerly quiet garden areas, causes disturbance from the comings and goings of vehicles and pedestrians passing close behind and between the houses on the frontage, creates problems of overlooking and of being overlooked, and is likely to appear visually obtrusive. Other forms of development in backland areas may create similar problems. As with infill development, tandem and backland development will not be accepted at the expense of the amenity of the surrounding properties or the character of the local area.*'
19. The previous approval on the site and the specific reasons given by the Inspector for dismissing the appeal are both material considerations in relation to the site. The principle of a dormer bungalow on this backland site was established by the previous planning approval 84100/FUL/14 which is still extant.
20. The previously approved plans for a dormer bungalow on the site had a maximum height of 6.3m to the roof ridge with a Dutch hip to either side to further reduce the impact on the gardens of adjacent properties with a gap of approximately 1 metre to the boundaries either side.
21. The refused scheme had a continuous height of 5.5 metres for a length of 9.7 metres and the side elevations of the dwelling extended across the rear garden boundaries of properties fronting Hawthorn Road to the east and Finchley Road to the west. The side elevations would have been set between 1 and 1.3 m away from the side boundaries with 25 and 27 Hawthorn Road and between 0.2 and 0.3 metres off the boundaries with 37 and 39 Finchley Road.
22. The current plans have no windows in the side elevations of the proposed 2 storey dwelling and would have a maximum ridge height of 6.3 metres; eaves heights would be 2.6 metres at the lowest point and 4.8 metres to the eaves of the Dutch hip roof on the east elevation and 3.8 metres on the west elevation. The proposed dwelling would be situated adjacent to the rear garden boundaries of properties fronting Hawthorn Road to the east and Finchley Road to the west. The dormer bungalow would be set between 1.1 and 1.5 m away from the side boundaries with

25 and 27 Hawthorn Road and approximately 0.3 metres off the boundaries with 37 and 39 Finchley Road.

23. The main front elevation of the property, containing main habitable room windows would face north across the access road and parking areas and onto the front elevation of 33a, Hawthorn Court which would be approximately 26 metres away. The proposal is therefore in excess of the 21 metres required between the front elevations of the properties by the Council's adopted Guidelines set out in SPG1 (New Residential Development).
24. The two properties either side of the access road (33 and 35 Hawthorn Road) have blank gable ends and fencing to the private garden areas and it is not therefore considered that additional low level comings and goings generated by the dwelling would have a material impact on the occupiers of these properties.
25. It is also noted that there is an established use of the buildings on the site for the storage and trade display of ceramic tiles with the associated access road between 33 and 35 Hawthorn Road. It is therefore considered that the potential levels of comings and goings would be reduced in comparison with the existing authorised use.
26. The rear (south) elevation of the property would face nos. 1 and 2 Hawthorn Cottages which are at a higher level than the application site. There are no proposed rear facing windows at first floor level and those at ground floor level would be approximately 14 metres away from the rear garden boundary (in excess of the 10.5 metres required from first floor windows) and approximately 25 metres away from the windows in the rear of nos. 1 and 2, Hawthorn Road (in excess of the 21 metres required). Given these distances, the lack of first floor rear facing windows and the land level differences between the sites it is not considered that the proposal would result in loss of privacy to these properties or be overbearing or result in loss of light or overshadowing of these properties.
27. The comments set out in SPG1 regarding tandem or backland development are noted; however it is considered that the concerns set out about the introduction of disturbance into quiet backland areas is in this specific instance not as relevant. This is because the proposal does not seek to create a new vehicular access through the site as one exists already and this will stay in the same position as at present. In addition it would extinguish the existing authorised use of the site for the storage and trade display of ceramic tiles, which could generate more activity, traffic and noise than the proposed use and which has the potential for disamenity in a residential area.
28. The proposed development is considered to be more in keeping with the residential nature of the area and is a relatively low level use. It is also noted that although the proposal would have some additional visual impact on the properties either side, the removal of the existing commercial buildings, particularly the two storey offices

would have some benefit to the existing residential properties adjacent to that part of the site.

29. In the previously approved scheme for a dormer bungalow the side wall of the roof area would have been visible from adjacent gardens but would have been viewed as a triangular wall with the upper section pitching away from the side boundaries. In the refused scheme it was considered that the 5.5 metre height in combination with a projection of 9.7 metres would result in an unrelenting blank brick wall across the full length of neighbouring gardens. The reason given by the Inspector in dismissing the appeal was that the two storey flat roofed part of the dwelling would form a continuous solid mass of development that would be overbearing and visually intrusive.

#### Impact on habitable rooms in the properties on Finchley Road and Hawthorn Road

30. The proposed development is not considered to be overbearing or result in loss of light or overshadow the living accommodation within the adjacent houses either side of the proposed property. This is as a result of the distances involved to the nearest sole main habitable room windows in these properties (approximately 16 metres on the western side – 37 and 39 Finchley Road - and 15.2 metres on the eastern side – 23, 25 and 27 Hawthorn Road). A distance of 15 metres is usually required between any main sole habitable room ground floor windows and a blank two storey gable wall. Given the existing boundary treatments and the distances involved, it is not considered that the proposed dwelling would be overbearing when viewed from within the adjacent properties. It is considered that privacy would be unaffected as there are no windows in the side elevations and the boundary walls would be retained. Permitted development rights could be removed to ensure that windows were not inserted into the side elevations at a later date.

#### Impact on gardens of properties on Finchley Road and Hawthorn Road

31. The current application has a very similar relationship to the properties on Hawthorn Road as the previously approved scheme. The roof of the current scheme would also be visible from the gardens of Finchley Road but would pitch away from the eaves at a point 3.8 metres high up to the 6.3 metres roof ridge which would be set 2.5m away from the boundary with the Finchley Road properties. It is not considered that the single storey flat roofed elements of the scheme would have a materially greater impact than the existing structures on the site, with a maximum height of 3.1 metres.
32. There are existing walls separating the application site from the adjoining gardens. There is some variation in height along the length of the walls but the wall on the eastern side is predominately approximately 2 metres high and the wall on the western side of the site to Finchley Road is approximately 3 metres high, one section additionally topped with a wooden trellis. The proposed scheme indicates the retention of the boundary walls at the site and the main side walls of the building at



ground floor level would therefore be largely screened from the adjacent gardens although the hipped roof of the property would be visible.

33. Given the significant existing boundary treatments to the properties on the western side of the site (on Finchley Road) and the length of the private garden areas (approximately 15-16 metres) and as a result of the reduced scale of the current scheme it is considered that the development would not have a materially detrimental impact on the garden areas of these properties. It is also noted that there is an existing 4 metre wide building on the boundary with the gardens of Finchley Road that has a maximum roof height of 6 metres and this would be removed as a result of the scheme.
34. The ridge of the proposed dwelling (i.e. the highest point) would be adjacent to the rear garden area of No. 25, Hawthorn Road on the eastern side. The maximum height of the new dwelling would be 6.3 metres and due to the half hipped roof design, this maximum would be at a point 2.5 metres away from the garden boundary with No. 25. The side wall of the roof area would be visible from the garden of No. 25 and would be viewed as a triangular wall with the upper section pitching away from the boundary with No. 25. Given the height and design of the roof in the current scheme and the distances involved along with the orientation of the proposed dwelling to the west of No. 25 it is not considered that it would result in a material loss of light or outlook or appear overbearing. The difference in impact between this scheme and the previously approved scheme is minimal and the applicant has sought to address the specific concerns of the Council and the Inspector in the design of the current dwelling proposed.
35. In addition, as indicated above there would be benefits to adjacent residents from extinguishing the existing potentially noisy authorised commercial use of the site and demolishing the associated buildings. It is considered that the impact on No's 23 and 27 would also be acceptable as the proposed building would not extend the full width of their gardens and their gardens would not be opposite the highest part of the property, much of which would be screened by the existing boundary walls.
36. The reason for the previous scheme being refused and dismissed on appeal was the impact that a 9.7 metre long 5.5 metres high blank brick wall would have in terms of being overbearing and visually intrusive when viewed from neighbouring gardens. The current scheme has ameliorated this impact through the use of hipped ends to the roof and this reflects the design of the previously approved scheme.
37. Consequently and for the foregoing reasons it is considered that given the specific nature of this site and the design of the proposed development, on balance this backland development is acceptable and the previous concerns have been overcome.

## PARKING, ACCESS AND HIGHWAY SAFETY

38. Policy L7 of the TBC Core Strategy states that 'In relation to matters of functionality, development must:

- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
- Provide sufficient off-street car and cycle parking, manoeuvring and operational space;

39. The LHA have raised no objections to the proposal as no new or altered access is proposed and the existing access is currently used to serve a dwellinghouse and commercial business premises. Adequate off street parking is provided within the site. It is also considered that the proposed use is considered likely to generate less vehicle movements than the existing authorised use of the site as a commercial business.

## OTHER MATTERS

40. With regard to bats the GM Ecology Unit have stated that they have no objection to the proposal subject to a condition requiring a further bat survey if demolition is delayed until May 2017 and the inclusion of some biodiversity measures. An informative is also attached to make the applicant aware of their responsibilities with regard to bats which are a protected species. On this basis it is considered that the scheme complies with Policy R2.

41. There are no trees on the application site at present and tree planting on the site would be secured by way of condition. As recommended by the GMEU it is considered that these should be native species to contribute to the biodiversity of the site.

42. The agent for the application has stated that when the detailed building regulations drawings were prepared in relation to the previous approval 84110/FUL/14 for a 3 bed dormer bungalow it was discovered that the upstairs rooms would be difficult to use as adequate head heights would not be achievable. This relates to the internal arrangements of the building and was not a consideration in the determination of the planning application. It is assumed that when architects submit a scheme for a new dwelling that the internal arrangements have been considered and work appropriately. The planning assessment relates to the external scale and appearance of the building.

43. The impact of the proposed development on property values is not a material planning consideration. In addition, land ownership issues and any covenants which may relate to the site are private legal matters and not a planning consideration. Any damage to properties or trees on adjacent sites as a result of the construction of the development would be the responsibility of the developer.

44. Due to the backland nature and constrained access to the site it is considered that a construction management scheme should be submitted for approval prior to work commencing. This would include details such as days and hours of construction work, means of access and areas for parking of construction vehicles and areas for the storage of building materials. A condition is recommended accordingly.

## **DEVELOPER CONTRIBUTIONS**

45. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently if the application was to be considered acceptable as a private market house it would be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

46. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. Tree planting on the site will be secured by way of condition as part of the landscaping proposals.

## **RECOMMENDATION:**

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

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

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

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

Drawing No. 01 Revision B  
Drawing No. 02 Revision B  
Drawing No. 06

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

3. Notwithstanding the details submitted to date, no above ground construction works shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any boundary treatments, banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules to include new trees which shall be native species (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification)
  - (i) no external alterations shall be carried out to the dwelling
  - (ii) no extensions shall be carried out to the dwelling
  - (iii) no garages or carports shall be erected within the curtilage of the dwelling
  - (iv) no vehicle standing space shall be provided within the curtilage of the dwelling
  - (v) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling
  - (vi) no means of access or areas of hard surfacing shall be constructed to the curtilage of the dwelling
  - (vii) no windows or dormer windows shall be added to the dwelling

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

Reason: To protect residential and visual amenity and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter. As built details and record photographs of any SUDs facility shall be forwarded by the developer to the Lead Local Flood Authority for inclusion in the Flood Risk Asset Register.

Reason: To prevent localised flooding in accordance with Policies L7 and L5 of the Trafford Core Strategy and relevant guidance in the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the final scheme.

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

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

8. Should demolition of the existing buildings on the site be delayed until after 31st May 2017, a further bat survey, undertaken by a suitably qualified person shall be carried out in relation to the buildings proposed for demolition. If bats are found during this survey a method statement shall be prepared giving details of measures to be taken to avoid harm to bats. The bat survey and any associated method statement shall be submitted to and approved in writing by the Local Planning Authority and any approved measures shall be implemented in full prior to the demolition of the buildings taking place.

Reason: In order to protect the ecological value of the site and a protected species in accordance with Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Prior to above ground construction work first taking place, a scheme detailing a package of biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the provision of bat bricks / boxes or tubes and bird boxes within the site. The approved measures shall thereafter be implemented in accordance with the approved scheme within 1 month of the completion of the construction work and maintained thereafter.

Reason: To maintain and improve the biodiversity of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

10. No development shall take place until full details of a construction management scheme have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include days and hours of construction work, means of access and areas for parking of construction vehicles and areas for the storage of building materials. The details / measures set out in the approved scheme shall be implemented / adhered to for the duration of the construction work on the development site.

Reason: Required prior to the commencement of development to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway during the construction period having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework

11. Notwithstanding the plans hereby approved and prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing (for the car parking area) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the curtilage of the dwellinghouse, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved and retained thereafter.

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

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

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

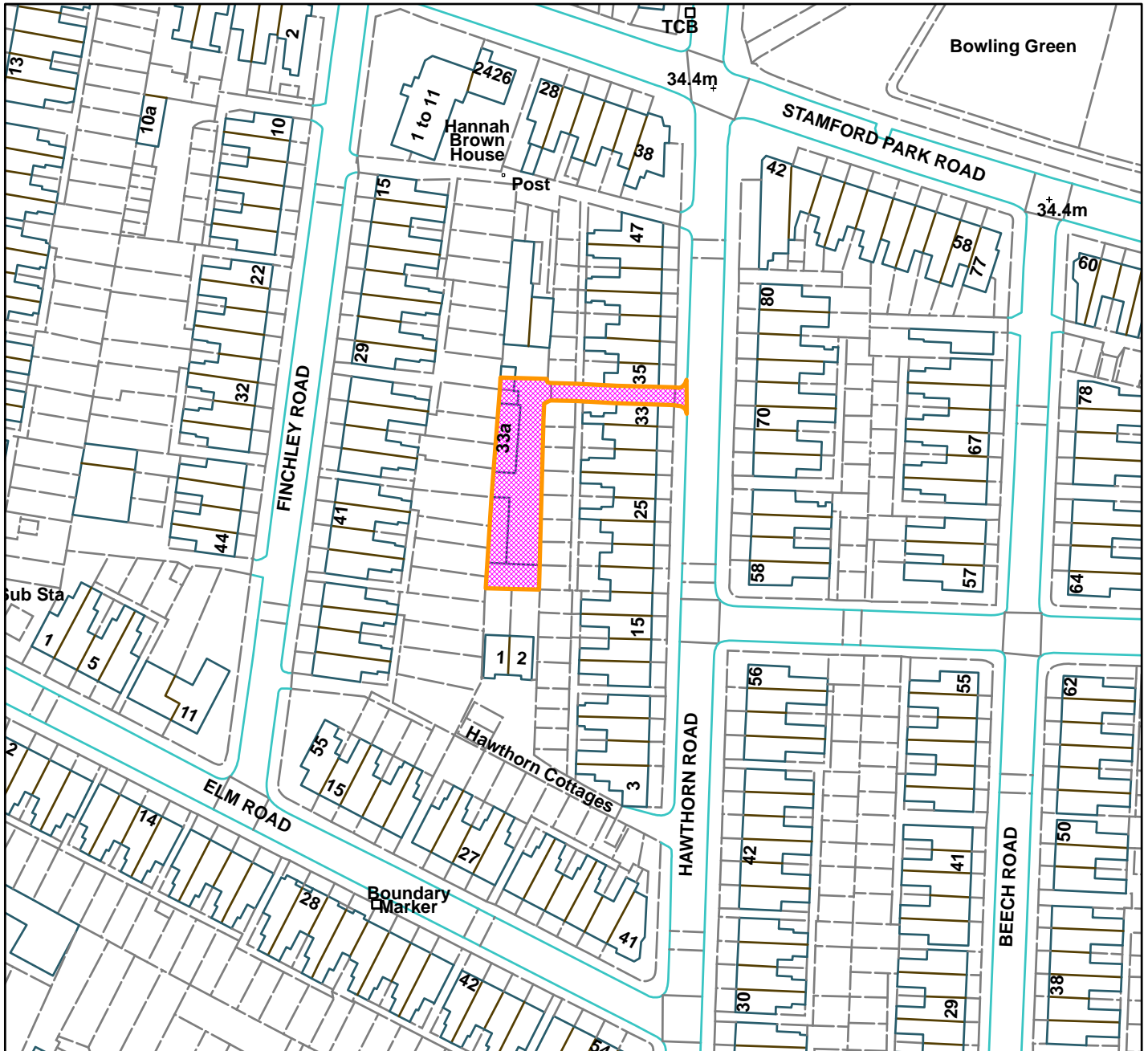
Reason: It is necessary for this information to be submitted and agreed prior to commencement, so as to incorporate any amendments into the final design and given the need to install remediation measures at the start of the construction works, to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy L7 of the Core Strategy and the National Planning Policy Framework.

JJ

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Hawthorn Court, 33A Hawthorn Road, Altrincham



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/09/2016
Date	25/08/2016
MSA Number	100023172 (2012)



**Amendments to unit 1 to include:- internal alterations to form a trade counter and office & staff accommodation. External alterations to windows, doors and dock loading openings. Provision of external storage racks, external floodlighting and new vehicular access to staff car-park from Twining Road. Amendments to car/cycle/motorcycle parking, security fencing and gates, landscaping and associated development thereto**

Unit 1 Trafford Point, Twining Road, Trafford Park, M17 1SH

**APPLICANT:** Mr M Stacey, SIG Trading Ltd

**AGENT:** Mr Christian Moore, ABA Architecture

**RECOMMENDATION: GRANT**

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**The application has been reported to Committee due to the number of objections received exceeding six.**

### **SITE**

The application site is located on Twining Road off Ashburton Road West and covers an area of approximately 2.8ha. The site is currently being redeveloped for B1(c), B2 and B8 use with two units being erected as approved under applications 81535/O/2013 (outline) and 85010/RES/15 (reserved matters). The current application relates to the easternmost of these units (Unit 1).

A three storey office building is located to the south of the site and an existing car hire compound (Thrifty Car Hire) is situated to the east of the site. Manchester Ship Canal is located beyond the northern boundary of the site with the Bridgewater Canal located to the south-west side of the site, beyond which is a B&Q retail warehouse. Thompson Road is located to the east side of the site.

The application site is within Trafford Park Core Industrial area and adjacent to the Barton upon Irwell Conservation Area located to the west of the site. The site is located adjacent to the Grade II\* listed Swing Bridge and on the opposite side of the Bridgewater Canal is the Grade I listed All Saints Church and the All Saints Presbytery which is Grade II listed.

The Bridgewater Canal Site of Biological Importance is located adjacent to the site's western boundary (sites with non-statutory designations in the local area are defined as Sites of Biological Importance (SBI)).

## **PROPOSAL**

Following the grant of planning permission for the erection of two industrial buildings under application refs. 81535/O/2013 and 85010/RES/15, permission is now sought for a variety of external alterations to one of these buildings (Unit 1) and the site itself.

The alterations to Unit 1 itself are summarised as follows:

- The installation of new entrance doors in the front elevation
- The replacement of roller shutters in the side (west) elevation
- The provision of level access to the building
- The installation of new 2.4m high security fencing adjacent to each side elevation
- The installation of a new exit door and windows in the side (west) elevation
- The installation of a new exit door, shutter and floodlight to the side (east) elevation

The alterations to the wider site are summarised as follows:

- The erection of four new 10m high lighting columns (two in the north-east corner of the site and two to the west of Unit 1).
- The installation of external storage racks in the rear (north-east) corner of the site
- The erection of perimeter gates and fencing to air conditioning units
- The demolition of a gate house to make room for additional parking
- The creation of a new car park access point
- The relocation of motorcycle/cycle parking facilities
- Alterations to the landscaping of the site

The proposed plans also include the creation of a trade counter within the unit, as well as the provision of office and staff accommodation within, and ancillary to, the main use of the unit.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

W1 – Economy

- R1 – Historic Environment
- R2 – Natural Environment
- R3 – Green Infrastructure
- R5 – Open Space, Sport and Recreation

## **SUPPLEMENTARY PLANNING DOCUMENTS**

- SPD3: Parking Standards and Design (adopted February 2012)
- SPD5.6 – Barton upon Irwell Conservation Area Appraisal (adopted March 2016)
- SPD5.6a – Barton upon Irwell Conservation Area Management Plan (adopted March 2016)

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

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

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

87902/CND/16: Application for approval of details reserved by conditions of grant of planning permission 85010/RES/15. Condition number 3 (Secure by Design) – Discharged 15/04/2016.

86939/NMA/15: Application for non-material amendment to 85010/RES/15 for amendment to the approved drainage design to allow for an overall increase of 400mm and amendment to the approved Unit Elevations for the reduction in height to the ridge and parapets to cater for the increase in site level – Approved w/conditions 15/01/2016.

86823/CND/15: Application for approval of details reserved by conditions of grant of planning permission 85010/RES/15. Condition number 2 – Discharged 17/11/2015.

86824/CND/15: Application for approval of details reserved by conditions of grant of planning permission 81535/O/2013. Condition numbers: 1, 6, 7, 8, 9, 10, 13, 14, 15, 18, 19 – Discharged 14/01/2016.

85834/CND/15: Application for approval of details reserved by conditions of grant of planning permission 81535/O/2013. Condition number 11 – Discharged 27/07/2015.

85010/RES/15: Application for approval of reserved matters for appearance, landscaping, layout and scale for the erection of 2x warehouse/industrial buildings (B1c,

B2 and B8 use) with a GEA of 22,853sqm with ancillary office provision. Provision of car-parking and service yard areas with associated soft and hard landscaping throughout, new timber fencing to part of western boundary. Erection of 2.4m high vehicular gates to both service yards along with 2.4m high Paladin weldmesh fencing to the perimeter of the service yard areas. Provision of 2x secure cycle compounds. Retention of existing office building on site. Provision of bin/plant stores; air conditioning unit compounds, electrical substations, sprinkler tanks and associated development thereto – Approved w/conditions 14/05/2015.

81535/O/2013: Outline planning application (including details of access) for redevelopment of site with up to 24,000sqm of new employment floorspace with B1(c)/B2 and B8 use classes. Retention of existing 3 storey office with B1(a) use class, associated vehicle parking and landscaping throughout and retention of existing access from Twining Road – Approved w/conditions 08/08/2014.

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement in support of the application.

### **CONSULTATIONS**

**Historic England:** The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

**Salford City Council:** No objections to the principle of the development, however the city council wishes to highlight the proximity of residential properties to the north of the Manchester Ship Canal in the context of the proposal to introduce additional external lighting around the site.

The city council therefore requests that the potential impact of the external lighting on the residential amenity of properties located to the north of the application site is taken in to account in your assessment of this application.

**TfGM – Metrolink Trafford Park Line:** TfGM do not object to the proposed development.

**United Utilities:** No response received to date.

**GM Police – Design for Security:** No response received to date.

**Trafford Council – Lead Local Flood Authority:** No comment.

**Environment Agency:** We have no objection in principle to the proposed development and no comments to make.

**Electricity North West:** The applicant must ensure that the development does not encroach over either the operational land or any ancillary rights of access or cable easements.

**Greater Manchester Archaeological Advisory Service:** No response received to date.

**Greater Manchester Ecology Unit:** The amendments to Unit 1 will not make any significant difference to the ecological impacts of the development currently on site. No new ecological information or measures are required.

**Trafford Council – Pollution & Licensing (Nuisance):** Looking at the site plan that has been proposed the 2no new 8mtr height columns will be fitted with back light shields and are shown as facing away from the residential properties. This is acceptable for preventing disamenity/nuisance to any nearby residents. The other two new lights *additional column mounted Holophane DSX luminaire installed as indicated to match existing* appear to be of a specification and location that will minimise disamenity/nuisance to residents.

Condition requested requiring lighting to be directed away from residential properties.

**Trafford Council – Traffic & Transportation:** Details of refuse collection vehicle movements should be provided to illustrate that they can manoeuvre within the site and exit in a forward gear.

Given the small reduction from the existing provision, the proposed parking provision is accepted by the LHA. The site is located within walking distance of bus stops.

The applicant must ensure that adequate drainage facilities are provided and connected to the existing drainage system for any proposed additional areas of hardstanding, to ensure localised flooding does not result from these proposals.

The proposals include 12 motor cycle spaces and 16 cycle spaces. This provision is accepted by the LHA.

**Manchester Ship Canal Company:** Our main concern of the planning application would be lighting from the development interfering with vessels navigating on the Ship Canal. This is particularly important at this location, as the passageway for our bridges at Barton is one of the narrowest fairway sections of the Ship Canal. We request that all lighting should be angled so that it points away from the Ship Canal, with consideration that vessel wheelhouses can be at an elevation of 21.33m above normal water level.

**Health and Safety Executive:** HSE does not advise against the granting of planning permission.

## **REPRESENTATIONS**

Seven letters of objection have been received and these raise the following concerns:

- Visual impact of development
- Impact from noise due to loading and unloading from vehicles and forklift trucks
- Impact from pollution
- Impact from external lighting
- Impact on value of nearby houses
- Extra traffic will be a hindrance as there is already congestion around the Trafford Centre
- Impact on views from residential properties
- Potential impact from 24/7 operation
- External racking should not be permitted and would be an eyesore
- Delivery times should only be Monday – Friday, 08.00 – 18.00

A further letter has been received which does not object to the application but requests that conditions relating to the following are attached to any consent issued:

- Flood lights only operational between 7am and 8pm and should be kept to the front of the building
- Dock loading should be kept to the front of the building
- Heavy goods vehicles should be kept to the front of the premises
- All vehicles should be fitted with a silent reverse function

## **OBSERVATIONS**

The key issues for consideration in this application are the design and appearance of the development, its impact on residential amenity, its impact on the setting of nearby Listed Buildings and Conservation Area and highway matters.

It is noted that the application refers to the creation of a trade counter and office facilities. These would be ancillary to the main use of the Unit and as such, do not constitute a material change of use.

## **DESIGN AND APPEARANCE**

1. Paragraph 58 of the NPPF states that *“The Government attaches great importance to the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*. Paragraph 64 states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*.
2. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of*

*design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”.*

3. The proposed external alterations are considered to have a limited visual impact due to their relatively small scale. The changes to Unit 1 itself are considered to be minor, involving the replacement and installation of a number of doors and windows which do not materially affect the appearance of the building.
4. Similarly the other alterations within the site boundary are considered to be acceptable in terms of their design and appearance. The proposed lighting columns would not be significantly different from those which are included in the original consent whilst the external racking, at a maximum height of 4m is not considered to have a detrimental impact on the character or appearance of the area.
5. Given the above, the proposed development is considered to be acceptable in terms of its design and appearance.

## **RESIDENTIAL AMENITY**

6. Policy L7 of the Core Strategy states that in relation to matters of amenity protection, development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
7. The proposed development includes the installation of four additional lighting columns within the site boundary. Two of these would be situated within the loading area adjacent to Unit 2 at the same height as the previously approved columns (10m), whilst the other two would be within the north-western part of the site, also at a height of 10m. The siting of the two columns adjacent to Unit 2 is such that there is not likely to be any detrimental impact on residential properties through light pollution.
8. The other two columns are much nearer to the northern boundary of the site and are therefore closer to residential properties on the opposite side of the Manchester Ship Canal. It is noted that concerns have been raised by a number of local residents regarding the impact of this lighting on their properties whilst Salford City Council and the Manchester Ship Canal Company have also requested that this matter is carefully considered. Following consultation with the Council’s Environmental Health Officer, it is considered that these columns will not have an unacceptable impact on residential amenity or users of the Ship

Canal subject to a condition requiring them to be directed away from the nearby dwellings and the canal. On this basis, this aspect of the scheme is deemed to be acceptable.

9. A number of consultation responses from local residents raise concerns regarding the impact of the proposed external storage racks adjacent to the northern boundary of the site. These would have a maximum height of 4m which can be controlled by a planning condition. It is not considered that the installation of this racking would significantly affect the way in which the site would operate under the existing approval and would not result in any additional harm to residential amenity.
10. Concerns have also been raised about the hours of use of the site, the hours of deliveries and the hours of operation of the floodlights. The site is within an established industrial area and there are no existing conditions restricting the hours of use or operation of these units. Given that the alterations now proposed are not considered likely to have any significant additional impact on amenity, it would not be reasonable to now impose such conditions on the operation of these units in this application.
11. Representations from local residents also raise concerns regarding the impact of the development through pollution and noise from vehicles within the site. As no material change of use is proposed, there is not considered to be any significant additional impact through noise or pollution.
12. Overall, the proposed development is considered to be acceptable in terms of its impact on residential amenity.

## **IMPACT ON SETTING OF CONSERVATION AREA AND LISTED BUILDINGS**

13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*" in the determination of planning applications.
14. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*"
15. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.



Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

16. The Barton upon Irwell Conservation Area is located approximately 175m to the west of the application site. The significance of this Conservation Area largely relates to its architectural and aesthetic value and is centred on its industrial (Barton Bridge and Aqueduct) and ecclesiastical (All Saints Church and Presbytery) heritage.
17. The proposed development is not considered to result in any harm to the setting of this Conservation Area. This is largely due to the distance of the site from the Conservation Area and the nature/scale of the proposed works. In addition, the part of the Conservation Area closest to the site is noted for its industrial heritage and the ongoing use of this site for industrial purposes is not at odds with this historic character.
18. The Grade II\* listed Barton Bridge, Barton Aqueduct and Control Tower are located approximately 200m to the north-west of the application site. Their significance is largely derived from their innovative industrial architecture. The Grade I listed All Saints Church and the Grade II listed All Saints Presbytery are situated approximately 290m to the south-west of the application site. The significance of these buildings derives from their architectural and historic value.
19. As with the Conservation Area, the proposed development is not considered to result in any harm to the setting of these listed buildings. Again, the distance between the development proposed and these listed structures serves to limit its impact whilst the presence of buildings between the site and the ecclesiastical buildings in particular further restricts the impact on these assets.
20. Given the above, the proposed development is considered to be acceptable in terms of its impact on the setting of heritage assets.

## HIGHWAYS

21. Policy L4 of the Trafford Core Strategy states that *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way”*.
22. The proposals include changes to the originally approved parking arrangements with a reduction of 15 car parking spaces. Also proposed is the relocation of cycle and motorcycle parking facilities, the relocation of waste storage facilities

and the creation of a new vehicular access point to the car park, via Twining Road.

23. The local highway authority has been consulted and has not raised any objections to the proposed vehicular access point, whilst also accepting the reduction in car parking provision and the level of cycle/motorcycle parking provision. It is noted that the site is located within walking distance of bus stops, providing a good level of accessibility by public transport.
24. Due to the relocation of the waste storage facilities, the local highway authority has requested details of refuse collection vehicle movements in order to demonstrate that they can adequately manoeuvre within the site. The proposed location of the waste storage facilities is between Units 1 and 2, at the rear of the HGV loading area. Given that the previous application has accepted the ability of HGVs to manoeuvre within this area, it is not considered necessary for the requested information to be provided as refuse vehicles would require less space than HGVs.
25. Overall, the application is considered to be acceptable with regard to highway matters.

## **OTHER MATTERS**

26. Letters of objection from local residents raise concerns regarding the impact of the development on views and property values. It should be noted that these are not material planning matters and would not constitute a reason for refusal of this application.

## **DEVELOPER CONTRIBUTIONS**

27. No planning obligations are required.

## **CONCLUSION**

28. The proposed development is considered to be acceptable in terms of its design and appearance, its impact on residential amenity, its impact on the setting of heritage assets and with regard to highway matters. The proposal complies with the development plan and in accordance with Paragraph 14 of the NPPF the application is therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1713.13 (Rev E), 1713.17 (Rev B), 1713.18, 1713.15, 1713.16, 1713.14 and 21134-01 (Rev 1).

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

3. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan numbers 1713.13 (Rev E) and 1713.17 (Rev B).

Reason: To ensure that the appearance of the development is acceptable, having regard to Policy L7 of the Trafford Core Strategy.

4. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policy L4 and the National Planning Policy Framework.

5. (a) The landscaping works shown on the approved plans shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following first occupation of the development hereby permitted, whichever is the sooner.  
(b) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

6. Prior to their first use, the lighting columns hereby permitted shall be directed away from residential properties and the Manchester Ship Canal and fitted with backlight shields in accordance with details that shall have previously been

submitted to and approved in writing by the Local Planning Authority and shall be retained as such thereafter.

Reason: In the interest of residential amenity and the safe passage of traffic along the Manchester Ship Canal, in accordance with Policy L7 of the Trafford Core Strategy.

7. Prior to first occupation of Unit 1, a scheme of noise mitigation measures (including confirmation of how required level of sound reduction will be achieved to meet the agreed noise criteria at the nearest receptor) shall be submitted to and approved in writing by the Local Planning Authority. Development to be carried out in accordance with the approved details.

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

8. Notwithstanding the details submitted to date, a Full Travel Plan shall be submitted and approved in writing by the Local Planning Authority within 12 months of first occupation of Unit 1. The Travel Plan shall include measurable targets for reducing car travel. The approved Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

Reason: To reduce car travel to and from the site in the interests of residential amenity and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy.

9. The external racking hereby permitted shall not exceed 4m in height.

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

10. The development hereby permitted shall not be occupied or brought into use until sight lines have been provided at the junction between the means of access and the highway with a visibility splay of  $x=2.4m$  and  $y=25m$ . Such sight lines shall be rendered effective by the removal of everything within the sight line area(s) which exceeds one metre in height above the carriageway level at the proposed junction, and the visibility thus provided shall thereafter be retained.

Reason: In order to safeguard public and highway safety, having regard to Policy L4 and L7 of the Trafford Core Strategy.

11. The trade counter hereby permitted shall be limited to the area shown on the approved plan and shall occupy a maximum of 175 square metres floorspace.

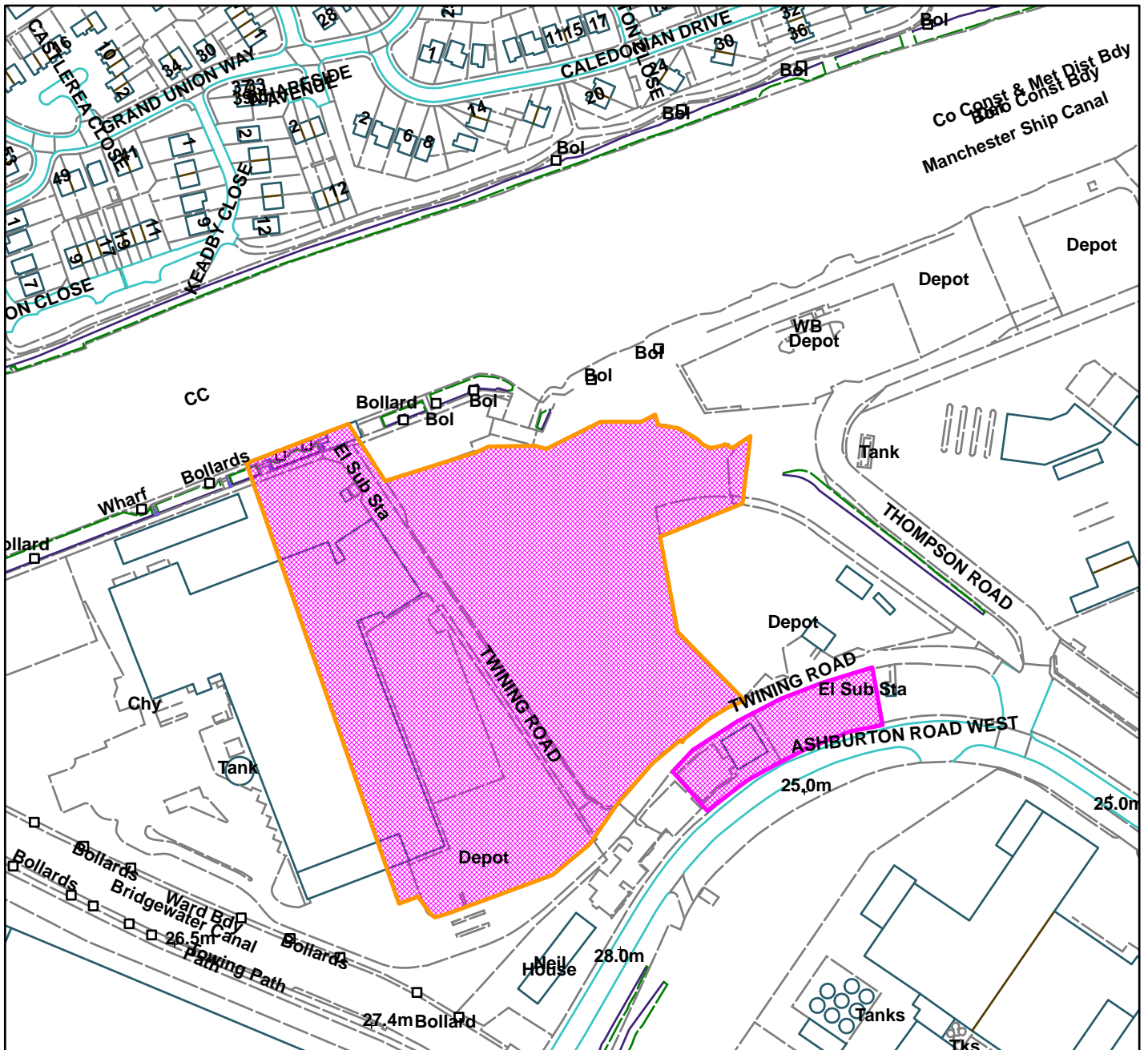
Reason: To ensure the use of the trade counter remains ancillary to the main use of the Unit as a separate A1 retail unit may not be acceptable in this location, in accordance with Policies W1 and W2 of the Trafford Core Strategy.

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JD



Unit 1, Trafford Point, Twining Road, Trafford Park



Scale: 1:2,500

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Organisation	Trafford Council
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