

WARD: Bucklow St Martins

86160/OUT/15

DEPARTURE: YES

Application to extend the time limit for the implementation of planning permission H/OUT/68617 (Outline application, including details of access, for residential development of up to 550 dwellings; associated footpath, landscaping and ecological works.)

Land at Lock Lane, Partington

APPLICANT: Peel Holdings (Land & Property) Ltd

AGENT: Turley

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

SITE

The application relates to a long, narrow area of land of approximately 15.9 hectares in area, which runs alongside the Manchester Ship Canal on the western side of Partington village.

To the north-west, the site borders onto the Ship Canal for its entire length. The canal forms the boundary with the Salford City Council administrative area and the opposite bank is largely occupied by existing industrial development and a recently completed residential development within the Cadishead area. The A57 main road also extends alongside the canal on the Salford side. To the south-east, the site fronts onto Lock Lane for roughly half its length and then borders onto the rear of existing residential areas on Thirlmere Drive and Inglewood Close and the former caravan site off Hall Lane.

The land is currently vacant and undeveloped. There are some small areas of mature trees, in particular, adjacent to Lock Lane at the south-west end of the site and running through the centre of the site and to the rear of Thirlmere Drive. The remainder of the land is generally somewhat overgrown with small self-set trees and shrubs and bushes and long grass sward. There are informal footpaths running alongside the canal, which link with Lock Lane in the centre of the site (where there is currently a gated access) and with the existing public footpath network at the north-east and south-west ends of the site.

There are some significant differences in ground levels, in particular, where the site drops steeply from Lock Lane in some places and where it drops again to the canalside. In between this, there is a flatter area of land where the majority of the development is proposed.

The site is designated within the Revised Trafford Unitary Development Plan Proposals Map as Protected Linear Open Space; a Wildlife Corridor; an Area of Landscape Protection and a Priority Regeneration Area. Two Public Rights of Way are located adjacent to the north-east boundary of the site accessed from Hall Lane (Partington 4 & 5 PROW) another PROW Partington 3 extends beyond the site

boundary to the north-east of the site accessing River Lane. A further public right of way extends adjacent to the south-west side of the site near to the junction with Forest Gardens and Lock Lane (Partington 6 PROW). Parts of the site fall within each of Flood Zones 1, 2 and 3, as identified by the Environment Agency.

PROPOSAL

Part 20 (b) (i and ii) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 makes provision for the replacement of planning permissions which are extant but have not been implemented provided that they were granted before 1st October 2010.

This is an application for an extension of the time limit for the implementation of planning permission H/OUT/68617 which was originally granted consent on the 30th July 2010. The applicant seeks to renew the extant planning permission for a further five years. The application was submitted in July 2015 and following consideration of the proposals, the Local Planning Authority requested further information in order to determine the application. All the additional information requested has now been received and is referred to as necessary in the observations section of this report.

The original application sought outline planning consent for the development of up to 550 (maximum) residential dwellings with all matters reserved with the exception of access to the site. The development would include the construction of new road infrastructure with two vehicular accesses onto Lock Lane and a pedestrian and cycle route onto Hall Lane via Scroggins Lane. The main vehicular access into the site from Lock Lane would be achieved via a mini roundabout junction referred to as the east access and opposite Our Lady Of Lourdes Primary School. A 'Grampian condition' (condition 33) was included on the original approval to facilitate parking provision for the school, two options proposed one within the school grounds or one immediately opposite within the application site beside the new east vehicular access. It was recognised that a separate planning application would be required for either of these two options, but the condition was to ensure that no works relating to the proposed works would commence until such provision was provided.

Whilst the initial application was submitted in outline only, it was accompanied by a series of plans and documents which provided an indication of how the site could be developed. The Development Principles Plan shows that landscaping of open space, including a canalside promenade, would be constructed along the waterfront. The primary vehicle routes through the site include a general distributor road that runs generally south-west to the north-east along the length of the development. For the majority of its length, this road runs parallel with and close to the canalside. The indicative layout plan also shows pedestrian and cycle routes alongside the canalside and identifies pedestrian routes linking with existing footpaths at the northern and southern ends of the site. Incidental open space would be provided adjacent to the canalside, whilst trees and wooded areas at the south-western end of the proposed development, adjacent to Lock Lane and running through the centre of the development and to the rear of Thirlmere Drive, would be retained.

The number of units indicated in the description relate to the maximum figure to be provided on site. Provided any future scheme complies with the scale parameters set

by this outline and other material considerations at the detailed design stage, there is scope within the site for the numbers of dwellings to vary from the maximum number of units.

The Design and Access Statement provides phasing details and indicates that the site would be developed in three phases, Phase 1 being the western end of the site, Phase 2 being the central area and Phase 3 being the eastern end.

The original planning consent included the following elements to be secured through an appropriate legal agreement:-

- the development and substantial completion of Phase 1 of the proposed shopping centre development (as shown on the submitted layout plan for application H/OUT/68618) prior to the substantial completion of more than 250 houses on the development site;
- the implementation of the Green Loop improvements listed in the submitted “Green Loop Proposals” document (including any amendments subsequently approved in writing by the Local Planning Authority) and in accordance with a detailed specification and programme / timetable to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development; future maintenance of the open space network (and/ or a commuted sum for maintenance) in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development;
- the payment of a financial contribution of at least £1,000 per residential unit towards Public Realm improvements within Partington. The payments are to be phased throughout the development in proportion to the number of houses constructed and to be paid prior to the commencement of each phase. The arrangements for the setting up of a partnership of relevant organisations to administer the fund and details of the timescales, types of works and the improvement areas shall be agreed in writing by the LPA prior to the commencement of development;
- the payment of a transport improvements financial contribution to a value at least equivalent to £321,722.50 prior to the substantial completion of more than 150 residential units to be used for the implementation of a public transport improvements scheme / works to be decided in consultation with the public.

Planning consent was originally granted on the 30th July 2010 subject to conditions and a legal agreement, including that the development was to be commenced within 5 years of the permission which was an agreed extension from the normal 3 years given the complexity of delivering the shopping centre.

THE DEVELOPMENT PLAN IN TRAFFORD

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
- L3 – Regeneration and Reducing Inequalities
- L4 – Sustainable Transport and Accessibility
- L5 – Climate Change
- L6 – Waste
- L7 - Design
- L8 – Planning obligations
- R2 – Natural Environment
- R3 – Green Infrastructure
- R4 – Green Belt, Countryside and Other Protected Open Land
- R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

- Protected Linear Open Space (OSR6)
- Wildlife Corridor (ENV10)
- Protection of Landscape Character (ENV17)
- Priority Area for Regeneration (H11)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

- OSR5 – Protection of Open Space
- OSR6 – Protected Linear Open Land
- ENV10 – Wildlife Corridors
- ENV17 – Areas of Landscape Protection
- H3 – Land Release for New Housing Development
- H4 – Release of Other Land for Development
- H11 – Priority Regeneration Area – Partington
- T8 – Improvements to the Highway Network
- T18 – New facilities for Cyclists

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework

for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

The following applications are related specifically to the application site:-

78681/RM/2012 – Approval of reserved matters for erection of 73 dwellings (Phase 1). Application approved 27th July 2012. This application relates to the northern part of the approved outline application; however the scheme has never been implemented and has now expired.

78680/FULL/2012 – Residential development for erection of 122 dwellings with associated access and landscaping works. The site is located adjacent to the southern edge of H/OUT/68617., Members of Committee resolved at their meeting of 12 July 2012 that they were minded to grant this application, subject to completion of a legal agreement. The legal agreement has not been progressed to date. It is understood the applicant now wishes to progress this application and it will be brought back before the Committee for re-determination in due course.

H/OUT/68617 - Outline application (including details of access) for residential development of up to 550 dwellings; associated footpath, landscaping and ecological works. Application approved 30th July 2010. This is the permission for which the applicant wishes to extend the time limit.

H/OUT/59083 – Erection of 37 dwellings with associated access roads and public open space – Land at Lock Lane, Partington. Application withdrawn 20th May 2004

H/OUT/56356 – Erection of 37 dwellings with associated access roads and public open space – Land at Lock Lane, Partington. Application withdrawn 13th June 2003

The following applications relate to the regeneration of Partington Shopping Centre. The approved regeneration works have now been fully implemented:-

78583/RM/2012 - Approval of Reserved Matters of appearance, landscaping, layout and scale for the demolition of existing shopping centre and erection of new shopping centre comprising Class A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Restaurants and Cafes), Class A5 (Takeaways), Class B1

(Offices) and Class D1 (Non Residential Institutions) and provision of associated car parking, village square, improvements to public open space and other associated highway works. Application approved 22nd June 2012

H/OUT/68618 - Outline application (including details of access) for erection of new shopping centre (use classes A1 (retail), A2 (financial and professional services), A3 (restaurants/cafes), A5 (takeaways), B1 (offices), and D1 (non residential institutions)). Provision of associated car parking, new village square, improvements to public open space and associated highway works. Application approved 8th May 2008

APPLICANT'S SUBMISSION

The applicant submitted the following documents in support of the original planning application:-

- Design and Access Statement
- Development Principles Plan
- Environmental Statement
- Environmental Statement (Non-Technical Summary)
- Green Loop proposals
- Planning Statement
- Public Realm Regeneration Fund document
- Transport Assessment
- Regeneration and Housing Analysis
- Retail Analysis

As this application is an extension of time application and there are no changes proposed to the development from the original consent, the above documents are still relevant. Notwithstanding this, the applicant has submitted an addendum to the previously submitted Environmental Statement as the proposed development requires an Environmental Impact Assessment. The purpose of the addendum is to properly assess the scheme against the material changes that have taken place since the original assessment was undertaken and are considered later within the report. The following information has been submitted by the applicant in support of this application to extend the time limit for implementation:-

- Environmental Statement (September 2016)
- Ecology Survey Update (June 2016)
- Flood Risk Assessment (September 2016)
- Planning Update Statement incorporating meeting housing needs statement; carbon budget statement; open space provision statement and a Transport Assessment update technical note.

These additional statements will be referred to as necessary within this report.

CONSULTATIONS

Carrington Parish Council – No comments received to date

Dunham Massey Parish Council – No comments received to date

Electricity North West – Indicate that the proposed development would have no impact on their Electricity Distribution System, infrastructure or other assets.

Environment Agency – No objection, subject to inclusion of mitigation measures to be implemented and secured by condition, relating to finished ground and floor levels as per FRA; provision of compensatory flood storage as per FRA and a full structural survey of the canal wall/embankment adjacent to the site.

Greater Manchester Archaeological Advisory Service (GMAAS) - Recommends a condition that no development should commence until the applicant has secured a programme of archaeological work in accordance with a written scheme of investigation approved by the Planning Authority

Greater Manchester Ecology Unit – The GMEU have requested that a number of conditions be included in any grant of planning permission. These conditions include those previously included on the original approval with regards no vegetation clearance during bird breeding season; retention of a ditch to the north-west boundary of the site; scheme to mitigate any impact on water voles and sand martins; provision of bat boxes and additional conditions relating to a scheme to control invasive plants and a updated method statement to ensure no harm to badgers during course of approved development on site should planning permission be granted.

Greater Manchester Fire and Rescue Authority – Recommend that the proposal should meet the requirements for Fire Service access. A number of informatives are proposed which will be included as part of the decision notice.

Greater Manchester Pedestrian Association – No comments received to date

Greater Manchester Police Design For Security – They recommend that the scheme should be accompanied by a thorough assessment of crime and disorder issues through the submission of a Preliminary Crime Impact Statement. They recommend that the proposals should be designed and constructed to Secured By Design standards.

Health & Safety Executive – Do not advise against the granting of planning permission

Lead Local Flood Authority – requested that Sustainable Urban Drainage Scheme(s) SUDS be implemented at this site. Appropriate conditions to be attached to any grant of planning permission for reserved matters to ensure SUDS and submission of detailed drainage design.

Local Highway Authority – No objections – Comments detailed later in this report

Manchester Ship Canal Company – No objections. There are no operational or adverse impacts on the Manchester Ship Canal

Natural England – Advise that the site is unlikely to affect any statutorily protected sites or landscapes. Indicate that the scheme could include biodiversity and landscape enhancements. Development proposal considered in the context of the requirements of The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species regulations 2010 (as amended). Advise that the site is unlikely to affect any statutorily protected sites or landscapes. Advise that the Council apply Natural England Standing Advice to the application, including in relation to European Protected Species (further details on this issue under Ecological Considerations later in this report)

National Grid – No comments received to date

Public Health England (PHE)– The development is not within an Air Quality Management Area. There does not appear to be significant changes to the proposals since the original grant of planning permission that would cause PHE to have significant concern for public health.

Trafford Council (Parks and Countryside) – No comments received to date

Partington Town Council – No comments received to date

Peak and Northern Footpath Society – The proposal appears to affect Partington footpath numbers 3, 4 & 5. If planning permission is granted, recommend a condition that there must be no obstruction of a public right of way. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use.

Housing & Pollution – Contaminated Land – Reiterate their comments to the previous application and suggest that the condition relating to contaminated land is reattached to this application.

Housing & Pollution - Noise – Raise no objections to the renewal of the planning permission. Suggest including same condition as previous approval (condition 23) requesting submission of Environmental Plan which included a noise and pollution control plan.

Housing & Pollution – Air Quality – Raise no objection, recommend that an updated air quality assessment is undertaken through an appropriate condition.

Network Rail – No objections in principle – Subject to applicant entering into Basic Asset Protection Agreement (BAPA) with Network Rail and inclusion of conditions to any grant of planning permission relating to: Submission of Risk Assessment Method Statement; provision of security steel fence adjacent to Network Rail land; Provision of Method Statement for any vibro-compaction/piling ground treatment works; scheme to ensure surface water directed away from Network Rail land (foul drainage to be separate from Network Rails drainage); provision of details relating to any excavation/earthworks within 10m of Network Rail boundary and provision of mitigation measures to ensure future occupants are protected from any possible

noise/vibration from the railway. Network Rail have also requested a number of informatives and have requested to be consulted on any proposed soft landscaping proposals adjacent to their land.

National Grid – No comments received to date

Ramblers Association – No comments received to date

Salford City Council – No objections

Sport England – No comments received to date

Transport for Greater Manchester – No comments received to date

Trafford Council (Public Health) – No comments received to date

Trafford Council (Education) – No comments received to date

The Council for British Archaeology – No comments received to date

United Utilities – No comments received to date

Warburton Parish Council – No comments received to date

REPRESENTATIONS

15 letters of objection have been received as a consequence of the planning application publicity. The following issues have been identified:-

- Existing road infrastructure is insufficient to accommodate the increased traffic flow on to and off the A1644
- Highway safety
- Congestion during school drop off / pick up
- Impact on wildlife including protected species
- Impact on privacy
- Loss of view
- Loss of trees
- Increased risk of flooding
- Japanese knotweed is on site
- Carrington development and the extension to the paper mill will result in further congestion
- Local schools cannot cope with extra pupils will require funding
- Proposed accesses opposite two schools not an acceptable arrangement
- No road to access site from Lock Lane
- Difficult to get a doctors appointment, an increase in population will add to this.
- No details on how the buildings will look or impact on nearby residents

OBSERVATIONS

BACKGROUND

1. This application seeks to extend the time to implement planning permission H/OUT/68617. The ability to extend the lifetime of a planning permission was introduced to allow greater flexibility for planning permissions in response to economic circumstances of the country and sought to make it easier for planning permissions to be kept alive for longer so that they can be implemented more quickly when circumstances improve. This mechanism was introduced as a temporary measure, which only relates to applications submitted before 31 October 2010 and which remain extant at the date of application. Most such applications have now expired. The application, if approved, would grant an entirely new permission and as such regard must be given to any changes in material planning circumstances which have arisen since the previous permission was granted.

2. The main planning issues to be considered under the previous application were:-
 - Principle of development
 - Protected Linear Open Land
 - Housing Land Supply
 - Greenfield development
 - Wildlife Corridor
 - Landscape considerations
 - Proposed mix of house types, sizes and tenure
 - Design and visual amenity
 - Development principles
 - Design and Access Statement
 - Assessment of Design Principles
 - Open Space
 - Open Space Provision
 - Green Loop Proposals
 - Ecological considerations
 - Accessibility, traffic generation and highway safety
 - Traffic generation
 - Connectivity
 - Location of Vehicular Accesses onto Lock Lane
 - Amendments to road layout at Manchester Road and Manchester New Road
 - Carrington Transport Study and Developer Contributions
 - Pedestrian and cycle route
 - Residential amenity
 - Relationship between existing and proposed dwellings
 - Noise
 - Flood Risk and Drainage
 - Section 106 Obligations

3. During the consultation period as part of the determination of this current application, additional information was requested from the Environment Agency (in respect of flood risk matters); GMEU (in respect of ecology matters) and the LHA (in respect of traffic related matters. These matters are addressed in the subsequent sections of the report.
4. The main issue in the determination of this planning application is whether there has been any significant material change in planning circumstances as a whole; the immediate area surrounding the application site or the development plan, since the original planning permission was granted which would lead to a different view being taken by the Local Planning Authority

MATERIAL CHANGES TO SITE CIRCUMSTANCES

5. Since the original outline permission was granted, an application for the approval of reserved matters (layout, scale, appearance and landscaping) pursuant to the outline permission for the development of 73 dwellings was approved by the Council in July 2012 (reference 78681/RM/2012 and now expired). There have been no further Reserved Matters applications forthcoming in the interim period since the grant of outline approval and the application site therefore remains undeveloped. Alongside this, a full planning application for the redevelopment of the Hall Lane site (as referred to above) was submitted to the council (reference 78680/FULL/2012). The Committee resolved to approve that particular application in July 2012 subject to the completion of a Section 106 Agreement which was not progressed. It is understood the applicant now wishes to progress that scheme which, given the length of time since the previous Committee resolution, will be brought back to the Committee for re-determination in due course.
6. At the time of the original planning application, the proposed development was shown to be located within Flood Zone 1 of the Environment Agency's published flood map. However, further updates to the published flood map have since been produced and the site is now located within Flood Zones 1, 2 and 3 and is therefore defined by the National Planning Policy Framework as having a medium / high probability of flooding and as such there has been a material change in the site circumstances. Matters of flood risk are discussed further within subsequent sections of this report.
7. On the opposite side of the Manchester Ship Canal (within Salford City Council's administrative boundary) a residential development has been completed since the grant of planning permission at the application site, this new residential development is located on an area of land adjacent to the redundant viaduct in Cadishead. Occupants of these dwellings which directly face towards the application site have been consulted on this application.
8. The former caravan park accessed from Hall Lane has now closed and the site has been cleared. This site forms part of the Hall Lane planning application area as detailed earlier in this report (Ref: 78680/FULL/2012).

9. Other notable developments in the area include the completion of the Partington Shopping Centre which formed part of the developer contributions as part of the original approval. Other nearby sites that have benefited from planning permission or pending a decision since the original approval include:-
- Trafford Power - Power Station, Manchester Road, Carrington. Extant consent No: 83364/C77/2014) – approximately 1.9km to the north east of the site
 - Carrington Power - Land at former Carrington Power Station, Manchester Road, Carrington. Erection of a 860mw gas fired combined cycle gas turbine generating power station, currently under construction and nearing completion (Application No: H/CIR/67818).
 - Saica Paper UK Ltd – Manchester Road Carrington – Ref:80650/FULL/2013 – Warehouse extension approved in 2013 and completed on site.
 - Land of Common Lane Carrington (Planning Ref:88779/OUT/16) application submitted in June 2016 and proposes redevelopment of mainly industrial land with proposed uses incorporating B1b(Research and Development); B1c (Light Industry; B2 (General Industrial and B8 (Storage and Distribution) with up to 43,874sqm of new floorspace. Application pending decision due early 2017
 - Land known as Carrington Village off Manchester Road Carrington (Ref: 88439HYB/16) – Hybrid application in relation to a proposed mixed use development, including construction of up to 725 dwellings, up to 46,450 sq.m employment space (B1/B2/B8) and 929sqm of retail (use class A1), erection of replacement clubhouse with new infrastructure and other works. Application pending decision due early 2017.

MATERIAL CHANGES TO THE DEVELOPMENT PLAN AND PLANNING POLICY

10. The previous application was assessed against the development plan at that time which comprised the saved policies of the Revised Unitary Development Plan (RUDP) and the Regional Spatial Strategy (RSS) for the North West. The vast majority of saved RUDP policies were replaced by the Core Strategy following its adoption on the 25th January 2012; albeit that the spatial expression of the UDP policies remains extant (save for those amendments detailed within appendices 1 and 4 of the adopted Core Strategy) and continues to form part of the development plan. The RSS was formally revoked on 20th May 2013 and as such, no longer forms part of the Development Plan for Trafford.
11. The current Development Plan for Trafford Council for the purposes of this application is outlined within previous sections of this report and under S38(6) of the Planning and Compensation Act 1991 this application should be determined in accordance with it, unless material considerations indicate otherwise.
12. Since the previous application was approved the Council has adopted a number of Supplementary Planning Documents (SPD). Of relevance to the determination of this application are SPD1: Planning Obligations, adopted

July 2014 and SPD3: Parking Standards and Design. The application of these SPDs are discussed further within subsequent sections of this report.

13. The National Planning Policy Framework (NPPF) was released on the 27th March 2012 and it replaced the majority of national guidance set out within Planning Policy Statements (PPS) and Planning Practice Guidance (PPG) notes. The NPPF aims to streamline the planning system and create a more positive approach to development; facilitating development which will contribute to meeting wider Government objectives, including boosting the supply of housing. The National Planning Practice guidance (NPPG) was published by the Government on 6th March 2014 to accompany the NPPF. The NPPF and NPPG will be referred to as appropriate within the following sections of the report.
14. The Council published the draft Land Allocations Plan for consultation between 3rd February 2014 and the 17th March 2014. The objective of the Land Allocations Plan is to deliver the vision and objectives set out in the Core Strategy and once adopted, will form part of the development plan for Trafford. On 25 March 2015, the Council's Executive agreed to a delay in the production of the LAP until such time that the production of the Greater Manchester Spatial Framework is further advanced.
15. The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018. With regards the application site, whilst the site is not within a specific proposed GMSF allocation of land to be released, the site is located close to the New Carrington allocation (Policy WG1) Western Gateway. This allocation includes the former Shell Carrington industrial estate and extends across towards the Sale West boundary and south of Partington to Sinderland Lane, effectively enclosing the settlement of Partington. It is suggested that this allocation will deliver up to 750,000m² of employment floorspace and 11,500 new homes with associated infrastructure. The allocation would contribute towards significant regeneration to take place in Carrington, Partington and Sale West. The proposed development of the application site for residential, complements the wider regeneration aspirations of the GMSF particularly for the Partington area.
16. The original Environmental Statement was prepared under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (DOE 1999). The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended in 2015) consolidated a number of amendment regulations and is the up to date EIA legislation.

PRINCIPLE OF DEVELOPMENT

Paragraph 14 of the NPPF

17. NPPF Paragraph 14 indicates that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless: (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (ii) specific policies in the Framework indicate development should be restricted. The Council does not, at present, have a five year supply of immediately available housing land. Paragraph 49 of the NPPF and subsequent case law indicates that policies within the Development Plan which have implications for the supply of housing have to be considered to be out of date in such circumstances. Consequently, the starting point for the consideration of this application is point (ii) above (the final bullet point of the second limb of NPPF paragraph 14), as the development site is located within an area at risk of flooding.
18. Therefore relevant flooding policies in the NPPF indicate that it *may* be appropriate to restrict development in this particular case.

Flood Risk

19. Paragraph 103 of the NPPF requires the Local Authority to apply the Sequential Test in consideration of planning applications of new development. The aim of the Sequential Test is to steer new development to areas at the lowest probability of flooding. According to Table 2: Flood Risk Vulnerability Classification of the NPPG (Paragraph 066: Reference ID: 7-066-20140306), residential development is classified as 'more vulnerable'. Table 3: Flood risk vulnerability and flood zone 'compatibility' of the NPPG (Paragraph 067: Reference ID: 7-067-20140306) indicates that residential development may be located within Flood Zone 2, if the Sequential Test is satisfied but, within Flood Zone 3, the Sequential Test and Exception Test must be satisfied.
20. The submitted FRA identifies that those areas of land located within the medium and high risk areas of the site for flooding (Flood Zones 2 & 3) would be sufficiently raised to elevate them into Flood Zone 1 (low risk) suitable for all types of development. This therefore renders the proposed land use adequate to pass the sequential test. In addition land lowering would also be undertaken in the south western region of the site to provide the necessary flood volume compensation to mitigate the impact of displaced floodwater as a result of the land raising. The Environment Agency and the Lead Local Flood Authority (LLFA) have raised no objections to the proposed changes to land levels to ensure areas of medium and high level flood risk are changed to low risk areas suitable for residential development and to provide the necessary flood volume compensation in the south-western corner of the site. The proposal is therefore considered to comply with advice within Policy L5 and based on the above assessment of flooding risk it has been

demonstrated that it is not appropriate to conclude policies within the NPPF should restrict this development.

Strategic location

21. The application site is located within the Partington Priority Regeneration Area as defined by the Revised Unitary Development Plan Proposals Map. Core Strategy Policy L3 seeks to aid regeneration and to reduce inequalities. Policy L3.4 indicates that, within Partington, *“development....will be supported which will provide or contribute towards the provision of approximately 850 units of new residential accommodation, suitable for families (part of which will be provided on a substantially vacant / unused 16 hectare greenfield site abutting the Manchester Ship Canal).”* The reasoned justification to the policy outlined in paragraph 12.17 states that, *“the development of the large scale private market sector housing scheme, at Partington Canalside, linked to the redevelopment of the shopping centre, will help diversify and stabilise the population of Partington and facilitate its development as an attractive and sustainable residential location; offer the capacity to contribute to the housing needs of the Borough up to and beyond the end of the Plan period; improve the quantity, quality and diversity of the stock on offer in the township, facilitate the improvement of public transport provision to and from it; facilitate improved local recreational provision, via the creation of a proposed “green access loop” around the township and; help to reduce pressure for development on the Green Belt.”* It is noted that policy HO1 of the draft Land Allocations Plan identifies the release of the application site for residential development to be delivered in a phased manner over the plan period.
22. Policy L3.5 relates specifically to the application site (Partington Canalside) and lists a number of criteria that developers would be expected to deliver upon in developing out this site and include; redevelopment of the existing shopping centre; loss of amenity space compensated with improvement to open space and public realm; located development outside of Flood Zone 3 and contributions towards transport and accessibility projects that will deliver sustainable transport benefits to Partington.
23. It is therefore clear that the Core Strategy identifies significant residential growth within this part of the borough over the plan period; and it identifies the application site as a means of delivering this anticipated growth. Since the approval of the previous planning application, the policy framework set out in the Core Strategy provides significant support for the development of this site for residential purposes. It is considered that the principal of residential development on this site is consistent with the Regeneration Framework of the Core Strategy and its development could make a positive contribution towards achieving Core Strategy Strategic Objectives SO1 (Meeting housing needs); SO2 (Regenerate); SO4 (Revitalise Town Centres) and SO5 (Provide a Green Environment) and Core Strategy Place Objectives for the Partington Area PAO1, PAO3, PAO8, PAO10, and PAO12.
24. The Revised Unitary Development Plan Proposals Map identifies the site as comprising Protected Linear Open Land (Policy OSR6), a Wildlife Corridor

(Policy ENV10) and an Area of Landscape Protection (Policy ENV17). Although these RUDP policies have been replaced by Core Strategy policies R2 and R3, following the adoption of the Core Strategy, the spatial expression of these policies remains extant until such time as the Land Allocations document is adopted.

Greenfield Land

25. The Core Strategy aims to prioritise the development of previously developed land. Core Strategy Policy L1.7 sets a target of 80% of all new dwellings to be provided on brownfield land across the Borough. The policy states that, *“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 the Core Strategy. (Strategic Objectives and Place Objectives).”*

26. Further to this, policy L3.4 states that, *“the release of greenfield land for development will only be allowed where it can be demonstrated that it will make a significant contribution to the regeneration priorities for Partington...”*

27. The application site is not located within either the Regional Centre or Inner Area and therefore the first priority is not applicable to the determination of this application. However, in respect of the second bullet point, policy L3.4 identifies a requirement to deliver 850 new dwellings within Partington over the plan period, further to which the policy broadly identifies the application site as playing a significant role in the delivery of the proposed quantum of development. Since the previous application was considered, the Core Strategy has been adopted and Policy L3 provides further support for the development of the site for residential purposes. In addition to the regenerative benefits associated with the delivery of new housing, S106 monies will also be secured towards the provision of a Green Loop recreational route and highway improvements along Manchester Road (A6144) and public transport infrastructure. The previous scheme placed significant emphasis on the redevelopment of Partington Shopping Centre; however these improvement works have since been completed by the applicant to the benefit of the existing community and future residents. It is considered that the scheme will act as a stimulus for future investment in the area, attract economically active residents to the area and create an uplift in the local economy in terms of increased spend. On this basis, it is considered that the potential regenerative benefits of the scheme are sufficient to justify the release of this greenfield site for residential development.

Housing Supply

28. 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.
29. The Council have indicated that it does not, at present, have a five year supply of immediately available housing land, although this site is identified within Trafford’s SHLAA (Strategic Housing Land Availability Assessment). 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.
30. The application site is allocated within the Land Allocations Consultation Draft Policies Map (January 2014) as Land Release for New Residential Development (Policy HO1)
31. Core Strategy policy L2.6 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council’s Housing Strategy and Housing Market Assessment. The development proposes up to a maximum of 550 dwellings on site, which may comprise a mix of 2, 3 and 4 bedroom houses and 1 and 2 bedroom apartments. The final scheme, which will be delivered through the reserved matters process could be for fewer dwellings than the maximum number of units proposed. Core Strategy policy L3.4 indicates that the proposed scheme should improve the housing mix, type and tenure across Partington as a whole. Although no firm conclusions can be reached at this stage of the process, the housing mix, type and density will be influenced by the Council’s relevant development plan policies at the time and the housing market at the time of delivery. The concurrent proposals for the Hall Lane site would indicate a desire to bring forward family housing, which is welcomed and would contribute to the target in Policy L2 of the Core Strategy for two thirds of the Borough’s housing to come forward as family homes.
32. Core Strategy Policy L2 indicates that appropriate provision should be made for the provision of affordable housing. The site is located within Partington and as such is classified as being a “cold” market location, where no more than a 5% affordable housing target will be applied under normal market conditions, with a flexibility to raise this to a 10% requirement under “good” conditions. The supporting text of Policy L2 recognises that under “poor” market conditions a 5% contribution could inhibit the delivery of development and therefore where these conditions exist, developments will not trigger a requirement for the provision of affordable housing. Trafford is currently

operating under poor market conditions. Notwithstanding this, the original application was approved without the requirement for affordable housing provision. The justification for this approach was the delivery of the Partington Shopping Centre which has now been provided and the consequent implications for the viability of the scheme. During the determination of the previous application it was recognised that the regeneration needs of Partington justified a different approach, which would allow the maximum available funding to be invested in the shopping centre.

33. Whilst there was a recognised requirement for affordable housing in Partington, there was also a recognised need for a greater quantity of higher quality private housing in Partington in order to provide a greater mix of tenure across the whole settlement. This would also encourage a greater number of high earning residents to the area in order to ensure adequate spending power to secure the long term future of the shopping centre. This remains the case today.
34. As stated the site is allocated as Protected Linear Open Land (RUDP Policy OSR6) covered by Core Strategy Policy R3. Traffords Green and Open Spaces – An Assessment of Need Update (2009) identifies the site as situated within the Bucklow St Martin sub-area, which at the time of the publication of the assessment had approximately 52ha of accessible greenspace above the recommended minimum standard. The assessment identifies that this figure includes a large amount of woodland within the rural area that is not accessible to Partington residents, who make up the majority of the wards population. With an above average level of under sixteen year olds, the many small sites and recreation grounds do not offer the variety of facilities that other parts of the Borough offer.
35. It is not considered the proposed development would prejudice the purposes of Policy R3 which identifies Green Infrastructure in the Borough providing social, economic and environmental benefits contributing to the development of sustainable developments. Part of the proposal includes the provision of the Green Loop around Partington Village. The details submitted as part of the original application and carried forward as part of this proposal detail that the Green Loop proposals will protect and enhance existing landscape and ecological assets, provide managed and accessible open space and a network of paths, which encourage recreational access to the open space and to the wider landscape setting of the village. The intention would be to create a circular route with an overall length of 6.2km as well as improved paths into the settlement and towards Warburton with a total length of 1.8km. In addition the provision of open space on site (1.46ha) and play facilities will form part of the proposals (see section on Open Space later in this report) therefore providing managed accessible open space network and play facilities to this section of Partington which is currently lacking. In any event, the benefits of the development in providing circa 550 residential properties given the Councils housing land position and the identification of this site for residential development within the Core Strategy, weighs very positively in the planning balance.

36. The principle of residential development is therefore considered to be acceptable.

DESIGN AND VISUAL AMENITY

37. The original outline permission is tied to an approved Development Principles Plan which sets out the key parameters for the development. The requirement to bring forward the development in accordance with this plan is controlled by condition 5 of the outline permission. A revised Development Principles Plan was however approved by the Council to replace the original in May 2012, which incorporated an amended route of the internal road network and introduced a new vehicular connection to a further residential development site at Hall Lane.
38. Although the design policy context had changed since the time of the previous approval, the thrust of these policies are continued within the Core Strategy and NPPF which require that high quality design solutions are achieved through consideration of design quality, functionality, amenity, security and accessibility. It is considered that the revised Development Principles Plan provides an appropriate means of controlling the overarching design principles of the development and that an appropriate layout could be developed on site in principle. The overall acceptability of the layout will however depend upon the design solution proposed at a future reserved matters stage. The applicant will be expected to address detailed design issues in accordance with relevant development plan policies and the NPPF to ensure that a quality scheme is achieved, which respects the characteristics of the surrounding area.

OPEN SPACE

39. Core Strategy policy R5 states that the Council will secure the provision and maintenance of a range of recreation and open space facilities and will ensure that all developments contribute, on an appropriate scale, to the delivery of the open space standards identified within the policy, either by way of on-site / off-site provision or by way of a financial contribution towards improving the quantity or quality of such provision.
40. Partington is considered to have an oversupply of open space provision per resident but the Partington Canalside development site is not wholly within the Core Strategy Policy R5.3 accessibility criteria for Local Open Space of 300m. Therefore in accordance with Core Strategy Policy R5 the proposal would require provision of 1.46ha of open space provision. The applicant has confirmed that this provision will be delivered on site and secured through an appropriate legal agreement; the applicant has confirmed that an area of 1.86ha of open space will actually be provided. Core Strategy Policy R5 and SPD1 details the minimum provision for play space the projected population of the development site would be over 1000 (1,085 estimated population) and this would generate the requirement for a Neighbourhood Equipped Area of Play (NEAP) with a minimum size of 1,022sqm activity zone with a buffer

zone of 8,684sqm, details of this facility would be dealt with through an appropriate planning condition. This NEAP area can be included within the overall requirement of open space provision of 1.46ha.

41. The original planning permission (H/OUT/68617) included a condition (Condition 31) requesting details of at least two on-site childrens play areas to be submitted as part of subsequent reserved matters application(s), this requirement based on the Development Plan and Supplementary Planning Guidance relevant at the time of the application determination.

ECOLOGICAL CONSIDERATIONS

42. The site is identified on the UDP Proposals Map as a Wildlife Corridor (Policy ENV10) and as such Core Strategy policy R2 is applicable to the determination of the application. Core Strategy policy R2 requires developers to submit through a statement how their proposal will protect and enhance biodiversity of the site and its surroundings and how the natural environment will be protected throughout the construction period. Core Strategy policy L3.4 indicates that development will only be acceptable where it would not have a significant adverse impact on the ecological value of the land.
43. The applicant has submitted an Ecological Assessment (June 2016) in support of the planning application in accordance with the provisions of Core Strategy Policy R2.
44. There are no statutory protected sites designations relating to ecology and nature conservation on the site. There are a number of protected sites in the vicinity of the site, including the following: -
- Rixton Clay Pits SAC (Special Area of Conservation) Local Wildlife Site and SSSI (Site of Special Scientific Interest) is approximately 1.9km west of the site near Hollins Green Warrington (European Protected Site) – Protected with regards its grasslands and largest breeding population of Great Crested Newts in Cheshire
 - Manchester Mosses SAC and SSSI (European Protected Site) – Incorporates Astley and Bedford Mosses along with Risley Moss and Holcroft Moss north of the Manchester Ship Canal (approximately 2-3km northwest of the site), protected primarily relating to the existence of areas of peat bog.
 - Rostherne Mere RAMSAR (National Nature Reserve, A Ramsar Site and SSSI – Approximately 7.2km south of the application site, protection linked to its importance to wildlife, the lake and surrounding woodland and pasture.
45. The Greater Manchester Ecology Unit have confirmed that the proposals do not fall into any of the risk categories identified by Natural England in their SSSI Impact Risk Zones.
46. Six Sites of Biological Importance (SBI's) are located within 2km of the application site:-

- The Reedbed by Manchester Ship Canal Sidings SBI – Located to the north-east of the proposal site on the opposite side of the redundant railway embankment (nearest SBI to the proposal site)
- Coroners Wood SBI – Approximately 0.5km south-west of the application site.
- Broadoak Wood SBI – Approximately 1.2km southeast of the site
- Carrington Power Station SBI – Approximately 1.4km northeast of the site
- Sinderland Green Wood SBI – Approximately 1.8km southeast of the application site.
- Moss Wood SBI – Approximately 1.9km southeast of the application site

47. The submitted ecology statement from the applicant indicates that Partington Wetland SBI to the south east side of the site has been de-notified in 2014 due to encroachment of invasive species such as Indian Balsam and Japanese Knotweed.

48. With regards status of protected species, the updated ecology statement identifies the following:-

- Common Frogs and Toad – Several common frogs located beneath discarded rubbish on the site, one common toad found just off the site to the east (the common toad is a Section 41 PrincipalSpecies)[*Section 41 of the 2006 Natural Environment and Rural Communities Act, lists the rarest and most threatened species*]. Ponds and ditches on site have dried and suitability of the habitats for breeding amphibians has declined since previous survey in 2007.
- Water vole – recorded within proposal site in 2007, updated survey in 2012 found no evidence of their existence on site. An additional six records of water vole in wider area, three records approximately 1km south of the site; two from the southeast of the site and one to the north of the site approximately 1.8km. 2015 survey recorded no water vole activity
- Bats – Five trees within the site identified as moderate potential for roosting bats, No bats found to be present in these trees. The site is likely to act as a good movement corridor with the adjacent canal.
- A total of 23 bird species were recorded as using the application site (which includes three Section 41 Principle Species (Dunnock, Song Thrush and Bullfinch). These are species listed as rarest and most threatened under section 41 of the Natural Environment and Rural Communities Act 2006. Other species recorded include Tawny Owl, Buzzard, Blackcap and Jay. Several waterbird species were noted using the adjacent ship canal, including Mute Swan, Mallard, Comorant, Moorhen and Kingfisher (a schedule 1 species under the Wildlife and Countryside Act 1981 as amended by the Environmental Protection Act 1990). A section of sandy earth cliff embankment to the canal from the application site could be used by sand martin colonies.
- Alder leaf beetle was recorded on site which has been previously relatively scarce in the area.
- Presence of Badgers on site and also that signs of Otter along the site whilst moving along the ship canal.

49. The Greater Manchester Ecology Unit (GMEU) has considered the proposed development and have stated that although there are some protected species

interest on the site, these are limited and the development of the site is considered not to cause harm. In relation to the proximity of the site to the statutorily protected sites referred to in paragraph 44 above, GMEU do not consider that the proposal falls within any of the risk categories identified by Natural England in their SSSI Impact Risk Zones (IRZ's) (January 2017). Consequently, in GMEU's view, an appropriate assessment, under The Conservation of Habitats and Species Regulations 2010, is not required for this application. Natural England state that SSSI IRZs can be used as part of a Habitats Regulations Assessment (HRA) to help determine whether there are likely to be significant effects from a particular development on the interest features of a European site. Consequently, it is not considered likely that any European Protected Sites are likely to be adversely affected by the development. Natural England have responded similarly in their consultation response.

50. In respect of protected species, GMEU have assessed the likely impact, but do not consider the development will result in any harm provided mitigation measures are implemented through suitable planning conditions. These conditions include those previously included on the original approval with regards no vegetation clearance during bird breeding season; retention of a ditch to the north-east boundary of the site; scheme to mitigate any impact on water voles and sand martins; provision of bat boxes and additional conditions relating to a scheme to control invasive plants and a updated method statement to ensure no harm to badgers during course of approved works.
51. The saved policies of the RUDP identify the site, as a Wildlife Corridor, however the Core Strategy Policies must take precedence. The principle of this site for residential purposes is therefore in accordance with the development plan, provided the specific requirements of Policies L3.4 and L3.5 are met.

ENVIRONMENTAL IMPACT ASSESSMENT

52. The applicant has provided an updated Environmental Statement (ES) which provides a summary of the key findings from the original ES and the relevant changes since the original planning application was approved. The changes include the relevant change to planning policy and site characteristics which are summarised earlier in this report. The Council have advertised the updated ES in accordance with the provisions of Part 5, (22) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). The applicant acknowledges within the updated ES that there have been several changes to the baseline condition of the site from an environmental perspective namely with regards flood, transport and ecology matters. The applicant has therefore provided an updated Flood Risk Assessment (FRA); Ecology Report and Transport Assessment to provide along with the updated ES for consideration. The following areas are referred to within the updated ES:-
53. Hydrology and Hydrogeology – The original ES considered the potential impact of the development on the hydrological and hydrogeological characteristics of the site and its surroundings, in particular the effects on

surface and ground water quality, drainage patterns and flooding risk. The conclusion reached was that no adverse impact on the above subject to appropriate mitigation measures with regards the final design of the development and during the construction/operational phases (appropriate conditions attached to the planning approval relating to drainage and protection of the watercourse). The updated FRA confirms that the Environment Agency Flood Risk maps have been updated since the original grant of planning approval and the site now lies within Flood Zones 1, 2 and 3 (Zones 2 and 3 at greatest risk of flooding) the site had previously been designated as Flood Zone 1 only. The FRA identifies that those areas of land within Flood Zone 2 and 3 would be raised to elevate them into Flood Zone 1 (low risk). The Environment Agency have confirmed they have no objections to the redevelopment of the site subject to a number of conditions to be attached to any grant of planning permission relating to finished building floor levels; compensatory flood storage and structural surveys of the existing canal wall/embankment. The planning application has also been considered by the Lead Local Flood Authority who have raised no objections and suggest Sustainable Urban Drainage as appropriate for the site.

54. Ecology – The original ES included a full ecological survey which comprised a detailed review of the biodiversity and nature conservation interests within the site and its surroundings. The updated Ecology Report (2016) provided an assessment of protected and notable animal species on site along with reptiles, amphibians, birds and invertebrates and the condition of habitats (i.e. vegetation/ trees). As indicated the Ecology statement has been considered by GMEU who have raised no objections to the proposal, subject to a number of suggested conditions.
55. Geology and Soils – The original ES had previously assessed the physical nature of the local geology and soils of the site and potential for contaminated land. That assessment had indicated that there could be possible contaminated land risks, and therefore given the sensitive use of the site for residential there would be a requirement for further intrusive site investigation works. The original planning approval included a standard condition which required the submission of a detailed contaminated land report prior to works commencing on site. The Councils Pollution & Licensing section have provided comments on the current planning application with regards contaminated land and have no objections subject to inclusion of an appropriate contaminated land condition.
56. Air Quality - The Council's Housing & Pollution section have considered the updated environmental statement and have concluded that in relation to air quality that an updated air quality assessment be provided via an appropriate planning condition. With regard to impacts on local air quality there have been a number of industrial developments in the previous 5 years which have impacted on annual nitrogen dioxide levels at the site, namely Carrington Power and Trafford Power stations and Saica Paper Mill. Because of these changes an updated air quality assessment will be required to model annual mean levels of nitrogen dioxide at the site and the impact of the development itself. However, looking at the previous air quality assessment provided for

this site, it is considered reasonable to condition this matter in this particular case as the predicted impacts were not forecast to:

- lead to significant worsening of a breach of an EU Limit Value (as the pollutant concentrations under Do Something scenario were predicted to be within the air quality objectives and in some cases an improvement in air quality was predicted for some receptors);
- Will not lead to an extension of the existing AQMA and will not cause declaration of a new AQMA;

57. Noise - The Councils Housing & Pollution section have concluded that since the original granting of planning permission there are no significant changes with regards noise and the proposed development. It is suggested that an updated noise assessment is requested through the planning application process. Condition 23 of the original approval required the submission of a noise management plan with each phase of the development.

58. Traffic/Highways - The transport assessment submitted with the original approval concluded that there would be no adverse impact on the road network and capacity subject to appropriate mitigation measures and road improvements. The Local Highway Authority have commented on the current planning application and have stated that the proposal does not result in any additional traffic impacts to the network over and above those impacts which have previously been identified and the appropriate mitigation measures identified. These included the provision of a mini-roundabout and traffic calming at the main access opposite Our Lady of Lourdes PS; Traffic Regulation Orders to reduce speed 20mph zone around the roundabout junction; guard rails at the school entrance and removal of laybys at the east of the entrance to deter parents from parking on street. Provision of an off-street drop off and car park for the school which would be provided before works on the development site commence.

59. Landscape and Visual – The original ES a section on Landscape and visual impact. It was suggested that (prior to mitigation), there would potentially be a slight to moderate adverse impact on landscape character as a result of the loss of the current open landscape, the removal of trees and the changes to the existing landscape setting of Partington and Cadishead. However, the overall conclusion was that the wider, long-term impacts would be slightly beneficial as a result of the provision of the Green Loop proposals. It is suggested that this, together with on-site mitigation in the form of tree retention, new planting and careful consideration of the design of the site frontage, would compensate for the change in the character of the application site. Since the approval of the original permission there have been several changes in the baseline condition in the wider landscape, with subsequent new developments adding to the urban context.

HERITAGE

60. Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance if any heritage asset which may

be affected by a proposal (including by development affect the setting of a heritage asset).

61. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
62. Policy R1 of the Trafford Core Strategy states that the Council will identify, preserve, protect and enhance the positive features and characteristics of Trafford's historic environment.
63. The development would not have any impact on the fabric or setting of any designated heritage assets. It would however have an impact on the setting of a non-designated heritage asset, the Manchester Ship Canal, and potentially on the fabric of non-designated archaeological remains.

Manchester Ship Canal

64. The Manchester Ship Canal's significance lies in its historic importance as a man-made waterway, canalising the River Mersey in parts, and its links to the development of industry in Manchester, Liverpool and beyond. Its immediate and wider setting is much altered and unrecognisable from when it was first developed. There has been significant regeneration activity along its banks, particularly closer towards the Regional Centre on both the Trafford and Salford sides of the Canal.
65. It is not considered that this development would harm the setting of the Manchester Ship Canal. Development along the canal is very mixed and includes traditional low rise housing development, high rise residential and commercial schemes and a substantial amount of large scale industrial and warehouse development, with buildings of matching scale. It also dates from prior to the canalisation of the river, to modern developments, post-dating the regeneration of the dock and canalside areas.
66. Instead, by introducing improved movement and circulation alongside and close to the canal, it will enable better access and appreciation of the asset. This will sustain and enhance the significance of the asset and will enable the Ship Canal to be a positive contributor to this development in turn.

Archaeology

67. The original ES identified that there were three known archaeological sites located within the perimeter of the application site; which were deemed to be of low importance.

68. Comments from the Greater Manchester Archaeology Unit (now GMAAS) at the time of the original application stated that *'An archaeological desk-based assessment has been prepared. The report considers that the greatest potential for undisturbed archaeological deposits around Partington lies in the fringes to the village, including the narrow strip of land between Lock Lane and the Ship Canal. The report considers there may be a potential for prehistoric evidence to survive as the area contains two sections of the former course of the River Mersey that were infilled during the construction of the Ship Canal. In addition, there may be buried remains relating to the canal lock and relating to a small settlement, which is shown on a map dating from the nineteenth century but for which no surface evidence is now visible. The County Archaeologist therefore recommends a condition that no development should commence until the applicant has secured a programme of archaeological work in accordance with a written scheme of investigation (WSI) approved by the Planning Authority.'* Comments received as part of the current application from GMAAS advise that a similar condition is carried forward to any grant of planning permission with regards the proposed development.
69. The development therefore has the potential to harm non-designated buried heritage assets. However, it is considered by GMAAS through their suggestion of a WSI condition that the recording of these assets, if discovered, would provide sufficient mitigation against any harm. The heritage assets are currently unknown and their recording and public dissemination of the results would aid their understanding. No overall harm would therefore result.

ACCESSIBILITY, TRAFFIC GENERATION AND HIGHWAY SAFETY

70. NPPF paragraph 32 indicates that development should ensure that safe and suitable access to the site can be achieved for all people; and that improvements to the highway network are provided that would limit any significant impacts of the development. NPPF states that, *"development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*
71. Core Strategy policy L4.7 states that the, *"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."* Policy L4.8 states further 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, either by ensuring that appropriate transport infrastructure improvements and / or traffic mitigation measures and the programme for their implementation is secured, or by securing contributions...or by a combination of these."*

72. Policy L3.4 states that, *“development will be required to contribute to the improvement of the public transport infrastructure to mitigate against the impact of the development on the highway network and to address the deficiencies in the existing public transport provision.”*

Traffic Impact:

73. The associated traffic impact from the Lock Lane residential development proposals has previously been assessed, and the results accepted by the LHA as part of the outline planning permission granted in July 2010. The assessment of the network then included appropriate trip generation and assignment of the development traffic onto the local highway network, together with assumptions drawn from additional modelling undertaken on the wider network produced for the Carrington Village, Partington Shopping Centre and Common Lane development applications.

74. As such, the LHA is content that the associated traffic impacts generated by the development proposals have previously been considered acceptable and can therefore be suitably managed on the network with appropriate mitigation and highway improvement schemes.

75. Additional highway improvement schemes are considered appropriate to the development, as since the granting of the outline permission in 2010 a further residential scheme at Hall Lane has been approved.

Highway Improvements and Public Transport:

76. A suitable scheme designed to assist with the introduction of additional capacity, highway deflections and improvements to the pedestrian provision at the junction of Hall Lane and Manchester Road can be secured by a Grampian condition. This will be detailed in the Additional Information Report.

77. A planning s106 obligation to provide assistance to highway improvements and public transport is therefore required. The monies should be directed towards highway improvements on Manchester Road. The specific schemes to which the monies could be put will be identified in the Additional Information Report in order to ensure that the contribution is CIL Regulation compliant.

78. Any residual monies remaining will be pooled with other developer contributions outside of CIL and be put towards public transport improvements. Further detail will be included in the Additional Information Report.

79. A sum of £384,000 is to be secured, index linked from the previous contribution associated with the original scheme.

RESIDENTIAL AMENITY

80. Core Strategy policy L7 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. As this is an outline application the detailed relationship of the proposed dwellings to existing residential properties would be considered in detail as part of future reserved matters applications. Notwithstanding this, the Design and Access Statement indicates that dwellings adjacent to existing neighbouring properties would be restricted to two storeys in height. This approach is considered acceptable in principle, subject to a detailed assessment of the scheme against the relevant development plan policies as part of a future reserved matters application.
81. The site is located adjacent to the Manchester Ship Canal. The Cadishead Way (A57) and the Lanstar (Scrap & Waste Management Business) site development within Cadishead, Salford lie on the opposite side of the canal. A package of noise mitigation measures would be incorporated to ensure that reasonable internal noise levels can be achieved within dwellings on all parts of the site. The Council's Housing & Pollution section assessed the scheme previously and raised no objections subject to conditions to secure noise mitigation measures and following reconsultation on this current application have raised no objections to the granting a renewal of the consent subject to attaching the previous conditions to the new consent.
82. Network Rail have requested that appropriate measures to mitigate noise and vibration that may arise from reuse of the redundant railway line are considered at an early stage in the detailed design and layout of the scheme to ensure appropriate mitigation measures are in place in order to prevent any issues with future occupants of the development. A noise management plan condition would be included on any grant of planning permission which would also include a vibration impact assessment

FLOOD RISK AND DRAINAGE

83. Core Strategy policy L5 seeks to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location. Further to this, Core Strategy policy L3 indicates that an assessment of the proposed development on flood risk relating to the Ship Canal and Red Brook should be undertaken. The applicant has submitted a Flood Risk Assessment (FRA) as part of the submission in accordance with the requirements of the Core Strategy and the NPPF. The FRA indicates that site is located with Flood Zones 1, 2 and 3, at the time of the original application the entire site was designated as Flood Zone 1. details regarding the flood risk have been covered previously within this report. With regards drainage the Local Lead Flood Authority have requested that Sustainable Urban Drainage Scheme(s) SUDS be implemented at this site. Appropriate conditions to be attached to any grant of

planning permission to ensure submission of detailed drainage design at reserved matters stage.

DEVELOPER CONTRIBUTIONS

84. The Community Infrastructure Levy (CIL) was approved by the Council on the 26th March 2014 and was implemented on the 7th July 2014. Regulation 128B of the CIL (Amendment) Regulations 2012 indicates that applications to renew an existing planning permission, which was granted before a CIL Charging Schedule was in place, will not be liable for CIL and as such there is no CIL charge levied against this proposed renewal of planning permission.

85. The S106 Agreement associated with the original application secured an alternative package of Section 106 requirements to that which would normally be secured under the previous policy framework. The S106 included the provision of significant shopping centre improvements, the implementation of the Green Loop proposals, the implementation of public realm improvements to Manchester Road and an area of the town centre and the provision of public transport improvements to at least the equivalent value of the financial contribution that would normally be required under the Council's now revoked Supplementary Planning Document, "*Developer Contributions to Highway and Public Transport Schemes*".

86. As noted within previous sections of this report, the planning policy framework in respect of planning obligations has changed since the original application was considered. Core Strategy Policies L4 and L8 identify how the Council will seek planning obligations towards the delivery of environmental, economic and social infrastructure. This policy is supplemented by Supplementary Planning Document 1: Planning Obligations which was adopted by the Council in July 2014. NPPF paragraphs 203 and 204 sets out the government's policy on planning obligations. Paragraph 204, alongside Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 indicates that a planning obligation should only be sought if it meets all of the following tests:-

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

87. In April 2015 changes to the CIL Regulations limited the ability of Local Planning Authorities to pool more than five S106 contributions towards a single item or infrastructure 'pot'. The following sections of the report provide an assessment of the proposed S106 package.

Shopping centre redevelopment

88. A key component of the previous proposals was the delivery of a scheme to redevelop Partington shopping centre, the regenerative benefits of which were afforded significant weight in the determination of the previous application. Despite the residential scheme stalling, the applicant has fully implemented

the various planning permissions associated with the redevelopment of Partington Shopping Centre, to the significant benefit of the wider community. As these works have been fully implemented, there is no requirement to carry these provisions forward as part of the revised S106 Legal Agreement. As previously indicated within this report the application site is now identified within the Core Strategy (Policy L3.5) and the previous S106 requirements effectively reflects what is now a development plan policy.

Green Loop

89. As part of the scheme a new recreational and ecological Green Loop will be provided around Partington town. The Green Loop will protect and enhance existing landscape and ecological assets, provide managed and accessible open space and a network of paths which will encourage recreational access to the open space and to the wider landscape setting of the town. The route will be circular in nature and will have an overall length of 6.2km as well as improved paths into the settlement and towards Warburton with a total length of 1.8km. This proposal is in accordance with Policy L3.4 of the Core Strategy.

Public Realm Improvements

90. As part of the original proposals, a Public Realm Regeneration Fund was proposed to help fund environmental improvements to the appearance of Manchester Road and a new public realm area in the town centre. Since the granting of planning permission in 2010 the Partington Shopping Centre has been delivered and these works with regards Policy L3.5 are considered to have been covered by the implemented shopping centre development.

91. Highway Improvements to Manchester Rd and Public Transport Improvements

92. Policies L4 and L8 of the Core Strategy are the relevant policies to this element of the SPD. In particular, paragraphs L4.1 (a) to (h) set out the criteria to enable sustainable development, which includes the development and maintenance of a sustainable integrated transport network. Paragraph L8.4 also specifically makes reference to the Council seeking contributions towards “*highways infrastructure and sustainable transport schemes including bus, tram, rail, pedestrian and cycle schemes*”. The proposed improvements to the highway network and public transport improvements have been detailed previously in this report.

93. It is considered that the above terms are compliant with Regulation 122 of the Community Infrastructure Levy. A S106 Agreement is currently being prepared which will secure these heads of terms.

PLANNING CONDITIONS

94. The list of necessary planning conditions has been revisited to reflect updated comments from technical consultees and changes to planning policy and

guidance as required. Details of the proposed conditions are outlined at the end of this report.

CONCLUSION

95. This is an application for the extension of the time limit for implementation of planning application H/OUT/68617, granted in July 2010. The Town and Country Planning (Development Management Procedure) Order 2015 enables such applications to be made for extant consents submitted before 31 October 2010. Government guidance (albeit now withdrawn, but with no equivalent replacement) states that local planning authorities should, in making their decisions on such applications, focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. There have been substantive changes, particularly to the development plan, but also to material planning circumstances since the previous grant of planning permission. This has, as a consequence, required a full reconsideration of the scheme.
96. S38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. S38(5) of the same Act states that if to any extent a policy contained in a development plan for an area conflicts with another policy in a development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. The site is identified as a commitment for residential development in the adopted Core Strategy (2012) and Policies L3.4 and L3.5 of the Core Strategy are directly relevant to this site. The saved policies of the RUDP identify the site as Protected Linear Open Land and a Wildlife Corridor, however the Core Strategy policies must take precedence. The principle of the development of this site for residential purposes is therefore in accordance with the development plan, provided the specific requirements of Policies L3.4 and L3.5 are met.
97. Paragraph 49 of the National Planning Policy Framework 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 sites. The Council does not currently have a five year supply of housing land. Policies L3.4 and L3.5, as well as the overarching Core Strategy policies for the control of housing land are therefore out-of-date in NPPF terms. The NPPF is a material consideration which carries significant weight and therefore this application must therefore be determined in accordance with the second bullet point of Paragraph 14 of the NPPF. Where development plans are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (the 'planning balance'), or where specific policies in the Framework indicate development should be restricted.

98. Footnote 9 of the NPPF gives examples of where development may be 'specifically restricted'. Of these examples, only 'locations at risk of flooding' is relevant to this application as the application site falls within Flood Zones 1, 2 and 3. The applicant has demonstrated that, with suitable mitigation measures which can be secured through suitable planning conditions, the site can be developed without an increased risk of flooding either on the site or elsewhere. Development is not therefore 'specifically restricted' by the NPPF and is in accordance with relevant policies in respect of flood risk in the development plan, including those specific to this particular site. The first limb of the second part of Paragraph 14 is therefore engaged and the scheme is to be assessed on the 'planning balance'.

99. The proposed development would bring forward the following benefits and which are in accordance with the development plan (policy references are to the adopted Core Strategy):-

- A substantial contribution to the Borough's housing land supply, and in particular the 850 new dwellings for Partington identified in Policy L3.4;
- A substantial contribution to family housing, assisting in meeting the Borough's target for 66% of new homes to be suitable for families, in accordance with Policy L2;
- A significant contribution to the regeneration priorities for Partington in accordance with Policy L3.4;
- The protection and enhancement of ecological interests, secured by relevant planning conditions in accordance with Policy L3.4.
- The provision of the Green Loop and improvements to open space and amenity areas in terms of quality and access, in accordance with Policy L3.4;
- The redevelopment of the local shopping centre (albeit this has come forward separately) and associated improvements to public realm, in accordance with Policy L3.5;

100. The scheme will also make contributions to highways and public infrastructure. This is not entirely in accordance with the first bullet point of Policy L3.4 and the final bullet point of Policy L3.5 which require *public transport contributions* only (not highway contributions) to mitigate against the impact of development on the highway network, equivalent to that set out in the adopted SPD1 at that time (2012). The original scheme delivered public transport improvements to a value of £321,722.50, in accordance with the adopted SPD1 at that time. However, there has been a change to material planning circumstances at the site which would warrant a different approach being taken.

101. A contribution of £384,000 is now sought to be divided between suitable highway improvement and public transport schemes. This would reduce the overall monies available for public transport but increase the monies available for highway improvements from nil, which would be beneficial. The improvements to the highway network are considered to

outweigh the reduction in the sums available for public transport improvements. The rebalancing of the contributions is not considered to have a 'severe' impact in NPPF terms. A similar conclusion was reached in respect of the original application; albeit the planning balance at that time lay with public transport improvements.

102. All other development impacts are considered to be neutral, with the imposition of suitable planning conditions for mitigation where necessary, and therefore neither weigh in favour or against the development.

103. The benefits of the development are therefore substantial and weigh very much in favour of a grant of planning permission. The effect of not obtaining a full contribution to public transport improvements but instead directing these monies to highway improvements would not have a 'severe' impact in NPPF terms and would have some benefits. It is therefore considered that the (very limited) adverse consequences of the development would not significantly and demonstrably outweigh the benefits; indeed the planning balance is very much weighted in favour of the development. The proposals are in accordance with the development plan and where relevant policies are out of date, in accordance with the National Planning Policy Framework. The application is therefore recommended for approval.

RECOMMENDATION

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure :
 - 1.46ha of open space on site;
 - The provision of the 'Green Loop' and;
 - A contribution of £384,000 to highways and public transport improvements in the vicinity of the site.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development first takes place - the appearance; landscaping; layout; and scale.

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:-
 - Drawing No: 2988A-48
 - Drawing No: Singleton Clamp 06206/01/002 A (Proposed East Access Point Lock Lane)
 - Drawing No: Singleton Clamp 06206/01/005 A (Proposed School Parking Arrangement – Option 1)
 - Drawing No: Singleton Clamp 06206/01/006 A (Proposed School Parking Arrangement – Option 2)
 - Partington Village: Development Principles Document: Revision A May 2012

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

4. Prior to the occupation of the first dwelling, the formation of vehicular accesses and all off-site highway works on Lock Lane and Manchester Road (including traffic calming, erection of pedestrian barriers, removal of existing layby on Lock Lane) shall be implemented in full accordance with the approved plans, listed in Condition 3 of this permission..

Reason: In the interests of highway safety, having regard to policy L4 of the Trafford Core Strategy and the National Planning Policy Framework

5. The development hereby permitted shall be limited to a maximum total number of 550 residential units.

Reason: To define the permission and in the interests of visual amenity, residential amenity and highway safety, having regard to policies L4, L7, L8 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

6. All reserved matters applications submitted in respect of this permission shall comply with the Development Principles listed in the submitted document "Development Principles: Canalside".

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

7. No development shall take place until a phasing scheme for the development, which sets out the sequence in which the various land parcels comprising the overall development site of the development will be built out and thereafter brought into use has been submitted to and approved in writing by the Local Planning Authority. 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 in the interests of visual amenity, residential amenity, highway safety, community safety and sustainable development, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. Details of phasing are required to be submitted prior to commencement to enable the Local Planning Authority to assess the phasing of the scheme before any development begins on site and because a start on site would prejudice the proper assessment of the scheme.

8. Full details of the layout, appearance, and landscaping of the entire length of the canalside promenade (including the creation of ecological areas and details of hard landscaping and street furniture including railings, lighting, seating and paving and surfacing of terraces, footpaths and cycleways and details of terracing / retaining walls adjacent to the canal) shall be submitted in or concurrently with the first application for reserved matters approval. These details shall include a programme for the implementation of the promenade and any arrangements for a temporary route to enable access along the Manchester Ship Canal during the construction period. Prior to works first taking place on each phase of development, full details and an implementation programme / timetable for the section of promenade fronting that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The promenade shall then be implemented in accordance with the approved details and timetable. Any trees or shrubs planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees and shrubs of similar size and species to those originally planted

Reason: In the interests of visual amenity, residential amenity, sustainable development, community safety and ecology, having regard to policies L3, L4, L7, R2, L8, R2, R3, R5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

9. Prior to works taking place on any phase of the development, details of existing external ground levels within and immediately adjoining the site and proposed finished floor levels for that phase shall be submitted to and approved in writing by the Local Planning Authority. The levels shall be set in accordance with the latest climate change allowances and as shown in sections 6.1.1, 6.1.3 and Appendix C of the FRA (the freeboard shall be set at 600mm above the 1% AEP plus climate change flood level). Development shall be carried out in accordance with the approved details.

Reason: To prevent the risk of flooding having regard Policies L4, L7, R3 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

10. Prior to the occupation of any residential unit in any phase of development hereby approved, a scheme for the management and maintenance of all land falling outside private residential curtilages and outside the control of the Local Highway Authority in that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and maintained thereafter in accordance with these approved details.

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

11. Any reserved matters application which includes landscaping shall include a structural landscaping scheme for the estate roads and pedestrian and cycle routes within or providing access to each phase of development and include a timetable for implementation. The approved scheme shall be implemented in full accordance with the approved details and to the approved timetable. Any trees or shrubs planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within five 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: In the interests of the visual appearance and character of the area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

12. No development or phase of development shall take place until details of the full drainage design and all relevant documents to limit the proposed peak discharge rate of storm water from the development or that phase of development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) shall be submitted to and approved in writing by the Local Planning Authority. The scheme for the relevant phase shall also ensure that surface and foul water from the application site is directed away from Network Rail land. The development (or phase of development) shall not be occupied 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.

Reason: To prevent the risk of flooding, including flooding to adjacent railway land, by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to works starting on site because the approved details will need to be incorporated into the development at design stage.

13. Notwithstanding the submitted Travel Plan, prior to the submission of any reserved matters application, a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall include measures and targets to increase levels of public transport usage, walking and cycling and reduce the use of the private car. Prior to the first occupation of each phase of the development, a Travel Plan for that phase, which should include measurable targets for reducing car travel, shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plans for each phase shall be in general compliance with the Framework Travel Plan and shall outline procedures and policies that the applicant and occupants of the site will adopt to secure the objectives of the overall site's Framework Travel Plan Strategy. Additionally, the Travel Plan shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the Travel Plan and its implementation remain effective. The results of the monitoring and review processes shall be submitted to the Local Planning Authority no less than six months after the occupation of the relevant phase and thereafter approved in writing.

Reason: In the interests of encouraging the use of sustainable modes of transport and reducing the use of the private car, having regards to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

14. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (1st March-31st July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the

site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall include a range of bird boxes which shall be provided on site prior to any site works or vegetation clearance in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. Details for this condition need to be submitted prior to the commencement of works on site because mitigation measures need to be in place prior to any operations taking place on site.

15. Prior to works taking place on site a comprehensive Method Statement shall be submitted to and approved in writing by the Local Planning Authority giving details of the measures to be taken to avoid any possible harm to badgers and other mammals during the course of development. The development shall be carried out in accordance with approved details with any approved mitigation measures retained for the duration of works on site.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

16. Prior to works taking place on site, further precautionary surveys of the site for water voles shall be conducted, the results of which, together with a scheme to mitigate the effects of the development on water voles, if recorded on site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved details and thereafter retained.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

17. Prior to works taking place on any phase of the development hereby approved, a scheme to mitigate the impacts of the development on sand martins shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development or phase of development and the approved works shall be implemented in accordance with the approved scheme.

Reason: To safeguard the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

18. Prior to works taking place on any phase of the development hereby approved, a scheme for the provision of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development and the approved works shall be implemented in accordance with the approved scheme.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to avoid harm to wildlife before any operations take place on site.

19. Prior to works first taking place on site details of a full structural survey of the Manchester Ship Canal wall/embankment adjacent to the site (including any remedial works required to ensure structural integrity of the canal wall/embankment) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To prevent the risk of flooding on the proposed development and future occupants having regard Policies L4, L7, R3 and L5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

20. No development, or phase thereof, shall take place unless and until: (a) A contaminated land Phase I report to assess the actual/potential contamination risks at the site has been submitted to and approved in writing by the Local Planning Authority. (b) Should the Phase 1 report recommend that further investigations are required, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The phase II report of the findings must 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. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) of each phase hereby approved are first occupied.

Reason: 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 having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any risks are mitigated prior to any works commencing on site.

21. No development, or phase thereof shall take place, including any works of demolition, until a Construction Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) measures to protect nearby watercourses from building materials and other construction materials / waste during construction; ii. the access and parking of vehicles of site operatives and visitors iii. loading and unloading of plant and materials iv. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities, including measures for keeping the highway clean vii. measures to control the emission of dust and dirt during construction viii. a scheme for recycling/disposing of waste resulting from demolition and construction works. ix hours of construction activity. The approved measures shall be implemented throughout the duration of the construction works on all phases of the development.

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

22. No development shall take place on any phase of the development hereby permitted until a scheme which shall incorporate the following plans and details in respect of that phase of the development have been submitted to and approved in writing by the Local Planning Authority: -

- Details of any proposed lopping or topping of any trees within the areas shown for tree retention on the approved plans;
- Details of any proposed alterations to existing ground levels and of the position of any proposed excavation within the crown spread of any tree within the areas shown for tree retention on the approved plans or of any tree on land adjacent to the site; and
- Details of the specification and position of protective fencing (and any other measures to be taken) for the protection of any tree within the areas

shown for tree retention on the approved plans from damage before or during the course of development.

Thereafter, the development shall be carried out in accordance with the approved details and there shall be no removal of existing trees within the area of trees and woodland shown to be retained on the approved plans

Reason: In the interests of tree protection and the visual appearance and character of the area, having regard to policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. These details are required prior to the commencement of development to ensure appropriate tree protection measures are in place prior to any works being carried out on site.

23. No development shall take place until the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) has been secured and which has been prepared by the appointed archaeological contractor and submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following: (a) A phased programme and methodology of site investigation and recording to include: - targeted field evaluation trenching - (depending upon the evaluation results) a strip map and record exercise - targeted open area excavation (b) A programme for post investigation assessment to include: - analysis of the site investigation records and finds - production of a final report on the significance of the archaeological and historical interest represented. (c) Provision for publication and dissemination of the analysis and report on the site investigation. (d) Provision for archive deposition of the report, finds and records of the site investigation. (e) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To protect the significance of any archaeological remains on the site having regard to Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework. These details are required prior to the commencement of development to ensure no harm to any material/feature that may be of archaeological interest and/or significance without proper measures for mitigation in place.

24. Prior to the occupation of any phase of development hereby approved, a scheme for the surfacing of the footpaths and access points within that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any residential unit within that phase of the development, the scheme shall be implemented in full accordance with the approved details.

Reason: In the interests of visual amenity, residential amenity and pedestrian access and permeability, having regard to Policies L4 and L7 of the Trafford Core Strategy.

25. Any application for reserved matters which includes layout shall be accompanied by a scheme for providing pedestrian and cycle connectivity to the wider area. Prior to the occupation of any residential unit within each phase of the development, the approved works in respect of that phase of the development shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of pedestrian and cycle connectivity and permeability, encouraging the use of sustainable modes of transport and the visual appearance and character of the surrounding area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

26. No residential unit shall be occupied within the relevant phase of development until details of a scheme and timetable to upgrade the footpath between the boundary of the application site and Scroggins Lane to form a pedestrian and cycle route have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and the pedestrian and cycle route shall be provided in full accordance with the approved details and to the approved timetable. The route shall be retained thereafter for pedestrian and cycle use.

Reason: In the interests of pedestrian and cycle connectivity and permeability and encouraging the use of sustainable modes of transport, having regard policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

27. No development shall commence on any phase of the development hereby permitted until details of the location and design of the Neighbourhood Equipped Area of Play (NEAP) and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall take place and the NEAP shall be provided and retained in accordance with the approved scheme.

Reason: In the interests of ensuring adequate children's play provision, having regard to policies L7 and R5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to works taking place on site because the approved details will need to be incorporated into the development at design stage.

28. No residential unit shall be occupied unless and until a drop off area / off-street parking area has been constructed and made available for Our Lady of Lourdes School in full accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety, residential amenity and the character and visual appearance of the area, having regard to policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

29. Prior to any works taking place adjacent to Network Rail land on the north eastern boundary of the site, a Risk Assessment and Method Statement (RAMS) along with details of proposed ground works, excavations, vibro-impact works, boundary treatment, soft landscaping and scaffolding shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: Having regards to the proximity of Network Rail land in the interest of railway safety and in accordance with Policy L7 of the Trafford Core Strategy. The condition requires the submission of information prior to the commencement of development in order to ensure sufficient protection measures are in place to protect the integrity of adjacent Network Rail Land before any operations take place on site.

30. Prior to development taking place on site, a method statement detailing eradication and/or control and/or avoidance measures for Japanese Knotweed and Himalayan Balsam (and any other invasive species identified) shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented in full during the course of development.

Reason: To protect the wildlife value of the site, having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development in order to ensure adequate protection measures are in place to ensure that invasive species do not harm the environment or site operatives.

31. Any reserved matters application which includes layout and / or appearance, shall be accompanied by a noise and vibration management plan, which shall include but not be restricted to measures to protect the proposed development from railway noise and vibration and any other sources of external noise. Development shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interests of residential amenity having regard to Policy L7 of the Trafford Core Strategy and advice contained within the NPPF.

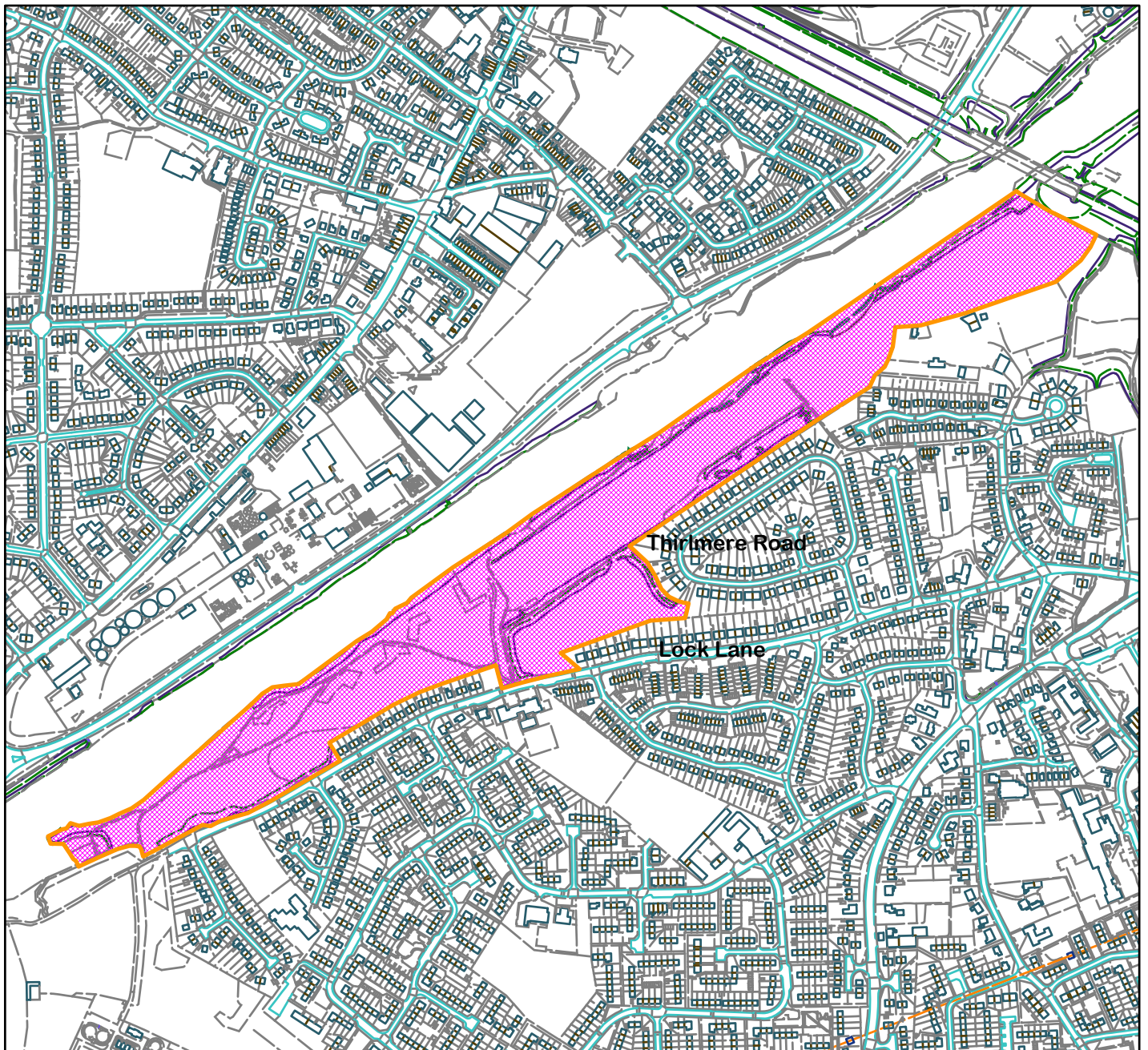
32. Any reserved matters application which includes layout and / or appearance shall be accompanied by an updated air quality assessment. If any mitigation measures are identified as being necessary as a result of this assessment, development shall be carried out in accordance with the approved details and retained thereafter, where relevant.

Reason: In the interests of preventing pollution having regard to Policy L5 of the Trafford Core Strategy and advice contained within the NPPF.

CM



Land at Lock Lane, Partington (site hatched on plan)



Scale: 1:7,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

WARD: Urmston

89432/HYB/16

DEPARTURE: No

Hybrid application comprising of: a) Full application for the erection 3 no. two and a half storey dwellinghouses with associated car parking and landscaping on Primrose Avenue between Greenfield Church and 2-8 Primrose Avenue. b) Outline application planning for the redevelopment of existing Urmston Market Site (Railway Road) to include a new food hall for food/drink/leisure with back of house facilities and a covered area for the provision of an artisan market, consent sought for access and layout with all other matters reserved.

Land Adjacent To 8 Primrose Avenue/Urmston Market, Railway Road, Urmston, M41 0TY

APPLICANT: Villafont Ltd

AGENT: Street Design Partnership

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee as six or more representations have been received contrary to the officer recommendation.

SITE

The application site relates to the open land area of Urmston Market, which currently partly comprises rows of sheltered market stalls and covers an area of 0.22 hectares. Primrose Avenue bounds the site to the north, Greenfield Avenue bounds the site to the east and Railway Road bounds the site to the south. The site is allocated within the Trafford Unitary Development Plan as being located within Urmston Town Centre.

Greenfield Church, which is a red brick building with a steep slate roof, which also has the additions of single storey extensions to all of its elevations, bounds the site to the north and east. Two and a half storey terraced properties fronting Primrose Avenue bound the site to the west. Two storey terraced properties with accommodation in the roof space situated on the northern side of Primrose Avenue also face onto the site. A part three, part single storey building fronting Railway Road, which houses Urmston Market Hall, bounds the site to the west. To the south of the site lies the Warrington – Manchester railway line.

PROPOSAL

This application is referred to as a hybrid application which allows an applicant to apply for both outline permission and full planning permission under the same planning application for different elements of the proposed works. In this case, the applicant is

applying for full planning permission for the erection of 3no. two and a half storey terraced dwellinghouses with associated car parking and landscaping. These properties would lie between Greenfield Church and 8 Primrose Avenue and would front Primrose Avenue.

The proposed dwellings would have a maximum height of 9.5m to the ridge and 5.7m to the eaves and each includes a lounge, kitchen/dining room, family room, utility room and W/C at ground floor; three bedrooms, one with an en-suite and a separate bathroom at first floor and two further bedrooms, one with en-suite at second storey level within the roof space. Each dwelling would therefore have a total of five bedrooms.

The total floorspace of the proposed new dwellings would be 550.83m².

The application also seeks outline planning permission for the redevelopment of the existing outdoor Urmston Market site to create a new food hall that is to be used for food/drink/leisure, including back of house facilities and a covered area for the provision of an artisan market. Consent is sought of access and layout with all other matters reserved.

The proposed food hall area would comprise of a central building that would measure 24.7m wide and 18.3m deep. A secondary built form is also proposed to 'wrap-around' the eastern and southern elevations of the central building. A covered area to provide an artisan market is also proposed to the western area of the site, lying between the proposed food hall and the existing market hall. An external area covered by a canopy is proposed on the Railway Road frontage.

The total floorspace of the proposed commercial development would be 800m².

It is noted that there is a market charter in place which covers Altrincham Market and the surrounding area and restricts any other markets operating within this area. The Council is the enforcing authority for this charter, however in determining this planning application it is imperative that the different and discrete roles and responsibilities of the Council as enforcing authority and local planning authority are separated. As such, the Council must determine this planning application in accordance with the development plan and other material planning considerations and any conflict with the requirements of the market charter would not be of relevance in the determination of this application. It should be noted however that the application relates to the site of an existing market in Urmston.

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
W1 – Economy
W2 – Town Centres and Retail
R2 – Natural Environment
R3 – Green Infrastructure

SUPPLEMENTARY PLANNING DOCUMENTS

Revised SPD1 – Planning Obligations
SPD3 – Parking Standards & Design
PG1 – New Residential Development

EMERGING DRAFT LAND ALLOCATION PLAN

URM1.2 – Urmston Market, Railway Road

PROPOSALS MAP NOTATION

Urmston Town Centre

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for

individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

H/57301: Erection of 7 no. lock up stalls – Approved with conditions 20/10/2003.

H42413: Erection of a lock-up market stall to be used as a cafe (revised scheme following approval ref: H35980) – Approved with conditions 31/07/1996.

H41538: Erection of a lock-up market stall adjacent to Primrose Avenue entrance – Approved with conditions 03/01/1996.

H40337: Erection of 8 no. Lock up market stalls to replace 10 open stalls – Approved with conditions 31/03/1995.

H35980: Erection of four lock-up market stalls – Approved with conditions 18/11/1992.

H17625: Erection of extension to toilet block – Approved with conditions 05/05/1983.

H12518: Erection of 6' high timber fencing and black finish open mesh steel gates – Approved with conditions 19/09/1980.

APPLICANT'S SUBMISSION

The applicant has submitted a Design and Access Statement, an Air Quality Statement, a Noise Impact Assessment, a Crime Prevention Plan, a Transport Plan and a Tree Survey and Constraints Report in support of the planning application. The information provided within these documents is discussed where relevant within the Observations section of this report.

CONSULTATIONS

Local Highway Authority: Residential scheme: Further approval needed for vehicular crossings. Servicing arrangements are accepted. Shortfall in parking accepted given

sustainable location of site. Adequate drainage facilities/permeable surfacing must be used. Market scheme: Access and servicing arrangements are appropriate, no objections to parking arrangements.

Pollution & Housing (Nuisance): No objections. Conditions relating to the hours of refuse collection and hours of use of the site for the use of the premises as a performance and function venue, the requirement for a Noise Management Plan in relation to outdoor seating, the positioning of stalls and chalets and entertainment noise are recommended. Conditions relating to an Odour Management Plan, a Construction Management Plan and details for exterior lighting are also recommended. These matters are discussed in more detail in the 'Observations' section below.

Pollution & Licensing (Contaminated Land): No contaminated land conditions required.

Lead Local Flood Authority: No objections. A condition requiring the submission of a Sustainable Urban Drainage Scheme is recommended.

Greater Manchester Police – Design for Security: No objection to the development of the site to form a proposed market/food hall, but the subsequent reserved matters/full planning application for the detailed scheme should be accompanied by a full Crime Impact Statement (CIS).

United Utilities: No objections, recommend that conditions relating to foul and surface water and for the submission of a Sustainable Urban Drainage Scheme are attached. They also advise that there is a public sewer crossing the site, which they would not grant permission to building over or within 3m of the centre line of it.

Trafford Council – Economic Growth & Housing Strategy: Comments included within 'Observations' sections of report.

REPRESENTATIONS

A total of 14 letters of objection have been received. These raise the following concerns:

- Not enough parking for existing residents, impact from additional houses
- Loss of light and overlooking of neighbouring properties
- Dwellings seem more like flats, could become multiple occupancy
- Believe there is a covenant on land to say that no buildings can be built
- Height and width of houses will cause loss of light to houses opposite
- New dwellings will be unduly overbearing and visually intrusive
- Not enough private amenity space
- Three storey dining hall would be inappropriate and unsightly
- An increase in days or hours of use of the market would be unacceptable
- Market traders' vehicles, delivery vehicles and customers' vehicles would cause problems

- Noise from customers of market leaving late at night
- Noise from bin collections and unsightly view from neighbouring properties
- Market may not be a successful project
- Impact from food cooking smells
- Noise measurements are flawed
- Increased running costs of houses opposite due to loss of light
- Loss of trees, should be replaced
- Interference with TV reception
- Loss of light to church from proposed dwellings
- Sufficient access to church for repairs, maintenance and emergency escape must be maintained
- Amount of traffic generation from market has been underestimated

OBSERVATIONS

1. This is a hybrid application with the residential element of the scheme being applied for in full and the market redevelopment being applied for in outline with matters of 'scale', 'appearance' and 'landscaping' reserved. It is therefore necessary to consider each element individually as the detailed matters for consideration differ for each component. The principle of the development as a whole however is addressed below.

PRINCIPLE OF DEVELOPMENT

2. It is acknowledged that the proposed development involves the partial loss of the existing market site for housing. Paragraph 23 of the NPPF states that local planning authorities should *"retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive and thus contribute to the promotion of competitive town centre environments"*. In addition, Policy W2.11 of the Core Strategy states that within town centres, *"changes of use from A1 retail to other uses should be carefully considered in terms of their impact on the function, character, vitality and viability of the centre as a whole and on specific frontages, particularly within primary shopping frontages"*.
3. Policy URM1.2 of the Trafford Local Plan: Land Allocations states that the Council will support proposals for the enhancement or refurbishment of Urmston Market including proposals to improve linkages between the market and the Town Centre. This policy does carry limited weight however as the Land Allocation Plan is emerging and not yet adopted.
4. 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.

5. 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.
6. 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 scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.
7. The proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver three new family houses in a sustainable location. The site constitutes previously developed land and given that the Council is currently failing to meet its target of locating 80% of new housing provision on previously developed brownfield land, the scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy.
8. Whilst some of the area of the existing market site would be lost to housing development, overall the proposals are considered to enhance the site as a whole. The consolidation of the market site and the development proposal as a whole will result in investment leading to the enhancement of the market offer, whilst also contributing to the Borough's housing supply. This would accord with the aims of the NPPF as a whole, by both enhancing the market offer and making it more competitive, whilst also boosting the supply of housing. The residential development is also considered to be acceptable in principle in itself and would not compromise the market use on the remainder of the site. It is therefore not considered necessary or reasonable to restrict commencement of the residential development until the food hall is brought into use. Given the above, the principle of the development is considered to be acceptable.

RESIDENTIAL DEVELOPMENT – FULL APPLICATION

9. The key issues for consideration in this element of the scheme are the design and appearance of the development, its impact on residential amenity and highway matters.

DESIGN AND APPEARANCE

10. 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”*.
11. 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”*.
12. The overall scale of the proposed dwellings is considered to be appropriate, the maximum height being approximately the same as the church to the east and slightly lower than the adjacent properties to the west. This helps the development integrate well into the streetscene and ensures it is not unduly dominant in relation to its surroundings. Furthermore the scale and proportions of the dwellings would generally reflect those of the properties opposite which is also deemed to be appropriate in this location.
13. The proposed dwellings have a relatively simple design although the use of dormers, window surrounds and lintel detailing helps to add interest to their appearance. The use of brickwork walls and tiled roofs would be in keeping with the surrounding area and a condition will be attached to any consent issued requiring the submission of samples of these materials to ensure they are of an appropriate standard.
14. An appropriate amount of space would be retained at either side of the proposed dwellings to ensure the spaciousness of the area is not unacceptably eroded. The front elevations of the properties would be in line with the church on Primrose Avenue and set slightly further back than the adjacent properties to the west. This siting ensures the proposed dwellings are not unduly prominent in the streetscene, maintaining the general building line of this part of Primrose Avenue.
15. Given the above, the proposed residential development is considered to be in accordance with Core Strategy Policy L7 and the NPPF and is acceptable in terms of its design and appearance.

RESIDENTIAL AMENITY

16. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and Not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way”*.
17. There is a distance of approximately 19.6m between the proposed dwellings and the houses opposite. This is less than the 24m which the Council’s adopted guidance document ‘PG1: New Residential Development’ seeks to achieve, however it is noted that this would not be a dissimilar relationship to that between other dwellings in the surrounding area. It is also acknowledged that this is a town centre location where the density of development is generally greater than it would be elsewhere and the proposed development would reflect this character.
18. The two storey section of the proposed dwellings would project approximately 2.2m further to the rear than the two storey part of the adjacent No. 8 Primrose Avenue. The single storey section would project approximately 2.7m beyond the single storey part of this neighbour. There are two first floor windows within the two storey outrigger of No. 8 which face towards the proposed dwellings, one of which is obscure-glazed. It is understood that the clear-glazed window serves a bedroom. The closest of the proposed dwellings to this neighbour would be set away from this side boundary by approximately 3.2m which would be less than the 15m sought by PG1. It is not however considered reasonable to afford this window the 15m distance sought by PG1 given that this is not a dissimilar relationship to many other dwellings in the vicinity of the site and side-facing windows are often in much closer proximity to neighbouring properties than those at the front or rear. As such, the potential impact on amenity is not deemed to be sufficient to warrant a refusal of permission on these grounds.
19. Whilst there are some windows in the side elevation of the church which face towards the proposed dwellings, these are not considered to be affected to an unacceptable degree. The dwellings would be set approximately 3m away from the church which is also served by a significant number of windows in the front and side elevations. This ensures that a good amount of light will continue to reach the church following completion of the development.
20. With regard to future occupiers of the proposed dwellings, there is considered to be a sufficient amount of outdoor space to ensure a good standard of amenity. Noise impacts from the proposed food hall development can be adequately controlled through a condition requiring the submission of a Noise Management Plan. In addition, a condition restricting the hours of use of this development will be imposed on any consent issued.

21. It is considered necessary to remove permitted development rights for side extensions to the two end terraces and rear extensions to the westerly most dwelling in the interests of protecting the amenity of nearby residential properties, future occupiers of the proposed dwellings and the street scene.
22. Given the above, the proposed residential development would be in accordance with Policy L7 of the Trafford Core Strategy and is therefore considered to be acceptable in this respect.

HIGHWAY MATTERS

23. 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”*.
24. The Council's adopted guidance document 'SPD3: Parking Standards and Design' seeks to achieve the provision of three car parking spaces for a 5-bed dwelling. The application proposes two off street parking spaces per dwelling, therefore resulting in a shortfall of one space per dwelling. The Local Highway Authority (LHA) has been consulted on the application and has advised that this shortfall is acceptable given the sustainable location of the site and the proximity of public transport links and local facilities.
25. A number of objections have been raised by local residents in respect of the proposed parking arrangements and the potential impact on existing properties and highway safety. Officers acknowledge these concerns, however given the sustainable location of the site and the additional parking to be provided, it is not considered reasonable to refuse the application on this basis. It should also be noted that the Council's adopted parking standards are maximum figures and a shortfall from these should not necessarily be deemed unacceptable. The local planning authority should also encourage sustainable transport choices when considering development proposals, in accordance with Policy L4 of the Trafford Core Strategy. As such, the proposed residential development is considered to be acceptable with regard to the level of parking provision.
26. The LHA has not raised any concerns in relation to the proposed access arrangements, noting that further consent from the Council's Streetworks section will be required for the creation of pavement crossings. An informative will be added to this effect. Similarly the proposed servicing arrangements are also deemed to be appropriate and on this basis, the residential development is considered to be acceptable in this respect.

MARKET REDEVELOPMENT – OUTLINE APPLICATION

27. The key issues for consideration in this outline element of the scheme are the layout of the development and access arrangements.

LAYOUT

28. The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines 'layout' as *"the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development"*.
29. The layout of the food hall has been simplified during the course of the application in order to show areas of the site where each type of use will be located. It should be noted that the exact location of each particular business within the food hall has not been determined at this stage, however the submitted plans provide sufficient detail to be able to assess the acceptability of the scheme in this respect.
30. The layout of the food hall development as a whole does not raise any particular concerns, although the scope for potential noise and disturbance impact on residents from the uses proposed is acknowledged. The revised site plan now removes the bar/band areas originally shown in close proximity to the proposed and existing dwellings, and seeks to retain built form along the eastern boundary to help prevent noise breakout towards residents on Greenfield Avenue, which should ensure the amenity of residents is protected. Following consultation with the Council's Pollution and Licensing section, it is recommended that a condition be attached to any consent issued requiring the submission of a Noise Management Plan. This will ensure that any noise associated with the food hall is controlled and managed in the interest of protecting the amenity of local residents. Furthermore, a condition can also be imposed to ensure the outdoor space within the eastern part of the site is not used for customer seating or waste storage in order to protect the amenity of residents on the opposite side of Greenfield Avenue.
31. The submitted noise report indicates that there will not be an unacceptable impact on existing neighbours, however conditions will be imposed on any consent issued to restrict hours of operation and hours of refuse collection, as well as to ensure there is no amplified music in external areas. This is also considered to sufficiently address the concerns of local residents regarding potential disturbance late at night.
32. It is noted that matters of scale and appearance are not for approval at this stage, however the proposed layout indicates that a scheme can be delivered which is acceptable in these respects. Similarly, an appropriate level of landscaping can be provided, particularly within the eastern part of site which

could also provide a buffer between the food hall itself and dwellings on Greenfield Avenue.

ACCESS

33. The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines 'access' as *"the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network"*.
34. The existing access point on Greenfield Avenue close to the junction with Railway Road is to be removed as part of the development. Furthermore, direct access into the site from the existing entrance further along Greenfield Avenue is to be restricted, ensuring the area of land in the eastern part of the site is not used as a parking/delivery area which could cause disturbance to local residents.
35. Public pedestrian access into the food hall site will be limited to Railway Road with the secondary built form on the eastern side of the building providing screening between this potentially noisy area and residential properties to the east.
36. The proposed site plan indicates the provision of two pull-in/drop-off areas for delivery vehicles adjacent to the south of the site on Railway Road. The creation of these is designed to discourage the use of other potentially more disruptive areas for this purpose, such as the parking areas on the western side of Greenfield Avenue and the southern side of Primrose Avenue. It is recognised that the development has the potential to cause disturbance from servicing and parking, particularly later in the day/evening. As such, conditions will be attached to any consent issued requiring the loading and unloading areas to be made available before the food hall is brought into use as well as requiring the submission of a servicing and parking management plan to ensure there is no disruption in this respect.
37. With regard to parking, it is noted that Railway Road provides on-street parking Monday-Saturday whilst there is also a limited amount of unrestricted parking space on Greenfield Avenue and Primrose Avenue. The local highway authority does not anticipate there to be an increase in vehicular trips associated with the food hall given that the proposals are for the redevelopment of the existing market rather than an extension or an entirely new use. On this basis and given the sustainable location of the site, the 'outline' component of the development is considered to be acceptable with regard to parking provision.
38. Given the above, the proposed food hall development is considered to be acceptable with regard to matters of access.

OTHER MATTERS

39. The application is accompanied by a 'Tree Survey and Constraints Report'. It is noted that there are no protected trees within or adjacent to the site and that there is only one tree within the site itself. This will be removed as part of the residential development and is considered to be acceptable, subject to appropriate landscaping provision at reserved matters stage. The report concludes that many of the trees around the periphery of the site are principal trees within the landscape and will be a significant constraint to any proposed changes in the use of the land. None of these peripheral trees are proposed to be removed as part of the development and indeed, the layout of the scheme takes account of the root protection areas identified in this report (particularly tree 'T2' on Greenfield Avenue). A condition will be attached to any consent issued requiring the submission of a Tree Protection Scheme in relation to trees to be retained adjacent to the application site. An appropriate level of landscaping within the site will also be sought under a reserved matters application.
40. The Air Quality Statement submitted alongside the application concludes that no specific mitigation will be necessary in this respect. Notwithstanding this, a condition requiring the submission of an Odour Management Plan will be attached to any consent issued in accordance with the comments of the Council's Pollution & Licensing section.
41. A 'Crime Prevention Plan' also accompanies the application. Greater Manchester Police's Design for Security section requests that a full Crime Impact Statement in relation to the food hall is subsequently provided, in accordance with the conclusions of the submitted plan. This shall be conditioned as part of any consent issued.
42. Most of the concerns raised by local residents have been addressed in the appropriate sections of this report, however a number of other concerns not covered are considered below.
43. One objector believes there to be a covenant on the land restricting the erection of any buildings. This is not a material planning consideration and, if this is the case, it would be a civil matter for the applicant to deal with outside the planning process.
44. Another objection refers to the three-storey height of the food hall and its detailed appearance. The submitted elevations of the food hall are indicative at this stage with scale and appearance not currently for consideration. This issue will be considered in full under a reserved matters application.
45. A further concern relates to the potential loss of television reception as a result of the development. Whilst this is something which can occur in proximity to tall buildings and other structures, Officers have no evidence to suggest that this will

be an issue in this instance, given the likely height and scale of the buildings proposed. As such, it is not considered reasonable to refuse the application for this reason.

DEVELOPER CONTRIBUTIONS

46. The residential element of the scheme is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
47. The redevelopment of the market does not fall within a category of development which is subject to the Community Infrastructure Levy (CIL).
48. 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. As landscaping is a reserved matter, in order to secure this an appropriate level of green infrastructure will be sought as part of a reserved matters application.

CONCLUSION

49. All issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The development accords with the development plan and relevant supplementary planning documents, and where these are silent or out of date, national planning policy. Any residual harm can be mitigated through the use of suitable planning conditions. As such, the application is recommended for approval subject to the conditions listed below.

RECOMMENDATION

GRANT subject to the following conditions:

1. The commencement of the 'Full' component of the development hereby approved must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be sought in relation to the 'Outline' component of the development in respect of the following matters before this element of the development first takes place:

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

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

3. Application for approval of reserved matters in relation to the 'Outline' element of the development must be made not later than the expiration of three years beginning with the date of this permission and this part of the development must be begun not later than whichever is the later of the following dates:

- (a) The expiration of three years from the date of this permission; or
- (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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

4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P-02-Detail (Rev B), F.05 (Rev B), P-03, P-05 (Rev B) and P-04 (Rev A).

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

5. No development relating to the 'Full' or 'Outline' components of the scheme shall take place, including any works of demolition, until a Construction Method Statement in respect of that component has been submitted to and approved in writing by the Local Planning Authority. The approved Statement(s) shall be adhered to throughout the construction period. The Statement(s) shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. Wheel washing facilities, including measures for keeping the highway clean
- vi. Measures to control the emission of dust and dirt during construction

- vii. A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. Hours of construction activity.

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

- 6. No development relating to the 'Full' or 'Outline' components of the scheme shall take place unless and until respective 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 'Full' or 'Outline' components of the development shall not be brought into use until these respective 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.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

- 7. Notwithstanding any description of materials in the application no above ground construction works in relation to the 'Full' component of the development shall take place until samples and/or a full specification of materials to be used externally on the dwellings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

- 8. No development relating to the 'Outline' component of the scheme shall take place until a Crime Impact Statement has first been submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate how Secured by Design principles and specifications will be incorporated into the design of the development to prevent crime and enhance community safety. Thereafter development shall proceed in accordance with the approved details, which shall be retained thereafter.

Reason: To ensure that appropriate details are incorporated into the design stage of the development, in the interests of crime prevention and the

enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

9. No part of the 'Full' or 'Outline' component of the development shall take place until all trees that are to be retained within or adjacent to the respective part of the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees adjacent to the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

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

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

11. No part of the 'Full' or 'Outline' components of the development shall be occupied or brought into use until their respective details relating to the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

12. No part of the 'Full' or 'Outline' components of the development shall be occupied or brought into use until their respective means of access, areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

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

13. The 'Outline' component of the development hereby approved shall not be brought into use unless and until a Noise Management Plan (NMP) relating to this element of the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved Noise Management Plan shall be adhered to at all times after the food hall has been brought into use.

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

14. The 'Outline' component of the development hereby approved shall not be brought into use unless and until an Odour Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Noise Management Plan shall be adhered to at all times that the food hall is in use.

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

15. The 'Outline' component of the development hereby approved shall not be brought into use unless and until a Servicing and Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include measures to be put in place to reduce disturbance from vehicles servicing the site on nearby residential properties. The approved plan shall be adhered to at all times that the food hall is in use.

Reason: In the interest of residential amenity and in compliance with Policies L4 and L7 and of the Trafford Core Strategy and the National Planning Policy Framework.

16. The 'Full' and 'Outline' components of the development hereby approved shall not be brought into use unless and until a scheme for the storage of waste and

recycling in respect of that component has been submitted to and approved in writing by the local planning authority. The scheme(s) shall include details of the location where waste and recycling will be stored and the design of such bin stores. The approved scheme(s) shall be adhered to at all times.

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

17. No external lighting in relation to the 'Full' or 'Outline' components of the development shall be installed on the buildings or elsewhere within the site unless a scheme for such lighting in respect of that component has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall only be lit in accordance with the approved scheme(s).

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

18. The LAeq noise level from the operation of any fixed mechanical or electrical plant and equipment, when rated and assessed in accordance with BS 4142: 2014 (or the prevailing guidance of the time), shall not at any time exceed the LA90 background noise level without such plant operating, at any residential receptors.

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

19. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. The food hall premises shall only be open for trade or business between the following hours:

07.00 and 22.00 Monday – Saturday
09.00 and 22.00 Sundays and Bank Holidays

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

21. No amplified music shall be played in external areas associated with the food hall use at any time.

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

22. Refuse and recycling collections in relation to the 'Outline' component of the development shall only take place between the hours of 07.00 and 23.00 on Monday to Saturday and at no time on Sundays or Bank Holidays.

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

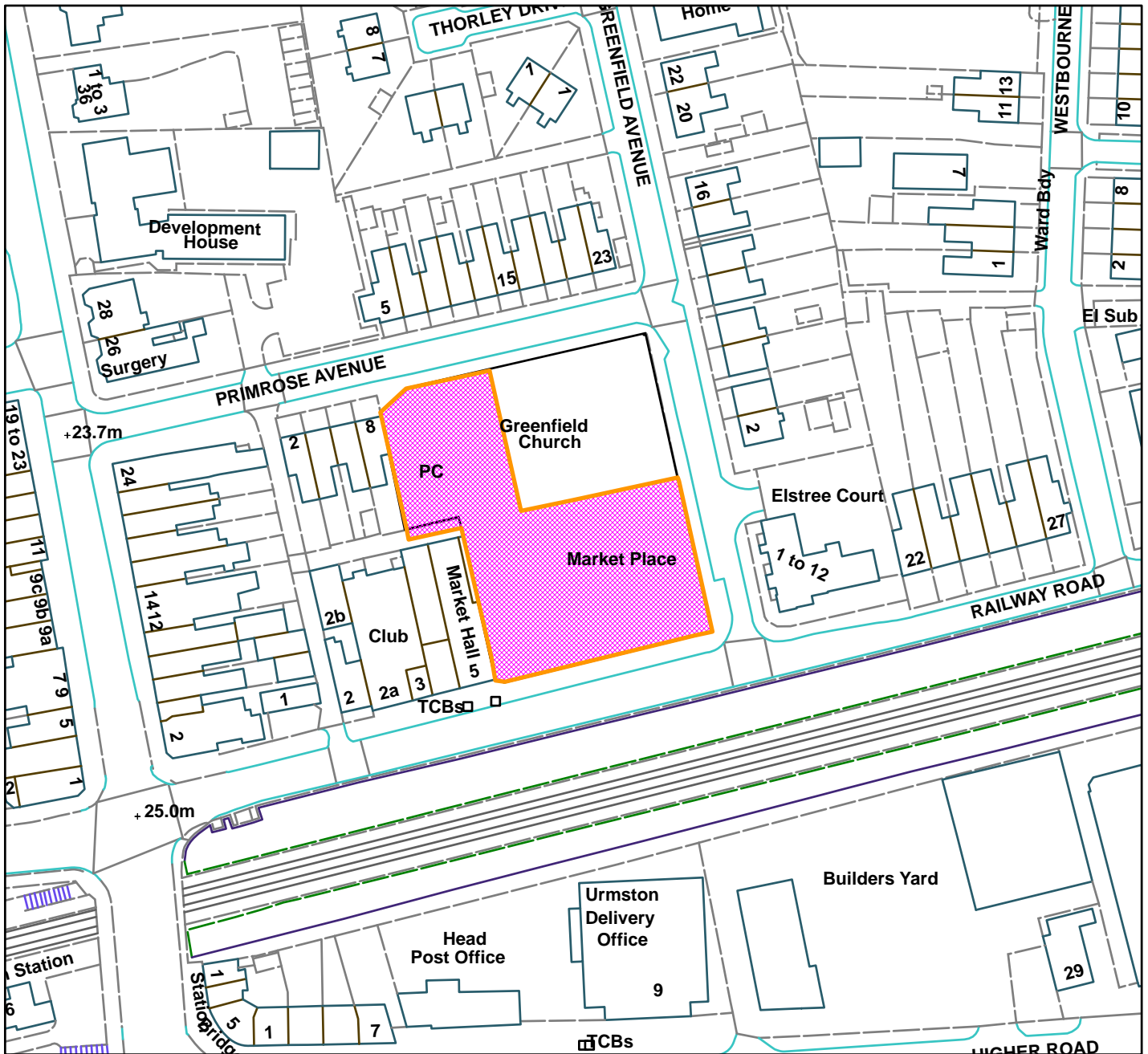
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any equivalent Order following the amendment, re-enactment or revocation thereof), no side extensions shall be carried out to each of the end-terraces hereby permitted and no rear extensions shall be carried out to the westernmost dwelling adjacent to 8 Primrose Avenue.

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

JD



Land Adjacent To 8 Primrose Avenue/Urmston Market (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

WARD: Flixton

89558/COU/16

DEPARTURE: No

Use of premises as a mixed cafe (A3 Use Class) and function room use with an ancillary children's play area in the rear outbuilding. External alterations to include a flue to the rear, replacement windows to the front and an extension to the rear outbuilding.

42 - 44 Brook Road, Flixton, M41 5RY

APPLICANT: Mr And Mrs Ellis

AGENT: EBR Designs

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee as there have been 6 or more representations contrary to the officer recommendation.

SITE

The application relates to a 2 storey detached property at the junction of Brook Road and Briar Close. The current building is predominantly red brick and dates from 1906 but there is evidence of an earlier building visible on the northern elevation. The main frontage onto Brook Road comprises two separate shop fronts with a central covered walkway through to the yard at the rear. There are external stairs up the southern side elevation leading to a first floor door. This elevation of the building is otherwise blank. There is an outbuilding in the rear yard built off the yard wall along the Briar Close boundary. There are various boundary treatments of varying heights around the rear yard. There is an existing pedestrian entrance built into the northern side elevation of the building accessed off Briar Close. The building has a long established commercial use and most recently was occupied by 'Appliance Care' who carried out sales, repairs and spares for household appliances and a martial arts academy also operated from the first floor in the recent past.

Briar Close to the northeast is a cul-de-sac of semi-detached properties. The western side boundary of No. 2, Briar Close forms the rear boundary of the application site. To the southern side of the application site is No. 36, Brook Road, a semi-detached property, the northern side boundary of which adjoins the application site. There is a detached garage within the garden of No. 36 Brook Road adjacent to this boundary. To the north of the site, across Briar Close is the side elevation and garden of No. 48, Brook Road which has a blank facing side elevation. Across Brook Road to the west are residential properties at 51-53 Brook Road.

There are other commercial premises to the north of Thorne Avenue with forecourts fronting Brook Road (55 - 63 odds Brook Road) and a public house (The Garricks Head) fronts Moorside Road to the north.

The property does not have any dedicated off street parking.

Renovation work had begun at the property at the time of the site visit.

PROPOSAL

Planning permission is sought for the use of premises as a mixed cafe (A3 Use Class) and function room use with ancillary children's play area with hours of operation of 8am-7pm Monday – Saturday and 9am-5pm on a Sunday. The applicant also proposes limited sales of sandwiches etc from the café for consumption off the premises and it is considered that this would be ancillary to the main A3 café use.

The children's play area is proposed in the rear outbuilding following its extension. The proposed extension with monopitch roof to the rear outbuilding would measure 2.9 metres wide x between 2.4 and 3.8m long and would replace an existing lean-to structure on the outbuilding (1.7m x 2.4m). A flue is also proposed on the rear elevation. Other external alterations include replacement windows to the front and the premises would be generally refurbished as part of the proposals.

The external rear yard area is not included for use as part of the café and there would not be any external seating. Public access would be limited to a small area between the main building and the children's play outbuilding with the main yard secured by fencing.

Value Added – The proposals have been amended following discussions with the planning department as a result of concerns over the impact of the original proposals on the amenity of local residents. Consequently the application has been amended to remove the proposed bistro/bar use and use of the external rear yard area for outdoor seating and to reduce the proposed hours of operation from 11pm.

The total floorspace of the proposed development would be approximately 487 m². The proposed extension to the existing rear outbuilding would result in a floorspace increase of approximately 7 m².

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.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L7 – Design

W2 – Town Centres and Retail

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

H/52565 - Change of use of first floor from dance studio to martial arts and self-defence studio – Approved 2001

H/35010 - Change of use from shop and warehouse to office, storage and showroom with sales of non-domestic goods – Approved 1992

H/21675 – Retention of use of premises for the manufacture and storage of sports clothing – Refused 1985

APPLICANT'S SUBMISSION

A Design and Access Statement, acoustic report and pre-planning advice provided by Design for Security have been submitted in support of the application. These documents will be referred to within the report where appropriate.

CONSULTATIONS

LHA – No objections in principle. Comments are discussed in more detail in the Observations section of the report.

Pollution and Housing (Nuisance) – No objections in principle. Comments are discussed in more detail in the Observations section of the report.

G M Police (Design for Security) – No objections on the basis of the latest proposals which overcome their concerns about the original scheme.

REPRESENTATIONS

Neighbours: - Objections were received from 18 separate addresses in relation to the original proposals. The grounds of objection are summarised below:

Highways Issues

- No parking is proposed on site. There are already significant parking issues in the area as a result of on street parking for the chip shop and pub. Frequent double parking blocks access to Briar Close and Thorne Avenue.
- Parking on street corners blocks visibility and pavements and driveways are also blocked by inconsiderate drivers. The proposal will exacerbate these problems and cause highway safety issues.
- Will exacerbate problems of access for emergency vehicles travelling to the hospital and bin lorries.
- The applicant cannot control how people travel to the premises.
- Lack of parking is contrary to Policy L7 of the Trafford UDP.

Amenity Issues

- Noise and disturbance from a bar/bistro open until 11pm. With excessively late hours of operation and weekend opening there would be no respite from noise.
- Already a number of licensed premises in the area, don't need more.
- Noise and obscenities from yard area, children's play area and parties – residents should not have to shut windows and stay out of garden to avoid.
- The flue will be an eyesore and create unpleasant smells.
- Takeaway and bar will lead to people congregating, increased comings and goings, anti-social behaviour and litter.
- Increased noise from internal areas due to opening up windows in rear elevation.
- Loss of privacy due to overlooking from upstairs rear windows.
- Impact on amenity is contrary to Policy L7 of the Trafford UDP.

Other Matters

- Building work commenced without planning permission and has been inconsiderate due to early starts and skips and builders vans blocking the road.
- The premises were not previously derelict.
- This is not a community enterprise and it is misleading to suggest it is. The community were not consulted on these proposals.
- The proposal will be a nuisance to the community not an asset.
- The proposal will devalue local houses.

Letters of support from 3 addresses were received in relation to the original proposals, comments summarised as follows:

- The renovation will save a fine old Co-op building
- The proposal will be a great asset to the community
- The proposal will create jobs
- The area is desperately in need of a café/deli/bistro. It is hard to find places to eat that are family orientated. As owners are from a childcare background the building and courtyard would be a safe and secure place.
- People using it would also use the other shops benefiting the other retail units
- Will assist evening and weekend staff at the hospital to get a nutritious meal within walking distance of work with indoor and outdoor seating.
- Granting permission would not have any major or minor impact on parking

Re-consultation letters have also been sent out in relation to the amended proposals. Additional comments received from 9 addresses are summarised below:

- Amended proposal will still result in lack of parking and increase in traffic and will result in the highway issues previously outlined in the original objections
- Fully opening windows will lead to noise and odour pollution
- It isn't clear whether the amended proposal would be a drinking establishment – all that has been changed on the floorplan is the removal of the words bar and dance floor
- The amendments make no difference unless the opening times are amended too – this is unclear

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The site is unallocated on the Trafford Unitary Development Plan but appears to have until recently been operating as a mixed sales, showroom and repairs use at ground floor with a martial arts studio at first floor level. The application proposes an A3 Café use with ancillary play area and also a sui generis function room at first floor level. The proposals would result in the loss of an A1 retail unit however the premises are not located within an allocated shopping frontage and would retain an active frontage onto Brook Road and bring the building back into use. As the site is unallocated there are no specific policy restrictions relating to the principle of the proposed use and on this basis it is considered that the application is acceptable in principle. The fact there is another licensed premises in the vicinity is not a relevant consideration in relation to the principle of the proposed use. It is still however necessary to consider whether the proposal would be compliant with other relevant development plan policies in particular L4 and L7 of the Trafford Core Strategy in relation to residential amenity, visual impact, crime and parking and highways issues.

IMPACT ON RESIDENTIAL AMENITY

2. The application property is a detached two storey building with associated walled rear yard area. There are residential properties in close proximity to the southern side and rear and the wider area is predominantly residential in nature although there are commercial premises fronting Brook Road to the northwest and a public house further north fronting Moorside Road.
3. The previous use of the premises was as an appliance care centre with a martial arts studio at first floor level. The premises have a long established commercial use.
4. The western side boundary of No. 2, Briar Close forms the rear boundary of the application site. The rear wall of the yard is approximately 1.5 metres high adjacent to the main habitable front facing windows in No. 2 Briar Close.
5. To the southern side of the application site is No. 36, Brook Road, a semi-detached property the northern side boundary of which adjoins the application site. There is a detached garage within the garden of No. 36 Brook Road adjacent to this boundary. There is also a boundary wall around the rear yard on the boundary with No. 36 varying in height from approximately 1.5 metres to a short higher section approximately 2.2 metres in height which extends out from the rear of the application premises.
6. The scheme as originally proposed included A4 Bar / bistro use with full use of the external yard area for customers until 11pm. It was considered that this would result in a material loss of amenity to local residents, in particular the occupiers of No. 2, Briar Close and 36, Brook Road due to noise and loss of privacy.
7. The proposed amended scheme would remove the bar (A4 use) element of the proposal and would result in hours of operation of 8am-7pm Monday – Saturday and 9am-5pm on a Sunday and would exclude the use of the external yard area other than a small area required to access the children’s play area in the outbuilding. However this area would be secured by a timber fence which would prevent general access to the wider yard area.
8. The Pollution and Housing section consider that the restriction on the use of the rear yard is a positive step in reducing the impacts of the scheme subject to a condition to ensure this and that the amended hours of operation should also be conditioned accordingly.

Impact from café / play room

9. It is considered that the revised scheme for a café within the A3 use class with reduced hours of operation and the prevention of the use of the yard area by users of the premises would significantly reduce the potential noise and privacy impacts of the proposed development.

10. Concerns have also been raised about the potential for noise nuisance from the children's play area and from within the building as a result of the windows in the rear elevation.
11. The café would operate within the main building at ground floor level. The children's play area would be contained within an outbuilding which is in the north-eastern corner of the yard. There would be some movement between the main building and the outbuilding but this would be behind the timber fence, away from the boundary with the nearest residential properties and people would be unlikely to congregate in this small area. In addition both the café and the play area would cease to operate at 7pm at the latest. The proposed hours of operation are considered appropriate as the premises would cease to operate in the early evening at a time when material nuisance from noise within the building or outbuilding area unlikely. It is also noted that the premises have previously been used for domestic appliance sales and repairs which included the use of all of the open rear yard from 8am- 6pm Monday – Saturday inclusive.
12. The Pollution and Licencing section have recommended a condition requiring a Noise Management Plan be prepared and submitted for the premises and also that all external doors and windows should be kept closed when entertainment comprising amplified music or voices is being provided except in the case of an emergency. On this basis it is considered that the proposed operation of the propose uses would not result in a material loss of amenity to adjacent residents.

Impact from function room

13. The first floor of the building is proposed for a sui generis 'function room' use. The bar use has been deleted but the function room use would not preclude the sale of alcohol were a license to be applied for and granted in connection with the function room use. However the hours of operation have been significantly reduced from 11pm to 7pm. It is noted that the previously approved martial arts studio had later hours of operation (until 10pm) however it is considered that a function room would be used in quite a different way given the potential for alcohol sale and amplified music. On this basis a 7pm closing time is again considered appropriate as it is not considered that this would result in undue harm to residential amenity of adjacent properties but would still allow for a variety of functions to be held at the premises during appropriate daytime hours.
14. As indicated above the Pollution and Licencing section have recommended a Noise Management Plan condition and also that all external doors and windows should be kept closed when entertainment comprising amplified music or voices is being provided except in the case of an emergency. On this basis it is considered that the proposed operation of the proposed uses would not result in a material loss of amenity to adjacent residents.

Impact from general comings and goings

15. Concerns have also been raised about the potential for noise nuisance from general comings and goings to and from the premises. While it is acknowledged that there will be some general noise from people walking to the premises, the focus of this activity would be the front and northern of the premises and during the daytime. Additional parking and car movements in the vicinity of the premises generated by the proposed uses may result in some additional nuisance to residents however this would again be during daytime hours with operation of the premises ceasing in the early evening and for this reason it is not considered significant enough that the amenity of nearby residents would be prejudiced.

Privacy

16. With regard to concerns about loss of privacy, as the rear yard area would not be accessible to the public and it is not considered that there would be any material loss of privacy to neighbouring properties as a result of users of the premises looking over boundary walls. The alterations / extension to the proposed outbuilding would not result in any windows in the main elevations however there would be 2 no rooflights in the lean to roof of the extension. Due to the height and siting of these rooflights, views out would not result in loss of privacy to neighbouring properties. Two doors are proposed in the outbuilding but these would both face onto the main premises.
17. The windows in the rear elevation of the main building are in the same location as they were previously albeit they have been replaced with new windows. There were no restrictions on the use of these windows on the previous permissions and the martial arts studio had hours of operation until 10pm on any day. Any use of the main building by the public would cease after 7pm under this permission.

Plant and Equipment

18. Concerns have also been raised about the potential for the flue to generate odours and noise. The Council's Pollution and Licencing section have stipulated requirements for the flue which can be included in a suitable worded condition and on this basis it is considered that the proposal would not result in nuisance to local residents through noise or cooking odours. It is also recommended that a condition restricting noise levels from the operation of all fixed mechanical or electrical plant and equipment and a condition to prevent external handling, collection and disposal of refuse and recycling between 2100 hours and 0700 hours to be added to any permission..
19. On balance, it is considered that subject to conditions relating to hours of operation and prevention of use of the external yard area and appropriate extraction equipment the proposed café, function room and children's play area could be

accommodated without material detriment to the amenities of the occupiers of nearby residential properties.

VISUAL AMENITY

20. The application property has some age, the date stone on the main frontage states 1906; however it has been much altered over the years and is in need of refurbishment. Notwithstanding this it is a building with a longstanding history in the local area.
21. The proposed external changes to the building are relatively minor and would retain glazed frontages to Brook Road. The glazed windows would be enlarged and timber doors would be added to the front of the central walkway. Any signage required in association with the use is likely to require a separate advertisement consent application.
22. The proposed extension with monopitch roof to the rear outbuilding is relatively small (2.9 metres wide x between 2.4 and 3.8m long) and would replace an existing lean-to structure on the outbuilding (1.7m x 2.4m). As this extension is in the enclosed rear yard, subject to it being constructed in materials of a similar appearance to the existing outbuilding it is considered it would have limited visual impact outside the site. The proposed timber fencing used to prevent access by the public to the rear yard area would be 1.2 metres high and would therefore have little visual impact outside the site due to the height of the existing boundary walls to the yard. The rear yard could still be accessed by staff via the central passage way and this access would need to be controlled via a lockable gate to prevent general public access – a condition is recommended accordingly.
23. The proposed extract flue would be situated to the rear of the building and subject to a suitable finish it is not considered that it would result in such adverse impact on visual amenity or the streetscene to warrant a refusal on those grounds. It is therefore recommended that an appropriate condition be attached in order to agree a suitable finish for the flue to minimise the visual impact.
24. Overall the proposals would refurbish and bring back into use a long established local building and this is considered positive for the streetscene.

PARKING AND HIGHWAYS ISSUES

25. The premises do not have any dedicated off street parking spaces available. There is however on street parking available in the vicinity of the premises. The LHA have considered the revised proposal and comment that the main access to the property is from Brook Road. There is also a pedestrian side entrance to the rear yard via Briar Close. The existing gap between the two properties is to remain and be used as a storage area, accessed through timber gates from Brook Road. Servicing to the

property will be via either Brook Road or Briar Close. Bin storage is proposed to the rear of the property and bins will be transferred to the roadside for collection.

26. The proposals do not include any off-street parking or any disabled parking provision. SPD3: Parking Standards and Design states that for restaurant use (class A3) 1 space per 5m² of public floor area is required (approx. 110sqm public floor area proposed). This equates to a maximum of 22 off-street parking spaces. For the 1st floor function room (approx. 111sqm public floor area) SPD3 allows a maximum of five parking spaces. For the children's play area, SPD3 allows a maximum of one car park space per member of staff. Not including the play area, SPD3 would allow an overall maximum provision of 27 parking spaces.
27. There have been a number of objections received from local residents, most of which relate to the existing parking issues generated by the nearby pub and retail outlets and potential increase to traffic and parking issues associated with the change of use. The LHA generally agree with the points raised in the objections and are concerned that the lack of off-street parking provision would give rise to additional parking on Brook Road and surrounding streets and is likely to result in undue disturbance and inconvenience to local residents. It should also be noted that Brook Road is also signed as a route to the hospital from the Brook Road / Bowfell Road / Flixton Road junction.
28. Notwithstanding the above, given that the proposal is intended to be used by the local community and people living in the vicinity of the site, much of the trade is anticipated to come from the local area and will not be travelling by car. Limited on-street parking is available in the immediate vicinity, although apart from some businesses on Brook Road the area is predominantly residential. It is also noted that the previously approved uses of the building as office, storage and showroom with sales and a martial arts studio also generated parking demand without any on street parking.
29. For a planning application to be refused on highways and traffic grounds then the development would have to create a "severe impact". Brook Road is a local access road and whilst some minor inconvenience may be caused at times, this cannot be considered to be "severe impact" and therefore the LHA do not object to this application on highway grounds.

OTHER MATTERS

30. It is noted that concerns have been raised regarding the manner in which the renovation works have been carried out to date. The impact of construction / refurbishment work is temporary in nature and if construction noise becomes a serious problem, this can be investigated by the Pollution and Licensing Section under the relevant legislation.

31. Concerns have also been raised about the potential for the proposal to generate anti-social behaviour in the vicinity. GMP Design for Security were consulted on the application and had initial concerns about the impacts of the original scheme on nuisance and anti-social behaviour. However these concerns have been overcome by the amendments to the scheme to remove the proposed bistro/bar use and use of the external rear yard area for outdoor seating and to reduce the proposed hours of operation from 11pm to 7pm and they now have no objections.
32. The impact of the proposal on property values is not a planning consideration.

CONCLUSION

33. It is considered that on the basis of the revisions made to the proposal in terms of the uses now proposed, areas to be used and the reduced hours of operation the proposed use could operate from the premises without causing an undue adverse impact on nearby residents, subject to appropriate conditions. The concerns about the traffic impacts are noted however it is not considered that the proposed use would result in a significant adverse impact on parking or highways issues in the area when compared to the previous usage of the building. For the foregoing reasons the application is considered to be in accordance with the development plan and the National Planning Policy Framework.

DEVELOPER CONTRIBUTIONS

34. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of all other development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

RECOMMENDATION:

GRANT subject to the following conditions:

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, ref. A0.5 and A0.6 dated September 2016 and A0.4, A0.9 and A0.10, A0.13 dated February 2017.

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

3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a mixed cafe (A3 Use Class) and function room use with an ancillary children's play area and for no other purposes within the above Order.

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

5. The premises shall only be open for trade or business between the hours of:
08:00-19:00 hours Monday – Saturday inclusive and
09:00-17:00 hours on a Sunday

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

6. No development shall take place unless and until a scheme for secure cycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

7. There shall be no external handling, collection or disposal of refuse and/or recycled materials between the hours of 21.00 hours and 07.00 hours on any day.

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

8. All external doors and windows shall be kept closed at all times when amplified sound of any type is occurring at the premises

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

9. The LAeq noise level from the operation of all fixed mechanical or electrical plant and equipment, when rated and assessed in accordance with BS 4142: 2014 (or the prevailing guidance of the time), shall not exceed the LA90 background noise level without such plant operating, at any residential receptors.

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

10. No development shall take place until full details of the proposed flue have been submitted to and approved in writing by the Local Planning Authority. The discharge stack shall be painted black and shall discharge the extracted air not less than 1 m above the roof eaves of the building housing the commercial kitchen and the discharged air shall be emitted in a straight and vertical manner and a cowl that would impede the flow of air is not permitted. The approved kitchen extraction / ventilation equipment shall be retained in good order in accordance with the approved details thereafter.

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

11. There shall be no public access by users of the premises to the shaded rear yard area shown on drawing ref. A0.13 dated February 2017 and this shaded rear yard area shall not be used for sitting out. Prior to the use hereby approved first taking place a 1.2 metre high timber fence shall be erected in the location shown on drawing ref. A0.13 and retained in situ in perpetuity to prevent access to the shaded area of the rear yard as shown on the plan by users of the premises.

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

12. Prior to the use hereby approved first taking place details of the means of preventing access to the rear yard via the central internal passageway by users of the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the use hereby approved being first commenced and retained as such thereafter.

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

13. No development shall take place until details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and

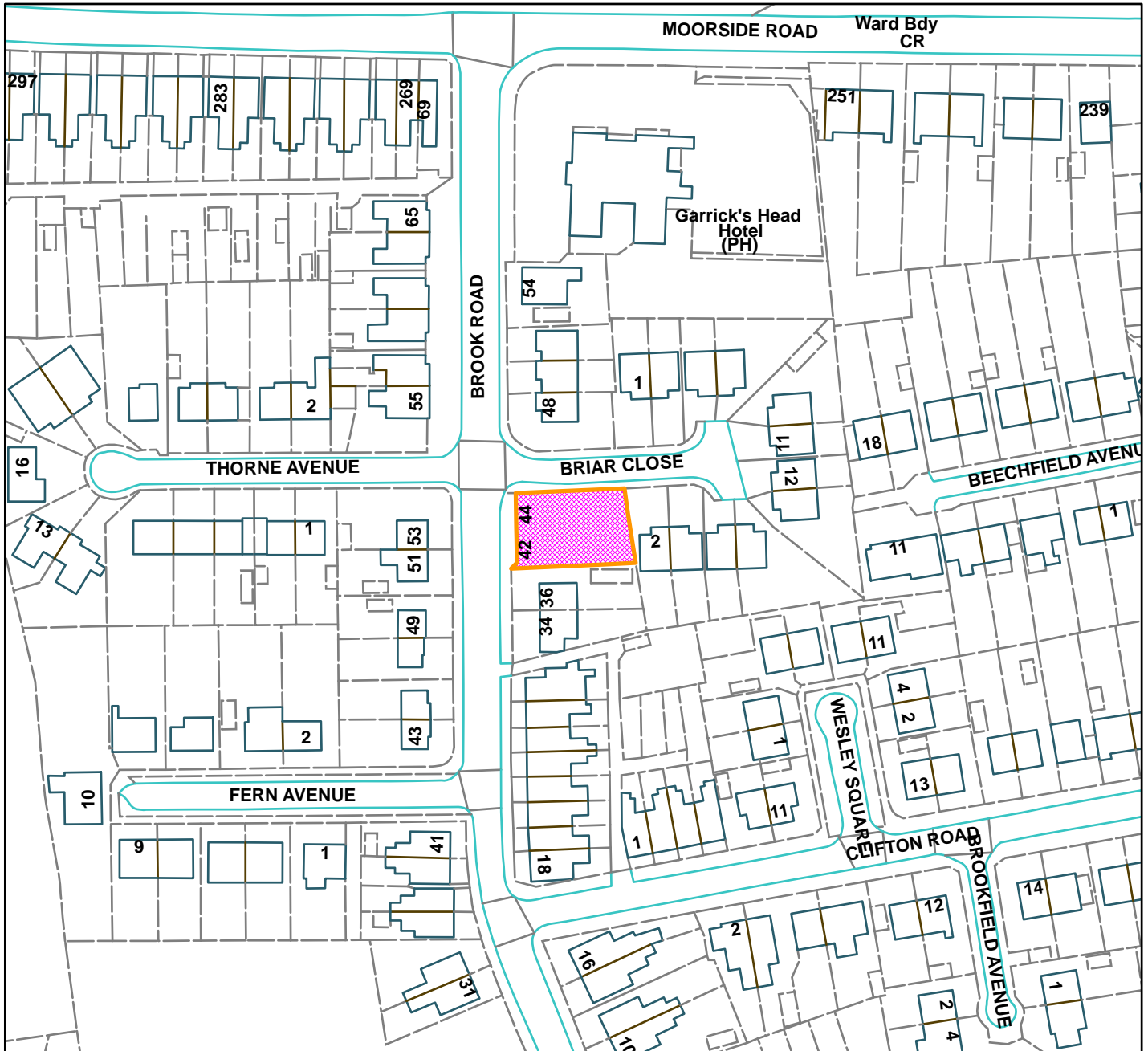
made available for use prior to the first use of the premises and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities at the design stage of the development, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

JJ



42-44 Brook Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

WARD: Urmston

89646/FUL/16

DEPARTURE: No

Erection of three new dwellinghouses. External alterations to 55 Poplar Grove to include the bricking up of current and creation of new windows.

55 Poplar Grove And Land To The Rear Of , 51-53 Moss Vale Road, Urmston, M41 9BN

APPLICANT: LGK Group

AGENT: Randle White Architects

RECOMMENDATION: GRANT

This application has been referred to the Planning and Development Management Committee as it has received in excess of 6no. objections and has also been called in by Councillor Joanne Harding.

SITE

The application relates to a parcel of land, currently forming the rear garden areas to the west of numbers 51-53 Moss Vale Road, Urmston. Situated within a large well established residential area, the parcel of land in question, has the rear garden area of number 55 Moss Vale Road sited to its north, a burial ground sited to its west and residential dwellings to its south, sited on Poplar Grove. The site area in this instance also includes number 55 Poplar Grove sited to the site's south-western most side, this is a two storey end-terraced dwelling, with a small garden area to its rear.

The site area itself is currently partly landscaped with low level shrubbery and other vegetation. To the site's southernmost boundary lie 3no. well established Poplar trees, these are mature and are protected under a Tree Preservation Order (TPO ref. 328).

PROPOSAL

The application details the erection of 3no. town house dwellings, sited to the western most side of the site, with associated car parking and private garden areas.

The proposed dwellings would be 2 storeys in height, with additional living accommodation within their roof space, together with rear dormer windows. The dwellings would provide three bedrooms and the proposed living accommodation would be set over three floors. Each dwelling would be provided with two car parking spaces.

The application would also see external alterations to No. 55 Poplar Grove; including the removal of existing window openings within its north facing side elevation and the

erection of new openings to its rear west facing elevation, at both ground and first floor level.

Value Added

The application has been amended since its original submission due to concerns raised by officers, in relation to the proposed developments overall design and form. Alterations have further been made to the sites parking layout and landscaping provision, which will now see the retention of the 3no. Poplar trees sited to the sites southernmost side.

The development would now comprise of 3no. town house dwellings, with sufficient parking and landscaping and would also see the retention of the Poplar Trees, sited to the sites southern boundary. These points are further discussed within the later sections of this report.

The total floor space of the proposed development would be 330 m².

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

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENT

SPG 1: New Residential Development (2004)
SPD3: A Guide to Householder Extensions and Alterations

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

H/54147 - Rear gardens of 51 and 53 Moss Vale Road - Erection of 3no. Townhouses and layout vehicular access thereto on land formerly used as garden area - Application Withdrawn, 2002.

83681/FULL/2014, Land to rear of 51 and 53 Moss Vale Road - Erection of an outbuilding containing four garages accessed from Poplar Grove - Approved with Conditions, 2014.

APPLICANT'S SUBMISSION

Design and Access Statement

Tree Report

Day and sunlight assessment report

CONSULTATIONS

Local Highways Authority

Raises no objections to the proposed scheme, however, recommended the use of planning conditions.

Drainage Engineer

Raises no objections to the proposed scheme, however, recommended the use of conditions to control peak discharge from the site and reduce the likelihood of localised flooding.

Transport for Greater Manchester

Raise no objection to the proposed development.

United Utilities

Raise no objection to the proposed development

Greater Manchester Police – Design for Security

Raise no objection to the proposed development; however recommend the use of a planning condition

Contaminated Land

Raise no objection to the proposed development; however recommend the use of a planning condition

Greater Manchester Ecology Unit

Raise no objection to the proposed development; however recommend the use of planning condition

Noise and Pollution

Raise no objection to the proposed development; however recommend the use of a planning condition

REPRESENTATIONS

15 objections were received in relation to this application, outlining the below concerns:

- Development will add further pressure for parking within the area
- Development will lead to an increase in fly tipping
- Area will be made unsafe for children to play
- Out of keeping with character of the area
- Development will remove existing planting at the site
- Loss of view arising from the development
- Increase in noise and congestion
- Loss of Poplar trees from the site

- 3 storey dwellings out of keeping with those on Poplar Grove
- Loss of light
- Concerns for the passing of emergency vehicles
- Parking areas are sited in close proximity to existing garage within the site
- Increase risk of flooding
- Building machinery and vehicles passing through the area
- Loss of privacy from the proposed new dwellings
- Overdevelopment of the site
- Site is not a brownfield site which should be prioritised
- Development does not follow the existing street-scape

Other comments:

- Unauthorised works taking place at the site

Letters of support:

- 3 letters of support were also received in reference to the development proposals.

The application has been called in by Councillor Joanne Harding on the following areas of concern:

- increased traffic and car parking pressures
- Lack of access for construction and emergency vehicles
- Development would obscure existing view of street-scene
- Increased levels of noise and nuisance
- Water feed for the application site

OBSERVATIONS

1. The scheme was originally submitted for the erection of 3no. townhouse dwellings with their associated landscaping and parking provision. However, concerns were raised by Officers in relation to their proposed design alongside the proposed loss of the 3no. existing Poplar trees at the site, which were detailed to be removed. That application was withdrawn and the scheme has subsequently been revised to amend the design related concerns, relating to the form of the proposed roof and dormer windows of the units. The amended scheme now further seeks to retain the existing Poplar trees sited to the sites southern boundary. It is on this basis that the scheme has been assessed below.

PRINCIPLE OF DEVELOPMENT

2. The application site is located within Urmston and comprises the rear garden areas of numbers 51 – 53 Moss Vale Road, as well as the property at 55 Poplar Grove. The area of land in question remains sited to the north of Poplar Grove and to the

west of numbers 51-53 Moss Vale Road, bound to the north via the rear garden area of no. 55 Moss Vale Road and to the west by a burial ground. The definition of previously developed (brownfield) land in the National Planning Policy Framework specifically excludes private residential gardens and as such this site is considered to be greenfield land.

3. Core Strategy Policy L1.7 sets an indicative target of 80% of new housing provision to be built on brownfield land. In order to achieve this, the Council has stated that it will release previously developed land and sustainable urban area greenfield land, in order of priority.
4. The first priority which details the release of land within regional centers and inner areas for new development of housing does not apply within this case due to the location of the site. Therefore the application will need to be considered against the second and third points of Policy L1.7.
5. With reference to Policy L1.7 the application site is located within an established residential area and is considered to be within a sustainable location, close to public transport links and local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards the Urmston Strategic Place Objective URO1, in terms of meeting housing needs in sustainable locations, which are well served by public transport; in turn supporting the regeneration of the area.
6. In terms of Policy L2, the proposal would add 3no. new larger family type dwellings within a sustainable location, adding to the Councils sustainable communities strategy, albeit by a small amount. Based upon the submitted plans and with reference to Policy L2.5 of the Core Strategy specifically, the proposed housing would help meet the Councils 33% target of securing 3 bedroom+ family homes.
7. 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.
8. 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.
9. 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.

10. 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.
11. 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 3 new homes in a sustainable location.
12. It is therefore considered that although the proposed area for development is classed to be greenfield land, on balance the proposal satisfies the tests of Policy L1.7 from the TBC Core strategy and relevant policies within the NPPF. As discussed above, the application site is situated within a sustainable location and the development would also make a positive contribution to the Council's housing land target in line with the NPPF.

DESIGN AND STREET SCENE

13. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
14. Paragraph 2.2 of the New Residential Development SPD indicates that development will not be accepted at the expense of the character of the surrounding area. It states that the resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
15. Paragraph 2.5 of the New Residential Development SPG further notes that tandem development (a new building behind an existing one with shared access from the

road) will not normally be acceptable. 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.

16. This proposal comprises backland development but is not tandem development as the access to the dwellings would be along Poplar Grove rather than from Moss Vale Road. Nevertheless, the issues identified in Paragraph 2.5 of the Residential Development SPG are key to the acceptability of this development.
17. Although the proposed dwellings would be sited to the rear of existing dwellings on Moss Vale Road, the development would be visible from the southern part of Poplar Grove. Poplar Grove and its surrounding area remain largely diverse in terms of building styles and types, presenting a wide mix of detached, semi-detached and terraced dwellings; with a small number of commercial premises. These are largely of two storeys, with signs present of additional living accommodation within roof spaces. The site's wider area also presents a good mix of building materials and boundary treatments.
18. The proposed dwellings would be erected to the rear (western) part of the site, within the former garden areas of numbers 51-53 Moss Vale Road. The proposed development would be sited some 28m from the rear elevation of these dwellings and would therefore retain a large setback from their rear elevations. Poplar Grove itself has a well-established building line running along it, to either side. The proposed building line of the dwellings would however be sited forward of this, by a distance of 2m. Although the proposed dwellings would not follow this established building line this is not considered to significantly impact upon the prevailing pattern of development and therefore the siting of the proposed development is considered to be acceptable.
19. It should further be noted that the separation distance of 28m between the proposed new dwellings and those sited on Moss Vale Road (No.'s 51-53) would be in keeping with that currently retained by the existing dwellings sited to either side of Poplar Grove.
20. The proposed dwellings would be sited centrally within the application site, retaining a distance of 12.4m to the sites east facing front boundary and between 7m and 9m to the sites tapering western side rear boundary. The proposed development would retain approximately 1m from the sites north and south facing side boundaries, and is therefore considered to be sited well within the site retaining a degree of space.
21. The proposed dwellings would be erected at two storey level, with additional living accommodation within the roof space. The dwellings would have a hipped roof design, with a ridge height of 8.8m and an eaves height of 6.05m. This compares to

existing dwellings on Poplar Grove, also built with a hipped roof design, having a height of 8.9m, with an eaves height of approximately 6m. The dwellings are therefore seen to be on a relatively similar scale to those already present on Poplar Grove. The proposal is therefore considered to take on the form of a proportionate sized addition within the Poplar Grove Street scene and is seen to reflect the existing well established built form of the area.

22. The overall design quality of the proposed units is considered to be to an acceptable level. The proposed units would have a uniform style in the form of well-proportioned openings sited within the dwelling's front elevations. These would be erected in the same form as similar sized openings on properties within Poplar Grove, with stone detailing for their cills and lintels. As fenestration pattern is considered to be acceptable and the front elevations have further been broken-up through the use of small porch style features, sited above the dwelling's main entrance points. The buildings side elevations have been left largely plain, with the exception of first floor window openings, which help break up the large expanses of brick to either side. To the rear, French door openings and large window openings, together with stone and brickwork detailing have been proposed. These carry a uniform design and style and are considered to be acceptable.
23. Small proportionate sized dormer windows are proposed at second floor level, are of a uniform design and are sited below the ridge and above the eaves of the main dwelling, therefore taking on the form of secondary additions within the roof space; considered acceptable. The applicants further propose the dwellings to be erected from matching materials to those already present within the wider area.
24. It has further been considered, given the general character of the wider area, permitted development rights would need to be removed via the use of a condition for the conversion of the hipped roofs on each of the end terraces to a gable end.
25. Small garden areas are proposed to the rear of the dwellings, considered to be of a reasonable size and these remain in keeping with other such properties sited on Poplar Grove. No further details of the proposed boundary treatments have been provided at this stage of the application and therefore it is recommended a condition to this effect be attached to any subsequent planning consent, requiring the applicant to submit such information into the Council for approval prior to its installation on site; ensuring the form of the sites boundary is to a satisfactory level.
26. The application also details external alterations to No. 55 Poplar Grove. These alterations relate to the dwellings existing openings, sited within its north facing side elevation; at both ground and first floor level. The application would see these 3no. openings removed and re-sited to the rear elevation of the dwelling. The existing openings are proposed to be bricked up in matching brick work to that used on the host dwelling. The works would then see 2no. openings inserted to the rear elevation of the dwelling, overlooking its rear garden area. The proposed openings are detailed to be erected within the northern most section of the rear elevation. The

openings would be erected in a sash form, in line with those on the existing dwelling and as such are considered to be acceptable.

27. The development is therefore considered to positively enhance this underused area, sited to the rear of Nos. 51-53 Poplar Grove, without the detriment of the site itself or the wider street scene. The proposal is therefore considered to be in line with policy L7 of the TBC core strategy and the relevant sections of the NPPF, alongside the Councils adopted guidelines for New Residential Development

RESIDENTIAL AMENITY

28. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
29. 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.

Impact upon existing residential properties on Moss Vale Road

30. To the east of the proposed development site lie a number of residential dwellings located on Moss Vale Road, the closest being numbers 51 and 53. The proposed development would achieve a separation distance in excess of 21m from the rear most elevation of numbers 51 and 53, in line with the Councils guidelines for New Residential Development and as such the development is not considered to result in any new overbearing impacts for these properties. The proposed development is further not considered to appear visually intrusive to these neighbouring land users.
31. The development would see the proposed dwellings accessed via Poplar Grove, to the south of the application site. Any comings and goings to the site will therefore be carried out via this existing established residential street. It is therefore noted that although the development would take on the form of tandem back land development, this would be erected without the detriment to the amenity of the existing occupiers of Numbers 51-53 Moss Vale Road, with the site access being sited well away from their private garden areas. The increase in vehicular movements along Poplar Grove would be negligible and no loss of amenity would occur as a result.

Impact upon existing residential property to the north of the site on Moss Vale Road

32. To the north of the site lies the rear garden area of number 55 Moss Vale Road. The proposed dwellings would retain a separation distance in excess of 31m from the main rear elevation of number 55 and as such the development is not considered to have any material overbearing concerns for this property and is not considered to appear visually intrusive. The development will however be sited in

close proximity to its southern side boundary, at a separation distance of 1m. The rear garden area for number 55 Moss Vale Road is however extensive in size, 50.8m in its depth; the vast majority of which would remain unaffected by the proposed development, as the proposed dwellings would be erected adjacent to the rear most section of this. It is therefore noted that the erection of these dwellings would have some impact upon this private garden space; however on balance this is not considered to be detrimental to the amenity of this neighbouring occupier, given the extensive nature of its grounds, allowing sufficient private amenity space provision.

33. The proposed dwellings would feature a single north facing opening within their side facing elevation, this relates to a bathroom and will be obscurely glazed, up to a distance of 1.7m above floor level and as such would not give rise to any new overlooking concerns. This relationship is therefore considered acceptable.

Impact upon properties to the south of the site on Poplar Grove

34. Given the siting of the application site, it is considered any likely impact from the proposed development would be felt by number 55 Poplar Grove, sited immediately to the sites southern side, at a separation distance of 5.5m. Number 55 has proposed external alterations as part of this application; these would see the re-siting of existing side elevation (north facing) openings, at both ground and first floor level.
35. At ground floor level, No. 55 has 2no. side facing window openings relating to main habitable rooms, these being a living room and a dining room; the western most window being the sole opening for the dwellings rear dining room. The application would see these two existing openings bricked up and would see the rear dining rooms opening re-sited to the rear elevation of the dwelling, opening out onto the sites rear garden area. At first floor level a single existing bedroom window is currently sited to the north facing elevation of the dwelling, this is again proposed to be re-sited to the rear elevation of the dwelling.
36. It is therefore considered, subject to the external alterations as discussed above, which will be conditioned as part of any subsequent planning consent, the proposed development would not result in any undue loss in amenity for number 55 Poplar Grove, given the dwellings main outlook would be re-sited to its eastern and western sides. The proposed development would therefore also not appear visually intrusive.
37. The development, as a result of the window openings being re-sited would further not result in any loss of light or outlook for No.55 Poplar Grove, given that this would only step 2m ahead of the front elevation of No.55 and be sited a distance of 5.5m away, which is considered to offset any potential concerns.
38. The proposed dwellings would further have no openings sited within their south facing side elevation, with the exception of a small bathroom opening, which will be

the subject of an obscure gazing condition, for an internal height of up to 1.7m above floor level and this would therefore not give rise to any new overlooking concerns. This relationship is therefore considered acceptable.

Daylight and sunlight assessment:

39. The amended scheme would retain the 3no. Poplar trees within the site. Given that the proposed dwellings would be sited to the in close proximity to these trees and their mature nature and size, a daylight and sunlight assessment has been submitted in support of the application to ensure adequate light would be provided for future occupiers within the proposed dwelling.
40. This has identified that the proposed dwellings would not be negatively affected in terms of light levels received by the retention of the 3no. existing Poplar trees. The report further states that through their retention, all habitable room window openings sited to the eastern side of the proposed dwellings would meet British Research Establishments Guidelines for daylight levels and as such the development is considered to offer an acceptable level of amenity for any future occupiers of the site.
41. In addition a good standard of privacy and outlook would be afforded to the future occupiers of the development.
42. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF, as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy or that of future occupants for the proposed development.

HIGHWAYS AND PARKING

43. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety.

Appropriateness of Access

44. The proposals detail the site access to be via Poplar Grove, sited to the southern side of the site; this would connect onto the parking area located in front of the proposed dwellings, to the sites eastern most side and this arrangement is considered acceptable. It should further be noted this form of access remains no different to a previous planning approval at the site, planning reference: 83681, which sought consent for the erection of 4no. single storey garages. Furthermore the proposed site access has also been considered acceptable by the Local Highways Authority; given that Poplar Grove is a well-established residential street, with sufficient space for the passing/parking of vehicles.

45. It is however noted that an existing lighting column is located at the back of the existing highway and measures to protect this column to the satisfaction of the Council's Street Lighting Team would need to be taken by the applicant prior to the commencement of any development at the site. An informative to this effect is therefore recommended to be attached as part of any subsequent planning consent, recommending that the developers carry out these measures prior to works commencing on site.

Servicing Arrangements

46. Servicing for the proposed development is proposed to be carried out via the access road sited between Nos. 49 and 51 Moss Vale Road. This is an un-adopted road but is currently used for the servicing for neighbouring dwellings within the area. It is considered that refuse bins can easily be transferred from the rear of the proposed residential dwellings to the access road/carrageway for collection. This arrangement is therefore considered acceptable.

Car Parking, including disabled provision

47. The Council adopted SPD3: Parking Standards and Design for Trafford state that for a three bedroom dwelling in this area, two off-street parking spaces are required. The proposals include two parking spaces for each dwelling house on an area of hard standing sited to the front of the dwellings. Parking provision therefore meets the requirements of SPD3 and as such is considered acceptable. The Local Highways Authority have also accepted this proposed arrangement, however have recommended the use of a condition to ensure that any proposed surfacing for this area of hard standing is satisfactory for surface water drainage.

48. Given that the proposed development would lead to the erection of 3no. new dwellings, this is considered to be a small increase for an existing well established residential area and is not considered to lead to a material rise in traffic, through the comings and goings of vehicles from the application site.

Secure Cycle Parking

49. The proposals include the provision of six cycle spaces in a cycle store located adjacent to the parking area to the east of the site, considered acceptable for a development of this scale. No details of this provision have however been provided within the current submission and as such it is recommended that a further condition, requiring full details of the infrastructure to secure this provision be provided prior to the development hereby proposed being occupied.

DRAINAGE

50. The site is situated within a Critical Drainage Area, although the development is below the threshold requiring consultation with the Environment Agency or the

submission of a Flood Risk Assessment. It is considered that the development would not be at risk of flooding, nor increase the risk of flooding, subject to the implementation of a sustainable urban drainage scheme across the site. It is recommended that a condition is attached to any permission, requiring full details of the drainage scheme required to comply with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment. These details should be provided and assessed prior to the commencement of any development.

TREES AND LANDSCAPING

51. The existing site has a small number of substantially sized Poplar trees sited along its southern side boundary, with Poplar Grove. These are protected by a Tree Preservation Order and are detailed to be retained as part of the development. It is noted that these trees are sited in close proximity to the proposed access for the development and as such it is recommended a tree protection scheme be conditioned as part of any subsequent planning consent, ensuring these trees are protected throughout the course of any development at the site.
52. The site further features a number of smaller trees, hedging and other low level planting to its western most side. However in its current form, much of this planting is in need of maintenance and is not the subject of a Tree Preservation Order, nor is the site located within a Conservation Area and as such these smaller trees and other forms of planting have no level of protection. As a result of the proposals, this area of vegetation and planting is proposed to be cleared from the development site.
53. There however remains scope for mitigation planting throughout the site, especially to its western most side as well as along the proposed development sites boundaries. It is therefore recommended that a landscaping scheme, with a sufficient number of replacement trees be conditioned as part of any approval on site. A landscaping scheme will further allow the Council to ensure any new mitigation planting is of the right quality and type and that it can sufficiently compensate the loss of the existing trees and other planting on site.

AIR QUALITY

54. The application site is sited adjacent to an AQMA (Air Quality Management Area) and is also sited in close proximity to a motorway and railway line. The development site is however within a well-established residential area and it is clear that these existing factors do not prejudice the housing market in this location. It is considered as the site falls outside the AQMA, the main consideration from this development is whether off site impacts of the development would have any effect on the existing AQMA, by worsening existing exceedances of pollutants or creating new ones. In this case as the development is for the erection of only three dwellings, the impact of any additional vehicle movements on the AQMA either from their construction or during occupation is considered to be negligible.

55. In addition, any construction impacts on air quality, such as the control of dust, can be mitigated through the use of a Construction Environmental Management Plan, secured through an appropriate planning condition.

NOISE AND NUISANCE

56. The proposed development will be erected adjacent to a train line and in close proximity to a motorway; care will therefore need to be taken in order to ensure a good level of amenity for any future occupiers of the site. The Council's Pollution and Licensing department has suggested that a condition, in order to establish the existing noise climate within the area, taking into account noise relating to road traffic and other sources be submitted to the Council prior to any development commencing on site. The condition will also require the applicants to detail measures of achieving an acceptable noise climate internally within the dwellings, and these measures will then be conditioned to be implemented and retained thereafter on site; ensuring an acceptable internal noise climate for future occupiers. Externally the noise climate within the area is considered to be of an acceptable nature given that the dwellings would be erected within an existing well established residential area and as the proposed dwellings would also achieve a large set back from the M60 (in excess of 50m distant), together with existing properties sited on Moss Vale Road acting as a noise buffer.

CONTAMINATED LAND

57. Although the Council's Environmental Health Department have not raised any objection with regards to the proposed development of this site for residential use. It has been highlighted that application site is sited within 250m of a landfill and as such suitable gas protection measures will need to be incorporated into the design of the proposed scheme; in order to prevent the potential ingress of landfill gas. A condition to this effect will therefore be attached onto any subsequent planning consent. Requiring the applicants to implement gas protection measures within the foundation design of the development and to submit details of these works to the Council for approval prior to any development commencing on site.

DESIGN FOR SECURITY

58. The Greater Manchester Design for Security team was consulted on this application. Although the department has not raised any objections to the proposed scheme, they have suggested a number of crime prevention measures which should be implemented on site:

- The proposed development be designed and constructed to Secured by Design standards including laminated glazing alongside security-certified windows and doors.

- All garden boundary treatments adjacent to publically accessible land be 1800mm in height.
- Alley gating be installed to the sites southern side in order to prevent unrestricted access to the rear of the proposed/existing dwellings

An informative to this effect is therefore recommended to be attached as part of any subsequent planning consent, recommending the use of these measures within the proposed development.

ECOLOGY

Bats

59. The Greater Manchester Ecology Unit was consulted as part of the applications assessment. It has been considered that the proposed development would likely not have an impact upon bats within the area, if present, as the trees on site appear to be too young to have features that could be used by roosting bats. However as bats are highly mobile creatures and can turn up in the most unlikely places, the addition of an informative is recommended as part of any subsequent planning consent. This would state that if bats or signs of bats are found at any time during works at the site, then works should cease immediately and advice be sought from Natural England or a suitably licensed bat consultant.

Breeding Birds

60. The proposal will involve the clearance of trees and existing shrubbery at the site. Given such planting is well established it is considered that these may be used by nesting birds. A condition is therefore recommended as part of any subsequent planning consent requiring the development to only carry out the proposed clearance works outside of the main bird nesting season.

DEVELOPER CONTRIBUTIONS

61. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' zone for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

62. No other planning obligations are required.

63. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to bring forward an appropriate level of tree planting as part of the landscaping proposals.

CONCLUSION

64. The proposed development would provide 3 no. 3 bedroom family sized dwellings within a highly sustainable location, sited in close proximity to existing transport links and community facilities. The proposed development would therefore improve the quality and quantity of the housing stock in this part of the Borough and help the Council in meeting its housing land targets. It is therefore considered that the principle of residential development on this site is acceptable. All other relevant considerations have been assessed and have been considered to be acceptable, with suitable mitigation through the use of planning conditions where necessary. The proposed application therefore complies with policies L1, L2, L4 L7 and L8 of the Trafford Core Strategy and is also in compliance with the relevant sections of the NPPF.

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. Notwithstanding the details submitted, no above ground works shall take place until samples of the materials to be used in the construction of the external surfaces of the building (including rainwater goods as well as window and door details) 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.

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

- 12-034(PL)400 Rev_C
- 12-034(PL)201 Rev_B
- 12-034(PL)200 Rev_B
- 12-034(PL)100 Rev_C
- 12-034(PL)101 Rev_A
- 12-034(PL)500
- 12-034(PL)501
- 12-034(SU)450 Rev_A

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

4. 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.

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 drainage infrastructure at the start of the construction works and to prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7, R3 and L5 of the Trafford Core Strategy.

5. 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 application site, 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.

Reason: To prevent localised flooding in accordance with Policies L7, R3 and L5 of the Trafford Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no hip to gable extensions shall be carried out at either end-terrace, unless a further planning permission in respect thereof has been granted on application to the Local Planning Authority.

Reason: To protect the residential and visual amenities of the area, privacy, and/or public safety, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) openings on the north and south facing elevations of the dwellings hereby approved, facing 55 Moss Vale Road and 55 Poplar Grove shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration

level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

8. Prior to the first occupation of the development hereby approved a scheme for cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory level of cycle parking on the site and to comply with Policies L4 and L7 of the Trafford Core Strategy.

9. a) Notwithstanding the details shown on the approved plans, prior to the first occupation of any of the residential unit hereby approved full details of both hard and soft landscaping works, including a scheme for tree planting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following 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.

10. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

11. Prior to first occupation of the dwellings hereby permitted full details of all boundary treatments, including to the shared access shall be 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.

12. No above ground works shall take place until a noise impact assessment has been submitted to and approved in writing by the Local Planning Authority, identifying the existing noise climate at the site. The report shall then propose a scheme of mitigation, detailing measures required to ensure that the habitable rooms of the proposed dwellings meet the criteria of appropriate national standards and guidelines. The approved mitigation scheme is then to be implemented in full on site prior to the first occupation of the development and shall be permanently maintained in good order thereafter.

Reason: In the interests of the amenity of future and neighbouring occupiers and the surrounding area in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. 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 having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. This condition is required at pre-commencement as nesting birds may be at risk from any activity at the site, including preliminary works.

14. No development shall take place until a scheme for the installation of gas protection measures within the development site has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be implemented in full on site and retained thereafter.

Reason: It is necessary for this information to be submitted and agreed prior to commencement given the need to install gas protection measures at the start of the construction works and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to workers or neighbours in accordance with Policy L5 of the Trafford Core Strategy.

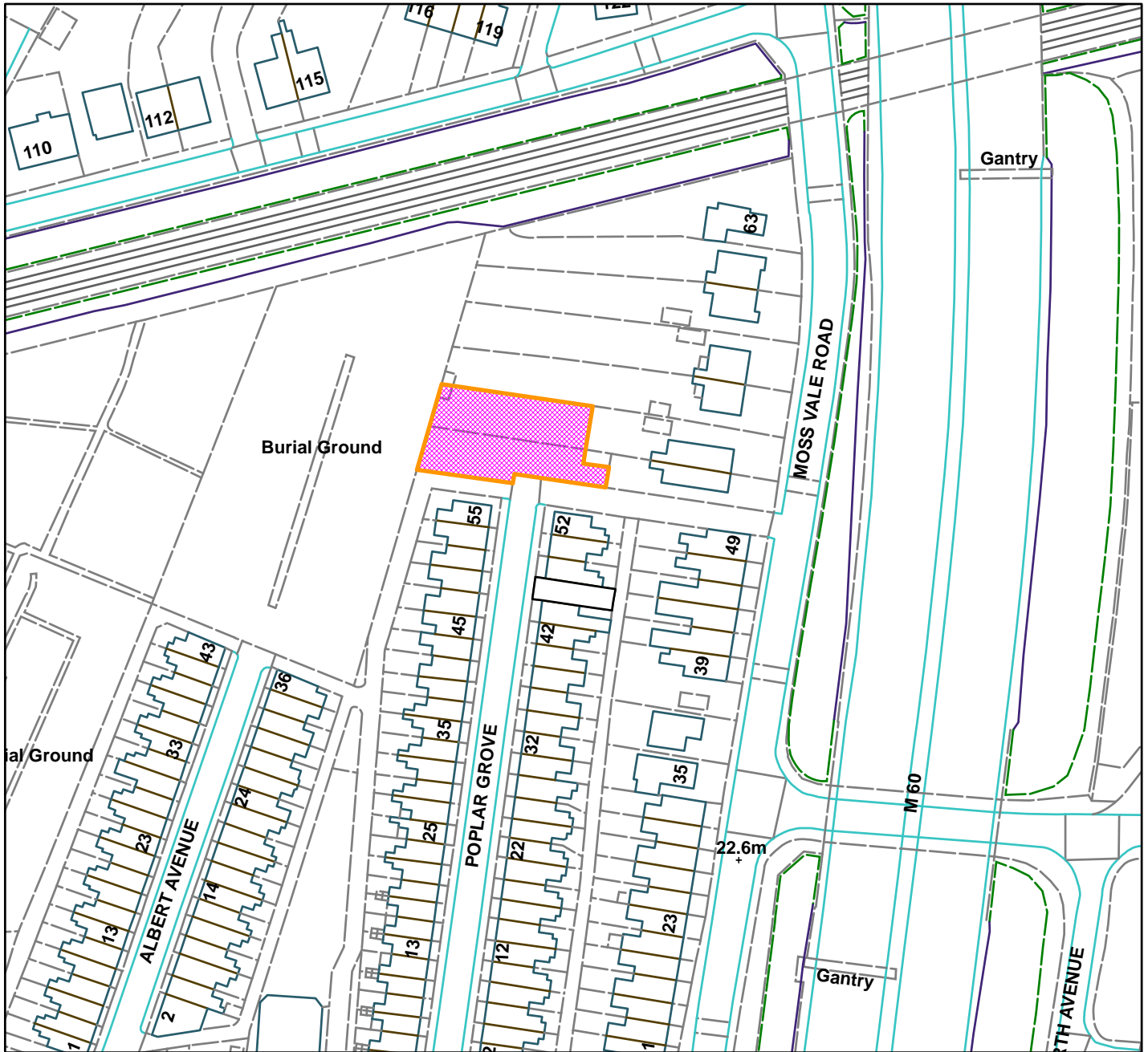
15. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii hours of construction activity.

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

IG



55 Poplar Grove & land to the rear of 51-53 Moss Vale Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

WARD: Longford

90029/VAR/16

DEPARTURE: Yes

Application for the variation of conditions 1 (approved plans) and 2 (restriction of floorspace) on 87802/VAR/16 (Application for variation of condition 2 of planning permission 84970/VAR/2015 (Variation of Conditions 2 and 3 of planning permission H/68876 (construction of 4 no. retail units with a total gross floorspace of 6660 square metres). To allow for the reconfiguration of the ground and mezzanine floorspace in Units 17 and 18 (resulting in no increase in total floorspace) and to allow for open A1 retail use in Units 17 and 18 including the sale of food and convenience goods.

Unit 16 -19a, White City Retail Park, Chester Road, Stretford, Manchester, M16 0RP

APPLICANT: Derwent Group

AGENT: Aylward Town Planning LTD

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

SITE

The application site relates to Units 16-19a on the White City Retail Park in Stretford. The retail park is located to the south-east of the A56; White City Way is situated to the east of the retail park whilst offices lie to the south. Residential flats are also situated to the south-west of the site.

The retail park is accessed via the A56 to the north; it currently comprises retail units in a horseshoe arrangement around the southern, eastern and western perimeters of the site along with one drive through restaurant and one vacant restaurant to the north. Many of the units have recently been redeveloped and some are currently vacant whilst works are completed. A listed structure, White City Arch, is also situated on the northern perimeter of the retail park.

PROPOSAL

This application seeks to vary conditions 1 and 2 of planning permission 87802/VAR/16.

Condition 1 relates to the list of approved plans and is worded as follows:-

“The development hereby permitted shall be carried out in accordance with the following approved plans: -

- *Dwg. No. M8539_AEW_XX-XX-DR_A-500 Rev P3 - Site layout plan*

- Dwg. No. M8924_AEW_XX-XX-DR_A-511 Rev P1 - Proposed Ground Floor Plan
- Dwg. No. M8924_AEW_XX-XX-DR_A-514 Rev P1 - Proposed Elevations
- Dwg. No. M8924_AEW_XX-XX-DR_A-513 Rev P1 - Roof Plan
- Dwg. No. M8924_AEW_XX-XX-DR_A-512 Rev P1 - Proposed mezzanine floor plan
- Dwg No. M3042 PL100 Rev L - Location Plan

Reason: For the avoidance of doubt and to clarify the permission, having regard to policies L4 and L7 of the Trafford Core Strategy.”

The applicant proposes to amend the approved plans to allow for Units 17 and 18 to be amalgamated and the mezzanine floor from these units to be removed (resulting in no increase in total floorspace). The proposed amended plans reflect these proposed alterations.

Condition 2 relates to the restriction of floorspace and is worded as follows:-

“The retail units hereby permitted shall not be used for any purpose falling outside use class A1 and shall be used only for the sale of comparison goods (with the exception of unit 1 as defined on the plans submitted with application 84970/VAR/2015 (shown as Unit 19 on the plans submitted with this application)). The following items shall not be sold from units 1A, 2, 3 and 4 (as defined on the plans submitted with application 84970/VAR/2015 and shown as Units 16, 17, 18 and 19a on the plans submitted with this application): food, alcoholic drinks, tobacco, newspapers and magazines.

Reason: To ensure that adequate controls may be exercised over the use of this floorspace to ensure that the type of goods sold do not impact on nearby town centres and having regard to Policy W2 of the Trafford Core Strategy adopted January 2012.”

The applicant proposes to amend Condition 2 to remove the restriction on the sale of food goods from Units 17 and 18 to allow for open A1 retail use in Units 17 and 18 including the sale of food and convenience goods. The applicant has proposed to reword the condition as follows:-

“The retail units hereby permitted shall not be used for any purpose falling outside use class A1 and shall be used only for the sale of comparison goods (with the exception of units 17/18 and 19) as defined on the plans submitted with the application. The following items shall not be sold from units 16 and 19A: food, alcoholic drinks, tobacco, newspapers and magazines.”

The proposal also includes new plant and acoustic fence, a new loading bay and a new fire exit door to the rear of the units (western elevation).

Value Added

The Local Planning Authority has worked closely with the applicant to agree a Unilateral Undertaking which would revoke the mezzanine floor space in units 17 and 18 (1346sqm – thereby resulting in a reduction in the overall additional floorspace as part of the proposal) and to revoke the ability to trade Unit 3 (on the eastern side of the retail

park) for the sale of open A1 food and convenience goods (1788 sqm inclusive of mezzanine floor).

The increase in floor space of the proposed development would be 0m².

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

L3 – Regeneration and Reducing Inequalities

L4 – Sustainable Transport & Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

W2 – Town Centres & Retail

R1 – Historic Environment

Policy OR1 – Retail Warehouse Parks (OSR1.1 White City Retail Park, Chester Road, Old Trafford) of the emerging Land Allocations Plan should also be regarded as a material consideration. This policy identifies the three existing Retail Warehouse Parks as specialist locations for the sale of bulky comparison goods in accordance with Policy W2.14 of the Core Strategy.

PROPOSALS MAP NOTATION

Retail Warehouse Park Development

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

There are various historical planning applications relating to White City Retail Park. The most recent and relevant are: -

89248/VAR/16 - Application for the variation of conditions 2 (approved plans) and 5 (restriction of floorspace) on 88374/VAR/16 (varied from previous planning permissions 87597/VAR/16, 85224/VAR/15, 80662/VAR/2013 and original permission 75379/FULL/2010 (Refurbishment of existing non-food retail units including partial demolition, construction of extensions and erection of additional non-food retail unit)) to allow for the reconfiguration of the ground and mezzanine floorspace in Units 5, 6 and 8 (resulting in no alteration to total floorspace). Approved with conditions 13/10/16.

88374/VAR/16 - Application for variation of conditions 2 and 6 on planning permission 87597/VAR/16 (Variation of 85224/VAR/15, 80662/VAR/2013 and original permission 75379/FULL/2010) to allow the sale of food goods in Unit 12 and to vary the approved floor plans so that the mezzanine in Unit 12 can be relocated to Unit 9. Approved with conditions 8/8/16. 87597/VAR/16 - Variation of condition 6 of previous application 85224/VAR/15 (Variation of 80662/VAR/2013 and original permission 75379/FULL/2010) to allow for the sale of non-food comparison goods only with no sale of food or convenience goods from the units at any time, with the exception of Unit 14 which can be used for the retail sale of food goods from an area not exceeding 30% of the net retail floorspace, and otherwise shall be used for the sale of non-food goods. Approved with conditions 5/5/2016.

85224/VAR/15 - Variation of condition 2 of planning permission 80662/VAR/2013 (Variation of original permission 75379/FULL/2010 to allow amendments to external elevations of proposed units, re-positioning of Unit G4 and amendments to car parking layout.) to allow changes to the proposed floor plans for Units B1, E, F, G1 and G3 including single storey rear extensions; an increase in the mezzanine floors for Units 83, C and G3; reduction in mezzanine floor area to Units D, E, F, G1 and G2; including associated changes to fenestration details and site layout -Approved with conditions 22/07/2015.

84970/VAR/15 - Variation of Conditions 2 and 3 of planning permission H/68876 in order to allow for sub-division (changes to drawings approved under condition 2) and to allow the sale of open A1 goods from within Unit 1 (amendment to condition 3) - Approved with conditions 22/07/2015.

82391/VAR/2014 - Variation of Condition 6 (Approved plans) of planning permission H/54806 (Erection of new non-food retail units; relocation and erection of new

management unit and sub- station, revised access, car parking, servicing and vehicle circulation arrangements) to allow elevational changes to approved retail unit adjacent to Unit H -Approved with conditions 14/05/2014.

80662/VAR/2013- Variation of Condition 2 (list of approved plans) of original permission 75379/FULL/2010 to allow amendments to external elevations of proposed units, re-positioning of Unit G4 and amendments to car parking layout- Approved with conditions 06/11/2013.

75379/FULL/2010- Refurbishment of existing non-food retail units including partial demolition (1447 sq.m. ground floor gross floor space and 1075 sq.m. mezzanine floor space) and construction of extensions (746 sq.m. gross floor space) with erection of additional non-food retail unit (880 sq.m. gross floor space) and new mezzanine floor space (896 sq.m. gross floor space) - Allowed on appeal 01/11/2011.

74483/FULL/2009 - Erection of new food retail store (Class A1) (9036 sq.m. gross floor space) and two new non-food retail units (Class A1) (2357 sq.m. gross floor space) with associated parking provision and landscaping, partial demolition and extension and alterations to existing non-food retail units, alterations to existing car park layout - Dismissed on appeal 22/02/2011.

H/CLD/69691 -Certificate of Lawfulness of proposed use for use of the existing retail buildings on the application site for the retail sale of food - Approved 12/08/2008.

H/54806 - Demolition of existing retail unit, restaurant and leisure units and erection of new non-food retail units; relocation and erection of new management unit and electricity sub-station, revised access arrangements including new access from Chester Road and closure of existing access from White City Way; revised car parking, servicing and vehicle circulation arrangements - Approved with conditions 20/01/2003.

APPLICANT'S SUBMISSION

The applicant has submitted a Planning and Retail Statement also a Transport Statement in support of the application. Relevant details from the Statements are incorporated in the 'Observations' section of this report.

The applicant states that the planning application is submitted to enable the amalgamation of units 17 and 18 and the ability to sell food goods in the resultant unit which will be occupied by Aldi Stores. The proposal will result in a net reduction in floorspace as the mezzanine provision will be revoked. No external alterations are proposed and the footprint will remain unchanged. There is no change to the layout of the car park, servicing or access arrangements.

The applicant states that the associated impact resulting from the development will not be of such a level that would be harmful to the ongoing viability of any centre or anchor

store. Whilst the proposal site is located within an out-of-centre location it will help to improve consumer choice and deliver investment. The application proposals would bring substantial benefits to residents in the White City area.

(Notwithstanding the above comments, the amalgamation of the units does not in itself require planning permission and minor external alterations are proposed as described in the Proposal section to provide new plant and acoustic fence, a new loading bay and a new fire exit door to the rear of the units (western elevation)).

CONSULTATIONS

Strategic Planning – No objections (comments incorporated into ‘Observations’ section)

LHA – No objection (comments incorporated into ‘Observations’ section)

Pollution and Licensing - No objection comments incorporated into ‘Observations’ section)

REPRESENTATIONS

None received.

OBSERVATIONS

Principle of Development

1. The proposal is for the variation of conditions 2 (approved plans) and 3 (restriction of floorspace) of planning permission ref.84970/VAR/15. The applicant states that the units would be tenanted by an Aldi store, albeit this would not prevent another retail operator occupying the units, either now or in the future. This proposal would result in the amalgamation of units 17 and 18 to provide a footprint of 1837 sq.m. (gross floorspace) however, it is proposed to remove the existing mezzanine reducing the overall available floorspace by 1346 sq.m., as it is not required by the proposed occupier.
2. Aldi currently operate existing stores at both Stretford Town Centre and at Trafford Bar Local Centre. The Stretford store has recently opened and has been refurbished. Furthermore, the Seymour Grove Aldi store has also been recently refurbished. The applicant has stated that Aldi are looking at this proposal as an additional store in a retail park location and that its approval and occupation will not affect the ongoing trading of the existing Aldi stores nearby.
3. Paragraph 24 of the National Planning Policy Framework sets out the need for “a sequential test for planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan” and stated that local planning authorities “should require applications for main town

centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered". The applicant has provided a sequential assessment which demonstrates that the requirements of the sequential approach are met.

4. Policy W2 of the Core Strategy states that outside of identified retail centres, "there will be a presumption against the development of retail, leisure and other town centre type uses except where it can be demonstrated that they satisfy the tests outlined in Government Guidance."
5. The assessment had a primary focus on Stretford Mall, and in particular two units 21A and 21B that had fallen vacant upon the relocation of McDonalds to the former Drum site. It was considered that these units were unsuitable for a number of reasons including, the floor area was too small (1043m²), no straightforward access to the car park and unsuitable unit format. Also, unit 21 has now been occupied by Flexi-Minder for use as a crèche and children's play centre and is therefore unavailable.
6. The recently vacated B&M Bargains store unit in Stretford Mall has a ground floor area of circa 790sqm and a mezzanine space of 403sqm (1393sqm in total). However, it is considered that the ground floor area of this unit is too small to meet the requirements of Aldi.
7. The adjacent Superdrug unit has recently ceased trading and could therefore be available. In terms of size it is smaller (circa 150sqm) and considered to be too small to meet the requirements of Aldi.
8. In addition, the applicant has explained that the presence of Aldi stores within Stretford Mall and Trafford Bar means that there will be a discord in terms of the business model in that they would not open a second unit within the same centre. This has previously been established and accepted by the Council in the context of other planning applications (Home Bargains and Iceland Food Warehouse stores).
9. Furthermore, another key material consideration in the determination of this application is that the applicant proposes to enter into a Section 106 obligation to restrict the existing open A1 use of a unit at the eastern end of the retail park (Unit 3) as well as revoking the permission for mezzanine floorspace within the application unit. The applicant has agreed to enter into a unilateral undertaking whereby they will agree to:
 - Formally revoke the mezzanine floor space in the approved units 17 and 18 (1346sqm) and;
 - Formally revoke the ability to trade unit 3 (on the eastern side of the retail park) for the sale of open A1 food and convenience goods (1788 sqm inclusive of mezzanine floor).

10. This would result in the revocation of the open A1 space in Unit 3 (1192 sq.m. ground floor and 596 sq.m. mezzanine/first floor, giving a total of 1788sqm) which is virtually “like for like” in terms of overall floorspace for the proposed A1 space in units 17 and 18 (1837sqm) subject of this application. This would result in a very limited increase (49 sq. m.) in the level of ‘open’ A1 floorspace i.e. for the sale of food or convenience goods being made available at the retail park, As such, the current baseline position in respect of White City’s potential impact on designated town and district centres would not alter. The revocation of the open A1 use of unit 3 in addition to the mezzanine space above unit 17 (1346 sqm) would mitigate any potential negative impacts of the current application and would provide greater control of the use of unit 3 in the future.
11. In conclusion, the proposal will bring a vacant unit in the retail park back into use; the applicant has demonstrated that there are no sequentially preferable locations or sites that could accommodate this development proposal as a whole; the applicant has also provided justification, for business model and commercial reasons, for not co-locating within Stretford Town Centre and Trafford Bar Local Centre where other Aldi stores are located. Furthermore, the applicant has agreed to enter into a unilateral undertaking in order to formally revoke the mezzanine space above unit 17 and to formally revoke the open A1 use of unit 3 on the eastern side of the retail park which would provide greater control of the use of this unit in the future. Therefore, on balance it is considered that, subject to the applicant entering into a legal agreement / unilateral undertaking in respect of the above, the proposal would be acceptable in principle and as such would comply with the tests set out in the NPPF and Policy W2 of the Core Strategy.
12. It is therefore considered that Condition 2 (relating to the restriction of the use) should be varied in accordance with the applicant’s suggested wording (which takes into account that the unit numbers have changed since the previous permission).

Visual Impact/Residential Amenity

13. The proposal does not include any external alterations to the front elevation facing the retail park; the proposed new plant with its 3m high acoustic screening, new loading door and new fire exit door are located at the rear elevation, within an existing servicing area and behind an existing boundary wall. The closest residential apartments to the new plant are situated to the south-west of the retail park (Bowden Court) at a distance of approximately 65m. The Pollution and Licensing Officer has not raised an objection to the proposal subject to a condition being attached, should planning permission be granted, requiring details of the specification of the acoustic screen to be submitted to and approved by the LPA. Therefore, it is considered the proposal would not have a significant impact on the visual and residential amenity of the surrounding area or

on the residential properties. As such the proposal complies with Policy L7 of the Core Strategy.

Access, Highways and Car Parking

14. The site layout, car parking provision, servicing and access will remain unchanged by the proposal. The reconfiguration of the floorspace in Units 17 and 18 will result in an overall reduction in floor space of 1346m². An assessment of the parking requirements using SDP3: Parking and Design for Trafford, shows that the proposal will require less parking than the existing permitted uses. The applicant has provided a Transport Statement in which it is demonstrated that the proposals will have only a slight increase in traffic flows at certain times of the day and that there will be no detrimental impact at the site access junction. The LHA accept that the local highway network and the junction capacity of the access will not be significantly adversely affected by the proposals to allow the sales of food goods. The LHA therefore raise no objection to these proposals on highway grounds.

Impact on Listed Building

15. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 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".

16. Paragraph 132 of the NPPF explains that great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. This paragraph also notes that significance can be harmed or lost through development within its setting.

17. A Grade-II listed structure 'Entrance Portal and Lodges to Former White City Greyhound Track' (White City Arch), is situated close to the site within the retail park. The listing of this asset on the Historic England website notes that this structure originally served as the entrance portal to botanic gardens as well as a greyhound track and is constructed in a grand classical manner. Given that the historical use of the land which the portal provided access to has now ceased, its significance is considered to lie primarily in its fabric.

18. A distance of approximately 150m (at the closest point) lies between Units 17 and 18 and the arch. Given that the proposed development is for the variation of a condition to allow for the reconfiguration of the floorspace between the units and there are no external alterations proposed, it is considered that the proposal would not result in any harm to the setting of this listed structure and as such, the development would be in accordance with Part 12 of the NPPF and R1 of Trafford's Core Strategy.

DEVELOPER CONTRIBUTIONS

19. The proposal is subject to the Community Infrastructure Levy (CIL). As a supermarket outside a defined town centre, the development will be liable to a CIL charge rate of £225 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

RECOMMENDATION:

MINDED TO GRANT subject to a legal agreement / unilateral undertaking:

- (A) That the application will propose a satisfactory development for the site upon completion of a unilateral undertaking which will secure the revocation of the mezzanine floor space in the approved units and revoke the ability to trade unit 3 (on the eastern side of the retail park) for the sale of open A1 food and convenience goods
- (B) In the circumstances where the unilateral undertaking has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development; and
- (C) That upon satisfactory completion of the above unilateral undertaking, planning permission be **GRANTED** subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: -

M9162_AEW_17&18-XX-DR_A-0501 rev. P2 - Site Plan
M9162_AEW_17&18-XX-DR_A-0505 P2 - GA Elevations (sheet 1)
M9162_AEW_17&18-XX-DR_A-0506 rev. P5 - GA Elevations (sheet 2)
M9162_AEW_17&18-XX-DR_A-0504 P1 - GA Sections (sheet 1)
M9162_AEW_17&18-XX-DR_A-0507 rev. P1 - GA Mezzanine Plan
M9162_AEW_17&18-XX-DR_A-0502 rev. P4 - GA Ground Floor Plan
M9162_AEW_17&18-XX-DR_A-0503 rev. P2 - GA Roof Plan
M9162_AEW_17&18-XX-DR_A-0508 rev. P2 - Loading Ramp Sections and 3m High Acoustic Screen Timber Fence
Plant Specification
Condensing Unit Specification

Reason: For the avoidance of doubt and to clarify the permission, having regard to policies L4 and L7 of the Trafford Core Strategy.

2. The retail units hereby permitted shall not be used for any purpose falling outside use class A1 and shall be used only for the sale of comparison goods (with the exception of units 17/18 and 19 as defined on the plans submitted with this application). The following items shall not be sold from units 16 and 19A as defined on the plans submitted with this application: food, alcoholic drinks, tobacco, newspapers and magazines.

Reason: To ensure that adequate controls may be exercised over the use of this floorspace to ensure that the type of goods sold do not impact on nearby town centres and having regard to Policy W2 of the Trafford Core Strategy adopted January 2012.

3. The gross internal floorspace of the development hereby approved, including mezzanine floors, shall not exceed 6660 square metres.

Reason: To ensure that adequate controls may be exercised over the retail floorspace to ensure that it does not impact adversely on nearby town centres and to accord with policy W2 of the Trafford Core Strategy.

4. The materials to be used on the external surfaces of the development hereby approved shall be as outlined on the following plan:-

Dwg. No. M8924_AEW_XX-XX-DR_A-514 Rev P1

Reason: To ensure a satisfactory external appearance in the interests of visual amenity in accordance with policy L7 of the Trafford Core Strategy.

5. Any trees or shrubs planted or retained in accordance with condition no 6 on planning permission 84970/VAR/2015 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, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and having regard to policies L7, R2, and R3 of the Trafford Core Strategy.

6. The development hereby approved shall be retained in accordance with the boundary treatments identified on drawing reference M3042 PL 01 Rev G. The proposed boundary wall brick work shall match the existing boundary wall in terms of type, colour, size and finish and shall be retained as such thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to policy L7 of the Trafford Core Strategy.

7. All areas for the movement, loading, unloading and parking of vehicles provided in accordance with this permission shall be made available for those purposes at all times when the premises are in use; notwithstanding the provisions of any General Development Order, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

Reason: To ensure that satisfactory provision is retained 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.

8. The cycle parking scheme approved under application 86582/CND/15 shall be retained in accordance with the approved details.

Reason: To encourage sustainable transport methods and in accordance with policy L4 of the Trafford Core Strategy

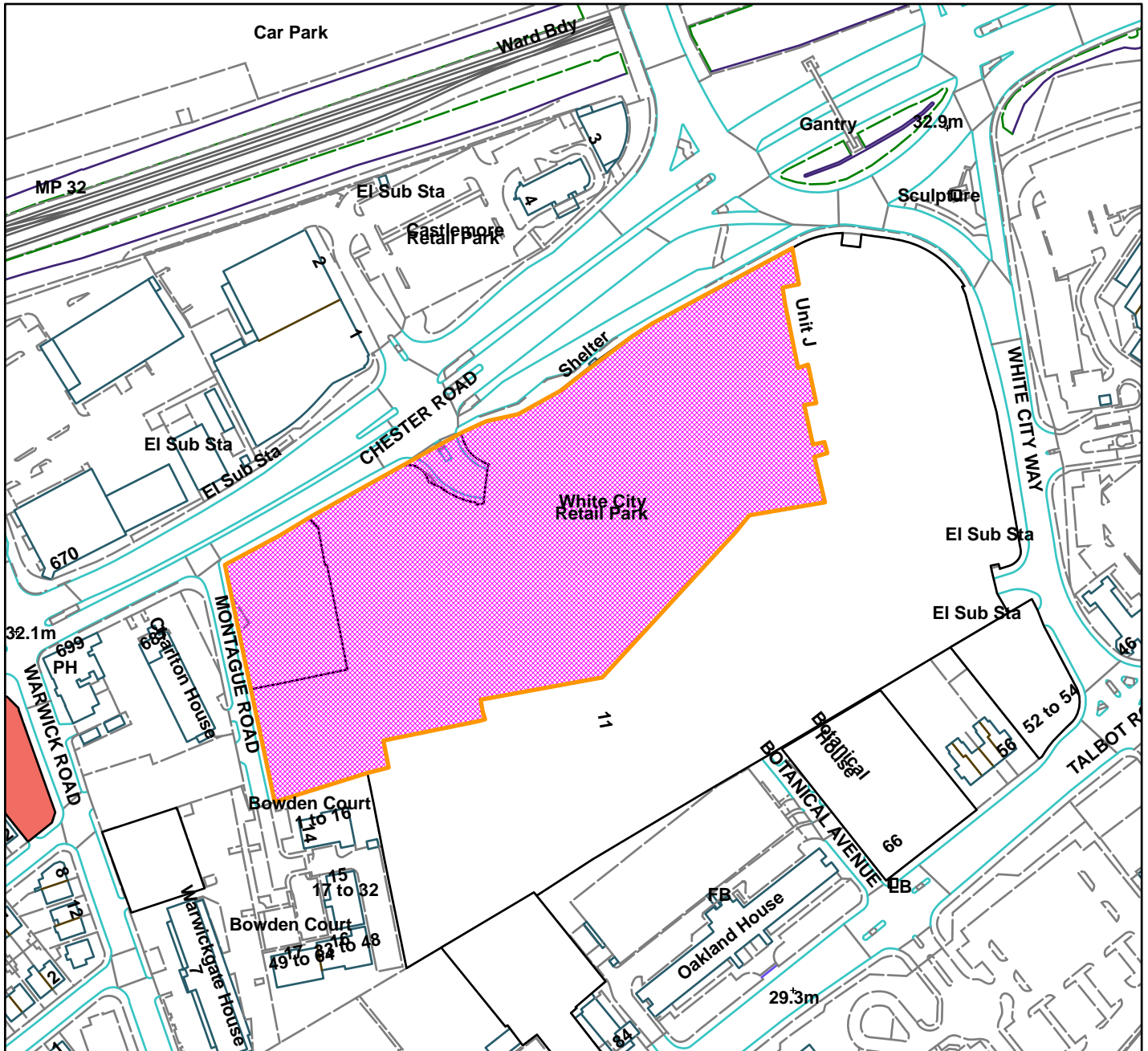
9. Prior to its installation, the specification of the 3m high acoustic screen around the external plant area shall be submitted to and approved in writing by the Local Planning Authority. The approved screen shall be retained thereafter at all times.

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

AC



Unit 16-19a, White City Retail Park, Chester Road, Stretford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

WARD: St Marys

90056/FUL/16

DEPARTURE: No

Erection of a new dwelling with access off Moss Lane.

97 Moss Lane, Sale, M33 5BS

APPLICANT: Mr Heneghan

AGENT: Mcnulty Ltd

RECOMMENDATION: GRANT

This application has been referred to the Planning and Development Management Committee as it has received in excess of 6no. objections and has also been called in by Councillor Chilton.

SITE

The application relates to a parcel of land within a well-established residential area lying to the south, and currently forming the side garden area of No. 97 Moss Lane, a two storey detached dwelling. To the site's east, west and south lie other two storey detached residential dwellings. The application site itself is currently landscaped with low lying shrubbery and a small number of trees and other forms of soft landscaping. Its side boundaries are currently formed from mature planting and a timber fencing, of approximately 2m in height.

PROPOSAL

The application is for the erection of a 2 storey detached dwelling within the side garden area of No. 97 Moss Lane. The proposed dwelling would take its access from Moss Lane and would feature a small area of hard surfacing to its front with private grounds to its rear. The dwelling would have the appearance of a 2 storey dwelling, albeit there would be additional living accommodation within its roof space.

Value Added

The application has been amended since its original submission due to concerns raised by officers, in relation to the proposed developments overall design, size and scale. The development would now comprise the erection of a new in-fill dwelling, with sufficient parking and landscaping. These points are further discussed within the later sections of this report.

The total floor space of the proposed development would be 318m².

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

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENT

SPG 1: New Residential Development (2004)

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

H/25902 – 97 Moss Lane – Land Adjoining – Sale – Erection of detached dwelling and construction of new vehicular access onto Moss Lane – Approved with conditions – 20/10/1987.

APPLICANT'S SUBMISSION

Design and Access Statement

CONSULTATIONS

Contaminated Land

Raises no objections to the proposed scheme

Local Highways Authority

Raises no objections to the proposed scheme

Drainage Engineer

Raises no objections to the proposed scheme, however, recommended the use of conditions to control peak discharge from the site and reduce the likelihood of localised flooding.

REPRESENTATIONS

6no. objections have been received in relation to this application; these highlight the following areas of concerns:

- Development is proposed upon greenfield land
- Proposed dwelling is not in keeping with other dwellings on Moss Lane
- Out of character and scale with surrounding neighbouring dwellings
- Overdevelopment of site
- 3 storey dwelling exceeds general 2 storey scale of wider area
- Dwellings is excessive in height and bulk
- Proposals remain contrary to Council guidance
- Loss of outlook
- Loss of privacy
- Loss of light as a result of the development being erected
- Increase in traffic
- Highway and pedestrian safety concerns
- TPO on the site
- Plans do not provide sufficient off road parking provision
- Proposals will alter general rhythm of development within the wider locality

The application has been called in by Councillor Rob Chilton on the following grounds:

- Overdevelopment of the site
- Effect on the street scene
- Highway safety concerns.

OBSERVATIONS

1. The scheme was originally submitted for the erection of a new in-fill dwelling, with its associated landscaping and parking provision, through the sub-division of the existing plot at No. 97 Moss Lane. However, concerns were raised by Officers in relation to the design of the proposed dwelling alongside its proposed size and scale which were considered to lead to some loss in amenity for neighbouring residential occupiers. The scheme has subsequently been revised to amend the design related concerns, relating to the form of the proposed roof. The amended scheme has further been reduced in its size and overall scale and proposes to retain a greater degree of space than originally proposed. It is on this basis that the scheme has been assessed below.

PRINCIPLE OF DEVELOPMENT

2. The application site is located within Sale and comprises the side garden area of number 97 Moss Lane. The area of land in question remains sited to the east of Moss Lane and to the southern side of No. 97 Moss Lane, bound to the south via the No. 99 Moss Lane and to the east by the rear garden areas of properties sited on Langley Road. The definition of previously developed (brownfield) land in the National Planning Policy Framework specifically excludes private residential gardens and therefore the application site comprises greenfield land.
3. Core Strategy Policy L1.7 sets an indicative target of 80% of new housing provision to be built on brownfield land. In order to achieve this, the Council has stated that it will release previously developed land and sustainable urban area greenfield land, in order of priority.
4. The first priority which details the release of land within regional centers and inner areas for new development of housing does not apply within this case due to the location of the site. Therefore the application will need to be considered against the second and third points of Policy L1.7.
5. With reference to Policy L1.7 the application site is located within an established residential area and is considered to be within a sustainable location, close to public transport links and local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 and the Sale Place Objective SAO1, in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size, density and tenure to meet the needs of the community.
6. In terms of Policy L2, the proposal would add a new large family home within a sustainable location, adding to the Councils sustainable communities strategy, albeit by a small amount. Based upon the submitted plans and with reference to Policy L2.5 of the Core Strategy specifically, the proposed additional housing unit would help meet the Councils 33% target of securing 3 bedroom+ family homes.

7. 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.
8. 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.
9. 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.
10. 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.
11. 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 a new family home in a sustainable location.
12. It is therefore considered that although the proposed area for development is classed to be greenfield land, on balance the proposal satisfies the tests of Policy L1.7 from the TBC Core strategy and relevant policies within the NPPF weigh positively in its favour. As discussed above, the application site is situated within a sustainable location and the development would also make a positive contribution to the Council's housing land target in line with the NPPF.

DESIGN AND STREET SCENE

13. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
14. Paragraph 2.2 of the New Residential Development SPD indicates that development will not be accepted at the expense of the character of the surrounding area. It states that the resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
15. No.97 Moss Lane occupies a large plot, much larger than neighbouring plots to the sites west, north and south. Through the site's sub-division, a second plot would be created to its southern side. The proposed plot size would have a width of 14.85m, which is not materially different to existing plot sizes found elsewhere on Moss Lane and within the surrounding area, especially to the site's immediate west. Such a division of the existing plot at No.97 would still allow for No.97 to retain a large private garden area to its rear west and retain a plot size in keeping with its neighbouring properties. It is therefore considered through the sub-division of No.97, the two resulting plot sizes would still retain the character of space and openness within the wider street scene and as such the proposed sub-division is considered acceptable.
16. The application dwelling would be sited centrally within the plot, retaining a distance of 2.4m to its northern side and 1.8m to its southern side boundary. Such distances would allow for views down the side of the site and would add to the atmosphere of space and openness within the Moss Lane street scene. It should further be noted that neighbouring properties within the area also retain similar sized distances from their side boundaries and thus the plot would remain in keeping with others within the wider vicinity of the site.
17. Although no consistent building line is present along Moss Lane, the dwellings are noted to retain large setbacks from their front boundaries, allowing glimpses of the dwellings from the public realm, through their front boundary planting. In this case the dwelling would be sited slightly forward of No. 97 to its north and in line with No. 99 to its south. Retaining a distance of 11m to the front boundary of the site at its closest point (the front elevation of the dwelling tapers), it is therefore considered given the lack of a consistent building line along Moss Lane and from the setback from the public realm that the siting and layout of the proposed development is, in this case is considered acceptable.

18. The proposed dwelling would have a two storey appearance, with habitable living accommodation at roof level. The proposed dwelling has been designed to feature a hipped roof design, with a central flat roof section, not visible from the street scene, screened through the use of a parapet. The proposed dwelling would feature gabled ends within its front and rear elevations and this design approach is considered to be in keeping with others within the area and as such is considered acceptable. The dwelling is detailed to be erected in a pallet of materials similar to neighbouring dwellings, with hardwood window openings and a slate roof which are considered acceptable. A condition requiring the submission of full details of the proposed materials would be added to any permission.
19. The proposed dwelling would have a ridge height of 8.8m. This would sit level with that of No. 97 Moss Lane to its north and would sit 0.6m higher than No. 99 Moss Lane to its south. The two neighbouring units would however be 6.2m apart and given the varying ridge heights across the Moss Lane street-scene, the proposed dwelling's height and scale in this case is considered to be acceptable. It should further be noted that the dwelling would have a pitched roof design reducing its overall mass.
20. The proposed dwelling is considered to be of high quality design, incorporating a range of traditional features which are found elsewhere within the vicinity of the site. The dwelling would have a staggered foot-print, similar to the existing dwelling at No.97 and would feature 2no. prominent gabled ends and a centrally sited front entrance. The gabled ends have been broken up through the use of a double height bay window feature, garage openings and a number of uniform style window openings, with stone detailing to their cills and lintels. The elevation would have larger openings within its forward projecting gabled ends, whereas the opening to the central setback section of the front elevation and its second floor level would be smaller in size. The varying sizing and proportions of the openings are considered to make for a much more detailed design and also help break up the elevation.
21. The dwellings proposed north and south side facing elevations would both feature a small number of ground and first floor openings. These are considered to allow for the elevation to be broken up and further allow for a reduction in the elevations solid to void ratio. The openings would again feature stone detailing and their sizes/proportions would again vary, adding detail and as such are considered acceptable.
22. The rear elevation has a much more symmetrical feel. The staggered form of the building, with the use of two prominent gabled ends has again been carried through to the rear, with the southernmost gabled end having a further forward projecting single storey flat roof section. This combined with the gabled end is considered to help break up the elevation and reduces the appearance of the brick mass within the elevation. The elevation would feature bi-fold doors at ground floor level, similar sized openings to those to the front elevation of the dwelling at first floor level and

much smaller single pane openings at second floor level. The openings are considered to be evenly spaced out and are of a proportionate size and scale and as such are considered acceptable. The proposals include the insertion of roof lights to all 4no. elevations of the dwelling, however these are considered to be small in their size/scale and would not appear prominent or visually intrusive and are considered to be acceptable.

23. No further details have been provided with regard to the proposed boundary treatments for the site or the proposed new access for the site off Moss Lane. As such it is recommended a condition to this effect, requesting such details to be submitted for approval, prior to these being installed on site be attached onto any subsequent planning consent.
24. Subject to the above conditions, the proposed development is considered to positively enhance this underused area of garden space sited to the southern side of No. 97 Moss Lane, without the detriment of the site itself or the wider street scene. The proposal is therefore considered to be in line with policy L7 of the TBC core strategy and the relevant sections of the NPPF, alongside the Councils adopted guidelines for New Residential Development

RESIDENTIAL AMENITY

25. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
26. 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.

Impact upon 97 Moss Lane

27. The application dwelling will see the formation of no new main habitable room openings facing its northern side boundary, shared with No. 97 Moss Lane. The dwellings north facing elevation would however feature 2no. openings at both ground and first floor level, serving bathrooms. These openings are however not considered to result in any undue loss of privacy for this dwelling, as these can be fitted with obscure glazing, at 1.7m in height, from internal floor level; safeguarding the neighbour's privacy subject to a condition to this effect.
28. The proposed unit would be sited approximately 1m forward of No.97 Moss Lane at its furthest point to the front of the site and would retain a separation distance of 2.6m from its northern side boundary. To the rear the foot print of the proposed dwelling would not materially exceed that of No. 97 and as such the proposed

dwelling is not considered to lead to any loss of light and is not considered to appear visually intrusive or overbearing.

29.No.97 has a number of secondary openings sited within its south facing side elevation. The rooms to which these openings relate however have their main outlook to the rear and front of the site. It is therefore considered that any impact upon these openings would be compensated for through the dwellings main openings to its front and rear elevations, which are considered to remain largely unaffected from the proposed works. Any such harm is further considered to be offset by the 2.6m separation distance that the proposed unit would retain to its northern side boundary, increasing to 4.5m from the side elevation of No.97 and as such the proposed dwelling is not considered result to result in any undue loss of light or outlook.

Impact upon 99 Moss Lane

30.The proposed dwelling would not project forward of the front elevation of No. 99 Moss Lane and as such is not considered to affect its main habitable room openings sited within its front elevation. To the rear, the proposed dwelling would have an projection of 4m at ground floor level and an projection of 2m at first floor level, beyond the rear elevation of No. 99. The Councils adopted SPD4 guidelines for house extensions details, for detached dwellings, that single storey rear extensions may have a projection of up to 4m, plus the distance retained from a side boundary, in this case equating to 5.5m. These then go on to add at first floor level, extensions can be erected at a projection of 1.5m, plus the distance to the side boundary, which would again be less than that currently proposed. Although not strictly applicable to new residential development, rather than extensions to existing properties, these guidelines provide a useful indication of the potential impact of new development on neighbouring properties. As such the proposed development is not considered to appear visually intrusive or overbearing to this existing neighbouring occupier nor result in any undue loss of light or result in harmful overshadowing.

31.No.99 has no main habitable rooms sited at ground floor level within its north facing side elevation. The dwelling does however feature a bay window within its rear elevation, which has 3no. window panes, facing out to the sites rear and southern and northern sides, one of which would thus project out towards the new dwelling, retaining an approximate separation distance of 8m from the new dwelling. It is noted that the proposed dwelling would have some impact upon the outlook from this opening, however given that the opening would have its main outlook unaffected, opening out onto the sites rear garden area, as well as beyond the rear elevation of the proposed unit, this is not considered to be significant .

32.Number 99 has been extended to the rear at ground floor level, in the form of a kitchen extension. This room has 2no. small window openings to its east facing elevation facing towards the boundary with 26 Cecil Avenue and a large bi-fold door within its north facing elevation, facing towards the boundary with 97 Moss Lane,

forming the primary outlook from this room. The opening on the north elevation will therefore have direct views of the proposed new dwelling, given that the proposed dwelling's projection would project 2m beyond that of the rear of No. 99. The Councils guidelines for new residential development detail that where a blank gable wall is sited opposite a main habitable room opening; a separation distance of 15m should be retained in order to offset any potential amenity concerns. The current proposals would exceed this distance and this relationship is therefore considered acceptable and is not considered to result in any material loss of light or outlook.

33. The proposed dwelling would again have no main habitable room openings sited within its south facing side elevation. The 2no. openings proposed, would again relate to a bathroom and utility space and can therefore also be subject to a condition to feature obscure glazing, maintaining the privacy of this existing neighbouring occupier.

Properties to the west of the site on Moss Lane

34. The proposed dwelling would retain a distance of 11.2m to its western side front boundary and in excess of 24m to the front elevation of properties sited opposite the site on Moss Lane. The Councils new residential development guidelines specify a distance of 21m to be retained between interfacing properties in order to minimise any loss of privacy for existing neighbouring occupiers, this is increased to 24m for three storey units. In this instance the proposed development would exceed this distance and as such the proposed dwelling is not considered to result in any undue loss of amenity for these existing neighbouring occupiers or for the development to appear overbearing or visually intrusive. The relationship between these existing neighbouring land users and the development site is therefore considered acceptable.

Properties to the rear east of the site on Langley Road

35. The proposed dwelling would retain a separation distance in excess of 16m to the rear boundary of the site, at its closest point, increasing to a total distance of 18.5m from its northern most section, which steps in at the rear. The Councils guidelines for new residential development detail a separation distance of 10.5m to be retained from all new dwellings to their rear boundaries, in order to minimise overlooking. This distance is then increased to 13.5m for second floor openings, which the current proposals would exceed, minimising the potential for any loss in privacy for these existing neighbouring occupiers.
36. The dwelling would retain a separation distance in excess of 35m to the rear elevation of Nos. 40 and 42 Langley Road and as such, given this large separation distance it is considered that proposed dwelling would not appear visually intrusive to these existing neighbouring occupiers nor is this considered to raise any new overbearing concerns. The development is further not considered to lead to any new

material loss of light concerns for these neighbouring units and as such this relationship is considered acceptable.

HIGHWAYS AND PARKING

37. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety.

Appropriateness of Access

38. The development proposals detail the erection of a new access point for the application site to its western most side via Moss Lane. It is noted that the required visibility splay of 43m is unlikely to be achieved on the southern side of this proposed new access, however it should be noted that an existing access, at this location is sited on the opposite side of Moss Lane and as such the current proposals are also considered to be acceptable.

39. Based upon the above, the Local Highways Authority has also deemed the site's proposed new access acceptable.

Servicing Arrangements

40. The sites servicing is detailed to be carried out via Moss Lane, this is the case for all existing properties within the vicinity of the site. It has been considered that refuse bins can adequately be transferred to the Moss Lane carriageway for collection and as such this arrangement is considered acceptable.

Car Parking, including disabled provision

41. The Councils adopted SPD3: Parking Standards and Design for Trafford state that for a 4+ bedroom dwelling in this area, three off-street parking spaces are required. The proposals include a single garage which will accommodate one space and a further two parking spaces are then available via the area of hard standing to the front of the site; as such the maximum parking standards are met by the proposals and are considered acceptable.

DRAINAGE

42. The site is situated within a Critical Drainage Area, although the development is below the threshold requiring consultation with the Environment Agency or the submission of a Flood Risk Assessment. It is considered that the development would not be at risk of flooding, nor increase the risk of flooding, subject to the implementation of a sustainable urban drainage scheme across the site. It is recommended that a condition is attached to any permission, requiring full details of the drainage scheme required to comply with the limits indicated in the Guidance

Document to the Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment. These details should be provided and assessed prior to the commencement of any development.

TREES AND LANDSCAPING

43. The existing site has a number of trees currently forming its rear western side boundary. Alongside these, a small number of well-established trees are dotted across the site, with some sited along the sites northern and southern side boundaries with Nos. 97 and 99 Moss Lane. A number of well-established hedgerows and other forms of planting and landscaping can also be found within the site, sited along its side boundaries. This existing landscaping provision however, is not protected, as the site is situated outside of a Conservation Area and the site is also not the subject of a Tree Preservation Order. The applicant has however indicated on the submitted plans that much of the sites existing trees and planting to its western rear side is to be retained, as is the planting to the sites south eastern front boundary. A number of existing trees and areas of hedgerow are however also proposed to be removed through the erection of the new dwelling.
44. It is therefore recommended that a tree protection scheme be attached to any subsequent planning consent, which will require all existing trees and areas of landscaping which are to be retained on site, to be protected throughout the course of the approved works. It is however considered given the size of the site there remains scope for mitigation planting, especially to its western most side, as well as along the proposed development sites boundaries. It is therefore recommended that a landscaping scheme, with a sufficient number of replacement trees and other forms of boundary planting be conditioned as part of any approval on site. A landscaping scheme will further allow the Council control to ensure any new mitigation planting is of the right quality and type and that it can sufficiently compensate for the loss of the existing trees and other planting on site.

ECOLOGY

45. The application would see no alterations to the existing property at no. 97 Moss Lane. The works would also see the retention of the large mature trees sited along the rear eastern side boundary of the site and as such the application proposals are not considered to have any undue impact upon nesting/roosting bats/birds within the site. An informative to this effect however will be attached to any subsequent planning consent, requiring all works to cease immediately should evidence of roosting bats/birds be found on site and the appropriate advice sought. Furthermore the tree protection plan as mentioned above will ensure any existing roosts remain unaffected from the proposed works.

DEVELOPER CONTRIBUTIONS

46. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot' zone for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
47. No other planning obligations are required.
48. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to bring forward an appropriate level of tree planting as part of the landscaping proposals.

CONCLUSION

49. The proposed development would provide an additional family sized dwelling, within a highly sustainable location, sited in close proximity to existing transport links and community facilities. The proposed development would therefore improve the quality and quantity of the housing stock in this part of the Borough and help the Council in meeting its housing land targets. It is therefore considered that the principle of residential development on this site is acceptable. All other issues have been considered and either no harm arises or any harm can be mitigated by suitable planning conditions. The proposed application is therefore in compliance with policies L1, L2, L4 L7 and L8 of the Trafford Core Strategy and the relevant sections of the NPPF.

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. Notwithstanding the details submitted, no above ground works shall take place until samples of the materials to be used in the construction of the external surfaces of the building (including rainwater goods as well as window and door details) 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.

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

1626-206 Rev. C,
1626-1002 Rev. E
1626-1000
1626-201 Rev. F
1626-103 Rev. E
1626-204 Rev. G
1626-202 Rev. E
1626-203 Rev. H
1626-101 Rev. E
1626-102 Rev. G
1626-104 Rev. C

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

4. 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.

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 drainage infrastructure at the start of the construction works and to prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7, R3 and L5 of the Trafford Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) openings on the north and south facing elevations of the dwelling hereby approved, facing Nos. 97 and 99 Moss Lane shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

6. a) Notwithstanding the details shown on the approved plans, prior to the first occupation of any of the residential unit hereby approved full details of both hard and soft landscaping works, including a scheme for tree planting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following 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.

7. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

8. Notwithstanding the application hereby approved, the dwelling hereby permitted shall not be occupied until full details, including materials, of the boundary treatment including the entrance gates and pillars 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.

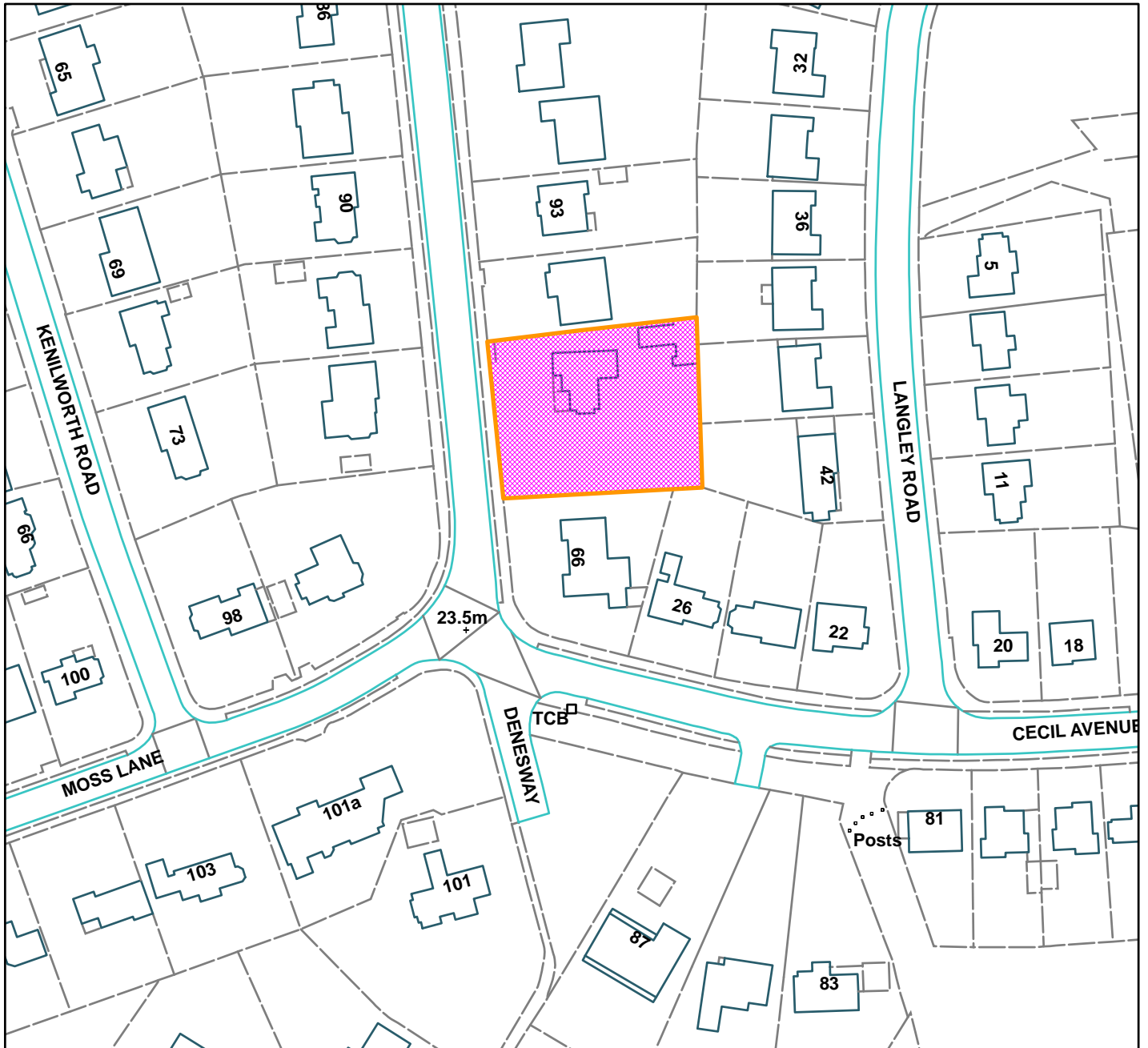
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending or replacing that Order), the flat roof area of the dwelling hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on that roof.

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

IG



97 Moss Lane, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

Erection of a three storey side and rear extension, external alterations to include rendering of the elevations, alterations to the windows and alterations to the roof shape.

61 Washway Road, Sale, M33 7SS.

APPLICANT: UKS Medical Diagnostics

AGENT: D.I. Hillier Limited

RECOMMENDATION: GRANT

This application is to be reported to the Planning and Development Management Committee because it has been called in by Councillor Brotherton for the reasons referred to in the report.

SITE

The application site consists of a two storey detached B1 (a) office building situated on the corner of Washway Road and Broadoaks Road in Sale. The building is positioned centrally within the site and principally accessed from Broadoaks Road which leads to a tarmacked car park for up to 13 vehicles to the rear. The boundary treatments include a low level brick wall with a mixture of established hedgerow and intermittent mature trees.

The surrounding land uses comprise B1 (a) offices on the opposite side of Broadoaks Road to the north, the residential enclave of Broadoaks Road running to the south-east, Washway Road Medical Centre and its associated car parking area to the south-west and a modern apartment block adjoining a parade of commercial premises with residential accommodation above beyond Washway Road to the west. The boundary to Sale Town Centre is located approximately 300 meters north-east of the site along Sibson Road.

As detailed above the area is characterised by a selection of varying land uses which occupy buildings of different ages and architectural styles. The building to which this application relates is constructed from brick with rendering to the first floor elevations under a hipped tiled roofscape which largely matches the appearance of the property to the north-east (No.59 Washway Road) through its comparable proportions, fenestration and corner bay projections. Despite the differentiations seen in the design to adjacent buildings, distinguishing features incorporate the prevailing use of red brick with rendering to the elevations under hipped red tiled roofscapes. An exception to this includes the refurbished residential building of No.100 Washway Road to the west which has been re-clad in a mixture of matt grey and brown modular sheet panelling under a flat parapet styled roof.

PROPOSAL

This application seeks the extension and alteration of an existing office building through the:

- Construction of a three storey side and rear extension with alterations to the roof design to provide additional office accommodation within the roof;
- Rendering of all elevations;
- Replacement of uPVC glazed windows;
- Incorporation of 2no., three storey gables with two storey red brick squared archways to the principal (north-west) and side (north-east) elevations;
- Internal alterations to improve the legibility and usability of the building;
- Installation of 13 marked parking bays including a single disabled parking bay;
- Installation of a bicycle space and bin store;
- Landscaping improvements;
- Removal of several on-site trees including 1 sycamore tree on the Broadoaks Road (north-east) frontage and a further sycamore tree along the common boundary with the Medical Centre to the south-west.
- Widening and re-positioning of the vehicular access off Broadoaks Road

The increase in floor space of the proposed development would be 105 m².

Value Added: Amendments have been made to the scheme following discussions with officers comprising:

During the determination of this application amended plans were requested in relation to the flat roofed dormer feature to the side second floor (south-western) elevation of the building and amended plans have been submitted adopting a tile hanging detail in line with the proposed roof material for the main roof rather than the cladding originally proposed.

DEVELOPMENT PLAN

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

- The **Trafford Core Strategy**, adopted 25 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;

R2 – Natural Environment.

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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.

OTHER RELEVANT LEGISLATION

None of relevance.

RELEVANT PLANNING HISTORY

H08138: Change of use of ground floor surgery office store/W.C. and waiting room with 1st floor living accommodation to offices. Approved with conditions 7 December 1978.

APPLICANT'S SUBMISSION

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

CONSULTATIONS

Local Highway Authority: No objection to the proposed development. Access and servicing arrangements are acceptable. The car parking provision exceeds the standards attributed to a Class B1 use however cycle parking has not been provided in accordance with guidance note SPD3. This can be conditioned to any grant of permission.

REPRESENTATIONS

Neighbours: A single letter of objection has been received from the occupant of the property to the rear of the site, No. 2 Broadoaks Road, which objects on the following grounds:

- The boundary between the two sites has been incorrectly drawn with the submitted plans showing the applicant's site as encroaching on their plot;
- The proposed extension would be significantly closer to residential properties and gardens with windows in the proposed rear elevation, thereby resulting in an unacceptable impact on light and privacy, including on their side facing loft level bedroom window;
- Concern that the site will not have enough parking spaces for the proposed number of staff and potential visitors, and associated traffic/parking issues on Broadoaks Road;
- Removal of on-site trees would have an unacceptable amenity impact;
- Unclear as to the location of possible associated plant equipment and smoking shelter; and
- Construction would cause undue disturbance.

A Councillor has raised concerns on the grounds that the proposal if approved would result in an overdevelopment of the plot, it would have an unacceptable amenity and privacy impact on neighbouring residential properties, it would entail the unacceptable removal of several mature trees from the site, and would result in an unacceptable parking/highways impact due to insufficient proposed parking spaces for the expected number of employees and visitors.

OBSERVATIONS

PRINCIPLE

1. Paragraph 14 of the NPPF maintains the presumption in favour of sustainable forms of development, requiring the Local Planning Authority (LPA) to approve proposals which accord with the development plan without delay.
2. This is supported by paragraph 19 which emphasises the Government's commitment to *"ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system"*.
3. Paragraph 24 of the NPPF confirms that LPAs should apply a sequential test to planning applications for main town centre uses that are not located in an existing centre and not in accordance with an up-to-date Local Plan. LPAs should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. The NPPF Glossary section's definition of 'Main Town Centre Uses' include offices.
4. Policy W1 of the Trafford Core Strategy states that office uses will be focussed in the Regional Centre (Pomona and Wharfside), and town centres.

5. The application seeks the extension and alteration of an existing B1 (a) office building. Whilst it is accepted that this site is not located within a town centre and noted that a Sequential Test assessment has not been provided, the proposed development is nevertheless considered acceptable with reference to the fact the site is currently in a B1 (a) office use, the moderate extent of the proposed increase in office floor space (105sqm), and the site's location in an established and well connected mixed use area approximately 300m to the south of Sale town centre
6. It is therefore considered that subject to compliance with policy in respect of other material considerations detailed below, the principle of development is accepted.

IMPACT OF SITING, SCALE AND DESIGN OF DEVELOPMENT ON THE CHARACTER AND APPEARANCE OF THE AREA

7. Paragraph 58 of the NPPF 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 goes further to explain 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"*.
8. 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; and
 - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
9. The application site is domestic in appearance, being occupied by a two storey detached building originally constructed for residential use which is set back from the public highway on an accommodating curtilage laid to a mixture of lawn on the Washway Road frontage , tarmacking to the rear and established landscaping to the boundaries. This pattern of development is noticeably uncharacteristic within its immediate context along Washway Road which is largely characterised by various commercial premises, office buildings and local amenities such as the adjacent Medical Centre to the south-west (No. 67-69 Washway Road). Nonetheless, the surrounding built form is unified by the principal use of red brick and render to the elevations under a mixture of flat roofed or tiled hipped roofscapes. Also of note is the relatively low rise nature of adjoining buildings which do not surpass more than three stories in height and maintain an element of spaciousness between them.
10. The proposed development seeks the extension and alteration of the existing building through the construction of a three storey side and rear extension with

alterations to the roof to accommodate additional commercial floorspace at second floor level.

11. The side extension is to be located on the south-western elevation, opposite the car park to Washway Medical Centre, and set back from the principal (western) elevation by 200mm. Although marginal, it is considered that this feature provides an element of subservience to the original building line and given its proportionate size as viewed from Washway Road, it is considered that the extension would not appear as an incongruously formed addition to the building.
12. In respect to the rear addition, this element extends the entirety of the property with gable ends to the side elevations facing onto Broadoaks Road and Washway Medical Centre respectively. Whilst acknowledging that the gable ends would represent quite dominant features, this is not to the detriment of the building's character and appearance with the gables remaining traditionally formed and proportionately scaled within the roof-scape to successfully assimilate with other similar architectural features in the street-scene, most noticeably the residential properties along Broadoaks Road which the north-eastern gable will be most associated with.
13. The alterations made to the roof include the augmentation of the roof slope from 35 degrees to 45 degrees, the introduction of a flat roof element in the centre of the roof (although this would not be read as a flat roof from ground level), the incorporation of gables to the principal elevation above the main entrance, to the Broadoaks Road side elevation and to the side elevation facing the car park of the medical centre and the addition of a blank dormer feature to the side second floor (south-west) elevation of the building. It is considered that cumulatively, the proposed alterations to the roof are sympathetic and would not significantly or demonstrably harm the buildings integration within the surrounding street-scene to warrant a reason for refusal. The design incorporates a flat roof in order to maximise the square footage of the building whilst ensuring that the appearance of a traditional pitched roof-scape to correspond with the immediate built form is preserved, and the centrally positioned gable to the principal elevation improves the aesthetics of the building more generally.
14. Having regard to the other alterations proposed, the use of render corresponds appropriately with the mirrored No.59 to the north-east (occupied by Swinton Insurance) and would therefore improve the relationship between the two facing buildings. The incorporation of red brick arches and second floor windows within the roof-scape are considered to represent a simple contemporary design approach which adds visual interest to the development and aids in breaking up the expanse of rendering to the elevations. Additionally, the adjustments made to the fenestration patterns, including the insertion of roof lights, remain suitably positioned and are proportionately scaled to preserve the traditional architectural form of the building whilst complementing the proposal's modern appearance.

15. The proposed blank dormer feature to the side second floor (south-west) elevation of the building was originally proposed in cladding in contrast to the tiled roof. It is accepted that this element is necessary in order to accommodate the lift shaft. However, amendments have been negotiated to secure the replacement of the cladding with hung tiles which would complement the proposed roof materials. Whilst the dormer would still remain visible from public vantage points, its dominance would be lessened through the incorporation of sympathetic materials and, given that it is set back from the principal building line, it is considered that this element would in this instance be acceptable.
16. Subject to the submission of material samples conditioned to the grant of this permission, the proposed development is considered to comply with Policy L7 of the Trafford Core Strategy and wider guidance contained within the NPPF.

IMPACT ON RESIDENTIAL AMENITY

17. Paragraph 17 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings affected by development.
18. This is supported through Policy L7 of the Trafford Core Strategy which reiterates 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”*.
19. In reviewing the proposal’s accordance with Policy L7 attention is given to the building’s position amongst a primarily commercial setting, sited adjacent to business premises to the north and west and the car park for Washway Road Medical Centre to the south-west. The proposal is sufficiently distanced to ensure there is no overbearing effect or loss of light to these commercial premises. Additionally, there are no direct views towards any consultation rooms related to the Medical Centre which could impact upon the privacy or confidentiality of patients.
20. In respect to the amenities of the nearest residential properties positioned along Broadoaks Road to the proposed south-eastern aspect, it is not envisaged that there would be any adverse impact to the amenities of No.1 which is located at a distance of 30 metres north-east of the development with no windows proposed which would directly overlook the property to warrant concern. Furthermore the distances shown coupled with the orientation of the application site negate any overbearing effect or loss of light which could be attributed to the increased massing of development on the plot.
21. With regard to the adjacent residential property of No.2 to the eastern boundary, the proposal faces the side elevation of this dwelling whereby the ground floor is served by secondary windows to the kitchen which principally outlooks to the rear (south-

west). The windows to the landing and bathroom at first floor and a dormer on the second floor incorporate obscure glazing. The development would introduce ground floor staff room and hall way windows, first floor office, meeting room and hallway windows, and second floor office roof lights in the roof slope facing this neighbouring property.

22. Concerns have been raised by the occupant of this neighbouring property that the proposed extension and windows would be significantly closer to their property and garden, thereby resulting in an unacceptable impact on light and privacy, including on their side facing loft level bedroom window.
23. Addressing these concerns, it is noted that the proposed windows would be over 15m from the main private amenity space to the rear (south-west) of the property, that the extension would not result in an unacceptable overshadowing impact due to its position to the north-west of this property, and would not result in an unacceptable overbearing or privacy impact on the side facing kitchen window which would be 15.3m from the extension post development, this view being currently partially screened by the retained 1.8m high wood panel fence forming the common boundary, and this window in any event not being the kitchen's principal outlook, which is towards the rear (south-west). The applicant has confirmed that the bottom edge of the proposed roof lights would be more than 1.7m above the proposed internal floor level.
24. As noted above the side facing loft level bedroom window in the neighbouring dwelling is obscurely glazed therefore it is not considered that the extension would result in an unacceptable amenity or privacy impact on this neighbouring outlook.
25. In conclusion the proposal is considered to comply with Policy L7 of the Trafford Core Strategy and the wider considerations contained within the NPPF (2012).

HIGHWAYS ISSUES

26. Policy L7 of the Trafford Core Strategy requires development to incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety, the provision of sufficient and appropriate off-street car and cycle parking, the provision of necessary manoeuvring and operational space for service vehicles and the provision of, and access to, waste recycling facilities. Matters of accessibility are also a material consideration in the promotion of sustainable forms of transportation.
27. The plans indicate that a new wider vehicular access (6m wide as opposed to the current 3.3m wide entrance) from Broadoaks Road would be installed 2m to the north of the existing vehicle entrance. The existing pedestrian access from Washway Road would be retained. The Local Highway Authority (LHA) has assessed the access point and considers that the proposed access onto the site is acceptable.

Moreover, the existing service arrangements are to be retained with the provision of bin storage shown on the submitted plans which meets the requirements of the LHA.

28. In respect to car parking SPD3: Parking Standards & Design for Trafford requires that for a Use Class B1 in this area, one off-street parking space per 30m² of floorspace is required which equates to 7 spaces for the extended office building. The proposals include the provision of twelve parking spaces plus one disabled space which cumulatively exceeds the standards required by the LHA.
29. In addition to the above, SPD3: Parking Standards & Design for Trafford requires a minimum of two cycle parking spaces with the proposal as submitted including an area denoted as 'bicycle space' which according to the LHA could accommodate 6 bicycles located at the front of the building (as noted on dwg.3 rev C). Notwithstanding this no further details of cycle parking infrastructure have been provided and therefore further details can be requested through condition.
30. It is noted that one of the concerns raised by the neighbouring occupant is that the site will not have enough parking spaces for the proposed number of staff and potential visitors, with the development resulting in associated traffic/parking issues on Broadoaks Road. However, the proposed extension would meet the SPD3 standards and the site is in a relatively sustainable position close to bus routes on Washway Road and close to Sale town centre. On street parking is available on Broadoaks Road, however this is limited to permit holders with other users able to park there for a maximum of 2 hours, which would mitigate against potential parking problems caused by visitors to the redeveloped site. It is noted that the LHA has raised no objections to the proposal. It is therefore considered that the proposed development is acceptable in terms of parking provision.
31. For the avoidance of doubt, whilst the application refers to "Rehab" and "Medical" on the layout plan, the applicant's agent has confirmed that this simply relates to the teams that would be working in these rooms and has agreed to a condition that the premises would be used solely as offices and not for any medical consultations.
32. It is therefore considered that subject to the inclusion of cycle parking infrastructure the proposal complies with Policy L7 of the Trafford Core Strategy.

TREES AND LANDSCAPING

33. Policy R2 of the Trafford Core Strategy states that:-

To ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate through a supporting statement how their proposal will:

- Protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and
- Protect the natural environment throughout the construction process.

34. It is noted that as part of the scheme the submitted scheme proposed the removal of several on-site trees including two sycamore trees along the Broadoaks Road frontage, a further sycamore tree along the common boundary with the Medical Centre to the south-west, and a silver birch tree on the corner of Broadoaks Road and Washway Road.

35. It is noted that the neighbour objects to the proposed tree loss.

36. It is accepted that one of the two sycamores on the Broadoaks Road frontage should be removed in connection with the proposed widening and repositioning of the site access and that the further sycamore tree on the boundary with the medical centre should be removed due to its proximity to the proposed extension. A small Rowan on this boundary would be removed but does not make a significant contribution to the visual amenity of the street scene. It is considered that the proposed development would be acceptable subject to the retention of the other sycamore tree on the Broadoaks Road frontage positioned closest to the common boundary with No. 2 Broadoaks Road, as well as the silver birch on that frontage, together with the street trees on Washway Road and Broadoaks Road, to assist in softening the impact of the development. Standard tree protection conditions would be attached to ensure the protection of these three trees. A landscaping condition would also be attached to secure replacement planting.

37. Planning permission would be subject to conditions to ensure the protection of the sycamore and silver birch during the construction process, as well as a further condition requiring the applicant to submit a full hard and soft landscaping plan.

OTHER MATTERS

38. It is noted that one of the grounds of objection is the statement that the submitted plans are incorrect and show the applicant's site as encroaching on a neighbouring plot. In response it is noted that the applicant has completed Certificate A on the application form which states that the development will be confined to their site. The neighbour's concern has been raised with the applicant's agent who has confirmed that the boundary is correct and the site falls within the applicant's ownership. The LPA has no reason to dispute the applicant's claim and any future dispute would be a private legal matter between the relevant parties.

39. It is also noted that a further ground of objection is that construction would cause undue disturbance to neighbouring properties. This would not be a justification to

refuse planning permission and the Council's Pollution Section does have powers to control nuisance caused by construction work

40. The objector has raised concerns about the location of plant equipment and a possible smoking shelter but these elements have not been included as part of the proposed development and would require a further planning application.

DEVELOPER CONTRIBUTIONS

41. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'office' development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
42. No other planning obligations are required.

CONCLUSION

43. It is concluded that the proposal would be acceptable in principle and with reference to its design, amenity, highways/parking and trees/landscaping impacts with reference to Core Strategy policies L4, L7, W1 and R2. The proposal is in accordance with the development plan and is therefore recommended for approval.

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing nos. 03 Rev C (Proposed Plans), 04 Rev C (Proposed Elevations) and 00 (Location Plan and Block Plan).

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

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour

and texture of the materials. Development shall be carried out in accordance with the approved details.

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

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 prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

Reason: To ensure that satisfactory provision is retained 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 Council's adopted Supplementary Planning Document 3 - Parking Standards and Design and the National Planning Policy Framework.

5. The development hereby permitted shall not be occupied until a scheme for secure cycle storage has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. The approved scheme shall be retained thereafter.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

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

seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

7. No development or works of site preparation shall take place until all trees that are to be retained within (including the sycamore tree on the Broadoaks Road frontage closest to No. 2 Broadoaks Road and the silver birch on the corner of Washway Road and Broadoaks Road), or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

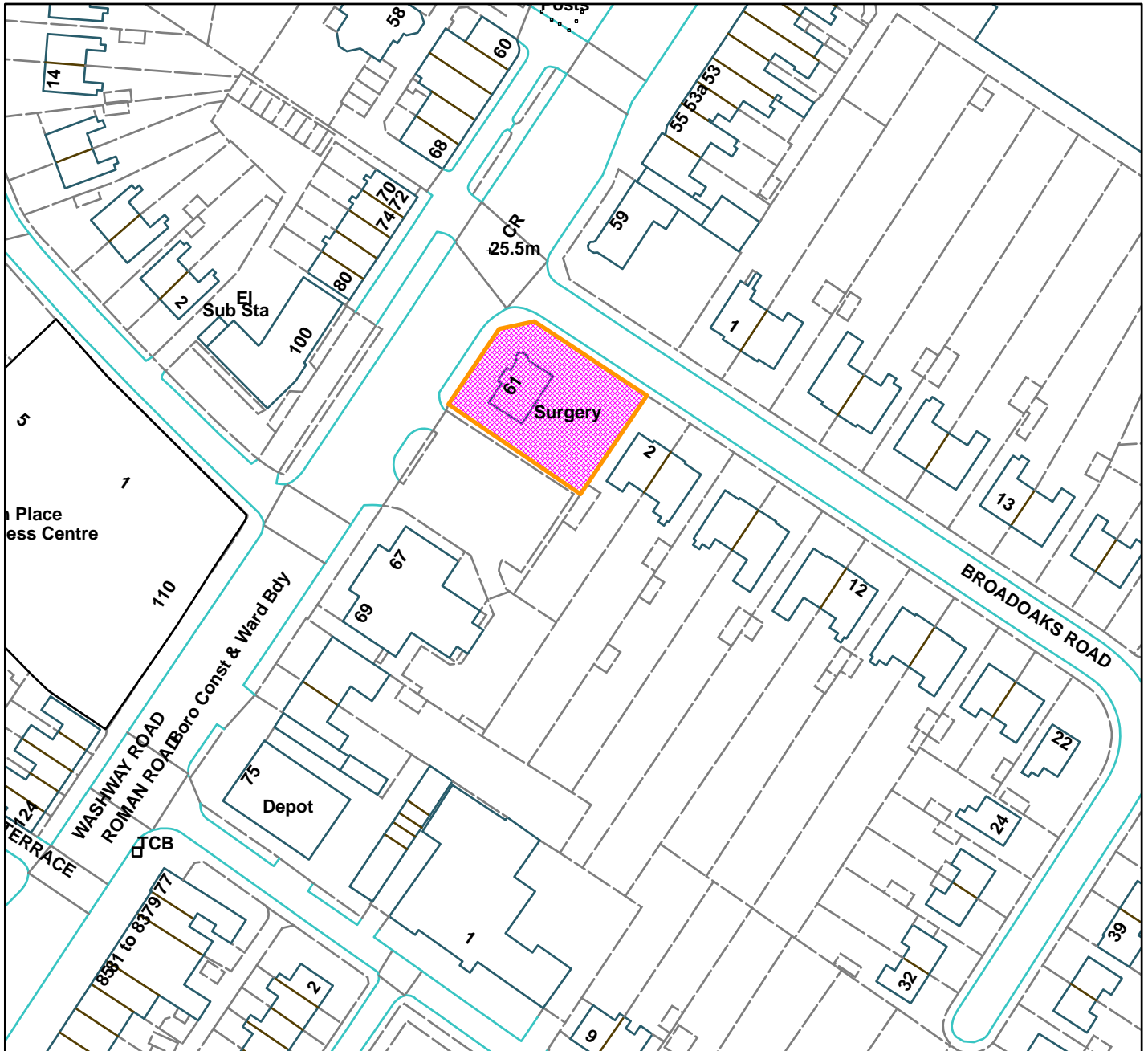
8. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a B1a office use and for no other purposes either within or outside of Class B and no provision of medical services or medical consultations to members of the public shall take place at the premises.

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

TP



61 Washway Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)

WARD: Broadheath

90208/HHA/16

DEPARTURE: No

Demolition of existing conservatory and single storey side extension and erection of a part single part two storey extension to side and rear and a single storey extension to side and rear

1 Central Avenue, Sale, M33 4JA

APPLICANT: Mr M Samra

AGENT: Mr S Mason

RECOMMENDATION: GRANT

The planning application has been referred to the Planning and Development Management Committee as it has received representations from more than 6 separate addresses contrary to the officer recommendation.

SITE

This application relates to a detached residential dwelling located on a corner plot on the junction of Central Avenue and Avonlea Road, Sale. The dwelling has a cat slide roof on the southern part of the site towards to the common boundary with No. 3, which is a common feature amongst dwellings on this street. The dwelling is visible from Avonlea Road to the north, with mature trees located close to the dwelling on the corner of Avonlea Road and Central Avenue.

PROPOSAL

Planning permission is sought for the demolition of existing conservatory and single storey side extension and erection of a part single part two storey extension to sides and rear.

The proposed extension would wrap around the southern side, rear (east) and part of the north side elevations of the property.

The part single part two storey side element of the extension to the southern side elevation would be flush with the front elevation of the host dwelling at ground level, however it would have a set back at first floor level from the front elevation of the host dwelling by 0.50 metres and from the side common boundary (with no.3) by 1 metre. The proposed side extension would extend 11.8 metres at ground floor and 9.8 metres at first floor.

The extension would then wrap around the rear (east) elevation at both single and two storeys towards the flank wall on the adjacent side (north) of the dwelling. It would project beyond the rear elevation at ground floor by 3.6 metres at ground floor and 2

metres at first floor. The single storey rear element of the proposals would have a height to the eaves of 2.60 metres with a ridge height of 3.26 metres. The roof would be mono pitched and include three rooflights. The proposed two storey extension would have a height to the eaves to match the host dwelling, with a ridge height of 7.05 metres. The two storey element would take on the form of two hipped roofs with a ridge height to match that of the original dwelling.

The extension would then partly wrap around the northern elevation but at single storey, with a set-back of 3.6m from the front elevation. The extension would have a width off the side elevation of 3.6 metres and would have a total length of 8.28 metres (including 3.6m which would form part of the single storey rear extension) The height to the eaves and ridge would be 2.60 metres and 3.88 metres respectively.

The dwelling is painted white at ground floor with a pebble dashed first floor.

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

SUPPLEMENTARY PLANNING DOCUMENTS

SPD4: A Guide for Designing House Extensions and Alterations
SPD 3: Parking Standards and Design

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

89883/HHA/16 - Demolition of existing conservatory and erection of a two storey extension to side and rear, a first floor side extension and a single storey rear extension (Withdrawn 04.01.2017)

REPRESENTATIONS

Neighbours – 17 representations objecting to the application have been received from 8 separate addresses. The concerns raised are as follows:

- Suspicion that this could be turned into commercial or nursing home use and associated traffic concerns;
- Neighbouring properties will devalue;
- The resultant size of the dwelling would be considerably larger than other properties and would be out of character;
- Loss of light;
- Highways issues; (traffic and parking)
- Privacy issues;
- Impact on trees and infrastructure;
- Lack of dimensions on plans; and
- Impact on view.

Comments: The design and amenity matters will be assessed in the Observations Section below.

Comments were made from neighbours about the amendments to the scheme and the negative effect it was having on the application. Due to errors on the plans identified by both Officers and the applicant, Officers had reconsulted neighbours in line with requirements in the Council's Statement of Community Involvement and in line with statutory requirements.

The remaining matters will be addressed in Other Matters section below.

CONSULTATIONS

Local Highways Authority – the proposals look to increase the parking provision from its existing single space, to three spaces to meet the standards.

The proposed arrangement, although it comprises a space which wouldn't work independently if the other spaces are occupied, can be accepted. 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 would have no objection to the proposals on highway grounds. It is noted that a number of neighbouring properties comprise four+ bedrooms and only benefit from two off-street parking spaces.

OBSERVATIONS

DESIGN AND APPEARANCE

1. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
2. Section 3.1.2 of SPD 4 states that a gap of 1 metre should be retained to the side elevation of an extended property and its side boundary, to retain an impression of space to the side of the dwelling and to prevent a terracing effect with neighbouring properties.
3. The proposed part single part two storey side extension close to No. 3 on the southern elevation would maintain a gap of 1 metre at first floor only; however this is still considered compliant with Section 3.1.2 of SPD 4. The part single part two storey side element of the extension adjacent to no.3 is not considered to result in any undue terracing effect and would maintain a degree of spaciousness within the site. A gap at ground floor is not maintained at this side; however access to the rear remains on the other side of the dwelling, adjacent to Avonlea Road.
4. The extension has been amended following a withdrawn planning application (89883/HHA/16), which has resulted in the extension being set back from the front elevation at first floor and set down from the ridge to ensure that the extension appears subordinate to the host dwelling.
5. The two storey side extension would result in the loss of a cat slide roof feature which is a key feature of properties within the wider area. While this is a common feature of dwellings on Central Avenue, they have no specific protection and it is not considered that the loss of this roof feature would lead to significant harm to visual amenity or the street scene.
6. The development would be highly visible from the streetscene because of its corner plot location, with views of the front, northern side and rear elevations visible from the public realm. SPD4 identifies several key overlapping considerations when appraising corner plot extensions. The requirement to appear subservient, not over-dominant to the host dwelling and to not erode the space around the plot are key

considerations in the determination of these applications. The policy advises that single storey side extensions on corner plots should be set back from the common boundary by at least two metres, with two storey extensions required to have a larger set back. In addition, no more than 50% of the garden should be taken up by the extension.

7. Discussions between officers and the applicant have resulted in an amended scheme being submitted which significantly improves the proposed relationship of the extension to the corner plot. The side extension has been reduced in height from two storeys to single storey and as such will sit comfortably within the streetscene when viewed from the front of the property. It is also considered that the reduction in height and bulk limits any potential harm to the urban grain of the development within the immediate locality.
8. The northern side extension would maintain at least a 2.2 metre gap to the side boundary at the front; however this would increase close to 3 metres at the rear. It is considered that the single storey side extension would appear subservient and not significantly alter the building line facing Avonlea Road. Therefore the spaciousness to the side of the dwelling is considered to be maintained by the proposals.
9. The rear extension would be visible from Avonlea Road, however it is considered that the projection at two storey is limited (approximately 2 metres), with the majority of the increase in footprint visible from this view would be at single storey. The use of two hipped roofs as opposed to a singular roofscape is not considered unacceptable, as overall the roof will remain hipped as per the existing dwelling. Therefore it is considered that the impact on the streetscene from Avonlea Road is acceptable.
10. On this basis, it is considered, that the part single part two storey wrap around extension to side and rear, would not be visually over-dominating and nor would it disrupt the sense of openness between the properties and the street scene. The proposals are therefore acceptable, in terms of design and appearance. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy.

RESIDENTIAL AMENITY

11. 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.
12. Section 3.4.3 of SPD4 relates to two storey rear extensions, normally extensions should not project more than 1.50 metres close to a shared boundary. If extensions are set away from the boundary by more than 15cm, the projection can be increased by an amount equal to the extra distance from the side boundary. Therefore as there

is a 1 metre set back with the common boundary, the extension may be increased to 2.5 metres.

13. The projection at the rear at two storeys would be 2 metres and as such this would be policy compliant. Section 3.4.2 of SPD 4 stipulates that single storey rear extensions for detached properties close to the boundary should not project more than 4 metres close to the common boundary. The single storey extension extends to 3.50 metres beyond the rear elevation of the existing dwelling and is therefore also policy compliant.
14. Officers do acknowledge that the proposals would be located to the south of No. 64 and 66 Avonlea. However the two storey rear extension would be separated from the front elevation of these properties by approximately 22 metres.
15. On this basis, the extensions would not cause any unacceptable visual intrusion or have an overbearing or overshadowing impact on neighbouring properties..
16. Officers noted a habitable room window serving a kitchen on the ground floor side elevation of No. 57 Avonlea to the west. The remaining openings on the side of No. 57 (including the first floor dormer) are obscure glazed. Figure 10 in SPD 4 identifies the interface distances that would normally be acceptable between principal outlook and common boundaries and with other neighbouring principal outlooks at 10.5m and 21 metres respectively.
17. The distance between the rear elevation of the proposals and the kitchen window would be 13 metres at ground floor and 14.5 metres at first floor (albeit the view from first floor would be from above, rather than directly into the window). The distances therefore fall short of what would normally be considered acceptable and therefore as a consequence a site visit was carried out to specifically assess the particular impact on this window. The opening is of limited size and is not the main window to the kitchen, which is at the rear. This would limit the degree and impact of any potential overlooking and on balance it is considered that it would not prejudice the amenity of the occupiers of 57 Avondale Road. The separation distances are considered sufficient to not cause any significant undue loss of light to this kitchen.
18. With regards to the front, it is not considered that the new openings at both ground and first floor will make worse an existing situation. With regards to the single storey side and rear extension, there is a side window proposed for the lounge of the proposed side extension. This would have a distance of 18.5 metres to both No. 64 and 66 on the adjacent side of the road. As such, to prevent undue overlooking between the dwellings, Officers will condition this window be obscure glazed. In addition, a side window is proposed for the study on the part single part two storey side extension will also be obscure glazed.
19. Therefore in regards to amenity, the proposals are acceptable and as such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy.

PARKING AND HIGHWAY SAFETY

20. The resultant dwelling would have an increase in bedrooms from 3 to 4 bedrooms, therefore requiring three-off-street spaces. SPD 3 Parking Standards and Design sets out that for a 4+ bedroom house in this location, 3 car parking spaces should be required.
21. The applicant has indicated on the drawing no. 93/16/BP Rev A that there is an intention to increase provision at this site for three cars. The Local Highways Authority (LHA) have noted that it comprises a space which would not work independently if the other spaces are occupied, nevertheless the LHA have acknowledged that a number of four or more bedroom dwellings in the area only accommodate two off-street spaces.
22. The LHA note that the applicant should ensure adequate drainage or permeable surfacing – this will be added as an informative to any permission.
23. Highways have not objected to the parking in principle. The works to open up the carriageway for additional cars through the dropped kerb will require further consent from the Council's Streetwork team, which will be added as an informative to the decision notice.

OTHER ISSUES

24. Concerns were raised by numerous representations about the enlarged dwelling being converted into either a nursing home or commercial premises. There is no evidence that any change of use would occur following this planning application and no planning application has been submitted to that effect. Officers have therefore assessed the scheme as submitted. Nevertheless, officers will add an informative onto the permission identifying that any change of use of the dwelling will require planning permission.
25. Officers noted comments in the representations relating to trees. There is a conifer tree located close to the common boundary within No. 3, to which some of the tree does overhang onto the applicant's land. The tree is not protected by legislation through a Tree Protection Order.
26. Officers consider that there would be no unacceptable impact on street frontage trees as a result of the proposals. The single storey side extension has been set back from the trees on the corner of Avonlea Road and Central Avenue.
27. With regards to damage to infrastructure, this is not a planning consideration in this instance and it is up to the applicant to ensure that infrastructure (such as BT, internet, utilities etc.) is not affected by the implementation of any permission.

28. In addition, the devaluation of properties following the erection of the extension is not a material planning consideration. Dimensions on plans are not a validation requirement as plans are drawn to scale. A view is not protected; however the outlook of a room is and forms part of the planning assessment.

DEVELOPER CONTRIBUTIONS

29. The floorspace of the extension would be less than 100 square metres and the proposal is not CIL liable.

CONCLUSION

30. The proposal accords with the development plan and does not result in harm to the character and appearance of the local area through a loss of spaciousness or create an unacceptable impact to the building line along Avonlea Road. In addition, the proposal does not lead to an unacceptable impact on amenity to nearby dwellings through loss of light, undue overlooking or from being overbearing. The proposal is therefore acceptable with reference to Policy L7 of the Core Strategy and is recommended for approval, subject to the below conditions.

RECOMMENDATION

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans 93/16/4 Rev 'B' (received 18th January 2017); 93/16/3 Rev 'B' (received 14th February 2017); 93/16/BO Rev 'A' (received 14th February 2017) and 93/16/LP Rev. 'A' (received 14th February 2017).

Reason: In the interests of proper planning and for the avoidance of doubt, having regard to Policy L7 of the Trafford Core Strategy.

3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House

Extensions and Alterations and the requirements of the National Planning Policy Framework.

4. Prior to first use of the extension hereby approved, the applicant shall have implemented the parking arrangements in accordance with the approved plan 93/16/BP 'Rev A'.

Reason: In interests of highway safety and in compliance with Policy L4 of the Trafford Core Strategy

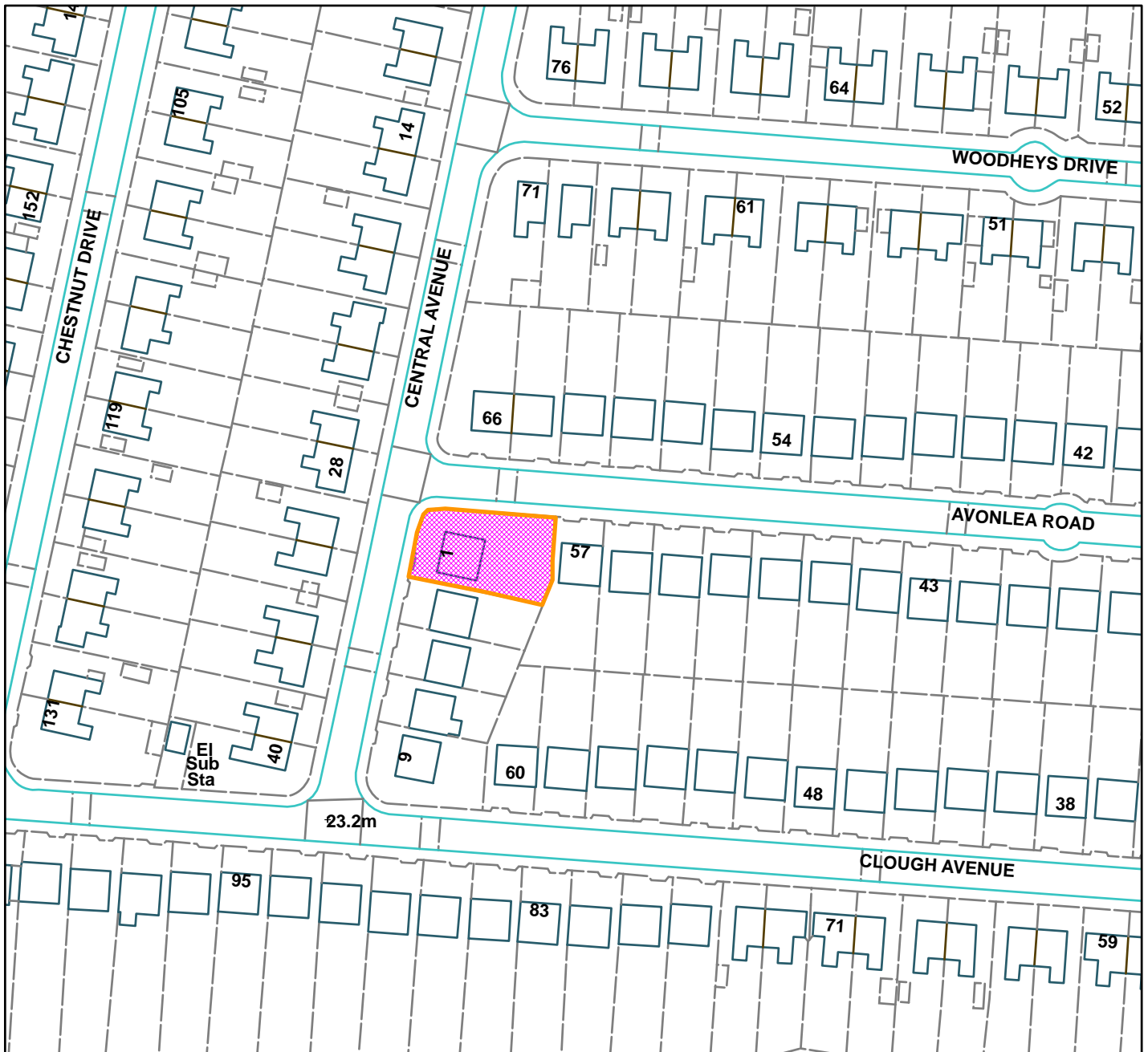
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the ground floor on the north elevation facing No. 64 and 66 Avonlea Road and the ground floor on the south elevation facing No. 3 Central Avenue shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

TO



1 Central Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/03/17
Date	27/02/2017
MSA Number	100023172 (2012)