

Revocation of Hazardous Substances Consent for the storage of natural gas

Former Sale Gasworks and Gas Holder Site, Danefield Rd, Sale

National Grid

RECOMMENDATION: THAT THE REVOCATION ORDER BE SUBMITTED TO THE SECRETARY OF STATE FOR CONFIRMATION

SITE

The report relates to the former Danefield Road Gasholder Station site, which is situated on Danefield Road, to the north of the built up area of Sale. The site is approximately 0.45 hectares in area.

The site is accessed from Danefield Road and is located to the west of the Bridgewater Canal and a self-storage site. The north of the site is bound by playing pitches and an athletics stadium known as Crossford Bridge Sports Ground pitch, to the east of the site is a commercial unit in general industrial use and to the south are two commercial buildings 'Network House' a two storey warehouse and office unit and 'Folders' a two storey building which appears to be in use as B1(a) offices.

To the south west of the site are two blocks of former offices which have been converted into twenty one residential apartments under the prior approvals process. The area of landscaping to the south of these two blocks has been converted and segregated into gardens to serve the ground floor units of the apartments.

To the south and southwest of the gas holder site is 'Mayfield House' which is currently in office use and 'The Lodge' which is a vacant residential property. Planning application 98438/FUL/19 is a live planning application which seeks permission for the demolition of 'Mayfield House' and 'The Lodge' and the development of a four storey detached building to accommodate 29 residential apartments, with associated car parking, access from Danefield Road and landscaping. This application is currently under consideration.

PURPOSE OF THE REPORT

The report seeks authorisation to submit an order to the Secretary of State, which would revoke the extant hazardous substances consent, H/HSC/53184.

The Council has received a request in writing from National Grid, the owners and occupiers of the site, to revoke the existing hazardous substances consent and remove consent for the storage of natural gas on the site.

Section 14 of the Planning (Hazardous Substances) Act 1990 sets out the Council's powers as Hazardous Substances Authority to revoke or modify hazardous substances consents. Section 15 of the Act requires any order under section 14 of the Act to be confirmed by the Secretary of State.

Under section 16 of the Act, if it is shown that any person has suffered damage in consequence of the order by either depreciation of the value of an interest to which they are entitled in the land or in minerals in, on or under it; or by being disturbed in his enjoyment of the land or of minerals in, on or under it, the authority shall pay compensation in respect of that damage. As noted within this report, the request for the hazardous substances consents revocation has come from National Grid and they are the site owner and operator and have also confirmed in writing that they will not seek compensation under section 16 of the Act and that no other party has an interest in the land.

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

L5 – Climate Change
W1 – Economy

PROPOSALS MAP NOTATION

Main Industrial Area
River Valley Floodplain

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

Employment Area

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. 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 and was last updated on 1st October 2019. The NPPG will be referred to as appropriate in the report.

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

RELEVANT PLANNING HISTORY

H00195 - Demolition of existing switchroom and erection of single storey gas governor station and new single storey switchroom – Approved - 09.07.1974

H36018 - Deemed Hazardous Substances Consent – Approved - 19.10.1992

H/HSC/53184 – Continuation of Hazardous Substances Consent following a change in control of part of the land – Approved 21.02.2002

94467/DEM/18 - Demolition of disused gasholder. (Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Approved - 14.06.2018

OBSERVATIONS

BACKGROUND

1. The site has been in use as a gas holder site since the mid-20th Century and it is understood that the site was in continuous use for this purpose until recently. In June 2018, prior approval consent was granted for the demolition of the facility.
2. Gas is now stored within the mains system and is kept at the necessary pressure to supply the local and regional network using a series of pressure reduction stations, as a result gasholders and their associated structures are now considered to be redundant infrastructure.
3. National Grid has confirmed that the demolition works have now been completed.

PRINCIPLE

4. The proposed revocation of the consent would assist in simplifying and reducing the area of the Health and Safety Executive's consultation zones for hazardous sites and pipelines, which currently form a constraint on further development / redevelopment of the site and surrounding areas.

CONCLUSION

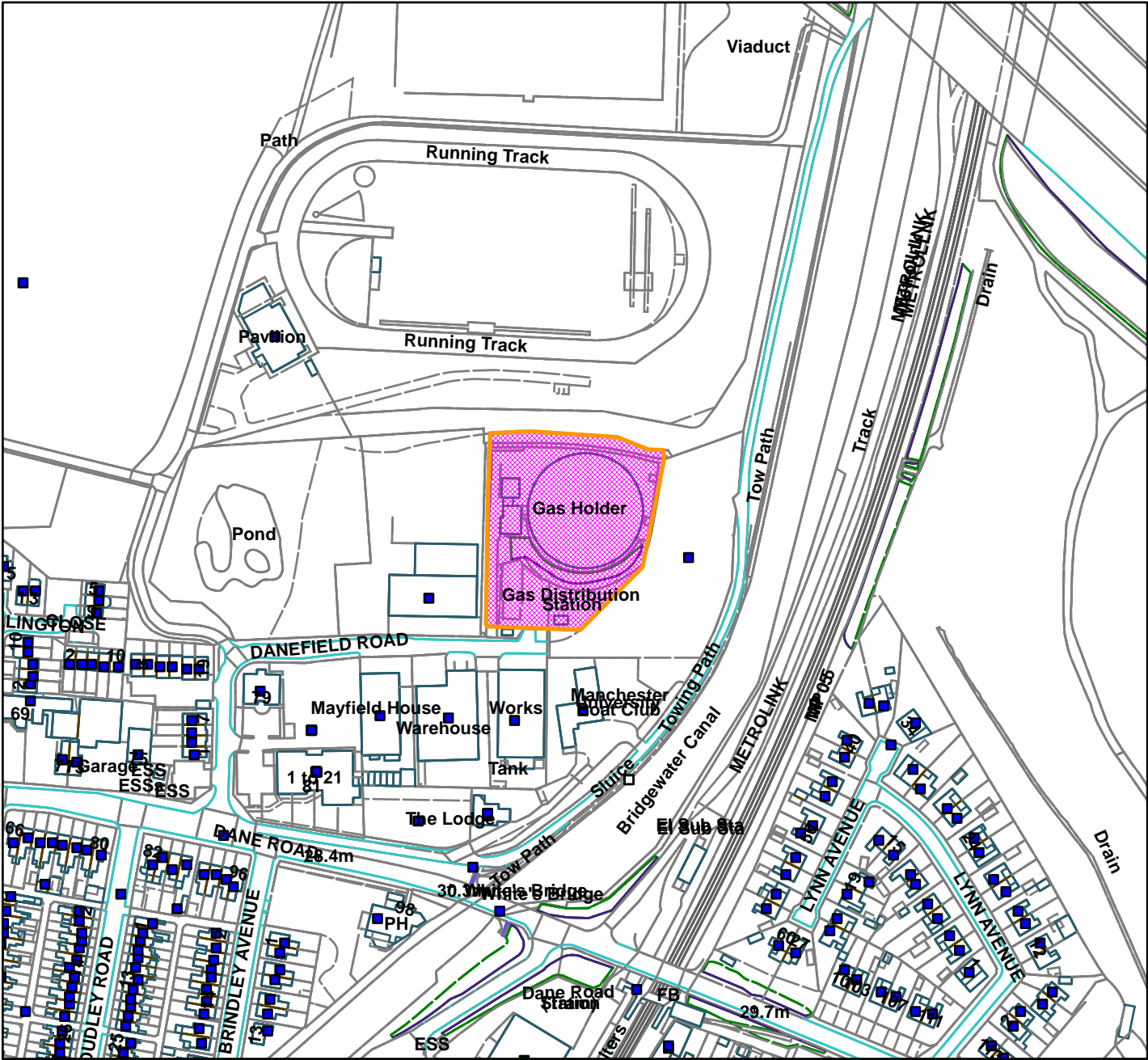
5. In conclusion, it is therefore considered that it would be expedient for the extant hazardous substances consent to be revoked in accordance with the request of the site owner and operator and given there would not be any objection or compensation claim from the site owners anyone with an interest in the site. It is therefore recommended that a revocation order be submitted to the Secretary of State for confirmation.

RECOMMENDATION:

That an Order, under section 14 of the Planning (Hazardous Substances) Act 1990, revoking hazardous substances consent H/HSC/53184, to remove consent for the storage of natural gas at the Danefield Road Gasholder site, be prepared by the Corporate Director of Governance and Community Strategy and submitted to the Secretary of State for confirmation, on the grounds that there is no longer any requirement to store natural gas on the site.



Dane Road Holder Site, Danefield Road, Sale (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

WARD: Hale Central

95345/FUL/18

DEPARTURE: No

Erection of a detached part three, part four storey building to form 8no. apartments with associated car parking and landscaping.

Car Park, Westgate House, 44 Hale Road, Altrincham,

APPLICANT: Property Alliance Group Ltd,

AGENT: Buttress

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation.

SITE

The application relates to a piece of land that currently forms part of the car park for the offices at Westgate House. The site lies to the rear of Westgate House, on the southern side of Hale Road. The site is accessed from Hale Road and also the eastern side of Brown Street. Residential terraced houses on Brown Street lie to the west of the site and retirement apartments within Rostherne Court bound the site to the south. The Altrincham to Chester train line bounds the site to the east.

PROPOSAL

The application proposes the erection of a detached part three, part four storey building to form eight apartments. The ground level would comprise of undercover car parking, entrance lobby, refuse store and plant room. The first floor would comprise of the main entrance lobby, 2no. two bedroom apartments, cycle store and part open, part undercover car parking. The second floor would comprise of 4no. two bedroom apartments. The third floor would comprise of 2no. two bedroom apartments and also provide access to a communal roof garden. Balconies are proposed to the east elevation at first, second and third floors to five of the apartments.

The proposed building would have a maximum height of 14m and excluding the car parking area would have a maximum length of 24.9m and maximum width of 16.5m.

Floorspace

The total floorspace of the proposed development would be 886m².

Value Added

Following concerns from Officers regarding the design and massing of the proposed development and car parking and landscaping provision, the applicant submitted amended plans that reduced the scale and massing of the proposal, including improvements to the facades of the building. Landscaping around the site was also enhanced and a plant room was relocated away from neighbouring properties. The car parking layout has also been improved.

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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

SUPPLEMENTARY PLANNING DOCUMENTS

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

PROPOSALS MAP NOTATION

Critical Drainage Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

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RELEVANT PLANNING HISTORY

H/64197 - Part retrospective application for refurbishment of office building including elevational alterations, new entrance and canopy, three storey rear extension and alterations to car park layout (revision to planning approval H/61719) – Approved with conditions 10.05.2006.

H/61719 - Refurbishment of office building including elevational alterations, new entrance and canopy, three storey rear extension and alterations to car park layout - Approved with conditions 18.04.2005.

H34274 - Change of use from parking area to parking area, computer workshop and archive store – Approved with conditions 08.11.1991.

H24965 - Demolition of car sales/repair/distribution depot & redevelopment of site with a 3-storey office building providing 14,500sq ft gross office floor space fronting hale road with vehicular access from hale road serving 50 car parking spaces and with a 2/4 storey building fronting Brown Street providing 27 elderly persons sheltered flats and warden's flat with vehicular access from Brown Street serving 10 car parking spaces. Provision of 6 car parking spaces for local residents. All vehicular egress to be into Brown Street – Approved with conditions 01.09.1987.

APPLICANT'S SUBMISSION

The applicant has submitted a Design and Access Statement, Arboricultural Impact and Method Statements, a Crime Impact Statement, a Drainage Strategy, an Environmental Noise Study and a Housing Needs Statement. The information provided within these statements is discussed where relevant within this report.

CONSULTATIONS

LHA – No objections, full comments discussed in the Observations section below.

TREES – All of the trees on the site will require removal to facilitate the development, which is a total of 10 trees and 1 group (of 4 stems). The trees are not protected by a TPO nor are they within a conservation area, therefore there is no objection to their removal providing there is a robust landscape plan in place.

LLFA – No objections provided conditions are attached relating to surface water drainage and the management of a sustainable urban drainage scheme for the site.

Housing Strategy – No objections in principle. The proposal would bring much needed residential units into Altrincham.

Pollution and Housing: Nuisance - No objections, recommend conditions relating to the recommendations of the Environmental Noise study, plant and equipment, lighting and the submission of a Construction and Environmental Management Plan. Full comments discussed in the Observations section below.

Pollution and Housing: Contaminated Land – No objections. The site may have potentially been contaminated by former industrial usage, namely railway land. To ensure the site is suitable for residential usage, contaminated land conditions are recommended.

TfGM – Seek clarification on how the parking will be managed to ensure that the new spaces are made available for residents and the existing spaces are retained for employees of Westgate House. They advise that it may be beneficial for a review of the TROS on the surrounding streets to determine whether any additional restrictions are required, as well as maintaining existing TROs which are refreshed as necessary, to ensure that parking is not displaced out onto surrounding streets to the detriment of the pedestrian environment.

Cycle parking should be provided in accordance with Trafford Council's standards.

Gates at the vehicular access must not result in vehicles waiting on the highway and affecting the free flow of traffic.

No objections from the Metrolink perspective.

Network Rail – Have objected to the application as a small part of the application site falls within their ownership. They also note that the separation distance from the proposed building to their boundary is potentially less than 3m. Network Rail are

therefore currently seeking to enter into a basic party asset protection agreement with the applicant. The Council recognises that party asset protection agreements are not a planning material consideration in the assessment of this application and therefore should not form a reason for the refusal of the application.

Greater Manchester Police Crime Prevention Team – No objections, recommend a condition to reflect the physical security specifications set out in the Crime Impact Statement.

United Utilities – Conditions relating to surface water drainage and foul and surface water are recommended.

REPRESENTATIONS

6 letters of objection were received from 4 neighbouring residents and 1 neighbouring business in regards to the first set of submitted plans. Following the submission of amended plans reducing the scale and number of apartments proposed, neighbouring residents and businesses were re-consulted, which resulted in a further 6 letters of objection from 4 neighbouring residents. A total of 6 different residents / businesses commented on the application from properties on Brown Street, Victoria Road and Hale Road. A summary of the concerns raised are: -

- Loss of privacy, the flats will look directly into their front bedroom and lounge.
- The homes are only 35m from looking directly into their house.
- Loss of light to their bedroom and lounge.
- The proposed materials are not in keeping with the Victorian surrounding homes.
- The green wall seems ill conceived and out of place in the setting and likely to fall into disrepair leaving an ugly structure.
- The size of the proposed building is excessive, far too high and will dominate the skyline.
- The balconies looking out across Victoria Road project form the building line and are unattractive. The balconies will likely to be used for storage and drying of clothes and be extremely unsightly, in the same way that the balconies at the flats opposite Sainsbury's in Altrincham do. This eyesore will be visible at street level from the railway station and the bridge along Hale Road. The sound of trains will echo and reverberate off the flats.
- The ugly building will be clearly visible from the conservation area in Hale, especially from Hale Station; no views from this angle having been provided in the plans.
- The mezzanine parking section is a very unattractive feature which will be clearly visible from Victoria Road.
- The balconies will generate in noise from the people occupying them.
- It will cause extra traffic from losing car parking spaces for the office staff and from visitors to the flats. Each flat will only have 1 parking space and 2 bedrooms so potentially 2 cars per flat as most of the flats will be buy to let purchases. Victoria Road and Brown Street are already plagued with parking and driving issues.

- Access for the development and once completed will be a nightmare.
- The loss of Brown Street car parking impacts residents and now this site will only go to further exacerbate the situation.
- Since setting up their business 20 years ago there has been a continual erosion of available parking for both staff and customers in the vicinity of their shop.
- Westgate House has insufficient parking for its needs at present. There are approx. 6 unrestricted parking spaces on the opposite side of Hale Road, however these are normally occupied by Westgate House staff by the time their salon opens for business.
- Trafford Council's recent survey of parking on Hale Road/Brown Street/Bold Street/Byron Street/Bath Street and Brown Street car park was fundamentally flawed because it was conducted during the day on weekdays, when the majority of residents are at work, having taken their vehicles with them.
- For HGVs to get to the proposed site, the Council / contractor will need to permanently suspend circa 20 bays either side of Rostherne Court to accommodate the turning circle of any HGV, where will residents park during this time?
- To have commercial and residential on the site same falls into the category of over development.
- Ongoing noise, increased exhaust fumes reducing air quality and increased vibrations from HGVs potentially damaging properties during the construction.
- Construction sites should not be located in such close proximity to residents.
- The network of roads cannot accommodate the proposal.
- There are plenty of other more spacious plots on town with wider roads and less frequent routes.
- The development would result in a loss of attractive views from the rear of their property and replaced with the ugly end of a very large building.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Nevertheless,

without a five year housing land supply, where applications include housing development, the NPPF advises in Paragraph 11 and the associated footnotes that all relevant development plan policies should be deemed to be out of date. This means that unless NPPF policy that protects areas or assets of particular importance provides a clear reason for refusing the development proposed the tilted balance is engaged i.e. any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. For the avoidance of doubt, there are no NPPF policies which provide a clear reason for refusing this scheme - it is concluded elsewhere in this report that there is no impact on designated heritage assets from the proposed development - and so the tilted balance is engaged.

3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

Housing land supply:

4. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK, and local planning authorities (LPAs) are required to support the Government's objective of significantly boosting the supply of homes. The responsibility of local planning authorities in supporting the Government's ambitions include identifying and updating annually a supply of specific deliverable sites to provide five years' worth of housing against their housing requirement. However, latest housing land monitoring for Trafford indicates a supply of only some 2.5 years.
5. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The proposal would deliver eight new residential units. Whilst this is a modest figure in the context of the overall housing requirement, nonetheless the proposal would make some contribution to housing supply targets, and would deliver new housing on an unexpected 'windfall' brownfield site. The location of the development site is significant in that it sits within an easy walking distance of Altrincham Town Centre, Altrincham Interchange, Hale Village local shopping centre and Hale Station. The site can therefore be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.
6. The NPPF also requires policies and decisions to support development that makes efficient use of land. In this respect, the NPPF, at paragraph 118, gives substantial weight to the value of using suitable previously developed land within established locations to provide new homes.

7. Whilst the scheme does not incorporate a mix of unit types (they are all two bedroom properties), and the scheme is below the national threshold requiring the provision of affordable housing, the fact that it would support housing and brownfield targets in an appropriate location weighs in its favour. In acknowledging that 'the presumption in favour of sustainable development' applies to this application, the significance of this benefit will be returned to in due course as part of the planning balance.

DESIGN, SITING AND SCALE OF PROPOSED DEVELOPMENT

8. Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 130 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"*.
9. 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"*.
10. The Council's adopted planning guidance for new residential development (referred to onwards as 'PG1') notes that *"development should complement the characteristics of the surrounding area"* and that *"if a taller building is to be allowed it will normally need significantly more space around it than would a lower building for it to be properly assimilated in the area"*.
11. The proposed development would comprise of a part three, part four storey building. The building would be of a contemporary design with flat roofs, large glazed windows and openings, particularly on the north, south and east elevations. The walls would comprise of brickwork with polychromatic brickwork used to break-up and provide interest to the east and west elevations. PPC aluminium cladding is proposed to form features on the north and south ends of the building and at fourth storey level on the west elevation. A 1.5m high obscure glazed balustrade is proposed around the communal garden above the three storey element. Balconies with metal balustrades are proposed across the first, second and third floors on the north, south and east elevations.
12. The proposed building would have a maximum height of 14m at four stories high, where it lies adjacent to the boundary with the railway line. The building reduces in height to 9.4m at three stories (with a 1.5m high obscure glazed balustrade

above) as it projects towards the centre of the site, looking towards the western boundary with two storey residential terraced properties on Brown Street. The building has thus been designed so as to step down in height, being respectful of the neighbouring residential houses.

13. The proposed building would be situated to the rear of Westgate House, which is a four storey office building. Due to the lower ground level of the car park in which the development would be situated, the tallest part of the proposed building would be 3.6m lower than the ridge line of Westgate House. This would mean that views of the proposed development from Hale Road would be predominantly long range views from the bridge over the adjacent railway line.
14. The proposed development would also be viewed within the context of the retirement apartments of Rostherne Court, which are situated to the south of the site. Rostherne Court is a large part three, part four storey building. The applicant has demonstrated that the four storey and three storey elements of the proposed building would be of the same heights as the correlating four and three storey elements of Rostherne Court.
15. The three storey element of the proposed building would be situated 0.45m lower than the ridgeline of the neighbouring two storey terraced properties on Brown Street. The four storey element of the proposed building would project 3.5m higher than the ridgeline of these neighbouring properties, though it is noted that the four storey element would be situated over 23m away from the closest rear elevation of these houses. The southern elevation of the proposed building would also only project approximately 2.7m beyond the southern side elevation of the row of terraced properties and would be set 29.3m back from the vehicular highway of Brown Street.
16. It is therefore considered that the massing and scale of the proposed development would sit comfortably within its surroundings and would not appear unduly large or over prominent. It is noted that the design of the proposal would form a contemporary development, contrasting that of the traditional terraced properties on Brown Street and the nearby Victorian properties on Victoria Road. However, the proposal would also be viewed within the context of Westgate House that contains large expanses of glazing, including a large four storey contemporary glazed 'box' design extension on the rear elevation. It is also noted that a larger residential development that was granted planning permission in December 2018 is currently under construction at the southern end of Brown Street, on the Brown Street public car park. This development is also of a contemporary design and includes a four storey flat roofed apartment building that fronts Brown Street.
17. Landscaping is proposed adjacent to the west elevation of the building, close to the main entrance and within the first floor parking deck, helping to break-up the areas of hard standing. The applicant proposes the use of a light grey brick on

the external elevations, which could form quite a stark contrast to the surrounding buildings. Officers have concern about using such a contrasting brick, however are supportive of a lighter brick in principle. Therefore a condition is to be imposed requiring the submission and approval of materials, with brick and mortar sample panels to be provided for Officers to assess. This will ensure that high quality materials are used that sit comfortably within the context of the site and its surroundings.

Conclusions on design, siting and scale

18. It is considered that the proposed development has been designed so as to be sympathetic to the massing and scale of the surrounding buildings. It is considered that the provision of a contemporary design is achievable on this site where many views of the proposed development from Brown Street will be limited due to the position and scale of the existing surrounding buildings. The proposed building includes attractive architectural detailing and proportions and is considered to be well designed. Whilst part of the proposed building would be higher than the existing terraced houses on Brown Street, it would be comparable to or lower than Westgate House and Rostherne Court. It is also noted that the eastern side of Brown Street already has a very different character to the western side and includes buildings of greater height and mass than the two storey houses. Therefore, unlike a site which is constrained on all sides by buildings of a largely uniform height, scale and mass, the railway line to the east of the site and the presence of the existing larger buildings such as Rostherne Court and Belgravia House to the eastern side of Brown Street and Westgate House to the north, allows scope for the introduction of larger buildings on this site. The height, scale and massing of the buildings is therefore considered to be acceptable in this context, and thus complies with Core Strategy Policy L7 in that the scheme will enhance the street scene and character of the area by having appropriately addressed scale, height, and massing.

IMPACT ON HERITAGE ASSETS

19. The application site and immediately surrounding buildings are not covered by any heritage designations. The site sits between three designated Heritage sites of the Downs Conservation Area (140m to the west), Hale Station Conservation Area (180m to the south) and the South Hale Conservation Area (450m to the east). The nearest Listed Buildings to the site are located within these designated areas and there are no non-designated heritage assets identified adjacent to the site.
20. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Given the distance to the designated heritage assets and relationship to the application site it is concluded that there would be no harm to heritage assets arising from the proposed development.

RESIDENTIAL AMENITY

21. 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”.
22. The Council’s adopted planning guidance for new residential development sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:
- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
 - 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)
 - 15m between a main elevation with habitable room windows and a facing blank elevation
 - 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)

Impact on properties on Brown Street

23. Two storey terraced houses fronting Brown Street bound the site to the west. A minimum distance of 10.5m would lie between the three storey element of the proposed building and the rear boundaries of the properties on Brown Street. A minimum distance of 20.3m would lie between the three storey element of the proposed building and the nearest habitable room windows on the rear elevations of the neighbouring properties. This distance would increase to 27.2m for the four storey element of the building. Three clear glazed habitable room windows are proposed to the west elevation (one at first floor and two at second floor level) facing towards the properties on Brown Street. A minimum distance of 21m would lie between these windows and the nearest habitable room window of the neighbouring properties. Whilst this distance would be less than the 24m recommended for second storey windows, it is noted that the setting for the development is a dense urban area, where proximity of properties is more tightly knit. Also the applicant has also submitted a cross section plan that demonstrates that due to the sunken nature of the application site, the proposed second floor windows would not be significantly higher than the first floor windows of the neighbouring terraced houses on Brown Street, it is therefore considered that on balance that the level of overlooking would not be at a degree to be harmful to adjacent occupiers on Brown Street.

24. The proposed development includes the provision of a roof garden above the three storey element, which would be accessed from the third floor. A 1.8m high obscure glazed balustrade is proposed around the garden. The balustrade would be set 1.3m back from the main west elevation and the roof would include a small parapet and therefore would appear lower in height when viewed from ground level or neighbouring first floor windows. It is therefore considered that the proposed roof garden would not result in a loss of privacy to neighbouring residents.
25. The proposed development would also include redesigning the layout of the car park for Westgate House, which would result in some of the car parking spaces being moved away from the western boundary with the neighbouring houses on Brown Street. It is noted however that the proposal would result in an increase in activity at the rear of these neighbouring houses in the evenings and weekends, when the offices in Westgate House are typically not occupied. It is recognised however that these properties are located in a high density area with their rear elevations and gardens facing towards a railway line and therefore are not currently experiencing very low levels of quietude and activity around the properties in the evening and at weekends. It is therefore considered that due to the relatively low number of apartments proposed and the buildings proximity to the properties on Brown Street, the proposed development would not result in undue noise and disturbance to these neighbouring residents. It is also noted that some increase in activity on the site in the evenings and weekends, including an increase in natural surveillance of the area, could increase the safety of these neighbouring properties on Brown Street.

Impact on Rostherne Court

26. Rostherne Court, which is a part three, part four storey building comprising of residential retirement apartments, lies to the south of the site and has a shared vehicular access with the application site off Brown Street. A minimum distance of 16m would lie between the proposed development and Rostherne Court. A minimum distance of 37.17m would lie between direct facing habitable room windows from the development to Rostherne Court. This distance would be across a small communal garden and the car park serving Rostherne Court. The residents of Rostherne Court benefit from a larger communal garden to the south, which would not be visible from the proposed development.
27. It is therefore considered that the proposed development would not have an overbearing impact or result in a loss of privacy and light to Rostherne Court and is thus would not unduly impact on the amenity of the residents of Rostherne Court.
28. It is recognised that the proposal would entail a substantial level of construction close to residential properties, including those on Brown Street and within Rostherne Court. Therefore, in accordance with advice from the Council's

Pollution and Housing service, it is recommended that a condition is attached requiring the submission and approval of a Construction and Environmental Management Plan to ensure that potential disturbance from the construction is minimised and mitigated against in the interests of amenity of surrounding residents.

Impact on properties on Victoria Road

29. Large two and three storey Victorian semi-detached properties lie on the eastern side of Victoria Road, which face towards the application site. Distances in excess of 35m would lie between the proposed development and these neighbouring properties. This distance would also be across an active railway line. It is also noted that the ground level of the application site is significantly lower than the street level of Victoria Road. Mature trees and hedgerow also lie along the western side of Victoria Road, which would obscure many views of the proposed development from these neighbouring properties. It is therefore considered that the proposed development would not unduly impact on the amenity of neighbouring properties on Victoria Road.

Amenity of Future Occupants

30. PG1 seeks to ensure that new dwellings, including apartments, provide some private outdoor amenity space. This guidance goes on to say that 18m² of adequately screened communal area per flat is generally sufficient for its functional requirements whilst balconies can count as part of this amenity space provision.
31. The proposed development would provide a communal roof garden measuring 103.5m². Balconies are also proposed to five of the apartments and a landscaped area would also be retained to the south of the site. This is considered to represent a sufficient level of provision to contribute towards the amenity of future residents, given the scale of the development.
32. The application site is located adjacent to a railway line that is used by freight trains. The proposed development would include openings and balconies on the west elevation adjacent to the railway line. As such, the applicant has submitted an Environmental Noise study, which has been considered by the Council's Pollution and Housing Service. The study demonstrates that through the implementation of noise mitigation measures, which includes sound insulation, glazing and mechanical ventilation, the proposed development would provide an acceptable level of amenity for future occupants of the development. A condition is therefore recommended that ensures that these noise mitigation measures are implemented.
33. The siting of refuse bins/recycling facilities at ground floor level of the apartment building is considered to be acceptable with regard to preventing any adverse

impact on the amenity of nearby existing residents or future residents of the proposed building by way of noise or odour.

HIGHWAY MATTERS

34. 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”*.
35. Paragraph 109 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
36. SPD3: Parking Standards and Design for Trafford states that two bedroom apartments in this location should provide 2 car parking spaces per apartment, thus generating a need for 16 car parking spaces to serve the proposed development. The application includes the provision of 10 additional car parking spaces to serve the proposed development, thus having a shortfall of 6 spaces, though ensuring that each apartment has 1 car parking space, with 2 additional overall. However, it is recognised by the LHA that the remaining spaces within the car park will be available for use by the residents during the weekday evenings and at weekends outside of office hours. This is considered an acceptable arrangement as many of these shared spaces would be located in the ground floor under-croft parking area and on the first floor parking deck of the development adjacent to the apartments and so easily accessible to residents and their visitors.
37. The NPPF supports improvements to green infrastructure, specifically the incorporation of electronic vehicle charging points within new developments. Therefore the inclusion of such will be a condition of the permission.
38. It is also noted that the site is situated in a sustainable location, within walking distance of Altrincham Town Centre and Hale District Centre and the public transport serves that these centres provide, including train and tram. The applicant has also amended the design of the proposed development to provide a more pedestrian friendly access into the site and the proposed building for those coming to and from the site on foot or by cycle.
39. The proposed development would be sited on an existing area of car parking that serves the offices within Westgate House. As such, the application also includes changes to the layout of the car parking provision for Westgate House. The proposed development would not result in a reduction in car parking spaces for

Westgate House and the LHA has confirmed that the proposed layout is acceptable.

40. Concerns raised by neighbouring residents regarding the shortfall in parking for the development and existing parking demands on Brown Street are noted. However for reasons outline above, it is considered that the proposed development would not result in a significant increase in demand for car parking on Brown Street. It is also noted that the application includes the retention of 6 car parking spaces that lie within the application site and are accessed off Brown Street, which are understood to be used by neighbouring residents on Brown Street and would be retained as such.
41. SPD3: Parking Standards and Design for Trafford requires the provision of 1 cycle parking space per apartment. The application proposes the provision of provision of a secure cycle store that would accommodate 10 cycle parking spaces. A condition is recommended to ensure that this is created and retained. The shortfall in allocated car parking spaces to serve the proposed apartments is therefore considered acceptable in this instance.
42. The access arrangements for the site are proposed to remain unchanged. The application proposes the provision of refuse / recycling storage at the ground floor car parking area to serve the proposed apartments. The applicant has detailed that a management company will be responsible for moving the bins on refuse collection day. The applicant has also confirmed that the commercial refuse storage will be separate to the residential apartments and the management of this will remain as existing. The proposed development is therefore also considered acceptable on highway safety grounds.

FLOODING AND DRAINAGE

43. Policy L5 of the Trafford Core Strategy states *that “the Council will seek 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”*. At the national level, NPPF paragraph 163 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere.
44. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of flooding although the site does fall within a Critical Drainage Area. The applicant has submitted a Flood Risk Assessment to accompany the application.
45. The Lead Local Flood Authority (LLFA) has been consulted on the application and raise no objections to the proposal. They have recommended that a conditions are attached that require the submission of a scheme to improve the existing surface water drainage system and the submission of a management and maintenance plan for the lifetime of the development for the operation of a

sustainable drainage scheme. It is therefore considered that through the implementation of appropriate conditions, the proposed development would not result in localised flooding.

TREES & ECOLOGY

46. The applicant has submitted Arboricultural Impact and Method Statements, which have been reviewed by the Council's Arboricultural Officer. The proposal details that all of the existing trees within the site will need to be removed to facilitate the proposed development, which amounts to a total of ten trees and one group (of five stems), all of which are either early mature or semi mature. These trees are not protected by a Tree Preservation Order and the site is not located within a conservation area. Whilst the trees are prominent in the site, they are not significant to wider area, therefore their removal is considered acceptable on the understanding that a good quality replacement landscaping scheme will be provided within the site.
47. As the site is currently made up of predominantly hardstanding, with landscaped edges, the ecology value of the site is limited. However given the loss of the trees it will be necessary to condition when their removal takes place to protect nesting birds. In addition to replacement trees on site a good quality landscaping scheme will be secured through a condition.

DEVELOPER CONTRIBUTIONS

48. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently apartments will be liable to a CIL charge rate of £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
49. The development would be required to incorporate specific green infrastructure (tree planting and landscaping) on site, in accordance with the requirements of Policy L8 of the Trafford Core Strategy and revised Supplementary Planning Document (SPD) 1: Planning Obligations (July 2014). This would be in addition to any compensatory planting. In order to secure this, a landscaping is recommended.

PLANNING BALANCE AND CONCLUSION

50. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted. However, the Council does not have a five year supply of housing land and as this is an application for housing development, all relevant development plan policy is deemed to be out of date and the tilted balance in Paragraph 11(d) of the NPPF is engaged and should be taken into account as an important material consideration.

51. The development would make a contribution to addressing the current imbalance between housing demand and housing supply. Notwithstanding this, however, the proposal is considered acceptable in all other respects, namely design/character, residential amenity, trees/landscaping, parking and highway safety, whilst there would be no harm caused to heritage assets. The increased density of development within this site would not cause any material harm in planning terms. It is considered that the proposal complies with Local Plan policies L1, L2, L4, L5, L7 and L8 of the Trafford Core Strategy.

52. All relevant planning 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 adverse impacts of the proposal are significantly and demonstrably outweighed by the benefits.

RECOMMENDATION:

GRANT subject to the following conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 8375-(01)000, 8375-BA-B1-00-DR-A-(04)002-A, 8375-BA-B1-00-DR-A-(04)010-H, 8375-BA-B1-00-DR-A-(04)011-G, 8375-BA-B1-00-DR-A-(04)012-F, 8375-BA-B1-00-DR-A-(04)013-F, 8375-BA-B1-00-DR-A-(04)015-B, 8375-BA-B1-ZZ-DR-A-(05)000-D, 8375-BA-B1-ZZ-DR-A-(05)001-D, (06)004 and (09)003.

Reason: To clarify the permission, having regard to Policies L1, L2, L4, L5, L7, L8 and W1 of the Trafford Core Strategy.

3. Notwithstanding any description of materials in the application, no above-ground construction works shall take place until samples and full specifications of all materials to be used externally on all buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of all proposed brickwork illustrating the type of joint, the type of bonding and the colour of the mortar to be used, together with fenestration recesses and decorative brickwork detailing, with these panels

available on site for inspection, and retained for the duration of the build. 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. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Environmental Management Plan (CEMP) has first been submitted and approved in writing by the Local Planning Authority, including details of the proposed measures to manage and mitigate the main environmental effects. The CEMP shall address, but not be limited to the following matters:
 - a. Suitable hours of construction and pre-construction (including demolition) activity (see below)
 - b. the parking of vehicles of site operatives and visitors (all within the site),
 - c. loading and unloading of plant and materials (all within the site), including times of access/egress
 - d. storage of plant and materials used in constructing the development
 - e. the erection and maintenance of security hoardings
 - f. wheel washing facilities
 - g. measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions
 - h. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
 - i. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
 - j. information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors
 - k. information to be made available for members of the public

The development shall be implemented in accordance with the approved CEMP.

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.

5. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans,

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.

6. The development hereby approved shall not be occupied until a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

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 L5, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework,

7. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development shall commence unless and until a scheme to improve the existing surface water drainage system in accordance with the drainage hierarchy has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be supported by BRE365 testing to support/discount infiltration and shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Prior to first occupation, a sustainable drainage management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented for the lifetime of the development.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

10. The development hereby approved shall not be occupied unless and until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The submitted strategy shall include details of how residents' parking spaces shall be allocated and how visitor parking will be appropriately managed. The approved strategy shall be implemented at all times thereafter.

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

11. The development hereby approved shall not be occupied until the means of access and the areas for the movement, loading, unloading and parking of vehicles and bicycles have been provided, constructed and surfaced in complete accordance with the submitted plans and the details approved in relation to condition 10. These areas shall thereafter be retained and not be put to any other use than their intended purpose.

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

- 12.i) The development shall be carried out fully in accordance with the updated Environmental Noise Study reference PR0590-REP01B-MPF prepared by Fisher Acoustics, dated November 2019.

ii) Prior to the occupation of the apartments, a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the sound insulation, glazing and mechanical ventilation proposed as part of the development is compliant with the assessment criterion referenced in the Environmental Noise Study.

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

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

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

14. No external lighting shall be installed on the building or elsewhere on the site unless and until a scheme for such lighting has 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.

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

15. The development hereby approved shall be designed and constructed in accordance with the physical security specification within Section 4 of the submitted Crime Impact Statement dated 14/08/18 (URN:2017/0908/CIS/01) and retained thereafter. For the avoidance of doubt, the requirements of this condition do not include aspects of security covered by Part Q of the Building Regulations 2015, which should be brought forward at the relevant time under that legislation.

Reason: 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.

16. No above-ground construction works shall take place unless and until a detailed scheme for the provision of all energy supplies, meter boxes, external plant, and mechanical and electrical systems (M&E) has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that:
- (i) All apartments are provided with appropriate heating and ventilation systems
 - (ii) There are no individual extraction vents or flues to apartments visible on the exterior façade of the building, and that the M&E solutions do not impact on the fenestration detailing shown on the approved elevational drawings
 - (iii) All plant is included within the building façade and is not located on or protruding above the roof parapets of the buildings
 - (iv) There are no gas supply pipes or meter boxes fitted to the exterior of the building other than those approved as part of this scheme.

Development shall proceed in accordance with the approved scheme.

Reason: In the interests of visual amenity and design quality, specifically to protect the original design intent of the architect and the quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework, and the National Design Guide.

17. Notwithstanding the details hereby approved, no development shall commence until detailed plans and sections at a scale of 1:5 showing the external reveals, detailing of window and door openings (including heads, cills and jambs), the screens for the roof terrace and the treatment of facade and roof edges have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

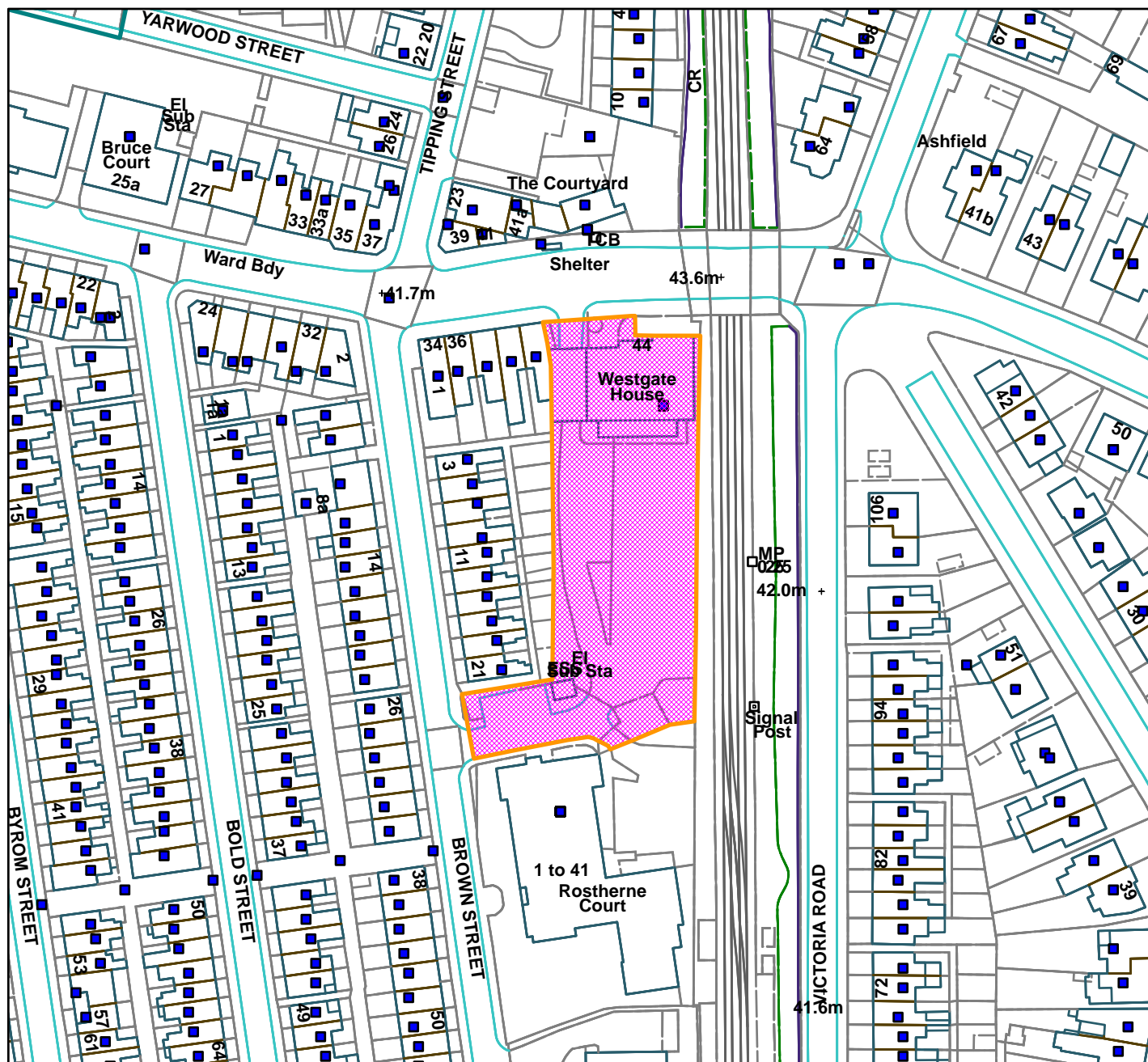
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

18. The development hereby approved shall not be occupied unless and until a scheme for the provision and implementation of electric vehicle charging points has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme and retained thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.



Car Park at Westgate House, 44 Hale Road, Hale, WA14 2EX (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

Erection of a freestanding two storey restaurant with drive-thru, car parking, landscaping, amended boundary treatments and associated works including a new vehicle entrance fronting Mercury Way, installation of 2No. COD (Customer Order Display) units with associated canopies and play frame.

Unit 1, Mercury Way, Trafford Park, M41 7BZ.

APPLICANT: McDonalds Restaurants Ltd.

AGENT: Mr Matthew Carpenter, Planware Ltd.

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because it has received six objections contrary to the officer recommendation.

SITE

The application relates to a 0.33ha brownfield site which has been recently cleared in anticipation of redevelopment. The plot is located close to the junction of Barton Dock Road (the B5211) and Mercury Way to the east of the Trafford Centre; Barton Dock Road running along the plot's south-west boundary with Mercury Way adjacent to the south-east boundary. The site is bound by palisade fencing. A vegetated strip including several trees separates part of the plot from Mercury Way.

The site is bound by commercial/industrial plots to the north-east, east and south-west, EventCity UK to the north-west, and a recently constructed hotel to the south-east. The plot is located within the Trafford Centre Rectangle as identified on the Core Strategy Proposals Map.

A wide originally grassed strip is located immediately to the south-west of the plot and separating the site from Barton Dock Road. Much of this strip now accommodates the new Trafford Park Metrolink line, which is currently under construction with the junction having recently been remodelled. An electricity sub-station is located adjacent to the plot's south-west boundary close to the road junction.

PROPOSAL

The applicant proposes to redevelop the site to accommodate a two storey McDonalds drive-thru restaurant with a gross internal area (GIA) of 547sqm.

The building would be flat roofed and positioned towards the south-western end of the plot with ground and first floor windows (including several false windows) to each elevation, apart from the north-east gable elevation which would have a single false

window at first floor. A flat roofed single storey store room would project beyond the building's north-east elevation, with a bin corral attached to the store room.

External fascias would include dark grey engineering brick, grey window/door frames, grey spandrel panels, white projecting canopies, and wood/stone/antracite effect cladding panels.

The wider site would comprise of a drive-thru internal access route along the plot's south-east, south-west and north-west boundaries, external seating areas to the south-west and south-east of the building, the latter accommodating a play area, and a surface car park to the north-east, the latter accessed via a new vehicle entrance from Mercury Way. A staff cycle store would be located within the plot's north-west corner.

An amended main entrance would provide access from Mercury Way.

Boundaries would comprise of a 1.1m high wood panel fence along the south-west boundary and part of the north-east and south-east boundaries, a 0.6m high timber knee rail fence along the remainder of the plot's south-east boundary and part of the north-east boundary, the remainder marked by 2m high timber fencing.

The development would incorporate areas to the side (south-east) of the existing site which currently comprise of highways land forming part of the site's double access onto Mercury Way.

The applicant expects to employ 35 full time and 30 part time members of staff.

Value Added

Following advice from planning officers the applicant has amended their proposal though a general redesign include the following changes:

- An improvement to the design of the restaurant's external elevations;
- 'Flipping' the building such that the bin corral element is now positioned away from the south-west of the plot;
- Changes to the wider site layout.

Due to planning officers' concerns that the proposal, if operated through the night, could result in an unacceptable noise amenity impact on the adjacent hotel use, the applicant has agreed to amend their proposal to limit the hours of opening to 0600 to 0000 each day with servicing to take place during these hours.

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.

- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19 June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the LDF. Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 - Sustainable Transport and Accessibility;
 L5 – Climate Change;
 L7 - Design;
 L8 - Planning Obligations;
 W1 – Economy;
 W2 – Town Centres and Retail;
 R2 - Natural Environment.

SL4 – Trafford Centre Rectangle.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
 SPD3 - Parking Standards & Design.

PROPOSALS MAP NOTATION

Critical Drainage Area;
 Coal Standing Advice;
 Main Employment Area;
 Trafford Park Metrolink.

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is

either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) in February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

MHCLG 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

98790/ADV/19: Advertisement consent sought for various site signage including 4 No. freestanding signs, 3 No. banner units, 19 No. dot signs and 1 No. Playland sign. Approved 7 November 2019.

98792/ADV/19: Advertisement consent sought for the installation of 9 no. internally illuminated fascia signs. Approved 7 November 2019.

98793/ADV/19: Advertisement consent sought for the installation of an internally illuminated freestanding 12m totem sign. Approved 7 November 2019.

91734/FUL/17: Erection of three two storey mixed use commercial businesses comprising of 10 units within Use Classes B1, B2 and B8. Approved 12 January 2018.

APPLICANT'S SUBMISSION

The applicant has submitted a Design and Access statement in support of their proposal.

CONSULTATIONS

Local Highways Authority – No objection.

TfGM – No objection.

TfGM (Metrolink) – No objection subject to conditions.

Strategic Planning – No objection.

Lead Local Flood Authority – No objection subject to conditions.

United Utilities – No objection subject to conditions.

Greater Manchester Ecology Unit - No objection subject to conditions.

Pollution and Licensing (Contaminated Land) - No objection subject to condition.

Pollution and Licensing (Nuisance – including Air Quality) – No objection subject to conditions.

GMP Design for Crime – No objection.

Arborist – No objection.

Coal Authority – No objection.

Waste – No objection.

Environment Agency – No comment.

Electricity NW – No comment received.

REPRESENTATIONS

Multiple letters of objection have been received from six neighbouring addresses which raise the following issues:

- The proposal would exacerbate the currently unacceptable traffic issues in the local area with vehicles commonly queuing on Barton Dock Road and Mercury Way;
- The submitted transport assessment raises concerns regarding site access, servicing and the capacity of the Barton Dock Road/Mercury Way junction;
- The proposal would result in an unacceptable impact on the flow of traffic on surrounding roads, as well as on the new Metrolink line which crosses the adjacent junction;
- The original transport assessment is flawed;
- The applicant's attempts to respond to neighbour concerns regarding the proposal's highways impacts are insufficient with the updated transport data potentially flawed;
- The proposed play area would be unsuitable at this industrial area;
- The proposal would undermine the ongoing redevelopment of the area;
- The original design is unacceptable as it 'turns its back' on Barton Dock Road, a key gateway route;
- The proposal would result in an unacceptable noise amenity impact on neighbouring occupants. A noise assessment has not been undertaken;
- Williams garage was required to invest substantial amounts of money in a traffic flow system to prevent traffic issues in the local area and is concerned that the applicant will not have to also satisfy these requirements;

None of the original objections has been withdrawn with reference to the amended scheme.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
2. Policies relating to the principle of the development – the land use policies relating to the Trafford Centre Rectangle allocation (SL4), and the location of main town centre uses (W2), along with design (L7) and highways / transportation impacts (L4) are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. All of these policies are broadly compliant with the NPPF, with the exception of the level of highways impact required to resist development and parameters by which car parking standards should be set in Policy L4. When considering the overall 'basket' of policies, however, the 'most important' policies are deemed up to date in NPPF terms and the tilted balance is not engaged.

Sequential Test

3. The proposed use is defined as a main town Centre use as per the NPPF Glossary however the application site is not located in either a town centre or the edge of a town centre.
4. Core Strategy policy W2.12 states: *Outside the centres identified above [this does not include the Trafford Centre Rectangle], 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 current Government Guidance.*
5. NPPF paragraph 86 states: *LPA's should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then edge of town centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.*
6. NPPF paragraph 90: *Where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.*
7. Core Strategy policy SL4–Trafford Centre Rectangle outlines the LPA's development aspirations for the Trafford Centre and its wider context. This policy states: *The Trafford Centre Rectangle is a key strategic part of Trafford, forming the western part of Trafford Park. Whilst some parts of the location, such as the Trafford Centre itself, are not expected to change over the life time of this plan, there are a number of sites within the location that offer significant opportunities*

to contribute to both local and sub-regional priorities over the plan period and beyond.

8. For the purposes of this application Core Strategy Policies W2 and SL4 are generally consistent with the NPPF and are considered up to date. .
9. The applicant has provided a sequential test which has been reviewed by the Strategic Planning consultee. It is not considered that the sequential test submitted as part of the application is of the standard that the Strategic Planning Team would expect to receive as part of a submitted planning application. Sites within town centres and in edge of centre locations have not been individually considered and ruled out sequentially with detail on why they are considered acceptable or unacceptable for the proposed use.
10. Notwithstanding, this, the Strategic Planning Team does not, have any sites that it considers would be a suitable alternative location for the proposed use in Stretford or Urmston town centres or on the edges of these centres. The only known alternative site that could be considered suitable for the proposed use is the site known as "Land at Traders Avenue", however as this location is also out of centre it would not be considered sequentially preferable to the application site in question. Therefore, on balance the Strategic Planning team has raised no objections to the proposal based on the requirements of the sequential test.
11. The proposal would result in a GIA of 547sqm, which when added to the other current application for a drive-thru restaurant at Traders Avenue to the west (planning reference 98514/FUL/19) (which would have a GIA of 551sqm), would result in a cumulative total less than the 2500sqm GIA required for the submission of an Impact Statement as per NPPF paragraph 89.
12. The proposal is therefore considered to be acceptable in principle in terms of its location within the Borough with reference to Core Strategy Policy W2 and the NPPF, subject to its being acceptable in other regards as outlined below.

DESIGN

13. Paragraph 124 of the NPPF states: *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*
14. Policy L7 of the Trafford Core Strategy states: *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. Policy L7 is compliant with NPPF and therefore up to date for the purposes of determining this application.

15. The proposed drive thru restaurant would be bound by large commercial warehouse type buildings to all sides, apart from a multi-storey hotel to the south-east, as well as the new Trafford Park Metrolink line and Barton Dock Road to the south-west. It would be located at a key gateway point within Trafford Park to the south-east of the Trafford Centre.

Siting and Footprint

16. The restaurant would be located in a highly prominent location on the corner of Barton Dock Road and Mercury Way. The building is considered to be acceptably sited within the plot being positioned towards the south-west with the bin coral and surface car park towards the north-east, the latter considered to be a less visually sensitive location. The building would be acceptably set in from the plot boundaries and would not undermine building lines along either road.

Bulk, Scale, Massing and Height

17. The proposed restaurant would be relatively small compared to the surrounding buildings. Its scale, massing and height would be acceptable at this location.

External Appearance/Materials

18. The building and its surrounding ancillary elements would be acceptably designed, the building presenting substantial expanses of glazing, including false windows at first floor to break up the external elevations. The building would have an acceptable contemporary design with flat roofs, dark grey engineering brick, grey window/door frames, grey spandrel panels, white projecting canopies, and wood/stone/anthracite effect cladding panels. The proposed plot boundary treatments would also be acceptable. Planning permission would be subject to a condition requiring the submission of full external fascia details for the LPA's written approval prior to the commencement of above ground works.

Design and Crime

19. The proposal would result in the redevelopment of a current brownfield site which would lead to reanimation of this area and the introduction of windows providing passive surveillance. The GMP Design for Crime consultee has confirmed no objection.
20. The development would result in an acceptable visual impact and therefore would comply with Core Strategy Policy L7, the Crime and Security SPG and the NPPF.

IMPACT ON NEIGHBOURING AMENITY

21. Policy L7 of the Core Strategy states: *In matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.*

Privacy and Overlooking

22. The development would introduce front, side and rear facing windows/openings at ground floor level, and front and side (south-east) facing windows at first floor, however none of these windows would overlook residential properties.

23. The site is located to the north-west of a multi-storey hotel and the proposed south-east facing windows would face the north-west facing windows in this unit however the new windows would not face any sensitive bedroom windows at ground floor level.

24. The proposed privacy/overlooking impacts are considered to be acceptable.

Overbearing/Overshadowing

25. The proposal would be set some distance from neighbouring buildings and would not result in an unacceptable overbearing or overshadowing impact on them.

Noise/Nuisance

The Nuisance consultee has raised a concern that the originally proposed 24 hour operation of the restaurant through the night could encourage antisocial behaviour and nuisance impacts from customers' vehicles (for example loud stereos) and therefore suitable controls on opening hours are required to ensure that the hotel guests are not unduly disturbed by the proposed use. To this end planning permission would be subject to a condition limiting hours of operation and servicing are limited to 0600 to 0000 each day, which the applicant has agreed to.

26. The development would not result in any undue harm to the amenity of the neighbouring and surrounding properties with reference to Core Strategy Policy L7 and the NPPF.

HIGHWAYS, PARKING AND SERVICING

27. Core Strategy Policy L4 states: *[The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.* Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.

28. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
29. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.
30. The proposal would result in the removal of the existing two vehicle entrances and their replacement with a new single entrance, together with a new surface car park.
31. The submitted documents including the Transport Assessment and the Delivery and Servicing Management Plan demonstrate that the proposal would result in an acceptable transport, servicing and parking impact including with reference to impacts on Mercury Way, its junction with Barton Dock Road and the adjacent Trafford Park Metrolink line. The LHA and TfGM consultees have confirmed no objection to the proposal in this regard.
32. Addressing the concerns raised by objectors the LHA consultee has confirmed that the proposed servicing arrangement is of a standard type for such fast food restaurants with a Traffic Regulation Order in place on Mercury Way to prevent servicing lorries waiting/loading between Barton Dock Road and the new site access.
33. In response to the neighbour objection that the applicant should invest monies to improve the local highways network as the objector was obliged to do when granted planning permission for their scheme, the LPA has confirmed that the objector's proposal directly impacted Barton Dock Road, a much busier road than Mercury Way, the latter not being a classified road, hence the lack of requirement for a similar commitment to investment regarding the current proposal.
34. In response to the neighbour concern that the proposal would unacceptably impact the future capacity at the recently improved Barton Dock Road/Mercury Way junction in terms of predicted vehicle use, the LHA consultee has confirmed that the capacity of this junction cannot be reserved for a future development therefore any concerns in this regard cannot be sufficient grounds for refusal.
35. The development would have an acceptable highway, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD and the NPPF.

TREES AND ECOLOGY

36. The proposal would result in the redevelopment of a brownfield site together with removal of the existing bank of apparently self-seeded trees facing Mercury Way.

The proposal would include scope for new and replacement tree planting. Planning permission would be subject to a standard landscaping condition. Both the GMEU and arborist consultees have confirmed no objection, GMEU subject to standard ecology conditions.

37. The development would not result in unacceptable harm to the natural environment with reference to Core Strategy policy R2 and the NPPF.

DEVELOPER CONTRIBUTIONS

38. This proposal is subject to the Community Infrastructure Levy (CIL) at a rate of £10 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
39. 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 the form of one tree per 50sqm GIA provided within the restaurant, which would amount to 10 trees with reference to the proposed 547sqm GIA. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide 10 additional trees net of clearance on site as part of the landscaping proposals.

CONCLUSION

40. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted.
41. All detailed matters have been assessed, including the principle of the proposed development location, together with its visual amenity and design, highway safety and residential amenity impacts. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning 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.
42. The proposal is therefore considered to be appropriate in principle as well as its design, residential amenity, privacy, highways, parking, servicing and trees/ecology impacts. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission. It is therefore considered to be acceptable with reference to Core Strategy Policies L4, L5, L7, L8, W1, W2, R2 and SL4, the Planning Obligation SPD, the Parking Standards and Design SPD, the Crime and Security SPG and 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [7356_AEW_8888] 1002, 1004 Rev A, and 1015, received 18 July 2019, 1005 Rev F, received 30 October 2019, and 1006 Rev D, received 31 October 2019.

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 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. 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 location of 10 additional trees net of any clearance, together with the formation of any banks, terraces or other earthworks, boundary treatments, 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 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

5. Details of the kitchen extraction system shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby permitted being first brought into use. Such details shall ensure the kitchen extraction system provides for the following requirements:

Fine filtration or electrostatic precipitation (ESP) followed by carbon filtration (carbon filters rated with a 0.1 second residence time);

Kitchen extract system flue which terminates over 1 m above the building rooftop with a straight and vertical discharge at a minimum efflux velocity of 15 m/s.

The development shall not be brought into use unless and until the kitchen extraction system has been implemented in accordance with the approved details and the extraction system shall be maintained and retained in accordance with these details thereafter.

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

6. The premises shall only be open to customers between the hours of 0600 and 0000 (midnight) every day of the week and not at any time outside of these hours. Servicing and deliveries shall only take place whilst the premises are open to customers.

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

7. 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.

8. The development hereby permitted shall only be carried out in accordance with the approved Drainage Strategy (16 September 2019 / MD4180549/KLJ/002) / Glanville) and the following mitigation measures detailed within the FRA:

Limiting the surface water run-off generated by the 1 in 100yr +40% CC critical storm so that it will not exceed 5 l/s and not increase the risk of flooding off-site. Provision of 133m³ attenuation flood storage on the site to a 1 in 100yr +40% standard.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to prevent flooding elsewhere by ensuring that storage of flood water is provided, having regard to Policy L5 of the Core Strategy and guidance in the NPPF.

9. The development hereby approved shall not be brought into use unless and until a remediation strategy in relation to contamination on site has been submitted to and approved in writing by the Local Planning Authority. The submitted strategy shall include:
- i) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - ii) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the approved remediation strategy before the development hereby approved is first brought into use.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The development hereby permitted shall not be brought into use unless and until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. No development shall take place, including any works of demolition, until a Construction Management Plan (CEMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Trafford Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for:
- i) hours of construction activity;
 - ii) the parking of vehicles of site operatives and visitors (all within the site);

- iii) loading and unloading of plant and materials (all within the site), times of access/egress (arriving early/not parking within the site);
- iv) storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoardings;
- vi) wheel washing facilities;
- vii) measures to control the emission of dust and dirt during construction and procedures to be adopted in response to complaints of fugitive dust emissions;
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- ix) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity;
- x) the retention of 24hr unhindered access to the trackside signalling and Overhead Line Equipment situated on the adjacent Barton Dock Road during construction;
- xi) construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway).

The development shall be implemented in accordance with the approved CEMP.

Reason: In the interests of highway safety, to safeguard the amenities of the locality, to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system, having regard to Policies L5 and L7 of the Core Strategy.

12. No development shall take place until full details of the boundary treatment adjacent to the Metrolink tramway have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that a safe and secure boundary treatment is installed on the boundary of the Metrolink tramway in the interests of pedestrian safety, having regard to Policy L7 of the Core Strategy.

13. Should works to construct the Trafford Park Metrolink Line still be taking place or require the Temporary Land in the vicinity of the site afforded them in the Transport and Works Act Order granting consent for that Metrolink Line, no development shall take place until the worksite parameters have been agreed and an agreed method of concurrent working and a liaison plan have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety, to safeguard the amenities of the locality and to safeguard against a conflict of worksite, construction practices and Traffic Management, having regard to Policy L7 of the Core Strategy.

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

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

15. Site servicing shall only be carried out in full accordance with the approved Delivery, Servicing and Management Plan reference ADL/RG/4036/21B, received 2 July 2019.

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.

16. The development shall be carried out in full accordance with the approved Travel Plan titled Store Travel Plan for McDonalds Restaurants Store 8888, and Supplementary Note, reference ADL/RG/4036/21B, received 2 July 2019, and the addendum note, reference ADL/RG/Is/4036, received 4 October 2019 .

Reason: To ensure the approved development results in an acceptable highways and parking impact 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.

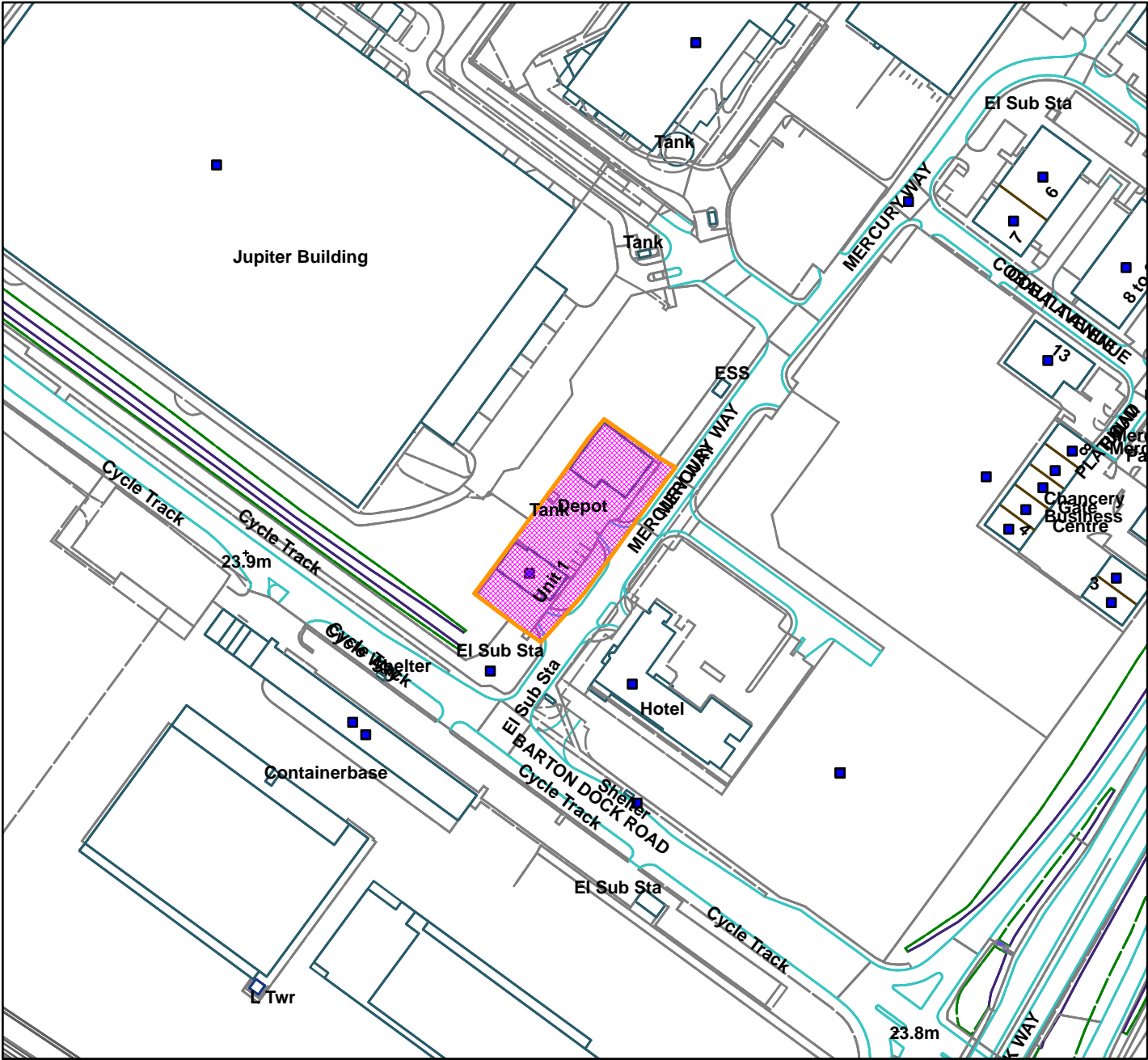
17. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site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

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The ecological survey is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could unacceptably impact potential nesting birds on site.

TP



Unit 1, Mercury Way, Trafford Park, M41 7BZ (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

Erection of 6no. dwelling houses with associated parking, private amenity space, improved access from Royal Avenue and the relocation of existing parking spaces associated with the adjacent commercial use.

Land to the rear of the Old Police Station and Gladstone Buildings, Station Road, Urmston.

APPLICANT: Urmston Developments.

AGENT: Mr Julian Austin, Paul Butler Associates.

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee as the application has received six letters of objection contrary to the officer recommendation of approval.

SITE

The application site is roughly rectangular in shape and comprises of a former bowling green which is currently used as a surface car park, the ground covered in a layer of tarmac and marked out with parking bays. The plot is bound by buildings to the north, west, east and south with two access routes: a barrier controlled route running between buildings fronting Station Road (the B5214) to the east, and a further gated access route allowing access from Royal Avenue to the north-east. The site is located within Urmston town centre and is bound by residential properties to all sides apart from town centre type commercial/retail units to the south and east, those to the south having first floor apartments. Boundaries are marked by a combination of brick walls, wood panel fencing and commercial building gable elevations.

The buildings to the east and south, the Old Police Station and the Gladstone Buildings (the former Liberal Club), are both ornate buildings constructed in the 19th/early 20th-Centuries and are considered to be non-designated heritage assets.

The site is officially designated as a Protected Open Space due to its past use as a bowling green, although it appears it has not been used as such since approximately 2006.

PROPOSAL

The applicant proposes to erect 6no. 2.5 storey three bed dwellings; two pairs of semi-detached houses flanked by two detached dwellings, within the centre of the plot with an access route/parking along the north boundary and gardens to the rear (south). The development would be accessed via an enlarged/amended vehicle access taken from Royal Avenue to the north-east.

A separate area of parking comprising of 13 spaces for the use of the adjacent commercial property (Chemlink) would be installed at the eastern end of the plot and utilising the retained access from Station Road.

The dwellings would have a contemporary styling with front facing gables, dual pitched roofs and flat roofed single storey rear elements. Unit 1, at the western end of the plot, would have a different design to ensure it does not result in an overbearing impact on the adjacent property to the west, No. 17 Royal Avenue, and would include a flat roofed single storey side element. The detached properties at both ends would be set slightly forward of the semi-detached dwellings.

Each property would have two storeys with additional loft level living space. Roofs would include roof lights with roof lanterns over the single storey flat roofed elements.

External materials would include red brick with decorative coursing, slate roofs and floor to ceiling glazing.

The dwellings would be sold on the open market.

Value Added

Following advice from planning officers the applicant has amended their proposal through widening the site access from Royal Avenue including the incorporation of part of the back yard of a commercial property to the east (also within the applicant's ownership) of the original site boundary. The applicant has also changed the proposed servicing arrangements through the replacement of the main bin store with a bin mustering point set away from the closest neighbouring common boundary.

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.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19 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 Houses;

L2 - Meeting Housing Needs;
L4 - Sustainable Transport and Accessibility;
L5 – Climate Change;
L7 - Design;
L8 - Planning Obligations;
W2 – Town Centres and Retail;
R1 – Historic Environment;
R2 - Natural Environment;
R3 – Green Infrastructure.

SO5 – Provide a Green Environment.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
SPD3- Parking Standards & Design;
PG1 - New Residential Development;
Design and Crime SPG.

PROPOSALS MAP NOTATION

Protected Open Space;
Development in Town & District Shopping Centres;
Critical Drainage Area;
Town and District Centre Policies.

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) in February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

MHCLG 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

96444/FUL/18: Erection of 9no. dwelling houses with associated parking, private and communal amenity space, improved access from Royal Avenue and the relocation of existing parking spaces associated with the adjacent commercial use. Withdrawn 15 March 2019.

H/65615: Erection of a 3-storey side and rear extension and change of use of property from two shop units (class A1) and former Liberal Club (class D2) to uses falling within A1 (Retail), A2 (Financial and Professional Services) or A3 (Restaurant/Cafe). Approved 2 January 2007.

H/59915: Change of use and conversion of former Police Station, now vacant, to two self-contained offices. Demolition of rear outbuildings and provision of 12 car parking spaces with access from Station Road. Approved 5 October 2005.

H44581: Erection of a detached storage building adjacent to northern end of existing club premises. Approved 12 November 1997.

APPLICANT'S SUBMISSION

The applicant has submitted Design and Access and Planning statements in support of their proposal.

CONSULTATIONS

Local Highways Authority – No objection.

Servicing – No objection.

Heritage Development Officer - No objection.

Strategic Planning – No objection.

Trafford Housing Strategy and Growth – No comment received.

Trafford Strategic Growth – No comment received.

Sport England – No comment received.

Air Quality – No objection.

Lead Local Flood Authority – No objection subject to condition.

United Utilities – No objection subject to condition.

Greater Manchester Ecology Unit – No objection subject to condition.

Pollution and Licensing (Contaminated Land) – No objection.

Pollution and Licensing (Nuisance) – No objection subject to conditions.

Arborist – No objection.

REPRESENTATIONS

Multiple letters of objection have been received from six neighbouring addresses which raise the following issues:

- The proposal would not include sufficient parking spaces which will result in new occupants parking on Royal Avenue to the north;
- There is no mention of where the current vehicles which park on the application site will be moved to;
- The separate parking area set aside for the adjacent commercial properties would be too small;
- There must be a guarantee that the proposed parking set up is retained should permission be granted;
- The proposed dwellings would be too large compared to the surrounding properties. They would have three storeys rather than two storeys as claimed by the applicant;
- The proposed parking for each dwelling would be insufficient;
- The proposal would add to traffic on surrounding roads;
- Their design would not acceptably complement surrounding properties;
- They would result in an unacceptable privacy impact on neighbouring occupants, and screening vegetation is not an acceptable means of protecting neighbouring privacy;
- They would result in an unacceptable overbearing/overshadowing impact on neighbouring occupants;
- The properties would be built too close to common boundaries;
- The proposed landscaping would cause damage to common boundaries;
- The development would have an inadequate narrow access point from Royal Avenue, with the access on a dangerous bend on Royal Avenue. This would particularly impact servicing vehicles;
- The applicant is trying to squeeze too many properties on the plot resulting in overdevelopment;
- The proposed bin store would be too small and no provision has been made for the commercial properties;
- The positioning of bin stores adjacent to private gardens is unacceptable and should be moved elsewhere;
- The new access route would result in an unacceptable noise/disturbance impact on the adjacent back gardens;
- The new access route results in an unacceptable risk to pedestrians;
- The plans do not indicate the type and location of street lighting;

- The proposal does not include information on who would be responsible for the upkeep of common boundaries and landscaping and who would own the access road;
- The proposal would devalue surrounding properties;
- The land is protected by covenant as a bowling green;
- The proposed electric gate controlling access to the site would lead to congestion;
- The development would unacceptably overload local schools, services and infrastructure;
- Lack of amenity space.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraphs 2 and 47 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an *up to date* (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version.
3. The NPPF is a material consideration in planning decisions as the Government's expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
4. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
5. Policies controlling the supply of housing, heritage and the protection of open space are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus development plan policies relating to the supply of housing are 'out of date' in NPPF terms.

6. In addition Policy R1 of the Core Strategy, relating to the historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial' harm in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms. It is concluded elsewhere in this report that there are no protective policies in the NPPF which provide a clear reason for the refusing the development proposed. Paragraph 11(d) (ii) of the NPPF is therefore engaged.
7. Core Strategy Policies R5, Open Space, Sport and Recreation, and SO5, Providing a Green Environment, relate to the Borough's protected open spaces. These policies are consistent with the NPPF and are considered to be up to date. Full weight should therefore be afforded to these in the following assessment.

Heritage Impact

8. The buildings to the east and south, the Old Police Station and the Gladstone Buildings, are both ornate buildings constructed in the 19th/early 20th-Centuries and are considered to be non-designated heritage assets.
9. The importance of preserving the historic environment is reflected in the National Planning Policy Framework (NPPF) and supporting Guidance (NPPG).
10. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF paragraph 197).
11. Policy R1 states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to Conservation Areas, listed buildings and other identified heritage assets.
12. The proposal would result in the redevelopment of the current surface car park within the setting of the above noted buildings which are considered to be non-designated heritage assets.
13. The former Liberal Club, 'Gladstone Buildings' is a three storey building with an ornate brick frontage built at some point in the late 19th/early 20th Century. The rear of this building includes a modern glazed extension. The former Police Station is a two and a half storey building with an ornate brick frontage and quoins and returns, first opened in 1904. Their significance is considered to

derive from their age, style, materials and form. As a group they also illustrate the development of the settlement in which they stand.

14. The proposal would result in the redevelopment of the existing surface car park to the rear of these buildings and its replacement with a housing development of contemporary design. As is outlined further below in the design section the proposal is considered to be acceptably designed. It is considered that the proposal would not result in any harm to the significance of these non-designated heritage assets with the removal of the existing somewhat rundown and utilitarian car park arguably improving their setting. It is noted that the Heritage Development consultee has confirmed no objection. The proposal is therefore considered to result in an acceptable heritage impact with reference to NPPF paragraph 197.

Housing Land

15. The application proposes redevelopment of an area currently used as a surface car park for the erection of 6 no. dwelling houses with associated parking, private amenity space, improved access from Royal Avenue and the relocation of existing parking spaces associated with the adjacent commercial use.
16. The site is located in Urmston town centre with commercial/retail units to the east and south, and residential properties to the west and north. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target as expressed in Table L1 of the Core Strategy. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
17. Notwithstanding this the proposal is considered to be broadly in compliance with Core Strategy Policies L1 and L2. Thus the development would result in the reuse of an area of land currently used as a surface car park (notwithstanding its official designation as a protected open space) and therefore the site is considered to be brownfield land thereby complying with Policy L1.7 which sets an indicative target of 80% of new housing provision within the Borough to be built upon brownfield land.
18. In addition it is noted that the application site is located within Urmston town centre and surrounded by a mix of commercial, retail and residential uses, the plot considered to be in a highly sustainable location close to public transport links, local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 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.
19. The proposal would also acceptably comply with the requirements of Core Strategy Policy L2 through its making a contribution towards meeting housing

needs within the Borough by the provision of six additional dwellings (L2.1); through the development being located on a sufficiently sized plot, appropriately located to access existing community facilities, not harmful to local area character or amenity, and more generally in accordance with Core Strategy Policy L7 as outlined in the design section below (L2.2). The proposed dwellings could be used for family housing (L2.4/L2.6). The development would also likely result in a small economic benefit during its construction phase.

Loss of Protected Open Space

20. NPPF paragraph 97 states that existing open space, sports and recreational buildings and land should not be built upon unless [*inter alia*] an assessment has been undertaken which clearly shows the open space to be surplus to requirements.
21. The site is designated as a protected open space having historically been used as a bowling green; however it is currently being used as a surface car park, having been used as such since approximately 2006. The Strategic Planning consultee has confirmed no objection to the proposal with the applicant having demonstrated that the proposals comply with Paragraph 97 of the NPPF with reference to the Council's published Play Pitch Strategy and Open Space Assessment of Need.
22. It is therefore considered that the proposal would be acceptable in principle with reference to the relevant Core Strategy Policies and NPPF paragraph 11 d), with no NPPF policies protecting areas or assets of particular importance providing a clear reason for refusal (NPPF paragraph 11 d i).

DESIGN

23. Paragraph 124 of the NPPF states: *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states: 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, taking into account any local design standards or style guides in plans or supplementary planning documents.*
24. Policy L7 of the Trafford Core Strategy states: *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.*

25. The New Residential Development SPG states that infill development can be acceptable provided it satisfactorily relates to its context in terms of design and amenity impacts. This type of development will not be accepted at the expense of the amenity of surrounding properties or local area character. The resulting plot sizes and frontages should be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
26. The proposed dwellings would be bound by properties of varied design and type with two storey bay windowed interwar semi-detached properties to the north and west; a pair of apparently Edwardian three storey semi-detached dwellings to the south-west; a three storey Victorian/Edwardian commercial row to the east, one of these buildings being the former Liberal Club, a non-designated heritage asset; the Old Police Station building, an ornate two storey building, which is also a non-designated heritage asset, to the south-east; and two sets of two storey early-mid 20th Century commercial rows to the south, several of the latter having first floor apartments.

Siting and Footprint

27. The proposed dwellings would be located within the centre of the plot with the detached flanking units set slightly forward of the central semi-detached dwellings. They would not undermine a building line at this point and they would not result in an overdevelopment of the site. They would be acceptably set in from each side boundary. An access route and parking area would be set to the north of the plot with back gardens to the south. The proposal would not result in an unacceptable overdevelopment of the plot. It is considered that the proposed plot sizes would not be out of keeping with surrounding plots including the adjacent residential plots to the north and west fronting Royal Avenue thereby respecting the local density and grain of development.

Bulk, Scale, Massing and Height

28. The heights of the proposed dwellings would be acceptable with reference to the surrounding properties. In all, the proposed dwellings would have an acceptable visual impact in terms of their bulk, scale, massing and height with reference to the size of the plot and the surrounding context.

External Appearance/Materials

29. The proposed dwellings would have an acceptable design in terms of their external features, detailing and proportions, albeit with contemporary features. The proposed front hard standings, garden areas and boundary treatments are considered to be acceptable with reference to the surrounding context.
30. Whilst it is accepted that the proposed dwelling at the western end of the plot (Plot 1) has a unique design and layout, which has been informed by the need to ensure this dwelling would not have an unacceptable overbearing impact on the adjacent property to the west (No. 13 Royal Avenue), the design is nevertheless considered to be acceptable in this context.

31. The proposed external materials of red brick with decorative coursing, slate roofs and floor to ceiling glazing are considered to be acceptable with reference to the proposed development and its context. Planning permission would be subject to conditions requiring the applicant to submit full material details, including the proposed feature brickwork, boundary treatment details and the detailed design of specific external elements such as window reveals and articulation, for approval prior to the commencement of above ground development.
32. The wider site would comprise of part grassed/part paved front and back gardens, with the access route/parking area topped by stone sets and concrete paving. Planning permission would be subject to a landscaping condition requiring the submission of full details for the LPA's written approval prior to the commencement of above ground works.
33. The plot would be separated from the retained repositioned commercial car parking by a 2m high timber fence.
34. The development would result in a positive visual impact through the replacement of a currently somewhat run down utilitarian space with a well-designed residential scheme.

Design and Crime

35. The proposal would reanimate a currently partly disused area and would introduce multiple windows which would afford a degree of passive surveillance.
36. The development would be acceptably designed with reference to Core Strategy Policy L7, PG1 New Residential Development, the Design and Crime SPG and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

37. Policy L7 of the Core Strategy states: *In matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.*
38. The New Residential Development SPG requires new residential developments to result in acceptable privacy, overshadowing and overbearing impacts on neighbouring properties, in addition to the provision of acceptable amenity standards for the future occupants of the proposed development.

Privacy and Overlooking

39. The proposed dwellings would introduce front and rear facing ground and first floor habitable room windows. Those at ground floor would be acceptably screened by intervening boundary treatments. The proposed front facing first floor habitable room windows would face similar windows in the rear elevations of properties to the north at a distance of 22m-28m. The proposed first floor rear

facing windows would face similar type windows in the rear elevations of apartments and a dwelling to the south at a distance of 21.2m-29m. Whilst it is accepted that several of these interfaces would be less than the 27m required regarding views across private gardens as set down in the New Residential Development SPG, this would nevertheless be acceptable considering the wider area's relatively tight urban spacing and the fact that it is recommended that permitted development rights should be withdrawn for rear extensions to the proposed dwellings.

- 40. The proposed front and rear facing first floor windows would be more than the 10.5m minimum from their closest common boundaries.
- 41. The properties would introduce side facing ground and first floor windows. Planning permission would be subject to a condition requiring these to be obscurely glazed to protect neighbouring amenity.
- 42. The proposed roof lights would have bottom edges set a minimum of 1.7m above internal floor levels, which would acceptably mitigate any potential for significant overlooking.

Overbearing/Overshadowing

- 43. Plot 1 would introduce a two storey element which would project 1m beyond the rear elevation of the adjacent property to the west (No. 13 Royal Avenue), with this element set in from the common boundary by 2.7m, which would be acceptable. Plot 1 would also introduce a further two storey element which would project 3.7m beyond the rear elevation of No. 13 Royal Avenue, with this element set in from the common boundary by 5.5m, which again would be acceptable.
- 44. Plot 1 would introduce a single storey element which would project 4m beyond the rear elevation of the adjacent property to the west, with this element set in from the common boundary by 2.8m, which would be acceptable. Plot 1 would also introduce a further single storey element which would project 9m beyond the rear elevation of the adjacent property to the west, with this element set in 5.7m from the common boundary, which would be acceptable.
- 45. It is considered necessary to remove the properties' domestic permitted development rights relating to rear extensions and rear dormers to ensure the new houses would continue to have an acceptable privacy and amenity impact on neighbouring properties.
- 46. The proposed dwellings would not result in an unacceptable overbearing or overshadowing impact on neighbouring properties, including the residential properties to the north and west.
- 47. The development would provide future occupants with an acceptable level of internal and external amenity space. Whilst it is accepted that the back gardens would be relatively closely overlooked by the rear windows of the first floor apartments to the south, this is not a sufficient reason to refuse planning

permission considering the relatively close grain of development in this urban context, and the need to make best use of previously developed land. Planning permission would be subject to a landscaping condition which would require sufficient screening through planting along this boundary.

Noise/Disturbance

48. The proposal would result in the introduction of an access route and car parking immediately adjacent to the back gardens of the properties to the north fronting Royal Avenue. Whilst it is accepted that there would be a degree of noise and disturbance to these private garden areas particularly from noise and light from passing/manoeuvring vehicles, this is nevertheless considered to be acceptable with reference to the fact that the site is currently used as a surface car park and it is therefore considered that there would not be a significant additional impact from these proposals such as to justify the refusal of the application.
49. The amended separate parking area to the east of site for the use of the adjacent commercial property would be located on an area currently occupied by a car park. It is not considered this separate parking area would result in an unacceptable additional noise/disturbance amenity impact on local residential properties including those proposed as part of the current planning application.
50. The development would not have any unacceptable impact on the residential amenity of the neighbouring residential properties and would provide an acceptable level of amenity for future occupants. As such, it is considered that the proposed development would comply with Core Strategy Policy L7, PG1 New Residential Development and the NPPF.

HIGHWAYS, PARKING AND SERVICING

51. Core Strategy Policy L4 states: *[The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*
52. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
53. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments. The Council's parking standards indicate that the provision of 2 off-road car parking spaces is appropriate for three bedroom dwellings in this location, albeit these are maximum standards.
54. The new dwellings would each have two dedicated parking spaces together with cycle storage sheds in their back gardens. Each dwelling would have a separate

bin store with bins moved by occupants to a bin mustering area adjacent to the widened entrance for collection by service operatives on bin collection day.

55. The site would be accessed via a widened vehicle entrance point on Royal Avenue. The south-eastern portion of the existing car park would be used as a separate retained parking area for a commercial unit to the east, with this area and the adjacent parking area to the south-east (outside of the application site) accessed from Station Road.
56. The LHA has confirmed no objection to the proposal in terms of its highways and parking impacts. The servicing consultee has confirmed no objection to the servicing arrangements.
57. The proposal would also include an amended car parking area comprising of 13 parking spaces for the commercial property to the east, with this parking area separated from the main site and accessed from Station Road. The LHA has confirmed no objection to the number of spaces provided, internal access arrangements and this element's impact on the wider road network.
58. The development would have an acceptable highway, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD, the New Residential Development SPG and the NPPF.

TREES AND ECOLOGY

59. The proposal would result in the removal of the current area of hard standing, together with several apparently self-seeded shrubs and trees. The new development would result in the introduction of areas of soft landscaping including several trees. Both the arborist and GMEU consultees have confirmed no objection, subject to planning conditions.
60. Although there would be some loss of trees, there is scope for replacement planting and it is considered the development would not result in unacceptable harm to the natural environment with reference to Core Strategy policy R2, PG1 New Residential Development and the NPPF.

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. 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 the form of three additional trees per property. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide eighteen additional trees net of clearance on site as part of the landscaping proposals.

63. No affordable housing provision is required as the development falls below the thresholds set within the Core Strategy and the NPPF.

OTHER MATTERS

64. In response to the other points raised in the neighbour objection letters officers would respond as follows:

65. Planning permission would be subject to a condition which would ensure the proposed parking set up is provided and retained thereafter.

66. There is considered to be sufficient space in the retained surface car park to provide for the servicing of the adjacent commercial units.

67. The bin stores have been moved away from common boundaries to protect the amenity of neighbouring occupants.

68. The nuisance consultee has confirmed no objection to the proposal, subject to a condition controlling the details of external lighting.

69. The upkeep of common boundaries is not a planning consideration but rather a private legal matter. It is nevertheless recommended that a condition is attached requiring the details of boundary treatment.

70. Whether the proposal would devalue surrounding neighbouring properties is not a material planning consideration.

71. The protection of the existing plot by covenant to maintain its status as a bowling green is not a planning consideration but rather a private legal matter.

72. The details of the proposed landscaping would be approved by way of a planning condition and would not be expected to damage common boundaries.

CONCLUSION

73. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted. However, two of the areas of development plan policies which are 'most important' for determining this application, those relating to housing land supply and heritage, are out of date. Paragraph 11(d) of the NPPF is therefore engaged and should be taken into account as an important material consideration.

74. There is no 'clear reason for refusing the development proposed' when considering the application against Paragraph 11(d) (i) of the NPPF. The proposal would not cause harm to the significance of adjacent non-designated heritage assets. Policy R1 is out of date and can be given limited weight in this

respect. In NPPF terms there is no clear reason for refusing the development proposed. Paragraph 11(d) (ii) of the NPPF is therefore engaged.

75. All other detailed matters have been assessed, including visual amenity and design, highway safety and residential amenity. The proposal has been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning 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. In relation to paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposed development.
76. The proposal is therefore considered to be appropriate in principle as well as being acceptable with reference to its design and its impact on the above noted heritage assets, in addition to its impacts on residential amenity, privacy, the local highways network, parking and servicing. It is therefore considered to be acceptable with reference to Core Strategy Policies L1, L2, L4, L5, L7, L8, R1, R2 and R3, the Planning Obligation SPD, the Parking Standards and Design SPD, the New Residential Development SPG, the Design and Crime SPG and 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [A398_P] 030A, received 4 June 2019; 002B, 020C, 021B, 022B, 023B, received 8 October 2019; 026C, 027C, 032B, 034B, 036B, received 30 October 2019; and 024C, 025C, 031B, 033B, 035B, received 1 November 2019.

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

3. No above ground works shall take place unless and until a schedule of design intent drawings have first been submitted to and approved in writing by the Local Planning Authority. The schedule shall provide details in the form of 1:20 drawings and sections of all window and door reveals and recesses; flush roof light details; feature brickwork panels; deep raked mortar joints; eaves and verge joints, and flat roof trim details including proposed materials. Development shall proceed in accordance with the approved schedule of design intent.

Reason: In the interests of visual amenity and design quality, specifically to protect the original design intent of the architect and the quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework, and the National Design Guide.

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples 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. Sample panels shall be constructed on site, and retained for the duration of the build programme, illustrating all proposed brickwork, including decorative brickwork, the type of joint, the type of bonding and the colour of the mortar to be used. 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.

5. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location of 18 additional trees net of any clearance, together with the formation of any banks, terraces or other earthworks, boundary treatments, materials for all hard surfaced areas (including those to the access road and parking bays), 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 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

6. The development hereby approved shall not be occupied until a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall

include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

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 L5, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

7. Notwithstanding the details shown on the submitted plans, and prior to any above ground construction works, details (including type, siting, design and materials) of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a 2m high brick wall to both the northern boundary of the site and the eastern boundary of Plot 6, together with a planting scheme to soften the appearance of the walls.

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any Order revoking and re-enacting that Order with or without modification):
 - (i) No rear extensions shall be carried out to the dwellings;
 - (ii) No dormer windows shall be added to the dwellings;other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the residential and visual amenities of the area, in accordance with Policy L7 of the Trafford Core Strategy.

9. 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) upon first installation the windows in the buildings' first floor side facing gable elevations shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

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' with reference to the approved tree report drafted by Urban Green, dated May 2019. 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. No development shall take place, including any works of demolition and site preparation until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall address, but not be limited to the following matters:
- a. Suitable hours of construction and demolition activity;
 - b. The parking of vehicles of site operatives and visitors (all within the site);
 - c. Loading and unloading of plant and materials (all within the site), times of access/egress;
 - d. Storage of plant and materials used in constructing the development;
 - e. The erection and maintenance of security hoardings;
 - f. Wheel washing facilities;
 - g. Measures to control the emission of dust and dirt during construction and procedures to be adopted in response to complaints of fugitive dust emissions;
 - h. A scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);
 - i. Measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity;
 - j. Information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors;
 - k. Information to be made available for members of the public.

The development shall be implemented in accordance with the approved CEMP.

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. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

12. Prior to the first occupation of the development, a Lighting Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority in respect of any proposed exterior lighting installations in order to demonstrate compliance with the Obtrusive Light Limitations of The Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, including details of any necessary mitigation measures. Any external lighting shall be implemented in accordance with the approved details.

Reason: To ensure the approved development results in an acceptable light impact on neighbouring properties having regard to 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-August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The ecological survey is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could unacceptably impact potential nesting birds on site.

14. 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.

15. No development shall take place until a scheme to improve the existing surface water drainage system has been submitted to, and approved in writing by, the Local Planning Authority. The scheme must be undertaken in accordance with the drainage hierarchy as stated in the National Planning Practice Guidance. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site having regard to Policies L5 and L7 of the Trafford Core Strategy and the NPPF. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse drainage impacts.

16. The development hereby permitted shall not be brought into use until the approved external parking spaces have been provided, constructed and surfaced in complete accordance with the plans hereby approved. 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) the spaces shall be retained thereafter.

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

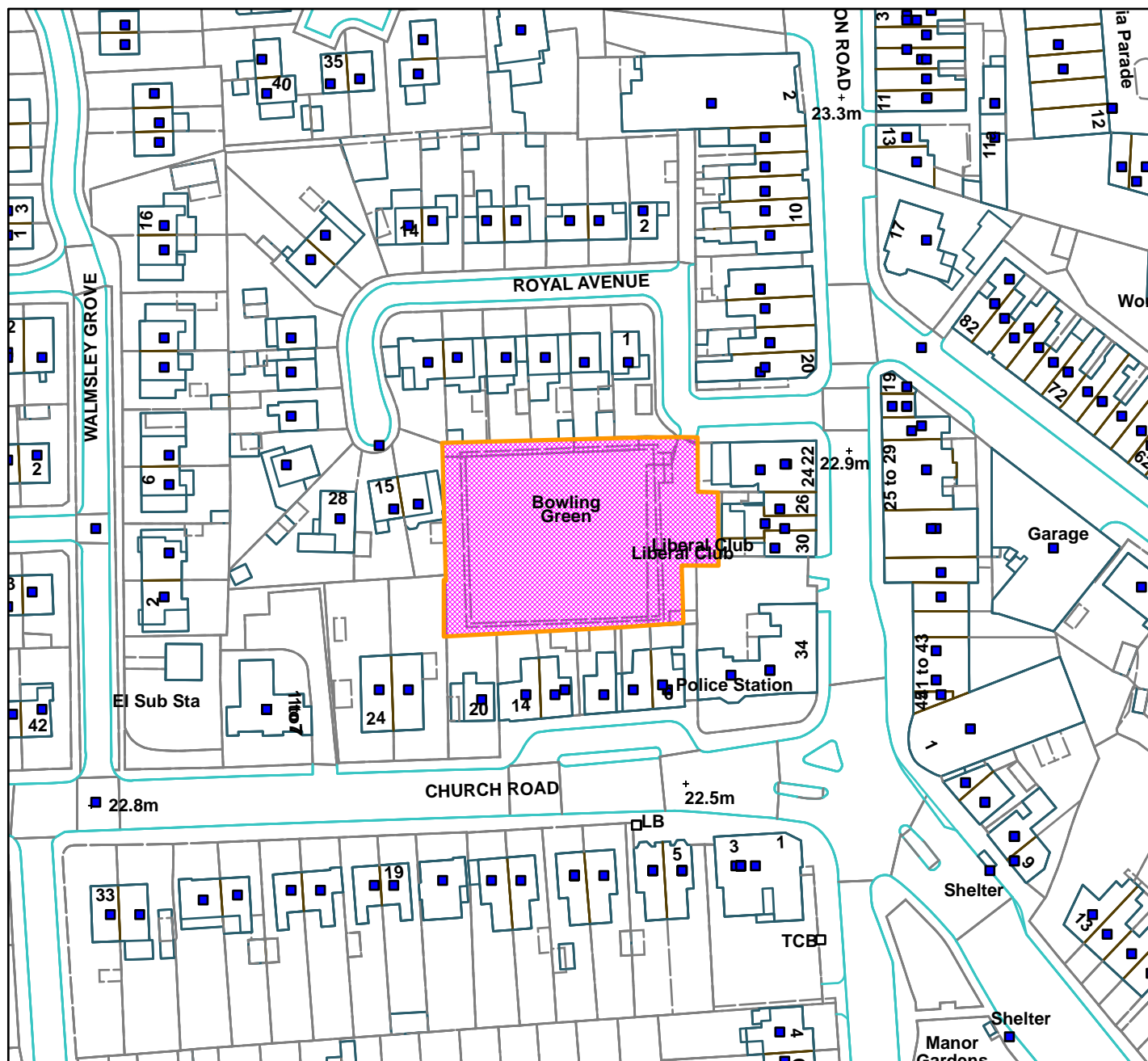
17. The development hereby approved shall not be occupied unless and until a scheme for the provision and implementation of electric vehicle charging points, with one charging point provided per dwelling, has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme and retained thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

TP



Land to the rear of the Old Police Station and Glandstone Buildings, Station Road, Urmston, M41 9BU (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

Erection of three storey office building and basement car park following demolition of existing building.

Progress House, 17 Cecil Road, Hale, WA15 9NZ

APPLICANT: Lancebury Estates Ltd

AGENT: Groves Town Planning Ltd

RECOMMENDATION: GRANT

SITE

The application site is located on the east side of Cecil Road and is occupied by a detached building which is predominantly two storey with a flat roof single storey section located towards the rear and south side of the site. The two storey part of the building includes a conventional dual pitch roof elevation as well as sections that have a flat roof and a section to the rear which has an extremely shallow pitch. The building incorporates a number of individual offices which are occupied by various differing businesses including, law, finance, advertising and health.

Parking provision along the front of the building (fronting onto Cecil Road) can accommodate approximately 7 car spaces in unconventional parking spaces of varying sizes which involves tandem parking.

To the west side of the site on the opposite side of Cecil Road are residential dwellings which are predominantly terraced properties. A detached office building, Cecil Court, is also located on the opposite side of Cecil Road from the application site. To the south side of the site is a service yard and vehicular entrance for a mixed use site containing a hotel and a number of individual commercial premises at ground floor with the hotel accommodation above (over three floors above ground floor).

To the north-east side (rear) of the site is a number of properties which front onto Ashley Road and which have their rear elevations facing towards the application site (all two storey buildings). The premises immediately to the rear of the proposal site include 184 – 190 Ashley Road and include a hairdressers (184); a clothing shop (186); a Chinese takeaway (188) and a gourmet food shop (190). A search of Council records would suggest two residential apartments, one at 186a Ashley Rd and one at 188A Ashley Rd, an estate agents is located at 190A Ashley Rd.

To the north side of the site is a two storey flat roof building (11 Cecil Rd) used by a business which supplies furniture, this neighbouring site also has a carpark and

manoeuvring area immediately adjacent to the application site. Immediately adjacent to the north facing elevation of the application site building is a pedestrian access leading to the rear of the application site and which extends alongside the car park and manoeuvring area for 11 Cecil Rd.

The application site is located within Hale District Centre and adjacent to the Hale Station Conservation Area, which lies to the east and north.

PROPOSAL

This application proposes the erection of a three storey office building with basement car-parking following the demolition of the existing building on site. The proposal is identical in all respects to a previous scheme which was granted planning permission under application reference 87930/FUL/16 and which expired on 28 September 2019.

The new building will comprise a basement carpark accessed by vehicular ramp from Cecil Road with associated storage/cycle parking space/lift/stairs within the basement area. The ground floor will comprise the main reception/lobby area with office space; the first and second floors will comprise office space. A number of faux chimney stacks would be positioned on the front gable elevations.

The total floorspace of the proposed development would be 1,350sq.m of new office space.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

R1 – Historic Environment

R2 – Natural Environment
W1 – Economy
W2 – Town Centres and Retail

PROPOSALS MAP NOTATION

Town and District Shopping Centres
Adjacent to Hale Station Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

S13 – Non Shop Service Uses within Town and District Shopping Centres
E3 – Land for Commercial Office Development

SUPPLEMENTARY PLANNING DOCUMENTS

SPD5.11 – Hale Station Conservation Area Appraisal
SPD5.11a – Hale Station Conservation Area Management Plan

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. 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 and it is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

87930/FUL/16 – Erection of three storey office building and basement car park following demolition of existing building
Approved with conditions 28 September 2016

74102/FULL/2009 – Erection of three storey office building and basement car park following demolition of existing building
Approved 15 April 2013

H/63167 - Erection of three storey office building and basement car park following demolition of existing building.
Refused 9 January 2006 on the grounds of insufficient off-street parking for the development proposed.
Appeal allowed on 15 May 2006. This permission has now expired.

H/60777 – Erection of three storey office building and basement car park following demolition of existing building (total of 21 parking spaces)
Refused 6 January 2005 on grounds of impact on amenity of neighbouring residents, insufficient off-street parking and impact on character of the area
Appeal dismissed on grounds of inadequate architectural treatment of the prominent side elevations and resulting impact on the character and appearance of the area.

H/58789 – Erection of four storey office building and basement car park (total of 17 parking spaces)
Refused 19 August 2004 on grounds of impact on character of area, impact on amenity of neighbouring residents and insufficient off-street parking
Appeal dismissed on grounds of impact on character of area, impact on amenity of neighbouring residents and insufficient off-street parking

H/57702 – Erection of four storey building for offices and 10 apartments plus basement for car parking.
Refused 20 May 2004 on grounds of housing over-supply and impact on amenity of neighbouring residents.
Appeal dismissed on grounds of housing over-supply and impact on amenity of neighbouring residents.

APPLICANT'S SUBMISSION

The following documents have been submitted as part of the application:

- Heritage Statement
- Design and Access Statement
- Bat Survey
- Drainage Strategy
- Supporting Statement including Crime Prevention Plan and Waste Management Strategy

CONSULTATIONS

Lead Local Flood Authority – The site is not within the flood map for surface water 1 in 100-year outline and there are no records of flooding within 20m or Ordinary Watercourses within 5m. There will be no significant change to the impermeable area

and so little change to the surface water runoff generated by the site.

An informative is recommended requiring that permeable surfaces should be considered, and no surface water should discharge onto the highway.

United Utilities – Conditions requested relating to surface water drainage scheme and foul and surface water to be drained on separate systems.

Greater Manchester Police – Due to the size and nature of the proposal it is recommended that a full Crime Impact Statement (CIS) is submitted with the application in order to show how crime has been considered for the proposal and the surrounding area and indicating that the proposed development has been designed to avoid/reduce the adverse effects of crime and disorder.

Local Highway Authority – Whilst the LHA note that the proposal results in a shortfall in parking but given the previous permission and the sustainable location of the site the LHA would raise no objection. It should also be noted that some of the parking spaces are undersize but again given the previous permission this would be difficult to resist.

Consideration should be given to some of the parking spaces having electrical charging points.

The LHA would also request that consideration should be given to including a condition to remove the redundant vehicle crossing which fronts the site and the requirement for a construction management plan to be submitted before development commences.

Cadent Gas – Cadent have identified operational gas apparatus within the application site boundary. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

REPRESENTATIONS

Letters of objection have been received from 6 different addresses. The main points raised are summarised below:

- Disproportionate in height to the surrounding area;
- Loss of light, privacy and outlook for neighbouring properties;
- Inappropriate development for a Conservation Area;
- The frontage would be closer to the road than present and would restrict an already overcrowded pavement area;
- Insufficient parking provision which will exacerbate existing problems in the area;
- Noise and disruption during construction;
- Light pollution from interior lighting;
- Over-building in an already over-commercialised area;

- Concerns regarding risk of flooding and structural damage to neighbouring properties as a result of the underground car park and springs in the area;
- Overlooking of windows at the neighbouring Britannia Ashley Hotel and will inhibit plans for proposed plans for this site which have received planning permission;
- Lack of setback will cause access problems during construction;
- The owner of the Ashley Hotel and Century House was not consulted when previous planning applications for this development were submitted and approved, to which he would have objected;
- Inappropriate materials out of keeping with the surrounding area;
- Access to the delivery yard behind Century House will be constricted. The turning circle for the delivery vehicles is already tight, lorries already mount the pavement to complete the turn successfully;
- The earlier 2016 planning consent should be disregarded as there are several detrimental planning issues in Hale that have occurred during the intervening time. The application should be determined on the current situation:-
 - The Hale Station Conservation Area has been extended since the 2016 approval;
 - The former quiet Co-op supermarket next to Progress House has extended into an extremely busy M&S Foodhall resulting in heavy increase in traffic on Cecil Road and large additional demand for parking in this part of Hale;
 - The proposed Library/Community building and re-opening of the old 'Hogans' restaurant will put further pressure on parking;

OBSERVATIONS

BACKGROUND

1. Permission was granted on 28th September 2016 under application 87930/FUL/16 for a scheme identical to the current proposed development. This permission is no longer extant and cannot be implemented. Prior to that, approval 74102/FULL/2009 (granted April 2013) gave permission for the same development.
2. Extensions to the boundary of the Hale Station Conservation Area were adopted in July 2016 and the associated Hale Station Conservation Area Appraisal and Management Plans were published. As a result the application site is now adjacent to the Conservation Area boundary and the heritage impacts of the development have become an important material consideration.

PRINCIPLE OF DEVELOPMENT

3. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan

unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.

4. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
5. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
6. Paragraph 11 of the NPPF indicates that plans and decisions should apply a presumption in favour of sustainable development. Bullet point d) of paragraph 11 indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
7. The heritage analysis below demonstrates that no harm would arise to heritage assets. There would be no impact on any other Paragraph 11(d)(i) areas or assets. Paragraph 11(d)(ii) is therefore engaged as Policy R1 is out of date and is 'most important' in the determination of this application. Other policies deemed 'most important' are Policies W2 and L7, of which both are considered up to date in NPPF terms.
8. Representations refer to further development that has taken place in the vicinity of the application site since the 2016 approval and state that the proposal should be considered against the existing situation rather than that in 2016. In particular, developments relating to Marks & Spencer's Foodhall, 'Hogans of Hale,' and Hale Library and Community Centre. The occupation of the former Co-op unit by Marks and Spencer and the future re-opening of Hogans of Hale both comprise the continuation of existing long standing authorised uses. The new Hale Library was granted planning permission in the context of the existing

planning situation at the time of that decision in August 2019, which included an extant consent at this site. The current character of Hale Village and the surrounding area is not significantly different from the situation in 2016 and it is considered that the application is to be considered against a similar character context.

PRINCIPLE OF OFFICE DEVELOPMENT

9. The application site is located within the identified boundaries of Hale District Centre. Advice within the NPPF recognises office use as a main town centre use.
10. Policy W1.5 of the Trafford Core Strategy identifies that B1 office use will be focused in the Regional Centre and the town centres which the application site as an identified centre complies.
11. Policy W2.7 recognises Hale as one of the district centres and identifies that there will be a focus on convenience retailing and opportunities for service uses and small independent retailing. Notwithstanding this, paragraph 19.2 identifies that Government planning policy statements are clear that established town and district centres should remain the main locations for new shopping, leisure, cultural and office development.
12. The application site has an established office use, it is within a designated centre, it is within a sustainable location and the proposed development would not be of such a scale to be inappropriate in a centre of this size.

IMPACT ON DESIGNATED HERITAGE ASSET

13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, *“special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area”* in the determination of planning applications.
14. National guidance in the NPPF requires that local planning authorities take into account the particular significance of the heritage asset when considering the impact of a proposal to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (paragraph 190).
15. Policy R1 of the Core Strategy, relating to historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date.

16. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.
17. The application site sits to the south west of 'Extension B' of the Hale Station Conservation Area as adopted in July 2016. This is incorporated into Character Zone A: Central Retail Area, encompassing the central retail core of Hale. Regard has been paid to the Hale Station Conservation Area Appraisal (July 2016) and the Hale Station Conservation Area Management Plan (July 2016).
18. Character Zone A is predominantly characterised by dense retail and restaurant use, each vying for attention through intensive use of signage and canopies. Extension Area B includes the area south-east along Ashley Road to the junction of Cambridge Road, where it would meet the boundary of the South Hale Conservation Area. The South Hale CAA states in paragraph 7.1.5 that *"The character of Ashley Road as a significant arterial route through Hale, with a multitude of independent retail outlets within Arts and Crafts style shops is strong around the station but continues along Ashley Road to the east past the current boundary. The shops are notable for the survival of the elevations above the shop fronts relatively intact. Inclusion of this area of consistent character would be beneficial and would afford the historic environment an additional level of protection."*
19. With regard to its location to the rear of the shops and restaurants on Ashley Road, it is considered that the site has no direct relationship with any parts of the Hale Station Conservation Area with characteristics that contribute to its significance as set out above. As such the proposed development would result in no harm to the significance of this designated heritage asset. The proposal would not adversely affect any of the key views into the Conservation Area, nor would it affect its setting.

DESIGN, SCALE AND LAYOUT

20. Policy L7 states that *"In relation to matters of design, development must:*

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

21. Policy L7 'Design' is considered to be compliant with the NPPF and therefore up to date for the purposes of determining this application as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code.

22. The proposed footprint, design and size of the building have not altered from that previously approved under planning reference 87930/FUL/16 and 74102/FULL/2009 before that.
23. The design of the building (as previously approved and as now proposed) involves a conventional design of 5 dual pitched roof gables facing towards Cecil Road on the front elevation with a hipped roof design to flank elevations and rear elevation which facilitates the second floor of office accommodation with combinations of flat roof and dual pitched roof dormers. The shallow roof design requires a flat roof across its entire expanse at ridge level. A number of faux chimney stacks are positioned on the front gable elevations to mimic the predominantly residential context of Cecil Road. The design of the building includes large expanses of glazing with elements of facing brick and render proposed to external elevations.
24. The new building will occupy a similar footprint to that of the existing building, with additional footprint towards the front boundary with Cecil Road. The new building will retain a distance of approximately 0.3m to the southern boundary at the nearest point (three storey element); approximately 1.5m to the front boundary with Cecil Road at the nearest point (single storey element); approximately 0.9m to the northern boundary with 11 Cecil Road at the nearest point (three storey element) and approximately 0.5m to the nearest section of the rear boundary from the three storey section of the building (the application site follows an irregular form to the rear of the site).
25. The existing building measures approximately 10.5m to ridge height to the highest point of the building (dual pitched element) the main two storey flat roof element of the building measures between approximately 6m and 6.5m. The single storey elements of the building measure approximately between 3m – 3.5m. The proposed new building will measure approximately 9.7m to ridge level (approximately 10.8m to the top of the chimneys). The front single storey lobby (including the cantilevered canopy) measures approximately 3.5m in height.
26. An external staircase is proposed to the rear elevation and a condition was attached on the previous approval to ensure the staircase was treated in an appropriate dark colour. In addition details of appropriate boundary fencing was also included within a specific condition to ensure its appropriateness, no specific details have been submitted regarding the type of fencing on this application at 2.1m in height which was stipulated on the previous approval. Therefore in order to ensure that the fencing material, siting and size (no higher than 2m) is appropriate, details are required to be submitted. Whilst the height of the fencing is effectively permitted development, it is considered reasonable to request these details to ensure that it is appropriate in this context.

27. The Inspector's report in relation to the appeals against the refusal of applications H/60777 and H/63167 found the design to be acceptable, even in the dismissed appeal. Whilst there was some concern raised in it, it concluded that the allowed appeal to be addressed through conditions.
28. Design is high on the Council's agenda with the preparation of a Design Guide under way. This reflects the emphasis placed on high quality design nationally with the publication of the NPPG Design Guidance in October 2019. It is considered that starting from scratch, a better design could be achieved for this site in terms of design quality, context and materials. Whilst there are no extant permissions on the site, the previous Inspectors' reports have been taken into consideration in relation to design where it was considered that the proposal would constitute an improvement over the existing. There have been three approvals for the same form of development on the site extending back over the last 10 years. These decisions are important material considerations in the determination of this planning application. On balance, it is considered that the proposal represents an acceptable development that is appropriate to the context of the site in terms of scale, height and massing and the design elements take reference from the neighbouring residential properties. It is not considered therefore that a refusal on design terms could be sustained at appeal.
29. Given the importance and prominence of high quality design in the NPPF it is considered to be necessary to mitigate against schemes being value engineered and eroding their design quality. Therefore appropriate conditions are recommended to ensure that the design intent shown on the submitted drawings is brought through into the construction of the development.

RESIDENTIAL AMENITY

30. Policy L7 states that *"In relation to matters of amenity protection, development must:*
- *Be compatible with the surrounding area; and*
 - *Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way."*
31. It is considered that Policy L7 is considered to be compliant with the NPPF and therefore up to date for the purposes of determining this application as it seeks to avoid harm to residential amenity and to noise giving rise to significant adverse impacts on health and the quality of life.
32. Previous applications H/57702, H/58789 and H/60777 were all refused by the Council on the grounds of unacceptable impact on the amenity of neighbouring residents. The Inspector in the appeals against H/57702 and H/58789 upheld

this view. The Inspector's decision on the appeal against H/60777 did not however consider there to be an undue impact on neighbours residential amenities and in determining the application H/63167, the Council had regard to that appeal and did not refuse for reasons of impact on residential amenity. The view taken by the Inspector in the appeal against H/60777 was:

"Given the degree of visual separation provided by Cecil Road, I do not believe that in an urban setting, the visual impact of the building would be dominant or overbearing and neither would the facing windows lead to an unacceptable level of overlooking for occupiers on the opposite side of the road. Occupiers of the flats above Nos. 186 and 188 Ashley Road would be aware of the rear of the proposed building from facing windows but again, I do not believe the visual impact of the proposal or any overlooking would be excessive in an urban context."

33. The rear elevation (eastern elevation) will retain a distance of approximately 15m to the rear (two storey outrigger of 186A Ashley Road) which has a clear glazed window at first floor level on the outrigger. 188a Ashley Road appears to have been extended at the rear with an external staircase leading to the flat, the new building will retain a distance of 11m to the rear elevation of the outrigger (clear glazed window and door at first floor level). The new building will retain a distance of approximately 11m to the rear of 190a Ashley Road (estate agents) and approximately 14.5m to the rear two storey outrigger at 184 Ashley Road occupied by a hairdressers at ground and it is understood first floor as well.
34. The new building remains a distance of approximately 16m – 18m to the front elevations of the residential properties along Cecil Road.
35. The application is for the same scheme as 87930/FUL/16 (and earlier applications 74102/FULL/2009 and H/63167); there has been no material change in circumstances in relation to the previous scheme that would justify a refusal on residential amenity which would be considered to be unreasonable. The previous approval included a condition that windows on the eastern elevation be obscured glazed. It should be noted that the Council have no specific guidance with regards commercial/retail buildings and parameters with adjacent/adjoining residential properties. As a guide the Council can refer to the distance outlined with new residential development which for example indicates a distance of 15m being retained from elevations to main habitable room windows and distances of 21m to be retained from across highways (with 3m added to the above for every additional floor above 2 stories), however these guidelines are for new residential development and carry no weight with regards non-residential development. The guidelines were adopted in September 2004, prior to the decision made by the Planning Inspectorate on H/60777.

PARKING AND HIGHWAYS

36. Policy L7 states that in relation to matters of functionality, development must:
- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
 - Provide sufficient off-street car and cycle parking, manoeuvring and operation space.
37. The Local Highway Authority has been consulted and comments received are incorporated into this section.
38. SPD3: Parking Standards and Design for Trafford states that for Use B1 (Offices) in this area, one parking space per 32sqm is required. This equates to 42 spaces. The proposals include a basement car park with provision of 21 spaces including 2 disabled spaces, a shortfall of 21 spaces.
39. The site is located in the centre of Hale in close proximity to public transport links (bus and rail) and alternative public car parking, therefore there are no objections to the proposals in respect of the shortfall in parking provision.
40. SPD3: Parking Standards and Design for Trafford states that for Class B1 (Offices) Use in this area, one motor cycle parking space per 750sqm and one cycle parking space per 300sqm is required. This equates to 2 motor cycle spaces and 5 cycle spaces. The proposals include 5 cycle spaces within the basement car park.
41. No details of the cycle parking or motorcycle parking facilities have been provided and a condition requiring details to be submitted is therefore recommended. A condition is also recommended to ensure that the roller shutters to the basement car-park are set back 5.5m from the back of pavement to allow cars to wait off street for the doors to open.
42. Comments received from the LHA regarding the inclusion of electronic vehicle charging points are noted. Given the material change in planning circumstances, with the requirement for such infrastructure provided within the NPPF 2018 the inclusion of charging points will be a condition of the permission.
43. Additional conditions are also requested to remove the redundant vehicle crossing which fronts the site and the requirement for a construction management plan to be submitted before development commences. Whilst they were not included on the previous approval, it is considered that having regard to highway safety and the amenity of other road users and neighbouring residents, it is reasonable and necessary to include these.

ECOLOGY

- 44. Policy R2 requires developers to demonstrate how their proposal will protect and enhance the natural environment of the Borough.
- 45. The applicant has submitted a bat survey. No bats or signs of bats were found during the survey and the property was considered to have a negligible potential to support roosting bats. No further surveys for bats are therefore considered necessary and Greater Manchester Ecology Unit has confirmed that works can commence with a low risk to roosting bats.
- 46. Notwithstanding the above an informative is requested to be attached to ensure care taken during demolition for presence of bats.

SECURITY

- 47. GMP Design for Security team have recommended that a full crime impact statement should be submitted for the proposal. An appropriate condition will be included requesting details to be submitted.

OTHER MATTERS

- 48. Noise and disruption and any structural impact on neighbouring properties caused during construction works is not a material planning consideration.

DEVELOPER CONTRIBUTIONS

- 49. 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).
- 50. 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. Office development is indicated at 1 tree per 30sqm GIA, the proposed development includes a net increase of approximately 364sqm above the existing office floor area. This would equate to approximately 12 new trees. The Council's preference is for planting on site which can include alternative forms of green infrastructure such as green roofs/walls. The application site offers limited provision for planting however, soft planting is indicated to the front of the site on the submitted plans and there is scope to introduce some limited planting to the rear. In order to secure this, a landscaping condition will be attached.

PLANNING BALANCE AND CONCLUSION

51. The proposal complies with Policies W1 and W2 of the Core Strategy in terms of supporting the function of existing town and district centres. There would be no adverse impact on highways and parking and it is considered that there would be no significant impact on the amenity of neighbouring residents to warrant refusal on these grounds. No harm would arise to heritage assets from the proposals. Whilst it is acknowledged that there could be some improvements made to the appearance of the scheme with a redesign, the proposed building is considered to be acceptable in terms of design, scale and siting in relation to the site and the character of the surrounding area more generally. The design is the same as previous approvals (including appeal decisions) and these are important material considerations in the determination of this planning application. On balance, the scheme is considered to comply with Policy L7 in this regard.
52. In accordance with Paragraph 11 d) ii of the NPPF, 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.
53. The adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Approval is therefore recommended.

RECOMMENDATION:

GRANT subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:- 100A, 105, AL06 A, AL07 C, AL08 A, AL09 A, AL10 A and Site Location Plan.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.
3. The gross internal floor area of the development hereby approved shall not exceed 1350 sq. metres.

Reason: To ensure that the scale of development remains appropriate to the location and that the level of parking provided on site remains of an adequate level to cater for the development proposed having regard to Policies L4 and L7.

4. Notwithstanding the details submitted, no above ground development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted (including windows and doors) 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 a satisfactory external appearance in the interest of visual amenity and to protect the character and appearance of the adjacent Hale Station Conservation Area, in accordance with Policies L7 and R1 of the adopted Core Strategy and the National Planning Policy Framework.

5. No above ground works shall take place until a schedule of design intent drawings have first been submitted to and approved in writing by the Local Planning Authority. The schedule shall provide details in the form of 1:20 drawings and sections of all window and door reveals and recesses (including within dormers); eaves and verge joints; 'chimney' feature capping; joints between brickwork types and render; flat roof and dormer trim details. Development shall take place in accordance with the approved schedule of design intent drawings.

Reason: To ensure a satisfactory external appearance in the interest of visual amenity and to protect the character and appearance of the adjacent Hale Station Conservation Area, in accordance with Policies L7 and R1 of the adopted Core Strategy and the National Planning Policy Framework.

6. No above ground works shall take place until plans showing details of the means of access and the areas for the movement, loading, unloading and parking of vehicles (including section detail of vehicular ramp to basement) have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be brought into use until such areas have been provided, constructed and surfaced in complete accordance with the approved plans.

Reason: To ensure that satisfactory provision is made within the site at the design stage of the development 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 Supplementary Planning Document 3 – Parking Standards and Design.

7. The development hereby approved shall not be occupied unless and until a scheme for the provision and implementation of electric vehicle charging points has first been submitted to and approved in writing by the Local Planning

Authority. Development shall proceed in accordance with the approved scheme and retained thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

8. Notwithstanding the details on the approved plans, no above ground works shall take place until details showing any door opening to the the basement car-park retaining a distance of 5.5m minimum to the back of pavement 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: Such detail is required at the design stage of the development in the interests of highway safety having regard to Policies L4 and L7 of the Trafford Core Strategy.

9. No above ground works shall take place unless and until a scheme for cycle and motorcycle 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 adequate provision for cycle and motorcycle storage can be accommodated at the design stage of the development, to comply with Policies L4 and accommodated at the design stage of the development, to comply with Policies L4 and L7 of the Trafford Core Strategy.

10. The development hereby permitted shall not be occupied until details of the bin store have been submitted to and approved in writing by the Local Planning Authority. The approved bin store shall be completed prior to the first occupation of the building and shall be retained thereafter.

Reason: To ensure satisfactory arrangements are in place for the disposal of refuse at the design stage in accordance with Policy L7 of the Trafford Core Strategy.

11. 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 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.

12. 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 adjacent to the site prior to works commencing on site in the interests of the amenities of the area and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development shall not be occupied unless and until details of a Travel Plan, which should include measurable targets for reducing car travel, have been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

14. Upon first installation the windows in the eastern elevation 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.

15. Prior to its installation, details of the colour of the external staircase shall be submitted to and approved in writing by the Local Planning Authority. The external staircase shall be installed in the approved colour and retained in that colour thereafter.

Reason: In the interests of the visual amenities of the area having regard to Policy L7 of the Trafford Core Strategy.

16. Notwithstanding the details on the approved plans, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of perimeter fencing (no higher than 2.0 metres), have been submitted to and approved in writing by the Local Planning Authority and the approved fencing shall be erected in accordance with the approved details. The fencing 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.

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

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

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) 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 and construction personnel and in accordance with Policy L7 of the Core Strategy and the National Planning Policy Framework.

18. 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 in accordance with Policies L5 and L7 of the Trafford Core Strategy.

19. 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: To reduce the risk of flooding and to ensure that appropriate mitigation measures are incorporated into the scheme at the design stage, having regard to Policy L5 and L7 of the Trafford Core Strategy.

20. Notwithstanding the submitted details, prior to development taking place on site, a Crime Impact Statement 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 that the development has regard to crime prevention and community safety in accordance with Policy L7 of the Trafford Core Strategy and the NPPF.

21. Before the development hereby approved is first brought into use the existing redundant vehicular crossing from Cecil Road shall have been permanently closed and reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and visual amenity having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document [insert name here] and the National Planning Policy Framework.

22. No above ground development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The following matters shall be addressed:

- (i) hours of construction/refurbishment activity;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials;

- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during demolition/refurbishment/construction and procedures to be adopted in response to complaints of fugitive dust emissions;
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

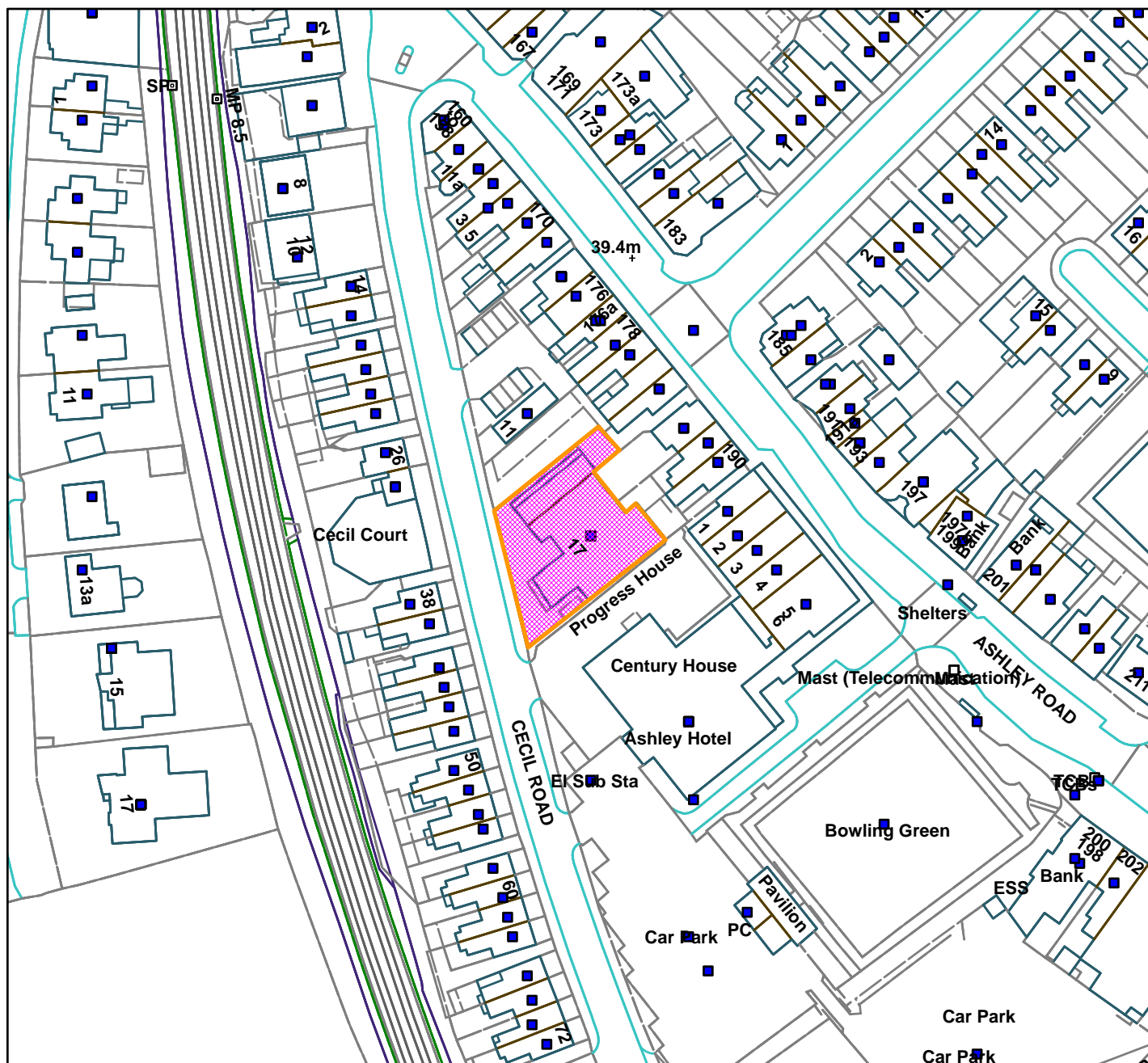
The development shall be implemented in accordance with the approved details of the Construction Environmental Management Plan.

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.

JE



Progress House, 17 Cecil Road, Hale, WA15 9NZ (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

WARD: Davyhulme West 98402/FUL/19

DEPARTURE: No

Erection of 4no. 2 bedroom semi-detached houses with associated car parking and landscaping.

Land Adjacent To 95 Dunster Drive, Flixton, M41 6WR

APPLICANT: Mr James Nobbs, Southway Housing Trust

AGENT: Mr Kerry Dragon, Bernard Taylor Partnership Ltd.

RECOMMENDATION: APPROVE WITH CONDITIONS

This application has been referred to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation.

SITE

This application relates to a rectangular plot of land of approximately 26m x 21m (w x l). The site is bound by residential properties to the north, east and south with a field bordering the site to the west. The site is currently an area of hardstanding with overgrown hedging and vegetation along the west boundary.

PROPOSAL

The applicant proposes the erection of four semi-detached dwellings. These are to be affordable houses in shared ownership. Each property would have two bedrooms and one parking space with access provided from Dunster Drive.

The dwellings would be two storey with gabled roofs. They would be constructed in red brick with roof tiles to match those of surrounding properties. Windows would be grey uPVC whilst the doors would also be dark grey/black. There would be an element of grey cladding to the front elevations of each dwelling.

The application includes details of boundary treatments. 2.1m high close boarded timber fencing would be erected along the north, east and west boundaries of the site. The side boundaries between dwellings within the site would be formed by 1.5m high close boarded timber fencing with a 300mm trellis above. Access to the side of each dwelling would be provided by 2.1m high close-boarded timber pedestrian gates.

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

R2 – Natural Environment

SUPPLEMENTARY PLANNING DOCUMENTS

PG1 – New Residential Development

PROPOSALS MAP NOTATION

Unallocated

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) on 19 February 2019. 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 and it is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

94664/OUT/18- Outline application for 4 dwellings (consent sought for access with all other matters reserved). Approved with Conditions- 19 December 2018.

H01162- Residential development. Approved with Conditions- 6 March 1975.

H01142- Erection of 20 houses. Approved- 6 February 1975.

APPLICANT'S SUBMISSION

Design and Access Statement
Flood Risk Assessment

CONSULTATIONS

Pollution and Licensing (Contaminated Land) - No contaminated land conditions are required for this application.

LHA - Whilst there are no objections in principle on highways grounds to the proposals, the proposed parking spaces are required to be a minimum 5m in length and 3.1m wide. It is requested that the proposed parking space dimensions are illustrated on the plan.

The LHA would request a Condition is added to any subsequent grant of planning permission for a Construction Method Statement (CMS) to be submitted to and approved in writing by the Local Planning Authority before any site clearance or construction activities shall be permitted to take place.

The agent has subsequently submitted amended plans which demonstrate dimensions of 3.1m x 5m for the proposed parking spaces.

Environment Agency - The EA has been consulted and their response will be reported in the Additional Information Report.

REPRESENTATIONS

Six letters of representation were received in response to a neighbour consultation exercise. These objected on the following grounds:

- Insufficient space for four new houses with vehicles.
- Road leading to site has recently collapsed.
- Development will disturb local wildlife including bats.
- Development will disrupt the working farm.

- Increase in traffic caused by four new homes. Particularly as the road is used by children and horses. Increased traffic will also cause noise nuisance to neighbouring properties.
- The application site was originally allocated as a play area for children.
- The design of the houses is out of keeping with the estate.
- Disturbance during construction.
- Loss of light to neighbouring properties.
- Overlooking and loss of privacy to neighbouring properties.
- Inadequate parking provision.
- Previous planning applications have been refused.
- The site is used as a play area.
- 24/7 access is required to the adjacent field where horses are kept.

A change to the site red-edge required a further 21 day neighbour consultation exercise. Four letters of objection were received in response which largely restated the above points. Additional points are as follows:

- Pollution and environmental impact- particularly from additional cars.
- Destruction of established hedgerows.
- Light pollution

A further 10 day neighbour consultation exercise was carried out following a reduction from two parking spaces per dwelling to one parking space per dwelling to allow for more landscaping. Four further letters of representation received which objected on previously raised grounds.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.

3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

New residential development:

4. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
5. Policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11, together with L7. The Council does not, at present, have a five year supply of immediately available housing land and thus the housing development plan policies are 'out of date' in NPPF terms. There are no protective policies in the NPPF which provide a clear reason for refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged.
6. Whilst the Council's housing supply 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 policies seek to deliver. Specifically, 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 four new residential units on a brownfield site in a sustainable location within the urban area.

DESIGN

7. Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 130 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"*.

8. Core Strategy Policy L7 requires 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.
9. The area is made up of a combination of detached and semi-detached dwellings. Whilst there is some uniformity amongst the immediately adjacent detached dwellings, the variety within the area suggests that the erection of semi-detached dwellings would not be out of keeping with the prevailing character of the area.
10. The proposed dwellings would have a ridge height of 7.3m which is approximately 600mm higher than that of the adjacent dwelling at no. 95. A separation distance of 1.3m would be retained to the side boundary of the site with no. 95. There would be a gap of approximately 1.9m between the two pairs of dwellings and the site is bound to the west by an open field. The proposed scale and massing of the dwellings is considered acceptable as it would be reflective of the wider street scene and would retain an appropriate degree of spaciousness that is in keeping with the area.
11. The design of the proposed dwellings is largely traditional being two-storey semi-detached dwellings with gabled roofs. Visual interest is introduced through the use of cladding to the front elevations which is shown in a dark grey to match the doors and windows.
12. The dwellings would be constructed in red brick which is reflective of the wider street scene. The applicant has specified that roof tiles with a colour to match those of neighbouring properties will be used. Stone cills and lintels are also proposed which add visual interest to the scheme. These materials are considered acceptable in principle. The materials for the cladding to the front elevations have not been specified although it is considered that PVC would not be an appropriate material. It is therefore recommended that a condition be attached requiring the submission of materials in order to achieve a satisfactory external appearance.
13. The site is to have 2.1m high close boarded timber fencing to its rear and side boundaries. The internal side boundaries between the plots are to be 1.5m high close boarded timber fence with a 300mm trellis above. Pedestrian gates are to be 1m x 2.1m (w x h) close boarded timber gates. These boundary treatments are suitable in a residential location and would be representative of boundary treatments within the vicinity.
14. It is proposed that parking be provided by an area of hardstanding to the front of each dwelling. There are a number of trees and further soft landscaping to the front of neighbouring properties which, in addition to the adjacent rural land,

contribute positively to the character of the area. It is recommended that a condition be attached requiring that details of the landscaping scheme be submitted and approved in writing prior to occupation. This is to ensure that the development is in keeping with this aspect of the area's character.

15. It is therefore considered that the proposed development would be acceptable in terms of design and impact on visual amenity and would comply with Policy L7 of the Core Strategy and the NPPF in this respect.

AMENITY

16. Core Strategy Policy L7 states that in relation to matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupants of the development and / or occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
17. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines require, for new two storey dwellings, that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The SPG states that 'Where three storey dwellings (houses or flats) are proposed, the minimum distances are increased by 3 metres over the above figures and for four or more storeys, the figures as for 3 storeys apply.
18. With regard to overshadowing SPG1 states that 'In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided. The SPG states that 'Distances to rear garden boundaries from main windows should be at least 10.5 m for 2 storey houses and 13.5 m for 2 storey flats or houses or flats with 3 or more storeys.

95 Dunster Drive

19. This is the adjacent detached dwelling to the east of the site. No. 95 has a car port along its side elevation at ground floor and does not have habitable room windows at first floor.
20. The closest proposed dwelling, plot 4, retains a separation distance of 1.3m to the side boundary with no. 95. The dwelling would project approximately 800mm beyond the rear of no. 95. This small projection in relation to the separation distance suggests that excessive visual intrusion or loss of light would not be introduced. There are no proposed openings facing no. 95 and therefore no privacy concerns.

19, 32 and 34 Compton Close

21. These are the adjacent properties to the rear (north) of the site. No. 19 is the property furthest east and has a large single storey detached garage along the boundary with the application site with a driveway beyond that. No. 34 has its main rear elevation facing the application site with its rear garden immediately adjacent to the site. No. 32 has a rear elevation that partly faces towards the application site and partly towards the field to the site's west. Part of its rear garden also borders the application site although this is a small area in relation to the overall size of the rear garden at no. 32.
22. The proposed dwellings each have two habitable room openings to the rear at ground floor. These would face 2.1m high fencing which is considered sufficient to avoid the introduction of excessive overlooking.
23. There would also be two non-habitable rooms in the rear elevations of each dwelling at first floor. It is recommended that a condition be attached requiring these windows be retained in obscured glazing with a restricted opening mechanism in order to avoid the introduction of overlooking to the rear.
24. There are no habitable room windows proposed at first floor or above in the rear elevations of the dwellings so the requirement for a 21m separation distance between facing habitable room windows is not applicable. A minimum separation distance of 15m to the main rear elevation of these neighbouring properties is required to avoid introducing excessive visual intrusion or loss of light. The proposed dwellings would retain separation distances of approximately 6m to the rear boundary of the site and at least 17m to the closest facing habitable room windows of these neighbouring properties to the rear; within a single storey extension to the rear of no. 32. These separation distances are therefore acceptable and would avoid the introduction of excessive loss of light or visual intrusion.
25. It is recognised that the addition of upper storey windows or dormer windows to the rear would introduce excessive overlooking of these neighbouring properties due to the shortfall in the distance between habitable room windows that would arise. It is therefore recommended that a condition be attached removing permitted development rights relating to the addition of windows and dormer windows. In addition, given the relatively small size of the rear gardens, it is recommended that permitted development rights are removed for rear extensions.

93 Dunster Drive

26. This is the neighbouring property to the south of the site; to the far side of Dunster Drive. No. 93 is orientated at 90 degrees in relation to the proposed dwellings with its front elevation facing east. The dwelling at no. 93 is primarily

positioned further to the east in its plot such that the proposed dwellings directly face its rear garden.

The front elevation of the proposed dwellings contains habitable room openings at both ground and first floors. These openings have separation distances of 18.6m to the boundary of no. 93 Dunster Drive. The dwellings would face across the rear gardens of Dunster Drive properties and there would therefore be no directly facing main habitable room windows. There are no visual intrusion, loss of light or loss of privacy concerns as a result.

Amenity of Future Occupiers

27. The plots have rear gardens of between 40 sq. m and 49 sq. m. PG1 states that three bedroom semi-detached dwellings should normally have around 80 sq. m in an area of similar properties. The proposed dwellings are smaller two bedroom properties and there are comparable garden sizes within the area; particular to the rear of the adjacent detached dwellings between numbers 86-93.
28. The rear garden spaces proposed are considered sufficient in size to provide each property with a functional area of outdoor private amenity space. This is in accordance with PG1 guidance in this regard and therefore acceptable.

Amenity Conclusion

29. The proposed development would not introduce harm to the residential amenity of neighbouring properties by reason of its appropriate scale, massing and separation distances to neighbouring properties. The amenity of future occupiers of the site will also be suitable. It is therefore in accordance with Policy L7 of the Core Strategy and PG1 with regard to the protection of amenity.

FLOOD RISK

30. The application site is within Flood Zone 2. MHCLG guidance identifies buildings used for dwelling houses as being a 'more vulnerable' use. Such uses are considered appropriate in principle within flood zone 2.
31. The applicant has provided a Flood Risk Assessment as required by MHCLG guidance and it is considered that they have met their obligations insofar as they are relevant to this planning application. The Environment Agency has been consulted and their comments will be reported in the Additional Information Report.

PARKING AND HIGHWAY SAFETY

32. Core Strategy Policy L4 states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes

of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.

33. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
34. SPD3's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments. The Council's parking standards indicate that the provision of two off road car parking spaces is appropriate for three bedroom dwellings in this location, albeit these are maximum standards.
35. The new dwellings would be accessed from Dunster Drive with each property having a driveway to its front of 5m x 3.1m (l x w) providing off-street parking for one car. These would be served by new vehicle crossovers across the public footway. It is noted that this falls short of the standards provided by SPD3 which is for two car parking spaces per two-bedroom dwelling. These are maximum standards however. The LHA note that additional on-street parking would be available a short distance away and so consider that the provision of one parking space per dwelling would not have a significant adverse impact on existing parking levels and road safety in the area.
36. SPD3 states that a two-bedroom dwellinghouse in this location should have two allocated cycle parking spaces. The submitted site plan demonstrates that these are to be provided to the rear of each dwelling. This is considered acceptable in principle although, should the application be approved, it is recommended that details of the cycle store be submitted to, and approved in writing by, the LPA prior to occupation of the development.
37. The comments of the LHA are awaited in respect of the revised parking layout. The LHA recommend the addition of a condition requiring a Construction Method Statement be submitted to and approved in writing by the LPA prior to development commencing. This is to ensure that works can be carried out without causing harm to highway safety.

OTHER MATTERS

38. The LHA has confirmed that no defect has been identified on this section of Dunster Drive. Depression areas have been patched in the past but the road has not collapsed.

- 39. There are no existing structures to be demolished with only a small area of vegetation to be trimmed back along the west side of the site. It is not considered reasonable to require a bat survey for such work.
- 40. The proposed works do not impede on the public highway and therefore would not prevent access to the adjacent field.
- 41. The addition of four 2-bedroom dwellings within this established residential area represents a minimal addition in terms of numbers and would not be expected to lead to a significant increase in vehicle movements. It is not considered reasonable to require an Air Quality Assessment due to the scale of the proposal.
- 42. The site is within an established urban area and would not be expected to significantly worsen light pollution conditions.
- 43. The site notice was placed immediately opposite the application site with the intention of bringing the development to the attention of users of the site and the adjacent field. Letters were also sent to all adjacent neighbouring properties. Publication was carried out in accordance with the requirements of the Development Management Procedure Order 2015 and the Council's Statement of Community Involvement.

DEVELOPER CONTRIBUTIONS

- 44. The proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' zone for residential development. Private market houses are therefore liable to a CIL charge rate of £40 per sq. m, in line with Trafford's CIL charging schedule and SPD1: Planning Obligations.

CONCLUSION

- 45. The development proposed is considered acceptable in principle with regard to Policies L1 and L2 in that it provides four dwellings on a sustainably located brownfield site.
- 46. The design of the proposal is considered acceptable on the basis that the scale, massing, form and materials of the dwellings is in keeping with surrounding properties. The proposal is therefore in accordance with Policy L7 of the Core Strategy and PG1: New Residential Development with regard to design; subject to appropriate specific details being secured via condition.
- 47. The proposal would not introduce excessive harm to the residential amenity of neighbouring properties and therefore also meets the requirements of Policy L7 of the Core Strategy and PG1: New Residential Development in this regard.

48. It is considered that the amended scheme would be acceptable in terms of parking provision, although the comments of the LHA on the amended scheme are awaited. The proposal is therefore acceptable on highways grounds with regard to Policies L4 and L7 of the Core Strategy and SPD3.

49. The proposal complies with the development plan which would in itself indicate that planning permission should be approved. Nevertheless, Paragraph 11) d) ii) of the NPPF is engaged as an important material consideration due to the policies controlling the supply of housing, Policies L1 and L2 of the Core Strategy, being out of date. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies within the NPPF taken as a whole. As such, it is recommended that permission should be granted subject to conditions.

RECOMMENDATION:

Grant subject to the following Conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100 Rev. A, 105 Rev. L, 106 Rev. F, 107 Rev. E, 108 Rev. C, 110 Rev. F, 115 Rev. B and 116 Rev. C.

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

3. No development involving the use of materials to be used in the construction of the external surfaces of the building hereby permitted shall take place until details of the materials 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 and the National Planning Policy Framework.

4. 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 all windows in the first floor on the rear elevation facing north shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

5. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, 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.

6. No building hereby approved shall be occupied 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 occupied 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. 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.

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

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

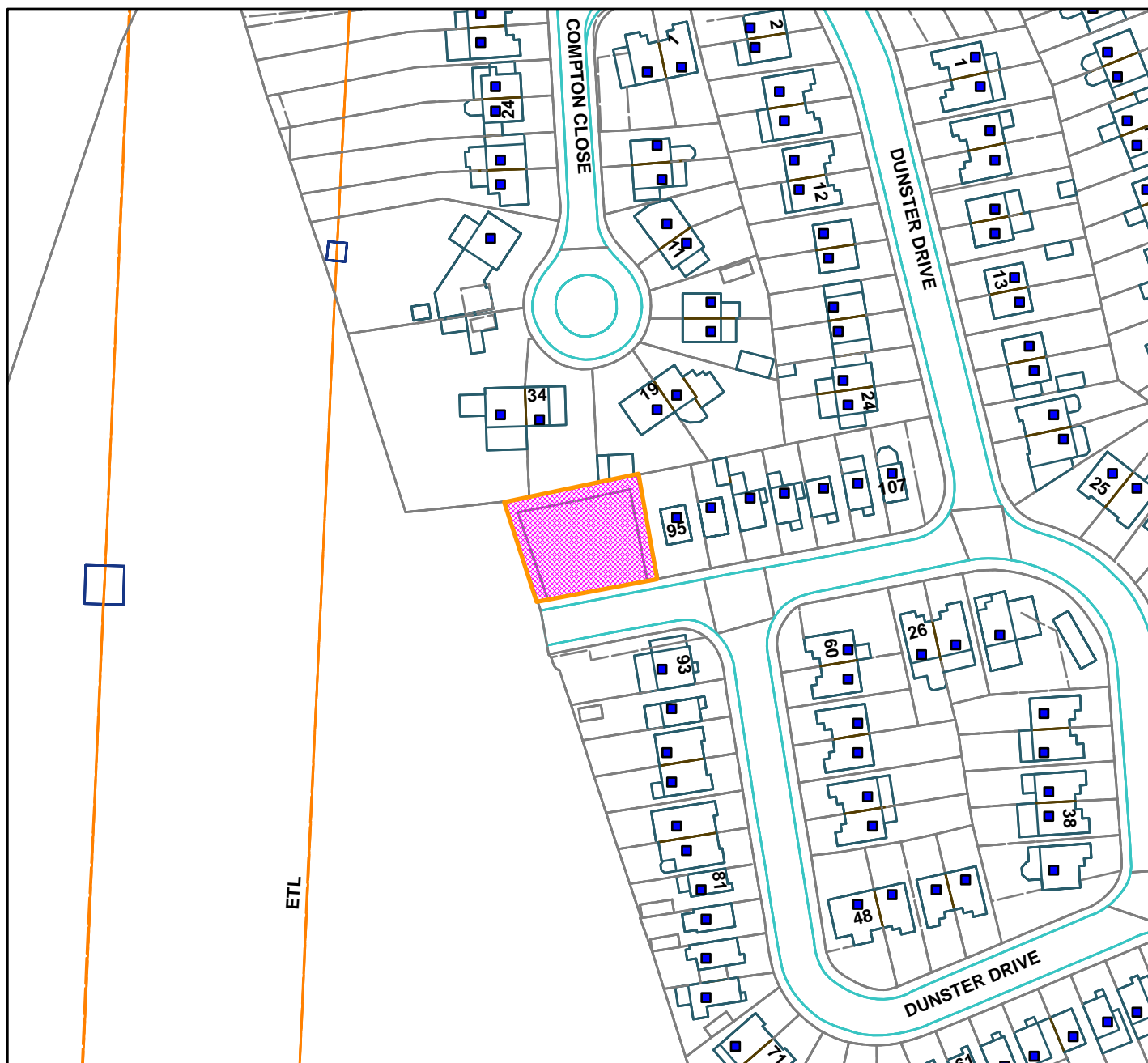
9. The site shall be drained via separate systems for the disposal of foul and surface water.

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.

JW



Land adjacent to 95 Dunster Drive, Flixton, M41 6WR (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

WARD: Urmston

98755/HHA/19

DEPARTURE: No

Erection of single storey side and rear extension.

53 Cumberland Road, Urmston, M41 9HR

APPLICANT: Mr McConville

AGENT: Mr Timothy Barnard, Fillet Ltd

RECOMMENDATION: GRANT

This application is being reported to Committee as the applicant is a Council employee.

SITE

The application relates to a two storey semi-detached dwelling sited to the southern side of Cumberland Road, Urmston. The property is located in a residential area adjacent to other similar style two storey residential properties.

The application site is sited on a corner plot with Grange Road running along its western side boundary and Cumberland Road running along the northern facing boundary.

The dwelling looks onto Cumberland Road with the main entrance door in this elevation. A garden sits to the rear of the property with decking and a shed sited at the rear as existing. An access gate is located along Grange Road and a side access gate is positioned facing onto Cumberland Road.

An 1800mm high fence is currently onsite along the western, eastern and southern rear and side boundaries.

The property has an existing single storey front porch extension and two storey front/side extension.

PROPOSAL

The application proposes a single storey side and rear extension, located along the western side elevation of the property wrapping onto the rear wall but set away from the shared side boundary with the adjoining property, No 51 Cumberland Road. The extension would be set back 2m from the front porch of the property and would project 2.2m to the side. It would project 2.5m from the original rear elevation and would be set 4.19m from the boundary with No. 51. The extension would have a lean-to roof at the side with a gable at the rear and would be built in materials to match the existing.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Parking

L7 – Design

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms

OTHER LOCAL POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions and Alterations

PROPOSALS MAP NOTION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 19th February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING POLICY 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.

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

APPLICANT'S SUBMISSION

None

RELEVANT PLANNING HISTORY

H/62383 - Erection of two storey front extension to provide additional living accommodation and porch to front elevation – Approved with conditions 03/08/2005

APPLICANT'S SUBMISSION

None

CONSULTATIONS

None

REPRESENTATIONS

None

OBSERVATIONS PRINCIPLE

1. Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas. Further to this, issues relating to parking provision are also to be considered. There are no additional constraints in this instance.

DESIGN AND VISUAL AMENITY

2. Paragraph 124 of NPPF states '*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in*

which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

3. 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.
4. The proposed extension is to project 2.2m to the western side elevation of the property, set back 2m from the front porch on the northern front elevation of the property which forms part of the principal elevation. The proposed single storey side and rear extension wraps around the south western corner of the property. A pitched roof is proposed on the extension with an apex of 4.1m and an eaves height of 2.6m.
5. There are multiple overlapping considerations as highlighted in SPD4. *"Side extensions can have a prominent visual impact on the appearance of your dwelling and they can remove gaps from the street scene that help define the local character. Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not:*
 - *Appear unacceptably prominent,*
 - *Erode the sense of spaciousness within an area*
 - *Detract from a dwelling's character.*
 - *Adversely affect the amenities of neighbouring properties.*
6. In addition, Section 3.3 focuses on corner properties and states:

"Extensions on corner properties, between the side of the house and the road, can appear unduly prominent and obtrusive, particularly if they come forward of the general line of the fronts of neighbouring properties. Extensions in these locations should not be visually over-dominating or disrupt the sense of openness between the properties and the street scene".
7. This is supported by Section 3.3.2 whereby:

"Each case must be considered individually, however a proposal is more likely to be acceptable if:

 - *There is plenty of space between the property and the back of the pavement on the road and the extension only takes up a small proportion of this space, which in most cases will not be more than 50% of the garden*
 - *The proposal is in keeping with the building line and does not appear overdominant in the street scene*

- *There is sufficient space left between the extended property and the back of the pavement to maintain the character of the surrounding area*
 - *If the extension is set back from the front corner of the house*
 - *If the extension is single storey rather than two storey*
 - *The design of the proposal helps to minimize the visual impact on the street scene”*
8. Section 3.3.3 continues: *“As well as satisfying the above criteria, generally, a minimum separation distance of 2m must be maintained between the edge of any single storey extension and the site boundary. These minimum separation distances may need to be exceeded however for two storey extensions or to safeguard the prevailing spacious character, and in any case will take into account the building line and extent of side garden remaining”.*
 9. The proposed development would be mainly screened from the streetscene of Grange Road and Cumberland Road due to the 2m set back from the front porch, and existing fencing along the western side boundary of the property. With regard to corner properties, guidance within SPD4 states that development should retain a minimum distance of 2m to the side boundary. The proposals have a 2.1m distance to the western side boundary of the property and therefore is compliant with guidance in this respect.
 10. The proposed side and rear extension is to have a pitched roof with a pitch and apex height of 4.1m and eaves height of 2.6m, subordinate to the existing property and at the side tying into the existing catslide roof. It is therefore considered the proposed roof is acceptable in design terms.
 11. The proposed extension is to be erected using materials and roof tiles to match the current property. Boundary treatment onsite will be retained to mitigate the visual impact of the proposed side and rear extension.
 12. Overall, it is considered that the proposed single storey side extension would be in keeping with the street scene and would retain a sense of spaciousness at the junction with Grange Road.
 13. Subject to conditions, the proposed development is considered to be acceptable in terms of design and visual amenity. The proposals are therefore considered to be in line with policy L7 of the Core Strategy and the relevant sections of the NPPF.

RESIDENTIAL AMENITY

14. Policy L7 of the Core Strategy states that in relation to matters of amenity 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
15. Guidance contained within SPD4 states:

Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable. (Paragraph 2.15.2)

Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g. if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension). (Paragraph 3.4.2)

Windows close to a boundary that are likely to cause a loss of privacy, can sometimes be acceptable if fitted with obscure glazing and top-hung opening windows however this would not be acceptable if it was the main window providing light into a habitable room. (Paragraph 2.15.5)

'Window to window distances of 21m between principal elevations (habitable room windows in properties that are directly facing each other) will normally be acceptable as long as account is taken of the fact that the facing properties may need, in fairness to be extended also. Where ground floor extensions result in separation distances that are less than the distances specified in these guidelines these are only likely to be acceptable where fencing, planting or other screening can mitigate the impact on the privacy of neighbouring properties. Any change in ground floor level between properties, or in a property, can affect the separation distance required to mitigate potential overlooking.' (Paragraph 2.15.3)

Impact on 54 Cumberland Road

16. The neighbour to the north (no 54) is a semi-detached property of a similar design to the application property. There is a 25m distance to the front elevation of No 53 Cumberland Road.
17. One feature window is proposed on the front elevation of the proposed side and rear extension, to match the existing property. The proposed single storey side and rear extension is set back 2m from the front porch of the property, and therefore the proposed extension would have a 27m distance to the front elevation of No 54 Cumberland Road.
18. As such, the proposal would comply with the Council's SPD4 guidelines for windows facing principal elevations and it is considered that this would not result in any undue overlooking impact upon no 54 Cumberland Road.

Impact on 55 Cumberland Road

19. The neighbour to the west (no 55) is a semi-detached property of a similar design to the application property, with an existing single storey rear extension. There is a 22m distance to the side boundary of no 55. Both properties have 1800mm high fences running along the side boundaries adjacent to Grange Road, screening the rear and side amenity space of both properties.
20. One door is proposed on the western side elevation of the proposed side extension with rooflights proposed in the western side roofslope of the property.
21. Given the distances between the properties, boundary treatment and Grange Road intervening, and the single storey nature of the proposals, it is not considered the proposals would have an undue overlooking overbearing or overshadowing impact upon the residential amenity of No 55.

Impact on 51 Cumberland Road

22. The proposed extension would have a 4.19m distance to the eastern side boundary with the adjoining property at No 51 Cumberland Road. The proposed side/rear extension would project 2.5m from the original rear elevation of the property. As such, the projection is compliant with guidance stated in SPD4 Paragraph 3.4.2 and it is considered that the proposed extension would not result in any unacceptable overbearing or overshadowing impact on No. 51.
23. One window is proposed on the eastern side elevation facing the boundary with 51 Cumberland Road, however, existing fencing on the property mitigates any overlooking impact of the window, and as such, given the single storey nature of the proposals, the distance, and boundary treatment onsite, it is not considered the proposals would have any undue overlooking impact upon the residential amenity of No. 51.

Impact on 40 Grangethorpe Road

24. No 40 Grangethorpe Road is located south of the application property sharing the rear boundary of the property. The rear elevation of the application site has a 26m distance to the rear of 40 Grangethorpe. The proposed side and rear extension has a 10.5m distance to the shared rear boundary. The proposals are therefore compliant with guidance stated in paragraph 2.15.2 of SPD4, regarding overlooking to the rear. An 1800mm high fence is on site at the side and rear boundary and screens the rear amenity space of the properties from any overlooking to the rear. The proposed extensions would therefore have no unacceptable impact upon the amenity of No 40 Grangethorpe by reason of overbearing or overshadowing or visual intrusion.
25. It is therefore considered that the proposed extension would not have any unacceptable impact on the residential amenity of any neighbouring properties and would comply with Policy L7 of the Core Strategy in this respect.

PARKING AND HIGHWAY SAFETY

26. The property has 3 bedrooms with the proposals not increasing the number of bedrooms on the property. One parking space is accommodated on the front boundary of the property with no parking restrictions on Cumberland Road. It is considered the proposal would not have any detrimental impact upon parking provision.

CONCLUSION

27. The development accords with the development plan and is recommended for approval subject to the conditions listed below.

RECOMMENDATION

GRANT subject to the following conditions:-

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

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

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

- 53-001
- 53-101
- 53-002
- 53-100

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

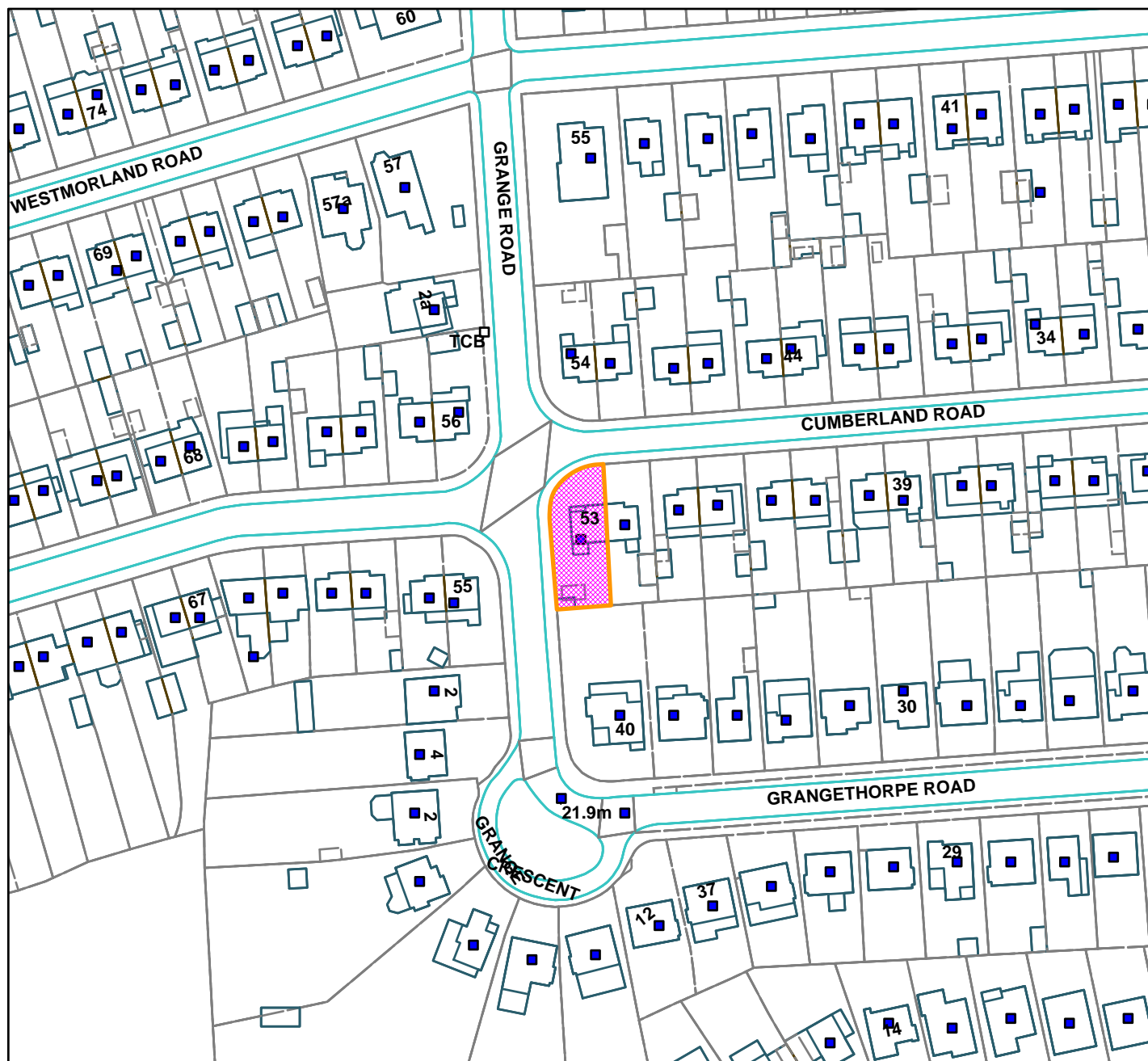
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

RGR



53 Cumberland Road, Urmston, M41 9HR (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

WARD: Timperley

98787/HHA/19

DEPARTURE: No

Erection of a single storey rear extension and other external alterations

23 Heyes Lane, Timperley, WA15 6EF

APPLICANT: Mrs Johnson

AGENT: Mr Jackson

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because the applicant is an employee of Trafford Council.

SITE

The application site comprises a semi – detached bungalow property located on the west side of Heyes Lane in Timperley. The property is constructed of brick walls with a dual pitch tiled roof and grey / white upvc framed windows / doors. The property has an existing single storey rear kitchen outrigger, and a front / side driveway and rear garden with detached garage and shed. Neighbouring properties are entirely residential, bordered by 1.5m to 2m high timber fencing and hedges / trees.

PROPOSAL

This application seeks planning permission for the erection of a single storey rear extension which would project 3m with a width of 6.30m across the full width of the existing property. The roof eaves height would be 2.32m with a ridge height of 4m. In terms of materials, brick walls, a dual pitched tiled roof and upvc framed windows / doors are proposed.

In terms of elevation treatment, there would be a single door, double casement window and double doors to the rear elevation. The roof would feature 2no. velux roof lights. Internally the extension would create a new open plan kitchen / dining room. The extension would partially replace the existing rear outrigger.

External alterations include a replacement window on the original part of the property. It is also proposed to remove the existing rear chimney stack.

A previous lawful development certificate application (97769/CPL/19) at the property was withdrawn, as this did not comply with PD rights, extending off an original side wall and having a width greater than half that of the original property.

The total additional floor space proposed is 10sqm.

Value Added

At the request of the Council, amended plans were submitted to show an accurate scale of 1:100. The previous plans at 1:50 were in fact at approximately 1:55 scale.

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

Policy L7 – Design

This policy is consistent with the NPPF and is considered up to date. Full weight should be afforded to this policy.

PROPOSALS MAP NOTATION

No relevant allocations

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

OTHER PLANNING GUIDANCE

SPD4 – A Guide to Designing House Extensions and Alterations (2012)

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) on the 19th February 2019. 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 and was last updated on 1st October 2019. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

97769/CPL/19 – Certificate of proposed lawful development for erection of single storey rear extension. Withdrawn 14/08/2019.

76132/HHA/2019 – Erection of a detached double garage to rear of dwelling. Approved with conditions 14/03/2011.

APPLICANT'S SUBMISSION

CIL Form

CONSULTATIONS

None

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours and a site notice. Two letters of objection were received from no. 21 Heyes Lane. In summary the concerns relate to the following:

- New guttering so close to the boundary that it will be on or over the boundary
- Removal of the boundary fence would make the builders visible and pose a security risk
- Excavation under my conservatory could cause it to collapse
- Rainwater from the guttering could flood my conservatory and affect electricity supply
- Discrepancy between the two versions of the architect's drawings.
- On paper 'A' the boundary between the properties is shown accurately as being (approx.) 45cms from the wall of my conservatory.
- On paper 'B' the boundary is shown inaccurately as being inside my conservatory.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The application proposal is for an extension and alterations to an existing dwelling in a residential area, the main issues for consideration are the design and appearance and potential impact upon neighbouring properties.

DESIGN AND APPEARANCE

2. The proposed extension is considered to be proportionate in relation to the scale of the existing property, whilst the design, including the fenestration, complements that of the existing house as required by Policy L7 and SPD4. In terms of materials, the brick walls, tiled roof and upvc framed doors / windows would match those on the existing property. From a design perspective, the removal of the rear chimney stack is regrettable but is nevertheless considered acceptable. In summary the design and appearance of the proposal complies with Policy L7 Design and SPD4.

RESIDENTIAL AMENITY

3. Policy L7 also seeks to ensure that development does not prejudice the amenity of neighbouring properties.

Impact upon no. 21 Heyes Lane

4. The proposed single storey rear extension would project 3m and be sited 0.15m in from the south boundary line with no. 21 Heyes Lane. This complies with the 3m limit within SPD4. In addition no. 21 features an existing rear conservatory which projects 2.5m which serves to further reduce overbearing impact and loss of light upon the rear elevation and garden of this property. The roof eaves height of the extension at 2.32m is also appropriate to avoid impact.

5. No side windows are proposed to the south side of the extension and the existing boundary fencing would be retained. As such there would not be any additional overlooking or loss of privacy caused for no. 21.
6. The objection from the neighbour at no. 21 has raised concerns, some of which are not material planning considerations and are rather property maintenance issues. The applicant has been reminded by the Council that the extension must be constructed in accordance with the submitted plans which show the extension, including guttering, fully within the boundary of no. 23, in order to avoid any encroachment to the site of no. 21. The existing and proposed plans both show the retention of the 2m concrete post and timber fencing.

Impact upon no. 25 Heyes Lane

7. This is the neighbouring property to the north. The extension would be sited 2.8m in from the north boundary with no. 25, the same as the existing rear outrigger. Taking this into account, there is not considered to be any overbearing impact or loss of light caused. The replacement north side facing window within the original part of the property is smaller than the existing window and there would be no increase in overlooking in this regard.

Impact upon no. 8 St. Georges Crescent

8. This is the neighbouring property to rear to the west. The proposed extension is single storey only and would provide a 22m facing distance to the rear garden boundary. As such there would not be any increase in overbearing impact, loss of light or privacy for this property.

ACCESS, HIGHWAYS AND CAR PARKING

9. The proposal would not increase the number of bedrooms within the property. As such there is not considered to be any additional parking demand arising as a result of the proposal and therefore no detrimental impact on highway safety.

DEVELOPER CONTRIBUTIONS

10. The proposal would create 10sqm of additional floor space, which at less than 100sqm is not subject to the Community Infrastructure Levy (CIL).

PLANNING BALANCE AND CONCLUSION

11. The proposed single storey rear extension and other external alterations are appropriate works to the property, being of a suitable design and appearance. There is not considered to be any adverse impact upon the amenity of neighbouring properties through visual intrusion, loss of light or privacy. The application complies with the Council's Core Strategy and SDP4 and is 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, numbers: LJ/02 REVISION B, LJ/03 and the Site Location Plan.

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

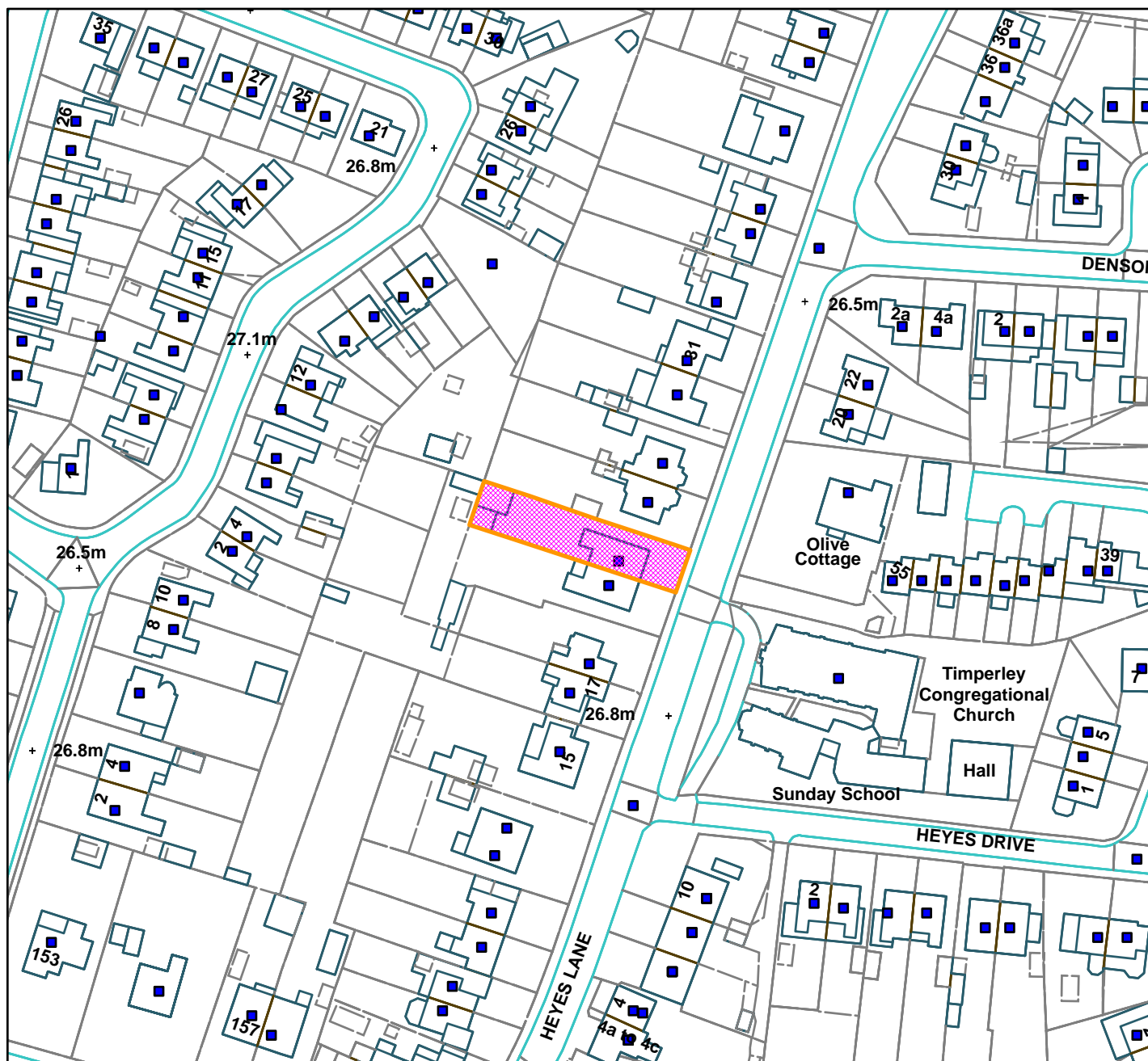
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

GE



23 Heyes Lane, Timperley, WA15 6EF (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

Erection of first floor rear extension with Juliet balcony, above existing kitchen extension.

31 Kings Road, Sale, M33 6QB

APPLICANT: Mrs Coyle

AGENT: Cube Design Solutions

RECOMMENDATION: REFUSE

This application has been called in for consideration by the Planning Committee by Councillor Ben Hartley on the grounds that the proposed development is compatible with the character of the area and does not prejudice the amenity of occupiers of adjacent properties.

SITE

The application site is close to the junction of Kings Road and Delaunays Rd and is of irregular configuration, with its southern side boundary splayed inwards to accommodate neighbouring gardens to its side and rear. The application property itself has previously had a two storey side and single storey rear extension and has an average sized rear garden in comparison to other properties in the surrounding area. The area is characterised by detached two storey properties with a variety of designs.

The neighbouring property to the north, No. 29, has a part single, part two storey rear extension, with the shared boundary with this property being a 2.2m high hedge with fencing and a trellis above towards its rear. There is additional vegetation within each curtilage.

A 1.8m fence forms the boundary with No.33 towards the south, with that property having a flat roof garage attached to its northern side elevation and a single storey outrigger with an access door and window within its northern elevation facing the application property. Internal alterations to this property have created an open plan living space with a rear facing kitchen window and rooflight above and bi-folding doors to the main rear elevation.

PROPOSAL

The proposal comprises the erection of a first floor side and rear extension to create a master bedroom with ensuite and walk-in wardrobe that would wrap around to the side and rear of the existing property and above an existing single storey extension.

The development would be constructed in similar materials to the existing dwelling and would project a distance of 3825mm from the main rear elevation of the property, with a maximum width of 7.2m and retaining a separation distance of 1m between it and the boundary with No.33. A gap of 5m would be provided between the side elevation and the common boundary with No.29 to the north. The extension would project 5925mm to the rear of the existing first floor side extension with 3no. windows providing light to 2no. ensuites and a walk-in wardrobe within the southern elevation. An ensuite window would be sited on the rear elevation closest to the boundary with No.33, with a Juliet balcony to a master bedroom. A hipped roof would sit above the proposed development and tie in with and be the same height as the main roof of the dwelling.

Other Matters

It is highlighted that a recent application (97341/HHA/19) was approved following the receipt of amended plans to reduce the first floor rear projection to 2.5m when measured from the original first floor rear elevation. This application as first submitted was the same as this current proposal except that a further obscure glazed window is now proposed within the southern elevation facing the common boundary with No.33 Kings Road.

The applicants submitted a similar application (H/61832) for a part single, part two storey side and rear extension that is considered to be a material consideration in the assessment of the current application.

Since the previous refusal of planning permission (H/61832) in May 2005, the neighbouring property, No.33 Kings Road has had its rear ground floor altered with an open plan design, with habitable room windows both within the side and rear elevations, in addition to a rooflight to the kitchen area.

The increase in floor space of the proposed development would be 32m².

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

L7 - Design

For the purpose of the determination of this planning application, this policy is considered 'up to date' in NPPF Paragraph 11 terms.

OTHER POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions & Alterations (February 2012).

PROPOSALS MAP NOTATION

None

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. 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 and it is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

31 Kings Road

97341/HHA/19 – Erection of first floor rear extension with Juliet balcony, above existing kitchen extension. Amended plans approved 26th September 2019.

H/63719 - Erection of a part single, part two storey side and rear extension to form additional living accommodation. Approved March 2006

H/62746 - Erection of a single storey side and rear extension to form additional living accommodation. Approved September 2005

H/61832 - Erection of part single, part two storey side and rear extension to form additional living accommodation. Refused May 2005.

Refusal Reason:

The proposed extension by reason of its projection, scale height and massing in close proximity to the common boundary with the adjoining property, 33 Kings Road, would give rise to loss of light, visual intrusion and an unduly overbearing effect to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to the Council's Planning Guidelines: House Extensions and to Proposals D1 and D7 of the Trafford Unitary Development Plan.

H/61002 - Erection of a part single, part two storey side and rear extension for additional living accommodation following demolition of existing single storey side building. Refused January 2005.

25 Kings Road

97242/HHA/19 – Erection of two storey side and rear extension. Approved May 2019

29 Kings Road

91001/HHA/17 - Erection of a part single storey rear, two storey rear and part first floor extension with other external alterations, following the demolition of existing conservatory. Approved May 2017

APPLICANT'S SUBMISSION

None.

CONSULTATIONS

None

REPRESENTATIONS

The application was advertised by way of neighbour notification letters. 1no. letter of support received. The main points raised are that the proposed development would be a discreet improvement and add value to the street as a whole.

Councillor Hartley has called the application in, making the following comments: -

The proposed development would be compatible with the character of the area. This is due to there being a number of houses on the same side of Kings Road

having similar two storey rear extensions approved, providing a clear precedence and displaying similar relation to neighbouring properties. The proposed extension does not extend beyond the rear building line of other two storey extensions and it would appear discriminatory to refuse this application.

As the neighbours of No.29 expressively support the application and No.33 have not objected, the application does not prejudice the amenity of the occupiers of adjacent properties.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal is for an extension to an existing residential property and therefore extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas. The proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy.

DESIGN AND APPEARANCE

2. Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 130 of the NPPF 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."*
3. 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.
4. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance relating to these areas as detailed below.
5. Section 2.2 provides guidance on reflecting the existing character of the property and states under 2.2.1 that: *"It is important that extensions should reflect the character, scale and form of the original dwelling by matching and harmonising*

with the existing architectural style and detailing. Ill-designed or excessively large extensions can spoil the appearance of your property. Careful consideration should be given to the individual details of the original property in designing any extension to help maintain and reinforce the style of the main dwelling and help an extension to blend in with the street scene.”

6. Section 2.3 provides guidance on scale and advises under 2.3.1 that: *“Any extension should respect the scale and proportion of the original dwelling and should not dominate through excessive size and/or prominent siting. Extensions should be in proportion in their own right and in relation to the size of the original dwelling. Overlarge extensions can dominate the appearance of a property, unbalance its design and compete with the original dwelling to the detriment of the appearance of the house. Extensions that dominate the house or appear over-dominant in the surrounding area will not be acceptable.”*
7. The existing dwellinghouse has already benefited from a part single, part two storey front side and rear extension, with a 1m separation distance between the first floor side extension and the side boundary shared with No.33 retaining an adequate amount of spaciousness between it and the side boundary when viewed within the streetscene. The existing first floor side extension has its front elevation aligned with the principal elevation of the property, with a depth of 6.5m and set back from the main rear elevation of the property by 2.1m. The single storey element is directly adjacent to the side boundary, with a wraparound extension projecting 3.9m from the rear main wall, with a maximum width of 7.2m.
8. The proposed development would sit above the current single storey element of the previous extension, and sit directly behind an existing two storey element, retaining 1m between it and the southern boundary in common with No.33 to the south. The siting of the proposed development would thereby not affect the appearance of the dwelling within the streetscene and is considered acceptable in this regard. There have been a number of large extensions in the vicinity which it has been possible to bring forward without harm to neighbouring properties due to the space around dwellings on generous plots.
9. The proposal is proposed to be erected using similar materials and have its obscure fenestration within the southern and eastern elevations aligned horizontally with one another. The proposed master bedroom’s Juliet balcony, glass balustrade, inward opening French doors and full height glazing panels either side of the opening are also considered to be sited within appropriate locations without being overdominant as a design feature within the rear elevation. The eaves and roof design would align with the existing property also.
10. Due to its location to the rear of an existing two storey side extension, it is considered that the proposal would not result in any significant detrimental impact on the visual appearance of the streetscene. The proposal is considered

to comply with Policy L7 of the adopted Core Strategy and guidance in SPD4 in this regard.

RESIDENTIAL AMENITY

11. Policy L7 of the Core Strategy states that in relation to matters of amenity development must be compatible with the surrounding area; and 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 and/or disturbance, odour or in any other way.
12. Guidance contained within SPD4 states it is important that extensions or alterations:
 - *Do not adversely overlook neighbouring windows and/or private gardens areas.*
 - *Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas.*
 - *Are not sited so as to have an overbearing impact on neighbouring amenity.*
13. The proposed development would comprise of a first floor extension to the side and rear of the original property and directly to the rear of an existing first floor side extension. The rear elevation of the original dwelling sits 2.1m rearward of the rear elevation of the existing first floor side extension. The extension subject of these proposals would therefore wrap around the rear corner of the original dwelling. It would project 5.925m from the rear elevation of the existing first floor side extension and 3.825m beyond the rear elevation of the original dwelling. It would have a maximum width of 7.075m across its own rear elevation. A separation distance of 5m would be retained between the extension and the common boundary with No.29 towards the north and 1m would be retained between the extension and the common boundary with no. 33 to the south.
14. In terms of the impact on the adjacent property to the south, No.33, this dwelling has its principal elevation aligned with the application property, and the applicant has highlighted that they consider that the internal alterations which have been carried out at this dwelling since the last refusal (H/61832) should be deemed a material change in terms of the planning assessment. There has been the creation of an open plan rear habitable area linking a kitchen and dining area, but the property itself has not been extended apart from a flat roof attached garage sited between it and the common boundary with the application site.
15. There is a habitable room window within the northern side elevation of this dwelling in addition to a side access door that would directly face the proposed development, with a separation distance of 2.85m between this north facing window and the common boundary, and 3.85m being retained between the proposed development and the northern elevation of the neighbouring property.

Whilst existing internal alterations have created a large open plan space at the rear of the dwelling, the patio doors provide the main light and outlook into this space and are positioned on the other side of the rear outrigger on the eastern facing elevation. Furthermore, although the proposed extension would comply with the SPD4 guidelines in terms of its projection past the single storey rear outrigger of No. 33, that property has a rear amenity space that wraps around the outrigger adjacent to the proposed extension with the back door also opening out onto this space. The internal alterations carried out to the property do not mitigate any impact to the garden area.

16. The proposed development would have an eaves height of 4.6m and a maximum height of 6.5m. In addition to the scale and massing of the previously approved side extension a further 5.925m projection would be constructed 1m from the common boundary with 2no. obscure glazed windows at first floor level in addition to a re-sited obscure glazed window from the existing bedroom 4 ensuite within the current rear elevation. Therefore, as a consequence of this large expanse of brickwork interspersed with 3no. obscure glazed windows at first floor level, the proposed development would be visually intrusive at close proximity to the common boundary, north facing window and rear garden area of no. 33 Kings Road. The proposed first floor extension would result in an obtrusive and over-dominant form of development that would have a detrimental impact on residential amenity. The development would thereby be considered to be contrary to Policy L7 of the Core Strategy and guidance in the Council's adopted SPD4 guidelines.
17. A distance of approximately 8.5m is provided between the proposed development and the rear boundary with No. 4 Delaunay's Road when measured in line with the southern elevation of the first floor side extension, increasing to a maximum 16m depth between the northern side elevation of the existing rear extension and the rear boundary in common with No.2 Delaunays Road. The southernmost window on the rear elevation would serve the ensuite and, were the development acceptable in all other respects, would need to be conditioned to be obscure glazed due to its relationship to the splayed boundary. However, due to the siting of the proposed bedroom window and Juliet balcony being within a relatively central location providing 16m between it and the rear boundary, it is considered that, on balance, this window would not result in undue overlooking or loss of privacy to neighbouring properties to the rear. Approximately 10m would be provided between the central position of the Juliet balcony and the boundary shared with No. 4 Delaunays Road. However, although less than the recommended 10.5m, this would be at an angle from the window and, on balance, due to the boundary treatment being mature and the juxtaposition of the adjacent properties, it is considered that no unacceptable overlooking would occur as a result of this. Regarding the possible impact on No.2 Delaunays Road, that property has a very large garden, with the property set well back and behind the rear garden area of No.4 Delaunays Road. As such, no undue overlooking or loss of privacy would again occur to the occupiers of that dwellinghouse.

18. Regarding the proposed development and its impact upon the property immediately to the north, No. 29, that property has a part single, part two storey rear extension that projects 5.6m from its original rear elevation at ground floor level reducing to a 3m projection at first floor level as approved within application 91001/HHA/17. There are 2no. secondary windows to an open plan kitchen dining area within the southern elevation facing the application site at ground floor level and a communal bathroom window at first floor level. The current single storey rear extension of the application property aligns with the ground floor element of No.29. As a result of this and a 5m separation distance between the northern side elevation of the proposed development and the common boundary with No.29, the proposed extension would comply with the SPD4 guidelines with relation to this property. Were the development acceptable in all other respects an obscure glazing condition would be recommended for the 2no. windows within the northern elevation of the proposed master bedroom.

PARKING PROVISION

19. The proposal would increase the number of bedrooms at the property from three to four and would provide three off-street parking spaces and a garage, thus complying with the SPD3 parking standards. It is therefore considered that the proposal would be acceptable in this respect.

DEVELOPER CONTRIBUTIONS

20. The proposal is for less than 100 square metres and would not therefore be liable for the Community infrastructure levy (CIL).

PLANNING BALANCE AND CONCLUSION

21. The proposed development would be sited directly to the rear of an existing two storey side extension and therefore would not be detrimental to the character and appearance of the streetscene. The design and appearance is considered, on balance, to be acceptable, however the close proximity of such a large extension projecting 3825mm further than the original rear main wall and providing only a separation distance of 1m between it and the common boundary with No.33 Kings Road would create undue visual intrusion and an overbearing and dominating impact to the detriment of the amenity that the occupants of this property and its rear garden could reasonably expect to enjoy.

22. As such, the proposal would be contrary to Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations as well as guidance in the NPPF regarding good design.

RECOMMENDATION:

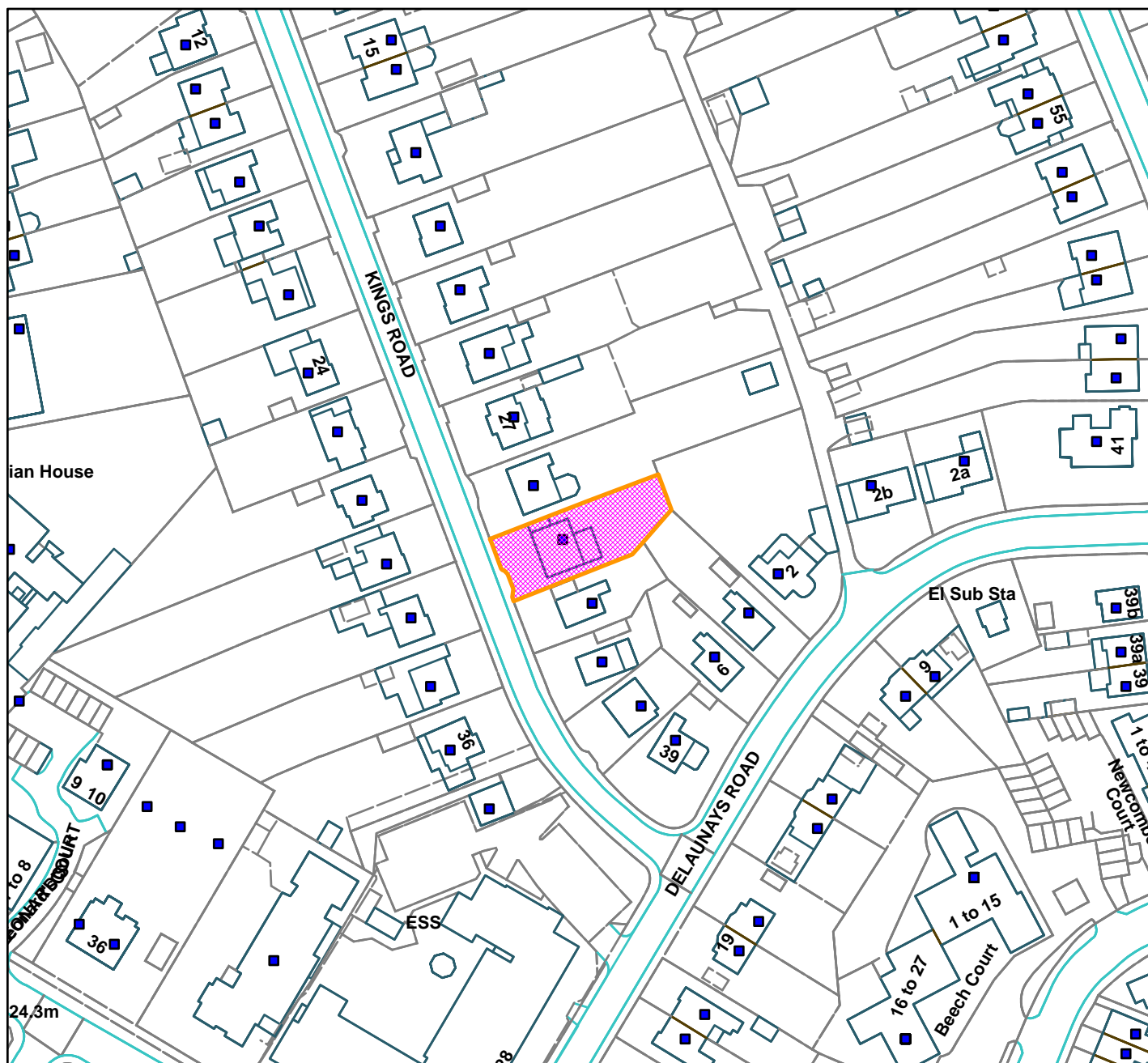
REFUSE for the following reason:-

1. The proposed extension by reason of its projection, scale, height and massing in close proximity to the common boundary with the adjoining property, 33 Kings Road, would give rise to undue visual intrusion and an overbearing and dominating impact to the detriment of the amenity that the occupants of this property could reasonably expect to enjoy. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document, SPD 4: A Guide for Designing House Extensions & Alterations.

GD



31 Kings Road, Sale, M33 6QB (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
MSA Number	100023172 (2012)

WARD: Brooklands

99082/HHA/19

DEPARTURE: No

Erection of a two storey side and rear extension, first floor rear extension and a new front porch.

29 Stanley Mount, Sale, M33 4AF

APPLICANT: Mr & Mrs Liew

AGENT: B2 Architecture Ltd

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because the applicant is an employee of Trafford Council.

SITE

The application property is located in on the north side of Stanley Mount, Sale. The property is a two-storey semi-detached dwelling with a front garden and driveway, side access and large garden to the rear. To the front of the property there are bay windows at ground and first floor and a simple porch over the doorway. To the rear the property benefits from an existing single storey extension. The other properties in Stanley Mount are all of similar design and character.

PROPOSAL

The proposal seeks planning permission to erect a two-storey side extension and rear first floor extension (partially over the existing single-storey rear extension) and a front porch extension. The development would accommodate extended living space at ground floor and additional bedroom accommodation at first floor.

Two-storey side extension and porch

The proposed two-storey side extension would project from the side elevation by 1.5m, leaving a 1.3m gap to the shared boundary with no.31 Stanley Mount. The side extension would have a depth of 11.9m, of which 0.8m would project forward of the principal elevation (at ground floor only) as part of the front porch extension.

The porch would project by 0.9m from the front elevation and have an open front to the main doorway with the roof connecting it to the side extension.

First floor rear extension

The first floor rear extension would be built partially over the existing single storey extension and connect in with the proposed two storey side extension. The two- storey extension would have an eaves height of 5.5m and an apex height of 7.1m.

The increase in floor space of the proposed development would be approximately 37.9m².

Other changes to the property include the insertion of a replacement first floor window on the front elevation.

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

For the purpose of the determination of this planning application, this policy is considered 'up to date' in NPPF Paragraph 11 terms

OTHER LOCAL POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions and Alterations

PROPOSALS MAP NOTATION

None to note

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. 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, and was updated on 1st October 2019. The NPPG will be referred to as appropriate in the report.

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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

RELEVANT PLANNING HISTORY

H/67921 – Erection of single storey rear extension to form additional living accommodation. Approved 5 November 2007

APPLICANT'S SUBMISSION

N/A

CONSULTATIONS

N/A

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours. No responses were received.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. The key issues for consideration in this

application are the design and appearance of the development, its impact on residential amenity, and the level of parking provision.

DESIGN AND APPEARANCE

2. With regard to design and appearance, the proposal should meet with the requirements of the NPPF and Policy L7 of the Core Strategy and with SPD 4.
3. SPD4 requires a minimum distance of 1m between two storey side extensions and side boundary, the application proposes a separation distance of 1.3m, thus in this context, complying with SPD4 and ensuring a sense of spaciousness around the property would be retained.
4. The proposed rear first floor rear extension would extend above the existing single storey rear extension in part and is considered to be proportionate in scale and subservient to the host property and scale of the rear garden.
5. The proposed extension would include a single storey element that would project off the front elevation and provide a porch over the main entrance. This extension would only project out by 0.9m and thus would not appear unduly prominent within the existing street scene.
6. The proposed extension would be constructed in brickwork, roof tiles, render and windows to match the existing property. The roof of the two storey extension would be hipped, matching that of the existing property.
7. It is therefore considered that the proposed extension would not adversely impact on the existing street scene or the character of the surrounding area and is designed to be in keeping with the character of the host property thus in accordance with Policy L7 of the Core Strategy and SPD4.

RESIDENTIAL AMENITY

8. With regard to impacts on residential amenity, the proposal should meet with the requirements Policy L7 of the Core Strategy and with SPD 4 and be acceptable in terms of its impacts on privacy, light and outlook of neighbours.

Impact on number 31 Stanley Mount

9. There is an existing two storey side and rear extension to no. 31, which extends to the rear by over 4m, the proposed side and rear extensions, would not extend

beyond this. As such the proposed extension, which is set off the boundary by 1.3m, is considered to accord with SPD4.

10. There is a ground floor window and door proposed facing number 31, however given they serve a bathroom and kitchen and are set off the boundary they are not considered to harm the privacy levels enjoyed by the occupants of no. 31. In addition it is proposed that there would be a window at first floor, however as this would also serve a bathroom it is proposed to be obscure glazed, which would be a condition of the permission.
11. There are windows on the side of no. 31, however these serve bathrooms and therefore do not serve habitable rooms which rely on outlook. In addition given the scale of the extension and current situation it is not considered that the proposal would result in a harmful impact on light to no. 31.

Impact on number 27 Stanley Mount

12. The proposed first floor rear extension would be over 3m from the shared boundary with no. 27 therefore complying with SPD4. Given the distance to the boundary and orientation of the site there are not considered to be any issues with the proposal being overbearing or resulting in a loss of light or causing overshadowing to no. 27. Equally there are no windows proposed on the side of the rear extension facing towards no. 27 and as such it is considered that there would be no overlooking from the proposal that would harm the privacy of no. 27.

Impact on properties to the front and rear of the site.

13. The distance to the rear boundary of the properties on Marsland Road and the rear and side extension is in excess of 35m. Between the front of the property as extended and the property on the opposite side of Stanley Mount there is a separation in excess of 30m. Therefore, the proposal is not considered to harm the amenity of occupiers of these adjacent properties.
14. Overall it is considered that the proposal complies with SPD4 and L7 of the Core Strategy in relation to residential amenity.

PARKING

15. Although the proposal would result in an additional bedroom, the existing driveway which can accommodate two cars would be retained and restricted,

permit holder only on-street parking is also available on Stanley Mount. As such the proposal is considered acceptable in terms of its impacts on parking.

DEVELOPER CONTRIBUTIONS

16. The proposed development would increase the internal floor space of the dwelling by less than 100m² and therefore will be below the threshold for charging.

PLANNING BALANCE AND CONCLUSION

17. The proposed development is considered not to cause harm to the character and appearance of the dwelling or street scene by reason of its design, scale and materials, and therefore it is considered appropriate within its context. As such it is considered that the proposed development would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF. In addition, the proposed development would have no significant impact on the amenity of surrounding properties and therefore meets the aims of SPD4, the Core Strategy and the NPPF in this respect.

RECOMMENDATION:

Grant subject to the following conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01; 02; 03.

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, 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.

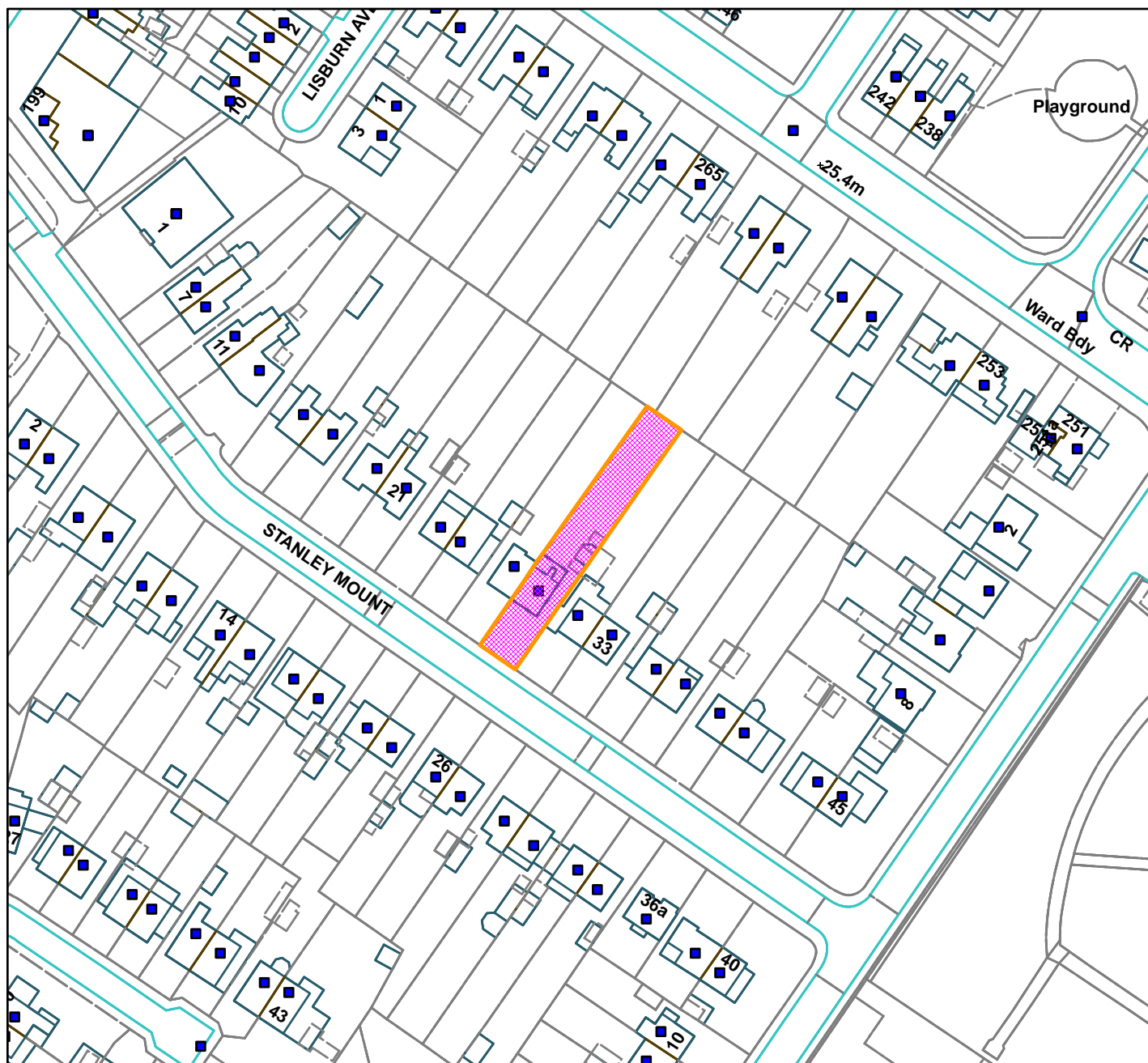
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the bathroom window in the first floor on the east side elevation facing no. 31 Stanley Mount shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

KG



29 Stanley Mount, Sale, M33 4AF (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 28/11/2019
Date	18/11/2019
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