

WARD: Priory

102054/FUL/20

DEPARTURE: No

Creation of a new outdoor artificial hockey turf pitch with associated features including; perimeter and acoustic fencing (up to 3m in height) with netting to ends of pitch (additional 2m atop fencing), gated entrances, an artificial floodlight system, improvements to the adjacent natural turf pitch, bunds, swales, seating, picnic and play areas and new landscaping.

Clarendon Fields, Sale Sports Club, Sale, M33 2DE

APPLICANT: Mr Matthew Whiteley, Sale Sports Club

AGENT: Mr Jason Palmer, Notts Sport Ltd

RECOMMENDATION: REFUSE

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

EXECUTIVE SUMMARY

The site relates to an area of land known as Clarendon Fields, largely surrounded by residential properties and which is currently in use as playing fields for rugby and football and recreational open space for the local community. The application proposes the creation of an artificial grass pitch (AGP) for the purposes of hockey, tennis, netball and football within the northern part of the site. Associated with this is weldmesh and timber acoustic fencing, netting and lighting columns, as well as landscaping works to the wider site including bunds, swales and new landscaping.

Whilst the principle of the sporting use of the land is accepted (para. 12), there would be harm to the visual amenity of the site associated with the operational development (para. 36) and harm to the amenity of surrounding residents due to a change in the character of the noise environment, in conjunction with impacts from the floodlighting and disturbance from on street parking (paras. 65 and 76). Harm has also been identified to the quality of the site as an area of protected open space, to the detriment of those using it for informal recreational purposes and users of the Public Right of Way crossing the site (para. 17). This harm arises from the balance of using being shifted towards the site's formal sporting functions (para. 130), a reduction in accessibility by the local community (paras. 17 and 98), the visual impact of operational development (para. 36), noise and lighting impacts (para. 66) and a likely increased perception and fear of crime (para. 111).

Officers have considered the benefits offered by the development, including the enhancement of the site's sporting function (para. 135), however it is concluded that the development would fail to accord with the development plan (para. 134) and that these

benefits do not outweigh the identified harm (para. 141). As such, the application is recommended for refusal for the following reasons:-

1. The proposed development, by reason of the height and appearance of the proposed fencing, lighting columns, duo blocks and netting will cause harm to the visual amenity of the site and, in conjunction with the bunds, harm to its open, largely undeveloped character. For these reasons, the application fails to comply with Policy L7 of the Trafford Core Strategy and section 12 of the National Planning Policy Framework.
2. The proposed development will cause harm to the quality of the site as an area of protected open space, detrimental to the experience of those using the site for informal recreational purposes and to users of the Public Right of Way. This harm arises from the following aspects of the development:
 - the existing balance of use of the site being shifted towards formal sporting functions;
 - a reduction in the level of accessibility of the site by the local community;
 - the presence and visually intrusive appearance of the proposed fencing, lighting columns, duo blocks and netting;
 - the noise and lighting impacts associated with the use of the artificial pitch; and
 - an increased perception and fear of crime resulting from the creation of concealed spaces and narrowing of accessible routes within the site.

For these reasons, the application fails to comply with Policies L7 and R5 and Place Objectives SAO9 and SAO16 of the Trafford Core Strategy, sections 8 and 12 of the NPPF and the National Design Guide.

3. The intensification of the formal sporting use of the site resulting from the provision of the artificial grass pitch and its year-round use for seven days a week, and its use late into the evening will result in an unacceptably harmful change to the extent and character of noise and disturbance that residents of surrounding properties could reasonably expect to experience which, together with the illumination of a significant part of the site for the hours proposed and disturbance associated with additional on-street parking, will have a substantial detrimental impact on their standard of amenity. For these reasons, the application fails to comply with Policy L7 of the Trafford Core Strategy and paragraphs 170 and 180 of the NPPF.

SITE

The site relates to an area of land known as Clarendon Fields, situated within a primarily residential area of Sale and which is currently in use as playing fields for rugby and football and recreational open space for the local community. The site is bounded by Clarendon Crescent to the west, Dane Road to the north, Temple Road to the east and Broad Road to the south.

There is gated vehicular access to the site from Clarendon Crescent, although this is not open for public vehicular access and no parking provision is available within the site itself. Pedestrian access can be gained from a number of points on surrounding highways whilst a Public Right of Way crosses the central part of the site from east to west (footpath number 7, Sale). There are four existing 10m-high lighting columns within the site and several rugby and football posts. The planning permission for the existing lighting columns, approved in 1998, allows for their use for the purposes of training on a maximum of three evenings per week, between the hours of 18.00 and 21.00.

The boundary of the site is largely formed from the rear garden fences of properties surrounding the field, many of which have gates providing access directly on to this land. The surrounding area is primarily in use for residential purposes, although Sale Sports Club is situated on the western side of Clarendon Crescent with Sale Conservative Club on the northern side of Dane Road and Moorlands Junior School to the east of Temple Road.

The land is public open space and is indicated as Protected Open Space on the Council's adopted Revised UDP proposals map. This also constitutes a Playing Field for planning purposes. The site falls within Flood Zone 1, defined by the Environment Agency as an area with a low annual risk of river and sea flooding.

PROPOSAL

Planning permission is sought for the creation of an artificial grass pitch (AGP) within the northern part of the site for the purposes of hockey, tennis, netball and football. This would measure 101.4m by 61m and is proposed to be enclosed with 3m-high weldmesh fencing. Both ends and a stretch of the northern side of the pitch would be bounded by timber acoustic fencing between 2.5m and 3m in height. Also associated with the pitch is netting at both ends of the pitch which would extend a further 2m above the fencing (over weekends when the pitch is in use for hockey matches), along with 8no, 15m-high lighting columns supporting a total of 39no floodlights. These would illuminate both the artificial pitch and the adjacent natural turf pitches to the north and south. The turf football pitch to the north is proposed to be enhanced through the provision of an improved drainage system which is expected to increase its overall usage by reducing the extent of waterlogging which currently occurs.

The proposal includes a comprehensive landscaping scheme for the wider site, comprising bunds up to 2m in height, sustainable drainage features in the form of swales, a 'damp scrape' and additional landscaping including specimen trees, woodland/shrub and wildflower planting. A total of 3no bunds are proposed: one close to the northern site boundary, one to the west of the proposed artificial pitch and one to the east of the artificial pitch. These, together with the new landscaping are intended to provide screening to views of the pitch.

The application also proposes a picnic and children's play area, seating, as well as new hardsurfacing to the access points and a hard-surfaced path from the north-western site access point to the artificial pitch.

The artificial pitch is proposed to be used between the hours of 09.00 and 21.00 on weekdays, and 10.00 and 19.00 on weekends and public holidays (excluding Christmas Day, Boxing Day and New Year's Day). There is not expected to be a requirement for the floodlights to be used between mid-April and late-September. The applicant has provided an indicative schedule which sets out the times when the pitch is likely to be used by the club and available for community use.

It is noted that the proposed AGP was intended, in part, to provide mitigation for the proposed loss of an artificial pitch at Trafford College (application ref. 98386/OUT/19). The loss of the pitch at Trafford College and whether the proposed AGP would provide appropriate mitigation for that loss is not a matter for consideration under this application. In any event, that application has now been withdrawn.

DEVELOPMENT PLAN

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

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

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

Place Objective SAO9

Place Objective SAO16

SUPPLEMENTARY PLANNING DOCUMENTS

SPD3 – Parking Standards & Design

POLICIES MAP NOTATION

Protected Open Space

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 – Protection of Open Space

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE/GMSF 2020 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) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H46309: Erection of 4, 10.0m high floodlighting columns between first & second team pitches for training purposes only 3 nights per week – Approved with conditions 25/11/1998.

H32034: Erection of two lighting columns for training purposes only – Approved with conditions 26/09/1990.

APPLICANT'S SUBMISSION

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

- Additional Landscape Consultation Report
- Crime Impact Statement Letter
- Design and Access/Planning Statement
- Flood Risk Assessment & Drainage Strategy
- Landscape & Visual Appraisal
- Noise Impact Assessment
- Open Space & Playing Field Policy Statement
- Playing Pitch Quality Assessment
- Statement of Community Involvement
- Supporting Lighting Statement and Calculations
- Supporting Noise Statement
- Transport Statement

CONSULTATIONS

Environmental Protection (Contaminated Land): No objections.

Environmental Protection (Nuisance): Objection due to noise impacts.

Greater Manchester Ecology Unit: No objection, condition recommended.

Greater Manchester Police – Design for Security: No objection, condition recommended.

Lead Local Flood Authority: No objection subject to conditions.

Local Highway Authority: No objection subject to conditions.

Peak & Northern Footpaths Society: Unlikely to have significant concerns about minor adjustments to the line of the public footpath.

Public Health England: Advice provided regarding safety of AGP materials.

Sport England: No objection subject to conditions.

REPRESENTATIONS

Public consultation was carried out in respect of the plans originally submitted with the application. In response to this, 152no letters of support and 95no letters of objection were received, including letters of objection from Councillors Andrew Western and Barry Brotherton. The letters of support make the following comments:

- An all-weather pitch will allow local people to make use of this facility throughout the year, whatever the weather.
- The field becomes inaccessible/waterlogged in wet weather and the drainage improvements will benefit local residents wanting to use the field for exercise/play and people wanting to play organised sport on the field.
- It is close to local public transport links so will help youngsters to get access to sports facilities who don't have the usage of a car.
- There is a lack of suitable facilities available within the borough for hockey and other supported sports which this development would help to address.
- Most current hockey facilities belong to schools and are not floodlit or available to the general public or sports clubs.
- The development would contribute to the health and wellbeing of residents and would also help to achieve sustainability of the neighbouring Sale Sports Club.
- The artificial pitch only occupies a portion of the field and there would be ample space available to local residents for dog walking etc.
- The employment of floodlights will allow local junior football, hockey, seniors basketball - and local residents increased safe and secure use of the field on dark nights.
- The field is at present largely inaccessible for disabled people such as those who use wheelchairs; the proposed enhancements will promote greater equality of access.
- Some local junior football clubs e.g. Ashton have to travel to Wythenshawe and Partington for facilities - sometimes these are only available at unsuitable hours for the young people involved.
- The proximity of local Metrolink and bus stops mean that the field is easily accessible to all residents of Trafford, including those with disabilities, allowing them access to a pleasant, safe place to exercise and play sport.
- The addition of these facilities will allow the Club to continue to support and encourage community health and fitness through its programme of sports coaching, junior football and adult exercise groups in addition to other activities.
- Currently many games are postponed due to poor weather – this will avoid as many postponements.
- Sale has a history of outstanding sporting teams and is now lacking in facilities that provide the opportunity to participate in sports outside daylight hours.

- More facilities in the local area would reduce the need for journeys to other facilities which often add to rush-hour traffic and eat into family time.
- A hockey surface of the highest quality giving local players the opportunity to enjoy the sport at the highest level.
- The facilities seem flexible and accessible with excellent legacy potential.
- Every effort has been made to keep noise to the minimum, to stop light spilling into gardens and to ensure that the grounds are fully maintained to a high standard.
- The pitch is multi-use and it's not just for hockey, but also for netball & tennis. All 3 sports lack sufficient facilities in Trafford.
- The pitch is at a good distance from the relatively small number of adjacent houses.
- Sale Sports Clubs' parking capacity will almost double shortly once the remaining residential property development on Clarendon Crescent is complete.
- A number of hockey players currently drive to Sale Sports Club following home games so there should not be an increase in the number of vehicles.
- There are numerous green spaces in the local area such as Worthington Park, Priory Woods, The Bridgewater Canal and Sale Water Park.
- The proposed site for the development is currently underused and is not suitable for the types of sport which are proposed.
- My sons should have the same opportunities of playing sport as I had.

The letters of objection raise the following concerns:

- This is a heritage open green space designated for all the public to enjoy, not the minority.
- This is Protected Open Space so would not expect there to be any development on it, especially one which is for a private sports club and is artificial. The development would change, remove and restrict access to green space that can currently be enjoyed by any member of the public.
- This field is used extensively by numerous people and not just dog walkers – exercise classes, boot camps, yoga classes, picnics, ball games, walking, running etc.
- During lockdown this field was a life saver for families and groups of people who could otherwise not meet up. Older residents use this open space to meet friends, relax and socialise.
- The peaceful calming quiet space will be no more and there is so little of it and becoming less and less.
- The proposed pitch would restrict the public access to a large part of this field.
- The land in question was purchased by Sale Council from Joseph Brooks under powers set out in the Public Health Act of 1875 to provide 'public' pleasure grounds. The only condition of the sale was that nothing should be done that would constitute a public or private nuisance.

- If the Council were to grant this application it would create a precedent that indicates the Council was willing to lease or perhaps sell portions of the Clarendon Field for other developments.
- The appeal to live on Dane Road is the wonderful open space to the rear of the property.
- The wildlife will suffer greatly – the swallows, hedgehogs and foxes who use this field will go into decline.
- At weekend and evenings I am often blocked in and can't come and go from my driveway due to cars encroaching on the edges of my drive and parking opposite. This will obviously get worse with increased hockey participation.
- The concentrated position of the 2 pitches (at one end of the field) will increase traffic, parking and the quantity of pedestrians and ultimately compromise highway safety.
- On training evenings cars are already double parked which are dangerous for pedestrians.
- The houses backing onto the field will be impaired – no more open green to view.
- The pitch positions means they would impact the greatest possible number of residents.
- The Noise assessment takes no consideration of the natural pitch that has no sound proofing or of the noise that will be made as scores of players enter and exit the field. I expect the natural pitch will be favoured by users who currently use pitches across the whole site. Hence this one area of the field will have heightened, concentrated use and noise.
- It is already noisy when training is on.
- The floodlights will shine directly into lounges and rear bedrooms of surrounding properties and will be very intrusive.
- There will be considerable light & noise pollution, during works & when in use that will impact residents & pets, even with the proposed solution.
- The existing rugby floodlights are only used sparingly and on a number of occasions have been neglectfully left on overnight.
- Noise will detract from the enjoyment of one's own garden.
- The path to the pitch is next door to my house – the human traffic and noise will stop me enjoying my garden.
- This is currently open space which will be disrupted by a closed space, fenced in for sound proofing, with 15m high spotlights. This will have a negative impact on the character and appearance and use of the field. It does not help Sale to achieve its objective to "To improve the appearance and quality of green and open space for recreational purposes" (SAO9).
- The erection of a permanent fenced structure will have a huge visual impact for the surrounding properties.
- The planned development could be sited in another area which would have much less impact. Areas such as Crossford Bridge or the university playing field off Fairy Lane.
- In the place objectives for Sale, Trafford's Core Strategy states that it has an objective to 'maximize the re-use or redevelopment of unused, under used or

derelict land ' (SAO2). These fields are not unused, under used or derelict and I would encourage the sports club to develop on land that fits these criteria.

- The club sold their own land which could have been used for the covered surface.
- The extra light pollution from the floodlights will interfere with amateur astronomy.
- The impact of development would be very damaging to both mental and physical wellbeing.
- This scheme would appear to benefit a few groups of people, to the detriment of many, with no significant uplift in participation given the facilities in the area.
- The current uses are perfectly adequate and to take away all this green space for a hockey pitch, one of the most underplayed sports, is ridiculous.
- Unless the right AstroTurf is put down it will flood frequently as did the pitch at Brooklands' Sports Club.

Following receipt of amended plans and supporting documents, a further public consultation was carried out. In response to this, 215no letters of objection, including from Councillor Andrew Western, and 119no letters of support were received. Many of the comments made are covered in the above summary in respect of the original consultation, however the following additional comments have been made in respect of the amended scheme. The letters of objection raise the following additional concerns:

- New plans further encroach on green space.
- Not clear where the play area is and is unnecessary here.
- Development is now starting to take over the whole field.
- Proposed landscaping does not improve what is already in place.
- Landscaping will obstruct views from adjacent houses and will encourage anti-social behaviour.
- Trees and hills would spoil the area completely.
- Drainage into swales and ditches will increase the risk of flooding to surrounding properties and stagnant water will cause problems.
- Original Agronomy Report suggested infiltration would not be suitable.
- Issues with proposed drainage strategy, information removed from earlier versions of reports.
- Doubtful the area will be maintained.
- Field is currently open with full visibility – plans would impact ability to use land due to safety concerns.
- Picnic area will encourage littering.
- Development will increase risk of crime for surrounding properties.
- Loss of light from bunds and planting.
- Risk of odour and insects as a result of swales.
- Sale Moor has the greatest green space deficiency in Trafford – this is adjacent to the site and residents of Sale Moor use the site.
- The netting will provide a significant visual impact.
- Concerns with submitted LVA – does not consider night time effects/downplays visual changes.

- Rubber used in AGP presents a serious health risk.
- Independent acoustic assessment has been provided by a resident which considers noise impacts of proposed hockey use.
- Submitted noise information is insufficient and raises a number of issues. Development will have inadequate mitigation for increased noise pollution.
- Development is in conflict with Sport England policy as it will reduce the capability and flexibility of the playing field to provide for a range of sports and natural grass playing pitches.
- The Trafford Playing Pitch Strategy Action Plan has a clear position that existing Rugby and Football pitches should be retained and protected.

The letters of support make the following additional comments:

- Will ensure the whole area is serviced and maintained for the public to enjoy.
- Drainage improvements will mean the pitches will be available more of the time.
- Provision of litter bins is sorely needed.
- Improvements to access are welcomed.
- Play equipment and picnic area will encourage visits by families and young people.
- Significant landscaping plan adds to the usefulness of site to community and contributes to local environmental targets.
- Additional information mitigates previous objections.
- Time allocated for community use of the AGP will provide an opportunity that is not currently available in Sale.
- Development will enhance the pitch and training provision for rugby.
- Development will provide enhanced opportunities for participation in tennis.
- Environmental aspects will attract wildlife.

Some letters of objection suggest that many of the letters of support have been received from addresses at some distance from the application site. Officers note that no letters of support have been received from properties immediately adjacent to the application site, whilst 43no of the letters of support from the second consultation are from addresses outside of Sale. The map extract below shows properties which have submitted letters of support (green triangles), letters of objection (red triangles) as well as those which have been consulted but have not provided comments (turquoise squares).



The applicant also carried out their own pre-application consultation exercise and a further consultation prior to submitting the amended plans. It is noted that under both of these consultations, 252no properties surrounding the site were consulted whilst approximately 450no members of Sale Sports Club were consulted. The outcome of these consultations is reported in documents accompanying the application.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Policy position:

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 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. 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.
4. Policies relating to open space, design and amenity are considered to be 'most important' for determining this application when considering the application against NPPF paragraph 11, as they control the principle of the development and are most relevant to the likely impacts of the proposed development on the surrounding area:
 - Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. Full weight can be afforded to this policy.
 - Policy R5 of the Core Strategy is considered to be generally consistent with the NPPF and up-to-date, reflecting the aims of securing and protecting areas of open space unless certain criteria are met.
5. The policies which are most important for determining the application are therefore up-to-date and the 'tilted balance' referred to in NPPF paragraph 11(d)(ii) is not engaged.

Principle of use, playing field status and protected open space status:

6. The application site, referred to as 'Clarendon Crescent' in the Council's Open Space Assessment of Need Evidence Base document, is currently protected open space as indicated on the adopted Revised UDP proposals map and is entirely publicly accessible.
7. It should be noted that the protected open space designation is not applied solely to sites which are publicly accessible, for example the cricket ground at Sale Sports Club on the western side of Clarendon Crescent is designated as protected open space but does not have unrestricted public access. The application site does however serve an important role as an area of accessible outdoor space serving the local population for informal recreation, as well as for formal sporting use as a playing field. This informal recreational use includes but is not limited to walking, running, dog walking, 'kickabouts' and other exercise, as reported by local residents who use it. The full, unrestricted accessibility of the land contributes to its quality and value as an open space for the local community, as has been made clear in the letters of objection received. The NPPF defines 'Open Space' as "*All open space of public value...which offer[s] important opportunities for sport and recreation and can act as a visual amenity*". Clarendon Fields is considered to embody all aspects of this definition, being of significant public value, offering opportunities for sport and recreation whilst also acting as a visual amenity.

8. Policy R5.1 of the Core Strategy seeks to ensure the provision and maintenance of a range of good quality, accessible, play, sport, leisure, informal recreation and open space facilities. Policy R5.2 states that the Council will seek to protect existing open space, secure the provision of areas of open space and outdoor sports facilities and protect and improve the quality of open space and outdoor sports facilities so they are fit for purpose. Policy R5.3 further states that developers will be required, as appropriate, to demonstrate how their development will protect and encourage the use of Trafford's open space and sports/recreational facilities. Policy R5.4 goes on to say that development which results in an unacceptable loss of quantity of open space, sport or recreational facilities, or does not preserve the quality of such facilities will not be permitted. In relation to this policy, an unacceptable loss of open space, sport or recreation facilities is deemed to be 'that which leads to a loss in quantity which could not be replaced with an area of equivalent or better quality in a suitable location to meet present and predicted future demand' (Core Strategy paragraph 25.17). In addition, Place Objective SAO16 includes the aim of tackling the quality of accessible green space in the area.

9. Paragraph 96 of the NPPF has similar aims to Policy R5, stating that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 97 states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

 - (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

10. The Council's 2009 'Green and Open Spaces: An Assessment of Need' document identifies Priory Ward as being sufficient in greenspace, however it is stated that this is largely due to the substantial areas in the north of the Ward, including Sale Water Park. This sufficiency is not necessarily an indication that the development of open space in this location will be acceptable, with smaller parks and recreation grounds such as this acting as important assets for local residents, which have a tranquil, peaceful quality that is not always found in larger facilities such as Sale Water Park. For much of the local community it is these qualities for which the space is valued, rather than its function as a sporting facility which for many is secondary to its informal recreational use.

11. It is also noted that the site is adjacent to the boundary between Priory and Sale Moor Wards and is used and valued by residents within both Wards, as has been referenced in a number of representations. Sale Moor is identified as being the most deficient in greenspace in Trafford, so its importance as an area of open, accessible greenspace is clear in this respect.
12. The proposed development is considered to represent alternative sports and recreation provision to that which currently exists, and would still fall within the present F2(c) use class. The principle of the proposed use in itself is therefore considered to be acceptable as it would still constitute a 'sport and recreation' facility (as required by NPPF paragraph 97(c)), albeit of a different nature and character to that which currently exists.
13. Within its function as an area of open space, the site also partially serves as a playing field, the development of which requires consultation with Sport England and the demonstration that this would meet at least one of the criteria set out in NPPF paragraph 96 and Sport England's own relevant criteria.
14. Sport England advises that the development of the artificial grass pitch (AGP) needs to be considered against Exception 5 of its policy, which states: *"The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field."* It is advised that on balance, the proposal meets a number of identified benefits and there are no negative impacts on existing sporting provision. England Hockey has also confirmed the technical specifications of the proposed AGP are fit for purpose.
15. The AGP would be situated on an existing playing pitch used for an alternative sport, and there is also a requirement to mitigate the loss of this natural turf playing field and to comply with Sport England's Policy Exception E4 which states:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

 - *of equivalent or better quality, and*
 - *of equivalent or greater quantity, and*
 - *in a suitable location, and*
 - *subject to equivalent or better accessibility and management arrangements.*
16. The application proposes to improve the drainage in an area of playing field to the north of the proposed AGP to create a new playing field area. However, this area of land is known to have accommodated a pitch in the past and an Agronomy Report was required to establish what the current condition of the area is and whether improvements would lead to a new area of functional playing field. The

submitted Agronomy Report concludes that the area of playing field to be improved is unable to sustain pitch use between November and March due to current ground conditions. As rugby union and football are winter sports, Sport England concludes that this area in its current condition cannot be considered functional playing field to accommodate matchplay and training during those winter months. The area to be improved is approximately 7,000sqm although a pitch of 4,928sqm is shown on the proposed site plans. The intention is to improve a wider area than is currently needed to enable a larger pitch to be marked out if required in the future. As the loss of playing field from the AGP and footpath equates to approximately 6,433sqm, and the improved area is approximately 7,000sqm, this represents a slight increase in the area of functional playing field to be replaced. Sport England advises that this element of the proposal therefore meets its Policy Exception E4.

17. It is important to note that Sport England's remit is to ensure the development of the site is acceptable having regard to its status as a 'playing field'. Their support is not necessarily an indication that the impact on the site as an area of protected open space is acceptable, nor that the development is acceptable in any other respect. Indeed, the full accessibility of the entire site by members of the public currently contributes to its value and quality as an area of open space and the experience of visitors to the site. As set out above, Core Strategy Policy R5 makes clear that the impact of a development on the quality of open space is important when considering its acceptability. Whilst the AGP itself will cover 13 per cent of the site as a whole, there are a number of effects on the wider site as a result of this development, such as the narrowing of accessible routes at either end of the AGP (also in part due to the proposed bunds and swales) as well as impacts on visual amenity and on the character and nature of the site. These matters are considered in full later in this report and feed into the assessment of whether the quality of the site as an area of protected open space would be harmed by the proposed development to an unacceptable degree.

DESIGN, APPEARANCE, VISUAL AND LANDSCAPE IMPACTS AND IMPACTS ON THE CHARACTER OF THE AREA

18. 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"*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process. In addition, Place Objective SAO9 aims to improve the appearance and quality of green and open space for recreational purposes.

19. 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”*.
20. The National Design Guide sets out ten characteristics which illustrate the Government’s priorities for well-designed places, including identity, built form, movement, nature and public spaces.
21. Whilst the preceding section of this report acknowledges that the principle of the proposed sporting use is acceptable, it is important to acknowledge that for many residents living within walking distance of the site, the value of the land is not due to its function as a sporting facility but rather as an area of largely undeveloped, fully publicly accessible open space. Having regard to the comments made in many representations and the scale and nature of the existing sporting use, it is clear that there is currently a balance between these formal and informal functions of Clarendon Fields which for much of the time provides residents with a quiet, tranquil green space in which to walk, meet friends or exercise (for example) but which also offers a facility for those engaging in formal sport. It is this context in which the likely impacts of the development should be considered.
22. The operational development associated with the proposed AGP is considered to have a significant detrimental impact on the experience of informal recreational users of the site, residents surrounding the site and in terms of the visual amenity and established character of the site. The application proposes 3m-high weldmesh fencing surrounding the AGP, whilst both ends and a stretch of the northern side of the pitch would be bounded by timber acoustic fencing between 2.5m and 3m in height. Also associated with the pitch is netting at both ends of the pitch which extends a further 2m above the fencing (i.e. a total of 5m in height) when the pitch is in use for hockey matches, along with 8no, 15m-high lighting columns supporting a total of 39no floodlights. This is considered to be development of a scale and character which is wholly inappropriate and visually intrusive in this location, especially the high timber fencing and lighting columns, the height and number of which is a particular cause for concern. This would not only impact upon the part of the site on which the AGP is situated but the wider site as a whole, particularly given the facility’s location within the central part of the field. The fencing and lighting columns will be visible from much of the site, despite the proposed bunds and soft landscaping which are intended to provide some level of screening. These bunds, together with the fencing and lighting columns would indeed appear as incongruous features here, interrupting views across the site and drastically impacting upon the site’s open, spacious character and its quality and appearance. The presence of concrete ‘duo blocks’ serving as a retaining wall at

the end of the westernmost bund would add to this incongruity. These visual impacts, together with impacts associated with the scale of sporting use which it will enable, would have a substantial detrimental impact on the sense of calm and tranquillity currently experienced for much of the time by visitors to the site.

23. The AGP, along with the bunds and swales will also reduce the width of accessible routes for visitors wishing to cross the site from north to south, channelling them towards the eastern and western boundaries and creating pinch-points. This demonstrates the importance of considering impacts on accessibility of the site as a whole rather than simply focusing on the extent of land occupied by the AGP itself, as the application tends to do. The application seeks to establish that the development which is intended to support and improve the sporting use of the land is acceptable in part on the basis that the site currently has a sporting use. Officers have acknowledged that the use of the land for sporting purposes is acceptable, however this does not indicate that the operational development associated with its enhancement will necessarily be acceptable and regard must be had to the particular characteristics of the site, its surroundings, the way in which it is enjoyed and experienced and impacts associated with the intensification of this use.
24. With regard to the other elements of the development not referenced above, these are deemed to be relatively minor additions which do not raise any particular concerns in terms of their visual appearance. For example, the proposed seating, picnic and play areas would ensure the existing character of the site is largely retained and would not be unduly visually intrusive.
25. As noted in a number of representations, there are existing facilities at Worthington Park to the south-west and Priory Gardens to the north which offer similar environments to that which is proposed to be created at Clarendon Fields, such as a greater extent of tree coverage, picnic areas and wildflower gardens. The application site at present offers a very different experience to these parks with a greater sense of openness and tranquillity, which contributes to its value for local residents. The proposed development would result in a reduction in the variety of these green spaces.
26. The applicant has submitted a Landscape and Visual Appraisal (LVA) to accompany the application. This is intended to identify and consider the anticipated effects resulting from the development on the character and features of the landscape and on the function and role of the site as an area of urban greenspace. It also aims to identify and consider the anticipated effects on people's views and visual amenity. The LVA states that the site's primary function is for formal sport. Officers, and indeed many local residents consider that the site's function as an area of open space and for informal recreation is as important, if not more important than its formal sporting use, as it is from this function which the site's value as a visual amenity and green space is largely derived.
27. The LVA describes the site as having a 'monotonous character'. This goes on to

describe it as being “*devoid of landscape interest such as trees, varied landform, shrubs, wildlife etc. which create scenic interest and attractiveness through changes in height, mass, form, colour, seasonal changes, and contact with or appreciation of nature etc. As such it cannot be considered to have high scenic quality*”. Officers consider that this characterisation wholly fails to recognise the benefits and qualities of the land as a largely undeveloped area of open space, where its openness and tranquillity are important attributes which are also identified as such by the local community in many representations.

28. With regard to views of the proposed development, the LVA notes that these “*will be experienced in the context of a sports facility as part of a recreation ground, within a built-up urban environment*”. Again it is considered that the current context of the site, for much of the time is not as a sports facility but as an area of undeveloped open space, experienced as an ‘escape’ from the surrounding urban environment.
29. Existing properties backing onto the recreation ground are described as having “*ground floor and garden views over the site, rather than views of the site*”. It is clear that views of the site (as opposed to solely ‘over’ the site) are currently experienced from upper storey windows of most, if not all surrounding properties. The outlook from these is just as important as that from ground floor windows, and indeed is likely to be more important given the presence of fencing which obscures most views from rear-facing ground floor windows. The LVA does not appropriately recognise this relationship and the benefits associated with the presence of an open green space for occupiers of these properties.
30. The assessment of the existing value and sensitivity of the landscape and views of the site, as set out in section 6 of the LVA is not considered to adequately represent the value of the site for existing users and surrounding residents, and does not therefore constitute an appropriate baseline against which the development should be assessed. As a result of this, the magnitude of the changes resulting from the development identified in the LVA does not accurately reflect the scale and nature of change which would be experienced by the above-mentioned receptors.
31. The effects of the development itself, as set out in section 8 of the LVA are also not deemed to be suitably quantified. This states that “*no features contributing to the character of the wider townscape would be lost. The recreation ground would retain its existing function within the townscape as an area of urban greenspace used primarily for sport and secondary informal leisure uses*”. The LVA also states that there will be “*no loss or change to...views to features that contribute to the scenic quality/character of the area*”. This fails to recognise that it is not individual features which contribute to the character of the wider townscape/landscape but the lack such features, as explained elsewhere in this report. Whilst its function as an area of urban greenspace would be retained, the quality and value of this function would not.

32. With regard to impacts on users of the Public Right of Way crossing the site to the south of the proposed AGP, the LVA claims that upon completion, "*fencing and new light columns would be visible but not out of character*". Officers firmly disagree with this, given the number and height of lighting columns and the scale and extent of fencing proposed. These elements of the development would be entirely out of character with the site's openness and would be particularly visually intrusive from the Right of Way.
33. With regard to impacts on sport and leisure users, the LVA states that "*views over the site would be clear and unobscured*". Again this is clearly not the case, with the fencing in particular obscuring views from many locations within Clarendon Fields. It is acknowledged that users of the site for formal sporting purposes would be less sensitive to views of the development, as their experience of the landscape as a visual amenity is likely to be less important than its function as a sporting facility. The converse is however likely to be the case for non-sporting users of the site.
34. In terms of views from private viewpoints, the LVA states that "*any changes visible will form only part of the overall view, behind the main focus of the view*". Again Officers disagree with this statement, as the main focus of views from the upper storeys of many surrounding residential properties will be the development itself. In many cases, such views will be dominated by the presence of the AGP and associated development particularly within the northern part of the site. The proposed bunds and planting are not deemed to provide appropriate mitigation, especially in the short and medium term and would in any case also detract from the open character of the site.
35. The overall magnitude of change associated with the proposed development is not considered to be low, as suggested by the LVA. The value of the existing site appears to have been minimised or underappreciated in the baseline assessment, whilst the scale of the impact of the development is not deemed to have been fully represented. The landscape and visual impacts of the development are not considered to be beneficial for users of the site for informal recreation purposes, users of the Public Right of Way or occupiers of surrounding properties. Officers do not doubt that the LVA has attempted to follow the relevant guidance in the approach which has been taken, however it is considered that this fails to fully appreciate the character of the site and the benefits associated with it for local residents, which it is acknowledged are sometimes not easily quantifiable.
36. For the reasons set out above, Officers consider that the proposed development would cause harm to the visual amenity of the site and harm to its open, largely undeveloped character. Officers also consider that the presence and visually intrusive appearance of development associated with the AGP would cause harm to the quality of the site as an area of protected open space, detrimental to the experience of users of the site for informal recreation purposes and users of the Public Right of Way. For these reasons, the application would fail to comply with

Policies L7 and R5 and Place Objectives SAO9 and SAO16 of the Trafford Core Strategy, and section 12 of the NPPF.

RESIDENTIAL AMENITY

37. 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”*.

Noise:

38. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraph 180 goes on to say that planning decisions should *“protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”*.
39. The application is accompanied by a Noise Impact Assessment (NIA) which assesses the potential impact of the development on noise sensitive receptors and provides recommendations for mitigation measures. This includes a desktop study to establish the existing baseline noise conditions of the site. This study was undertaken during the Covid-19 pandemic in accordance with protocol issued by the Institute of Acoustics, and predicts that daytime noise levels (07.00-18.00) are 55-60dB $L_{Aeq,T}$ and evening time levels (18.00-23.00) are $\leq 50-55$ dB $L_{Aeq,T}$.
40. The NIA refers to Sports England and World Health Organisation (WHO) guidance which sets a maximum noise limit of ≤ 50 dB $L_{Aeq,1hr}$. It also refers to Institute of Acoustics (IOA) and Institute of Environmental Management & Assessment (IEMA) guidance, which evaluates the change in noise by comparing the predicted level to the measured ambient noise level. This is then translated into a significance rating provided within the Noise Policy Statement for England (NPSE). The criteria used in the NIA is a difference of ≤ 5 dB between the specific noise from activities associated with the AGP and the existing residual sound level ($L_{Aeq,T}$).
41. The NIA predicts that noise levels generated from use of the AGP would exceed the relevant guidance criteria at the nearest sensitive receptors (i.e. residential properties on Dane Road and Clarendon Crescent), without the provision of mitigation. This is based on the use of the AGP for 11-a-side hockey, but does not include noise from potential simultaneous use of adjacent grass pitches.

42. Mitigation is proposed in the form of timber fencing at a height of 2.5m along the western end of the AGP and at a height of 3m along the eastern end, both 61m in length. The 3m high fencing is also required for a 30m stretch along the northern side of the AGP. Three layers of turf around the perimeter and goal boards are also proposed to reduce the noise impact from ball strikes. With the proposed mitigation, the NIA calculates the noise levels from the AGP at the nearest sensitive receptors as being within the limits set by the Sport England/WHO guidance and likely to be more than 5dB below the existing ambient sound level.
43. The NIA predicts that the change in noise level translates to an impact which falls between the LOAEL and SOAEL classification. The LOAEL – the Lowest Observed Adverse Effect Level is the level above which adverse effects on health and quality of life can be detected, and The SOAEL – Significant Observed Adverse Effect Level is the level above which significant adverse effects on health and quality of life occur. The report states that the impact of the development falls between the LOAEL and SOAEL category, meaning that this is the level above which adverse effects on health and quality of life can be detected. Subjectively, the report concludes that this would equate to a slight to moderate and possibly noticeable effect.
44. The Council’s Environmental Protection service has been consulted on the application and has provided detailed comments in response to the submitted NIA and potential impacts of the development on occupiers of surrounding residential properties. With regard to this technical appraisal, these comments advise that the background noise value and predicted noise levels should both be measured using the same LAeq parameter over the same time period, which was not the case in the NIA. The response goes on to note that the NIA has modelled the noise levels as contour levels at a height of 1.5m, however this does not include levels at first floor height or above. The nearest sensitive receptors are residential properties with two or more storeys and it is suggested that the benefit afforded by the acoustic barrier will be limited at multiple storeys. It is likely that habitable rooms throughout a house will be used during the day time and evening period, whilst it is recognised that the evening period is a sensitive time for children going to sleep. The NIA considers the use of the AGP for an 11-a-side hockey match as the ‘worst case scenario’. Environmental Protection notes however that the development will allow for the existing adjacent upgraded grass pitches to be back-lit from the proposed lighting columns and as such, the ‘worst case scenario’ could reasonably be considered as comprising an 11-a-side hockey match on the AGP plus concurrent use of the two grass pitches.
45. Environmental Protection makes the following comments with respect to the nature of potential noise impacts:

“It is important to understand that the way in which noise is quantified (in accordance with relevant guidance) means that the energy is averaged over a time period. In reality (and subjectively), the noise associated with such sources

will fluctuate widely in character and consist of short term loud and intrusive events lasting a couple of seconds, for example shouts, screams, the sound of stick-ball, stick-stick, whistle blows etc. These intrusive bursts will vary with type of sport and age of player/spectator, and are clearly distinguishable as they do not 'blend in' with background noise. Such intrusive events are capable of waking children from sleep and have the potential to disturb residents whilst they are relaxing in habitable rooms. These 'annoyance factors' are of significance when considering potential action for statutory nuisance. It is important to understand that the NIA is reporting on averaged noise levels only when it predicts a resultant 'slight to moderate effect'. The reality is that the mitigation proposed will reduce the noise impact but it will not be inaudible at sensitive receptors".

46. The Environmental Protection response concludes that the development will result in an intensification of use, and a change to the dynamics that currently exist. The fact that the field may not have been used to its full potential in the past due to poor drainage, access restrictions or limited lighting, means that neighbours may have benefitted from periods of inactivity and tranquillity during inclement weather or darkness. The subjective response of residents to the intensification brought about by this development is something that an NIA cannot accurately quantify. This subjective assessment is just as important as any technical appraisal detailing compliance with published standards.
47. In response to the comments made by the Council's Environmental Protection service, further supporting noise information has been provided. Additional calculations have predicted that the noise impact at the first floor level of the nearest properties will be no greater than that calculated at 1.5m height. There has been clarification regarding relevant measurement time periods used; and the basis for maximum noise levels used to model impact (for example hockey ball on stick).
48. In response to the additional information provided, Environmental Protection advises that the assessment is helpful in that it shows how the incorporation of structural mitigation measures can reduce the resultant noise impact from hockey matches taking place on the AGP. Adherence to the Sport England guidance provides some comfort in that the development would be consistent with other similar AGPs in its design and use of mitigation. No objections are raised in respect of the numerical predictions, however it is noted that the nature and character of the new noise sources introduced by way of the AGP are as important as this numerical assessment, as highlighted in their original response.
49. Officers appreciate that Clarendon Fields is currently used, in part, for sporting purposes, however the proposed operational development will enable an intensification and formalisation of this use (including more of the same activity for more of the time) and it is therefore appropriate to consider the specific impacts associated with the AGP. As noted by Environmental Protection, the development

would bring about noticeable changes to the soundscape which some residents could experience as negatively impactful. The formalisation of the use of the land would alter the character of the site, from what is essentially an open grass field (with marked football/rugby pitches) to a developed formal sports facility including a large artificial grass pitch. It is the developer's intention to utilise this site to its full potential; to introduce a wider range of activities available all year around. The magnitude of this change would transform the character of this open green space to a multifunctional sports facility capable of hosting a range of activities that would not have been possible without the proposed development.

50. It is acknowledged that surrounding residents currently experience some impacts associated with the sporting use of the land, however these impacts are naturally limited by only natural grass pitches being available and by the restrictive limitations on the use of the existing lighting columns. These impacts would be exacerbated and intensified by the proposed development, with near constant, year-round sporting use, resulting in more noise for more of the time, plus noise of a different character. The proposed hours of use are considered excessive and do not allow respite for neighbours, whilst the incorporation of the evening period poses a risk that young children could be disturbed from sleep. The newly introduced sources of noises have the potential to cause small changes in behaviour and attitude such as residents closing windows to block out the sound, or not feeling able to enjoy peace and quiet within their outdoor areas. Certain high decibel events associated with the use of the AGP for hockey, such as stick on stick, stick on ball and ball on sideboard (up to 105dB) would only be possible as a result of the proposed operational development and would be experienced in conjunction with other impacts such as shouting, whistles etc. which could be expected to some degree from the existing use of the land, albeit for significantly less of the time.
51. It should also be noted that the above impacts would be experienced in conjunction with the existing and additional impacts from the remaining/improved grass pitches. For example, the indicative schedule of use suggests that on Wednesday evenings, hockey training will take place concurrently with rugby training on the adjacent grass pitch. In addition, the AGP will also support and encourage additional sporting use of the site during the day, seven days a week which the application identifies as not currently being the case with the natural turf pitches. Although the hours of use of the site during the day are not currently limited by any planning restrictions, it is clear that the provision of an illuminated all-weather pitch available year-round will result in an increased extent of sporting use of the land and this is confirmed by the indicative schedule of use.
52. There will also be an increase in the general disturbance experienced by surrounding residents associated with the comings and goings of players and spectators, resulting from the activity of potentially large numbers of people into the evening, additional vehicular movements an associated increase in on-street car parking. This increase arises from the opportunities the operational

development provides for an intensification of the sporting use, in particular the use of the floodlights until 9pm five days a week, and until 7pm at weekends.

53. Furthermore, the detrimental change in the character of noise associated with the site identified above would contribute to the harm caused to the character and quality of the site as an area of protected open space. This harm would be experienced in addition to, and in conjunction with, the other sources of harm identified elsewhere in this report and would impact upon users of the site for informal recreation purposes and users of the Public Right of Way.
54. An objection to the application comprises detailed comments on the submitted noise information, including an independent Acoustic Assessment which seeks to represent the impact of a hockey ball hitting a backboard within an AGP. This also raises particular concerns regarding the submitted background noise levels, the guidance referred to and potential for impacts arising from balls striking the outer side of the acoustic fencing. Environmental Protection has considered these comments and within the scope of the application, remains satisfied that the NIA submitted by the applicant (including the additional information requested) provides an adequate basis for consideration of the proposed development. Whilst the conclusions of the NIA have informed the selection of a suitable mitigation scheme, the detailed discussion provided above explains how the proposal brings about an intensification and a change to character of the site that the NIA does not acknowledge.

Lighting:

55. Paragraph 180 of the NPPF states that planning decisions should limit the impact of light pollution from artificial light on local amenity.
56. The application proposes the removal of the existing lighting columns and the erection of 8no, 15m high columns containing a total of 39no floodlights. These are intended to illuminate both the AGP and the adjacent natural turf pitches to the north and south. This is a significant proportion of the site as a whole, with an area of approximately 200m x 120m being illuminated. The application is accompanied by a lighting contour plan and calculations which indicate that Institution of Lighting Professionals (ILP) criteria for lux levels into windows of nearby ground floor receptors will be achieved.
57. In their initial consultation response, the Council's Environmental Protection service requested that further information is provided within the context of Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light' issued by the ILP, particularly in respect of light into sensitive receptor windows at multiple storeys. In addition, it was requested that the issue of glare would need to be discussed in terms of the luminous intensity of the luminaires in the field of view. It would need to be demonstrated that an observer could look out of a

window overlooking the field without experiencing glare and a degree of physical discomfort that would necessitate closing the curtains.

58. The applicant has submitted additional evidence in relation to the above queries regarding light levels into upper floor windows (3.5m) and luminous intensity in the field of view. The revised calculations and drawings demonstrate compliance with Zone E3 (suburban) requirements of the ILP guidance in respect of light spillage (light into windows) and for source intensity (glare) for upper and lower floors. The predictions conclude that observers will not be exposed to excessive glare or light spill which would result in discomfort necessitating the closing of curtains. The Council's Environmental Protection service does not raise any objections on the basis of these conclusions.
59. Notwithstanding compliance with the above guidelines, it is necessary to consider the impact a large illuminated area would have on the amenity of residents and the experience of users of the site as an area of open space. It is noted that in dismissing an appeal for the formation of a synthetic football pitch and associated floodlighting at Wellington School in Timperley in 2011 (Appeal Ref. APP/Q4245/A/11/2143219), the Inspector states that ILE (now ILP) guidelines *"should be used only as general guidance, and that careful judgement of the likely effect in any particular case is essential"*. The Inspector goes on to note that *"notwithstanding the relatively low levels of light spilling from the playing surface on to houses and gardens, residents would see, at very close quarters, a large brightly illuminated area which has previously been dark during the normal hours of darkness"*.
60. It is acknowledged that there are four existing lighting columns at the application site, however the light produced from the proposed 8no columns and 39no floodlights would cover a much larger proportion of the site, in particular due to their ability to backlight the adjacent grass pitches and would be used more frequently (the existing columns are restricted to three nights per week). This is likely to result in an impact on surrounding residents similar to that identified by the Inspector above. The proposals would introduce a substantial illuminated area of up to 200m x 120m in size throughout the week at times of the year when the site would otherwise be dark, harmful to the amenity of occupiers of surrounding dwellings. The impact of this on adjacent residents is deemed to be considerable whilst the extent of illumination would affect a greater number of residents than the existing columns.
61. Officers also consider that this large illuminated area would contribute to the harm caused to the experience of users of the site for informal recreation purposes and users of the Public Right of Way, when considered in conjunction with the identified noise and visual impacts. Whilst the site is likely to be used for these purposes to a much lesser degree in hours of darkness, at dusk there is likely to be considerable impact when floodlights are required but the land is still used by non-sporting visitors.

62. Representations raise concerns regarding the impact on light pollution from the floodlights on amateur astronomy and the loss of dark skies. Paragraph reference ID 31-002-20191101 of the NPPG states that *“impacts on other activities that rely on low levels of light such as astronomy may also be a consideration, but will need to be considered in terms of both their severity and alongside the wider benefits of the development”*. Given the proposal for the floodlights to be directed downwards together with their hours of use not exceeding 9pm, Officers consider that such impacts would not be so severe as to warrant a refusal of planning permission on these grounds.

Other matters:

63. Representations raise concerns that the proposed bunds and additional planting will result in a loss of light to surrounding dwellings. Officers consider that given the distance between these elements of the scheme and adjacent dwellings, and the proposed height of the bunds, there is not likely to be a detrimental impact on the amenity of these neighbouring properties in this respect.
64. Other concerns relate to the potential for stagnant water in the swales attracting insects and causing odour, harmful to residential amenity. It is noted that there is currently some extent of standing water on site, particularly during winter months whilst relevant legislation contained within the Environmental Protection Act 1990 is not intended to cover open land such as this, where naturally occurring concentrations of insects could reasonably be expected. Officers are satisfied that there will not be a significant detrimental impact in this respect.

Summary of amenity issues:

65. The intensification of the use of the site for formal sporting purposes, made possible by the proposed operational development, is considered to result in an unacceptable impact on the amenity of occupiers of surrounding residential properties. The noise associated with the development will be of a different and more harmful character to that which residents could reasonably expect to experience at present, due to the nature and hours of use of the AGP. When considered in conjunction with the impacts from the floodlighting and general disturbance identified above, this is considered to represent a level of harm which would render the scheme contrary to Policy L7 of the Core Strategy and paragraphs 170 and 180 of the NPPF.
66. Furthermore, this detrimental change in the character of noise associated with the site together with the increased extent and hours of illumination, would contribute to the harm caused to the character and quality of the site as an area of protected open space. This harm would be experienced in addition to, and in conjunction with, the harm associated with the presence and visual impact of aspects of the development, reduced accessibility of the site and increased perception and fear

of crime, identified elsewhere in this report. This would impact upon users of the site for informal recreation purposes and users of the Public Right of Way and in this respect, the application would fail to comply with Policies L7 and R5 of the Core Strategy and section 12 of the NPPF.

HIGHWAY MATTERS

67. 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”*.
68. 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”*. 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.
69. The application is accompanied by a Transport Statement which notes that the site currently supports rugby union and football use. It is understood that Village Spartans RU Club (part of Sale Sports Club) train and play rugby matches on the site whilst FC Sporting Sale (a junior football club) and Sale Sports Club Ladies FC train and play football matches at the site. This goes on to say that *“no increase in use of the natural grass areas of the Field will arise from the proposal since the existing grass areas are used to capacity”*.
70. It is stated that *“increase in use will result from the use of the HTP [AGP] by Sale Sports Club for its senior hockey (men’s and women’s) training and matches”*. Information submitted with the application indicates that the AGP is likely to be used for senior hockey training between July and March on three weeknights and for senior hockey matches between 11.30am and 6pm on Saturdays between September and April.
71. The TS considers the accessibility of the site by sustainable methods of transport. This notes that the site is in very close proximity to a number of bus stops and the Dane Road Metrolink stop. This gives a distance of 350m to the nearest bus stop, however there are stops on Dane Road, Temple Road and Broad Road which are very close to access points to Clarendon Fields, the nearest being approximately 50m away (on Dane Road). The Metrolink stop is approximately 600m away, which is considered to be a reasonable walking distance. The site is also well connected to its surroundings with cycling infrastructure, and cycle parking facilities are available at Sale Sports Club. Officers are satisfied that the site has a

good level of accessibility by sustainable methods of transport and that this would be a realistic option for those wishing to visit the site.

72. The TS notes that over 71% of Club members live in the M33 area and are within walking/cycling distance for the Club, whilst a further 8% are within Trafford. Whilst it is reasonable to conclude that some of those travelling to the site for senior hockey purposes would do so without the use of a private car, it is noted that the M33 postcode covers a substantial area, the furthest parts of which are up to an hour's walk from the site. It is not therefore guaranteed that all these Club members would travel to the site without the use of a private car.
73. It is acknowledged that there will be some level of car use for travel to the site, including by those who prefer to drive, and opposition teams on match days (although travel by team coach/car sharing is likely to be popular for these purposes) and by those Club members living outside the area in which sustainable transport measures are likely to be a realistic option. It is proposed by the applicant that this private vehicle use will be accommodated within the existing and recently expanded 52-space car park forming part of Sale Sports Club, accessed from the western side of Clarendon Crescent. The applicant advises that hockey matches would have staggered start times on Saturday afternoons in the winter season whilst training sessions would be programmed to even out demand for parking across weekday evenings.
74. The TS outlines measures to be included within a Parking and Vehicle Management Plan for the site. These measures reflect those contained within the Travel Plan for the Sports Club itself, approved in 2018 in respect of the new clubhouse and car park. The TS states that alternatives to car transport (walking, cycling, public transport, and car sharing) will be communicated to all Club users of Clarendon Field and to community users/hirers of the AGP. Community users/hirers of the AGP as well as Club members would be invited to participate in travel surveys and would be included in all actions that refer to 'members' in the Action Plan. This goes on to say that Club members and community users/hirers of the AGP will be requested to use the Club's parking facilities and to avoid parking on public roads. Those who live in the M33 postcode would be targeted to use cycles or to walk to the facility.
75. The Local Highway Authority (LHA) has been consulted and advises that the proposal would not fall comfortably within any particular category detailed within the Council's adopted SPD3: Parking Standards and Design. The LHA advises that the proposed development is likely to result in an increase in the use of the site for sporting purposes and therefore an increase in the number of visitors to the site. In the event that planning permission were granted, a condition requiring the submission a Parking Management Plan prior to commencement has been requested, however no objections are raised in principle.

76. Officers consider that given the proposed use of the site, there is likely to be some resultant level of additional on-street parking in the vicinity of the field. Whilst alternative modes of transport would be a realistic option for some visitors to the site, there is likely to be a not insignificant number of those who will need to travel by private vehicle. These additional vehicular movements are likely to have some impact on the amenity of local residents, through car engines starting, doors slamming and other noises associated with comings and goings. These impacts are also referenced in the 'Residential amenity' section of this report. Notwithstanding this, the impacts on the road network are not considered to be 'severe' and should not therefore constitute a reason for refusal, having regard to paragraph 109 of the NPPF.

Cycle parking:

77. It is noted that a covered cycle bay for ten bicycles is available on the Club's main site. The applicant advises that to date, there has been spare capacity here at all times of the day and evening and as part of the Club's Travel Plan, cycling will be promoted to all users of the sporting facilities and demand monitored. Should demand exceed the existing cycle bay provision, it is advised that the Club will increase the provision to meet demand. Officers and the LHA are satisfied with this approach and a condition should be attached to any consent issued to secure this.

Servicing:

78. In terms of servicing, there are no current local authority provisions for litter storage or removal on Clarendon Field. It is understood that sports teams clear any litter they create and take this to clubhouse for recycling/disposal on a weekly basis. The applicant advises that the Club will be responsible for collecting and recycling/disposal of litter via its refuse disposal contract. Two litter bins are proposed to be located inside the AGP: one for recyclable waste and the other for general waste. Collections would be carried out by the Club's grounds staff. The LHA confirms that the application is acceptable with regard to these servicing arrangements.

Public Right of Way:

79. A Public Right of Way (PRoW – footpath no. 7, Sale) runs across the site, approximately 70m to the south of the proposed AGP and crosses an existing rugby pitch. The proposed plans suggest that this could be diverted slightly in the future to avoid the rugby pitch but to follow generally the same route across the site. The applicant advises that it is not essential to divert the PRoW and the proposals are not intended to change the permanent definitive PRoW route. This would remain unobstructed as a result of the proposed development. The LHA notes that the landscaping proposals refer to 'Potential Future Improvements Works to Surface PRoW'. No objections are raised to this, however were planning permission to be granted, a condition would be required to ensure that full details

of any such works are agreed before being implemented. It is noted that any proposal to permanently divert this PRoW would require consent through a separate application process (a Temporary Traffic Regulation Order). The application indicates that temporary diversion of the PRoW would be necessary during construction and again, consent for this would be required through a separate application process. Impacts on the amenity of users of this PRoW are assessed elsewhere in report, however Officers are satisfied that the proposed development would not permanently impact upon this route.

Summary of highway matters:

80. As set out above, the NPPF states that applications should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given that a reasonable proportion of journeys to the site generated by the development could be undertaken by non-car methods, together with the availability of parking facilities at Sale Sports Club, it is not considered that the threshold for a refusal on highway grounds established by the NPPF would be met.
81. Although Officers do not consider the application to be unacceptable when considering highway matters in isolation, as noted elsewhere in this report the proposed development will result in an intensification of the use of the site which raises other issues relating to the amenity of surrounding residents and the experience of those using the site and Public Right of Way for non-sporting purposes.

FLOODING AND DRAINAGE

82. 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. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it.
83. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of river or sea flooding. The proposed development constitutes a ‘water-compatible’ use in flood risk terms, as defined by the NPPG. The flood risk vulnerability and flood zone compatibility table contained within NPPG identifies this form of development as being ‘appropriate’ in this location.
84. The application is accompanied by a Flood Risk Assessment & Drainage Strategy (FRA), as well as an Agronomy Report to assess the current quality of the grass pitch to the north of the proposed AGP. It is noted that both reports have been amended during the course of the application as a result of amendments to the

scheme and in response to comments from the Lead Local Flood Authority (LLFA). It is the most recent updated versions of these reports which have been referred to as the basis for the assessment of the application ('An assessment of the current quality of a junior football pitch in Clarendon Park, Sale for Notts Sport Ltd.', dated April 2021 and 'Flood Risk Assessment & Drainage Strategy', dated February 2021).

85. The FRA considers the appropriate approach to surface water drainage from both the AGP and the adjacent turf playing pitch, as well as runoff from the proposed bunds. The Agronomy Report assesses the current ground conditions of the existing turf pitch to the north of the AGP and provides recommendations for securing improvements to the quality and drainage of this pitch to enable an increase in its potential usage, having regard to Sport England's requirements (set out earlier in this report).
86. With regard to the AGP, two options for surface water drainage are proposed in line with the drainage hierarchy set out in the NPPF. 'Option A' relates to infiltration, with a drainage aggregate beneath the pitch providing temporary storage of water during extreme storm events prior to infiltration to the ground. It is noted that infiltration testing in accordance with the BRE 365 specification will be required in order to determine whether this is an appropriate drainage solution; if it is concluded that this is not feasible, 'Option B' would be delivered for the AGP. This relates to discharge to the public combined sewer in Dane Road at a limited rate of 5 l/s, achieved through the provision of attenuation storage beneath the pitch.
87. The Lead Local Flood Authority advises that it is satisfied with this approach which is in line with the drainage hierarchy set out in the NPPF. If planning permission were to be granted, a condition requiring the submission of a detailed drainage scheme along with details of appropriate maintenance for the scheme would be required.
88. As set out earlier in this report, it is necessary for improvements to be made to the natural turf pitch to the north of the proposed AGP in order for the development to comply with Sport England's requirements and the requirements set out in Paragraph 97 of the NPPF, given that the AGP is proposed to be built on an existing playing field. The FRA states that the drainage for the natural turf pitch can be improved by installing an infiltration-based drainage system, such as French drains (linear sub-surface stone fill trenches). This makes recommendations as to the size and number of trenches which would be required to appropriately drain the pitch in question. Surface water drainage to a combined sewer (as per 'Option B' for the AGP) would not be an acceptable solution for this pitch as it is understood that United Utilities do not permit such an approach from a natural turf pitch.

89. The Agronomy Report concludes that the key limiting factor on the carrying capacity of the turf pitch is poor drainage due to the presence of a shallow perched water table, resulting in waterlogging usually between November and March. The Report suggests that this situation can be improved by effectively controlling the perched water table and makes a number of recommendations as to how this could be achieved. In summary, the pitch would be raised (by up to 250mm in places) and the thick layer of 'thatch' (a layer of dead organic material which in this case is restricting the infiltration of surface water into the ground) removed in order to lift the surface of the pitch away from the perched water, and to remove water from the perched layer via the drainage improvements set out in the FRA. It is also stated that secondary drainage will also be required in the form of 'sand grooves' (i.e. sand-filled grooves above and perpendicular to the primary drainage system). By implementing the recommended works, it is understood that the existing waterlogging issue would be significantly improved, allowing the proposed surface water infiltration method to operate effectively.
90. The Lead Local Flood Authority is satisfied with the above approach to improving drainage from the turf pitch, whilst Sport England also consider that this would ensure the development is in accordance with NPPF paragraph 97 and their own policies, in respect of the status of the land as a playing field. These consultation responses are subject to planning conditions requiring the submission of a detailed drainage scheme, including a specification of the natural turf pitch in the event that planning permission is granted.
91. The application includes the provision of three landscaped bunds up to 2m height, with three swales/drainage ditches adjacent to these which are intended (in part) to intercept any potential runoff from the bunds. These are not proposed to have a formal connection off-site and are intended to provide an element of water storage prior to infiltration to the ground. The LLFA are satisfied with this element of the scheme from a surface water drainage perspective.
92. A number of representations from local residents raise concerns regarding the drainage proposals, including the potential for waterlogging issues to be displaced from the turf pitch to elsewhere within the site and possibly to surrounding residential gardens. The LLFA has considered this and is satisfied that the drainage proposals will not worsen the existing situation in any surrounding land. This is because the proposals will improve the effectiveness of permeation from the turf pitch, and this surface water would not impact on the existing situation at any surrounding land. Officers acknowledge that this is a concern for some residents and it is understandable that they wish the matter to be thoroughly considered, however the professional advice received from the LLFA does not indicate that such issues will arise.
93. Letters of representation also note that amendments have been made to the revised Agronomy Report, with some sections of text either removed or updated. It is entirely normal for amendments to be made to supporting application documents

during the course of a planning application, whether to provide correction, clarification or to reflect an amended proposal. In this case, the amendments to the Agronomy Report were necessary to ensure that this reflected the proposed drainage strategy by controlling the perched water table, removing the layer of thatch and thereby enabling more effective infiltration of surface water. The amendments to the document were made in consultation with the LLFA and provide an appropriate basis on which to make an informed recommendation in this respect.

94. A number of queries have also been submitted in respect of the consultation response of the LLFA and suggest that this response should be revisited, and direct responses provided to individual questions raised. The LLFA has reviewed these queries and has confirmed that their recommendations remain valid and that they are satisfied with the drainage strategy proposed. When considering a planning application it is not uncommon for different consultees and/or interested parties to have conflicting and often opposing views. It is for the decision maker to take all those consultation responses and representations into account and balance any conflicting views when coming to a decision, and the Local Planning Authority is under no duty to provide or procure individual responses to representations from statutory consultees.
95. Having regard to the information provided, the comments provided by the Lead Local Flood Authority and those submitted in representations, Officers are satisfied that the proposed development is acceptable with regard to matters of flood risk and drainage, subject to mitigation in the form of planning conditions which would be required in the event that planning permission were granted.

TREES AND LANDSCAPING

96. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up-to-date in terms of the NPPF and so full weight can be afforded to them.
97. There are no protected trees within the application site and it is not proposed to remove any trees as part of the development. A significant landscaping scheme forms part of the proposals, with three landscaped bunds proposed in the northern part of the site and additional landscaping in the form of specimen trees, woodland/shrub and wildflower planting within the wider site. It is acknowledged that there are some benefits associated with the substantial additional planting proposed, including the contribution towards the Borough's green infrastructure and features suitable for ecological enhancement. These are to be weighed in the planning balance.

98. With regard to the visual impact of the landscaping scheme, in particular the larger trees and landscaped bunds, it is necessary to have regard to the open character of the site identified earlier in this report. Whilst certain elements of the landscaping scheme may represent an enhancement to the visual amenity of the site to some degree, the bunds would impact upon this open character, being prominent in views from much of the site and would be experienced in conjunction with the proposed fencing and lighting columns. In addition, and as set out earlier in this report, the proposed bunds and swales would create very narrow 'pinch-points' for those wishing to cross the site from north to south, reducing accessibility and representing a significant change to the way in which the site is currently experienced as an area of open space.
99. Notwithstanding the above, should Members consider the application acceptable it will be necessary to secure the ongoing maintenance of all elements of the proposed landscaping scheme. This maintenance would be the responsibility of the applicant and a legal agreement would be necessary to ensure that a suitable maintenance and management plan is secured and adhered to.

ECOLOGY

100. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 118 of the NPPF states that *"if significant harm resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*. Policy R2 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
101. Greater Manchester Ecology Unit (GMEU) has been consulted and notes that the site comprises close-mown, species poor amenity grassland and whilst it is close to high value habitats at Priory Gardens and Sale Water Park, the field itself currently has limited potential to support either notable habitats or protected/priority species. As set out above, the application proposes additional landscaping in the form of trees and woodland/shrub/wildflower planting, as well as a 'damp scrape' and drainage swales which seek to provide an enhanced habitat for wildlife.
102. GMEU and planning officers acknowledge that the proposed development would offer benefits to the site in ecological terms, albeit the landscaped bunds and swales would cause some harm to the experience of users of the site for informal recreational purposes and to the open character of the site, for the reasons set out above.

103. GMEU recommends a condition to restrict the hours of use of the floodlights in the interest of protecting nocturnal wildlife, in the event that planning permission is granted. Further advice has been sought from GMEU as to what this curfew should be and an update shall be provided in advance of the committee meeting.
104. Some representations raise concerns that the development will cause harm to existing wildlife at the site. Given the comments above from GMEU regarding the limited potential of the site to support notable habitats or protected species, Officers are satisfied that the development will not result in unacceptable harm to wildlife.
105. The ecological benefits of the development will be weighed in the planning balance later in this report.

SECURITY AND SAFETY

106. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety. Paragraph 91(b) of the NPPF seeks to achieve safe and accessible places, so that crime and disorder, and the fear of crime, do not undermine the quality of life.
107. The Crime Impact Statement 'Lite' (CIS) originally submitted with the application related to the scheme as initially proposed, which excluded the bunds, swales, landscaping and much of the development other than the AGP and associated fencing and lighting. This states that the proposed weldmesh fencing will prevent most attempts to climb the boundary to gain access to the pitch, that the site is well overlooked by adjacent properties on the surrounding streets and that there will be natural surveillance opportunities from first floor rooms of the surrounding residential properties, making it difficult for antisocial behaviour to go unnoticed.
108. The amendments to the scheme affect the above conclusions, due to the addition of the landscaped bunds and further tree planting. As a result, an amended CIS has been provided which states that the proposed bunds will be 2000mm in height and will be densely planted making it difficult for these to become focal points for loitering. This recommends that some defensible species are used and that the planting is returned to the fence line of the AGP to prevent loitering behind the bund. This goes on to repeat the conclusions from the original CIS that natural surveillance opportunities from first floor rooms of the surrounding residential properties will be possible, making it unlikely for antisocial behaviour to go unnoticed either with those causing a nuisance being seen or heard.
109. It is noted that the planting is not proposed to be returned to the fence line as suggested by the CIS, with a space retained between the solid timber fencing at the ends of the pitch and adjacent bunds for ball retrieval purposes. Whilst the AGP, fencing and lighting columns would still be visible from surrounding

properties, it is unlikely that a good level of natural surveillance of these hidden areas will be possible, especially when the landscaping has matured. Furthermore, natural surveillance from the AGP itself would not be possible due to the solid timber construction of the acoustic fencing. Those people using the site for walking, running and other informal recreational purposes currently experience the site as an almost entirely open space, which is well overlooked from the considerable number of surrounding dwellings. This experience would be materially affected as a result of the narrowing of accessible routes through the site (in particular adjacent to the ends of the AGP and towards the northern part of the site), due to the presence of the AGP, bunds, swales and additional landscaping. Considering these two factors in conjunction (i.e. the creation of hidden areas and narrowing of accessible routes), the sense of safety and security experienced by these users of the site is likely to be harmed and may deter some from accessing the field for these purposes.

110. Greater Manchester Police's Design for Security (DfS) section has been consulted and recommends a condition reflecting the physical security specification within the CIS although as noted above, not all measures recommended in the CIS have been included in the scheme. DfS has advised that based on the current proposals, it does not wish to raise an objection to the proposed development. Whilst the recommendations in the CIS are encouraged, there is no evidence to suggest that the development as proposed would attract antisocial or criminal behaviour. Officers are satisfied that the proposed development would not unacceptably increase the risk of crime to surrounding properties.
111. Notwithstanding the above, it is necessary to take into consideration the potential impacts of the development on fear and perception of crime, as required by paragraph 91 of the NPPF. Section P2 of the National Design Guide is also of relevance as this seeks to ensure that people feel safe and secure, and that fear of crime is not increased as a result of new development. Officers consider that the creation of concealed areas lacking natural surveillance, coupled with the narrowing of accessible routes across the field is likely to create an environment in which informal recreational users of the site have a reduced sense of safety and a potential increased fear of crime. It is considered that this would contribute to the harm to the experience of people using the site as an area of protected open space, in conjunction with the other impacts on this experience identified elsewhere in this report.

COMMUNITY USE

112. The applicant has provided an indicative schedule of use for the AGP, which sets out the times of the week/year when the pitch could be available for use by Sale Sports Club and when it could be available for community/pay-and-play use. This suggests that between July and March, the pitch could be used for hockey training on three nights each week, for hockey matches every Saturday between September and April and for junior hockey training on Sundays for 40 weeks per

year. This also indicates it could be used for multi-sport school holiday camps on every day of the week between 09.30 and 16.00 during school holidays. Junior football training is indicated for Saturday mornings between September and May and the weekday evenings when the AGP is not in use for hockey training.

113. The indicative schedule does not differentiate between community/school/pay-and-play use, so it is not clear how the availability of the AGP for these various uses would be split across the week. This does indicate that non-Club use would be possible largely in daytime hours during the week (up to 18.00 or 19.00), on Sundays after midday and on Saturdays between June and August.
114. The entire site is currently publicly accessible. Whilst the proposed AGP would be available to hire by members of the public during the times set out above, this development would remove this part of the field from general public access and its use (when not required by the Sports Club) would require a fee to be paid.

REPRESENTATIONS

115. Most issues raised in representations have been considered and addressed in preceding sections of this report, however those which have not are considered below.
116. A number of representations refer to a covenant in place on the land from 1924, which prevents the creation of a public nuisance or private inconvenience. It is not a matter for planning to determine whether or not the proposed development would represent a breach of this covenant. This is a matter for the landowner/developer to consider should planning permission be granted.
117. Concerns are raised that the development will result in increased littering at the site. Whilst the overall level of use of the land is likely to increase as a result of the proposed development, there is no evidence to suggest that this will necessarily result in any greater littering impact. The provision of a picnic area will clearly encourage the consumption of food at the site, however bins are also proposed to be provided. Officers are satisfied that there will not be an unacceptable impact in this respect.
118. A representation raises concerns that the rubber used in the elastic shock-absorbing layer in the proposed AGP would present a serious health hazard, as some reports suggest this could have respiratory and carcinogenic effects. Public Health England has been consulted in respect of these concerns. It is advised that the most recent European Chemicals Agency (ECHA) report stated that there was a very low level of concern when playing on artificial pitches that contain rubber crumb and ECHA found no reason to advise people against playing sport on synthetic turf containing recycled rubber granules as infill material. ECHA recommended that people take basic hygiene measures when playing on those surfaces, as they would when playing sport on grass or any other surfaces. On this

basis, Officers are satisfied that this would not be reasonable grounds on which to refuse the application.

119. Public Health England has also drawn attention to a proposed ban on the use of microplastics as infill material for AGPs by the EU REACH Committee for Risk Assessment (RAC), after a transition period of six years. The submitted section drawing of the AGP does not indicate that microplastics would be used, however in the event that planning permission were granted, an informative would be attached advising against the use of these materials in the AGP.
120. A number of alternative sites are suggested in some representations as being more suitable for an AGP. Whilst this may be the case, this is not a matter for consideration under the current application and the scheme proposed by the submitted plans is to be assessed on its own merits. Similarly, the potential for land previously sold by Sale Sports Club for housing at the nearby cricket ground to have been used for an AGP is not material in the consideration of these proposals. This earlier application was considered on its own merits and was deemed to be acceptable, and was not an indication that the current proposals would be deemed appropriate.
121. Some comments suggest the proposed play area is unnecessary here. Officers have acknowledged that the lack of formal facilities at the site contributes to the open, tranquil character of the site identified in this report. However, the scale and location of the play area itself is not considered to cause significant harm to this character.

DEVELOPER CONTRIBUTIONS

122. The proposed development would be liable to a CIL (Community Infrastructure Levy) rate of £10 per sqm, constituting a 'leisure' use in the Council's adopted CIL Charging Schedule.
123. The proposed development would not attract any further developer contributions.

EQUALITIES

124. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
125. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty

comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

126. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.

127. Within the applicant's submission, it is stated that the development would provide enhanced site accessibility for those with physical disabilities. It is also noted that the AGP would offer classes such as walking hockey for those who may be otherwise less able to participate in sport. No individuals or groups would be discriminated against or prevented from using the development. Officers are satisfied that no disbenefits have been identified in this respect and on this basis, the proposed development is considered to have appropriately addressed matters of equality.

CONCLUSION AND PLANNING BALANCE

128. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

129. The development will fundamentally affect the character and nature of the full Clarendon Fields site, not just the footprint of pitch itself. Officers consider that the visual impact of the development, together with the associated impact on the character and nature of the site and its quality as an area of open space will be detrimental to a significant degree, including to users of the site for informal recreation purposes, users of the nearby Public Right of Way and surrounding residents.

130. It is clear that the identified sporting benefits will not generally benefit those who currently enjoy the site for its role as an area of open space and for informal recreational purposes. It is important to recognise that for many users of the site and for most of the time, it is this informal recreational use, the unrestricted accessibility and the visual amenity that the site provides which its benefits are largely derived from. There currently exists a balance between the site's formal sporting purposes and its open space/informal recreational use. It is considered that the proposed development will shift this balance by a significant degree towards the formal sporting element of its use, which would render it at odds with

the character and nature of the site, and exacerbate the impacts which surrounding residents could reasonably expect to experience.

131. The submitted LVA attempts to objectively assess the existing quality of site and the impact of the development on it. The benefits of an open, undeveloped site such as this are often subjective and are not easily quantifiable. Whilst the LVA concludes that the site has no particularly 'special' landscape quality, it is clearly special for local residents because of its open, unspoilt nature and is valuable as an area for experiencing peace and tranquillity in a suburban area. The importance of areas such as this has been highlighted by Covid-19 and the benefits it has provided to many local residents during lockdown. The development will formalise and intensify the sporting use of the land to the detriment of this value and quality.
132. Although it was issued some time ago, the earlier consent for the existing lighting columns recognised the potential impacts intensifying the sporting use of the land could have and aimed to limit such disturbance by tightly restricting their hours of use. Whilst planning policies and priorities change, the nature of the site and its relationship with surrounding properties has not and it is considered that the development now proposed goes far beyond the scale of development which Clarendon Fields could comfortably accommodate and which residents and users of the site could reasonably expect to experience.
133. The intensification of the use of the site for formal sporting purposes, made possible by the proposed operational development, is considered to result in an unacceptable impact on the amenity of occupiers of surrounding residential properties. The noise associated with the development would be of a different and more harmful character to that which residents could reasonably expect to experience at present, due to the nature and hours of use of the AGP. Furthermore, this detrimental change in the character of noise associated with the site together with the increased extent and hours of illumination, would contribute to the harm caused to the character and quality of the site as an area of protected open space. This harm would be experienced in addition to, and in conjunction with, the harm associated with the presence and visual impact of aspects of the development, reduced accessibility of the site and increased perception and fear of crime identified in this report. This would impact upon users of the site for informal recreation purposes and users of the Public Right of Way.
134. The development plan policies which are most important for determining the application are up-to-date and the 'tilted balance' referred to in NPPF paragraph 11(d)(ii) is not therefore engaged. For the reasons set out above, the proposed development is not considered to accord with the development plan and as such, it is necessary to consider whether there are any material considerations which indicate that the application should be approved.
135. Officers acknowledge that there will be sporting benefits associated with the development, resulting from the AGP, lighting and drainage works to the natural

turf pitches. This will enable greater use of the land for formal sporting purposes, including all-weather, year-round use of the AGP. The proposed surface of the AGP will also allow for a greater range of sports to be played within this site, including hockey, netball and tennis.

136. The proposed AGP will also be available at certain times for community use, for example by schools and other organisations. It would also be available for use on a 'pay and play' basis for those members of the public wishing to do so, providing an additional sporting facility in this respect. The submitted indicative schedule of use suggests the extent of this non-club use would vary depending on the time of year, but there would be some degree of availability on weekdays and weekends. This could be secured by a Community Use Agreement, should permission be granted.
137. There are also ecological benefits associated with the development, arising from additional landscaping in the form of trees and woodland/shrub/wildflower planting, as well as a 'damp scrape' and drainage swales which aim to provide an enhanced habitat for wildlife. This additional soft landscaping also represents a benefit in that it would contribute to the Borough's green infrastructure network.
138. The proposed drainage works are likely to improve certain areas of the site for walking and running for example, although it should be noted that the development will also reduce the extent of areas currently available for these purposes as a result of the AGP, bunds and swales. The proposed works to the site access points will improve accessibility into the site, including for disabled people, albeit movement within the site is not generally likely to improve significantly.
139. Certain elements of the scheme may be considered by some to be benefits of the development, however it is clear from an assessment of the existing character of the site and the responses of numerous local residents (including many who live immediately adjacent to site and those who use the site for informal recreational purposes) that these are not universally viewed as such. For example, the sporting benefit of the AGP is to some extent associated with its use for hockey, which is not something which will benefit the vast majority of local residents. Most of the benefits of the development identified above also bring with them an associated degree of harm, whether arising from their appearance, impact on non-sporting users of the site or their impact on amenity. For example, the proposed lighting columns will allow extended sporting use of the site but would be harmful to visual amenity.
140. It is also noted that the improvements to site drainage (and the associated benefits) could be secured without the need for the AGP, fencing, lighting and other works, and therefore without the harm associated with these elements of the current scheme. This may represent a more appropriate balance of use for the site, enabling an enhanced sporting function whilst respecting its other uses, however it is the scheme as submitted which must be considered.

141. Given the above, the identified benefits of the scheme are not considered to carry sufficient weight to indicate that planning permission should be granted. As such, it is recommended that the application is refused for the reasons set out below.

RECOMMENDATION:

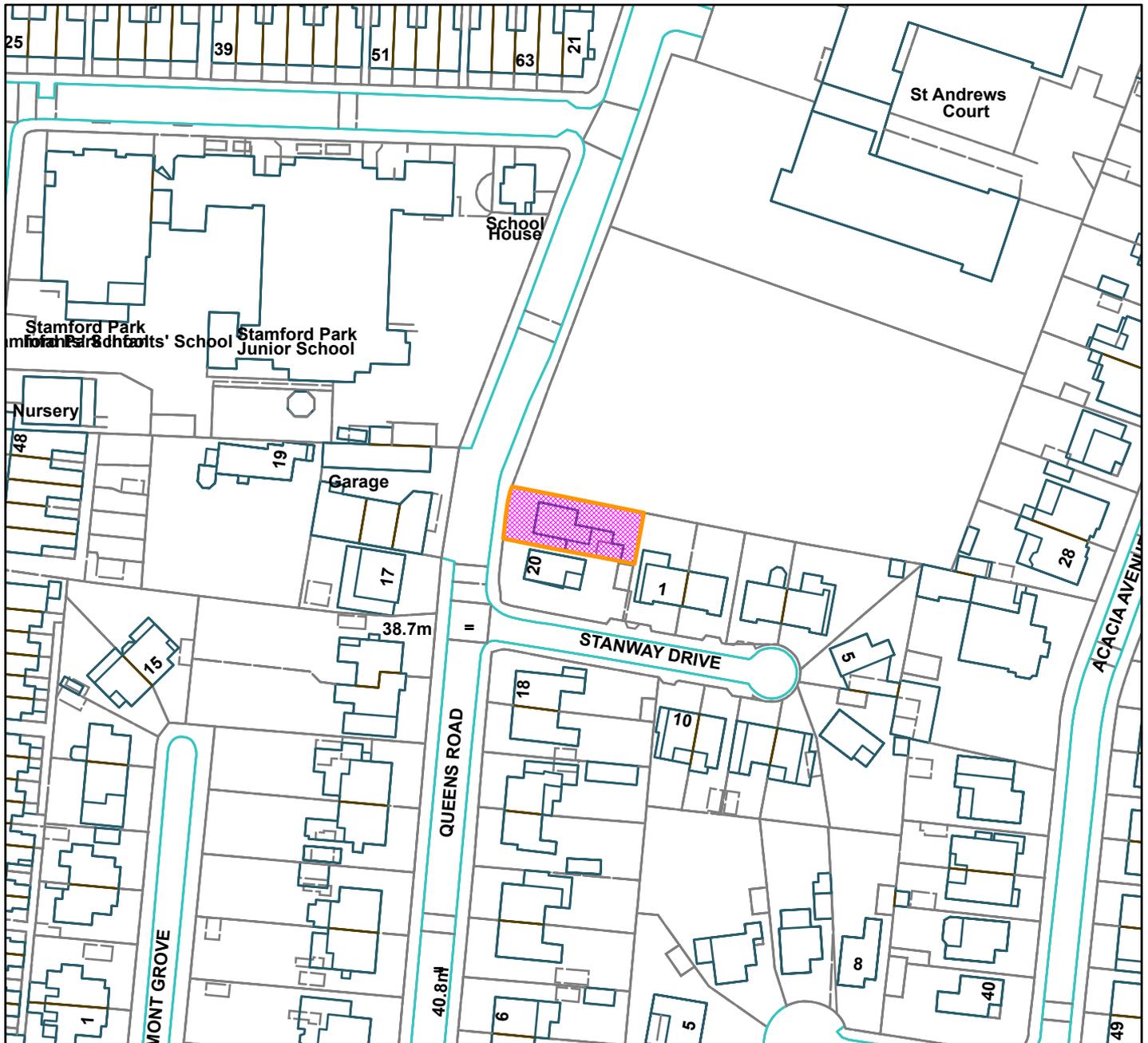
REFUSE for the following reasons:-

1. The proposed development, by reason of the height and appearance of the proposed fencing, lighting columns, duo blocks and netting will cause harm to the visual amenity of the site and, in conjunction with the bunds, harm to its open, largely undeveloped character. For these reasons, the application fails to comply with Policy L7 of the Trafford Core Strategy and section 12 of the National Planning Policy Framework.
2. The proposed development will cause harm to the quality of the site as an area of protected open space, detrimental to the experience of those using the site for informal recreational purposes and to users of the Public Right of Way. This harm arises from the following aspects of the development:
 - the existing balance of use of the site being shifted towards formal sporting functions;
 - a reduction in the level of accessibility of the site by the local community;
 - the presence and visually intrusive appearance of the proposed fencing, lighting columns, duo blocks and netting;
 - the noise and lighting impacts associated with the use of the artificial pitch; and
 - an increased perception and fear of crime resulting from the creation of concealed spaces and narrowing of accessible routes within the site.For these reasons, the application fails to comply with Policies L7 and R5 and Place Objectives SAO9 and SAO16 of the Trafford Core Strategy, sections 8 and 12 of the NPPF and the National Design Guide.
3. The intensification of the formal sporting use of the site resulting from the provision of the artificial grass pitch and its year-round use for seven days a week, and its use late into the evening will result in an unacceptably harmful change to the extent and character of noise and disturbance that residents of surrounding properties could reasonably expect to experience which, together with the illumination of a significant part of the site for the hours proposed and disturbance associated with additional on-street parking, will have a substantial detrimental impact on their standard of amenity. For these reasons, the application fails to comply with Policy L7 of the Trafford Core Strategy and paragraphs 170 and 180 of the NPPF.

JD



Clarendon Fields Sale Sports Club, 39 Clarendon Crescent, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/06/2021
Date	25/05/2021
MSA Number	100023172 (2016)

WARD: Priory

102286/FUL/20

DEPARTURE: No

Demolition of Sale Masonic Hall and the erection of 29 apartments, with associated landscaping and amenity provision.

Former Sale Masonic Hall, Tatton Road, Sale, M33 7EE

APPLICANT: Southway Housing Trust

AGENT: Nexus Planning

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation and has also been 'called in' for consideration by the Planning Committee by Councillor Western and Councillor Brotherton.

EXECUTIVE SUMMARY

The application relates to the site of Sale Masonic Hall, which is situated just outside the boundary of Sale Town Centre.

The application proposes the demolition of the existing Masonic Hall and the erection of a part three, part four storey building to provide 29 shared ownership apartments (14no. 1-bed, 15no. 2-bed). The building would be constructed from red brick and includes some attractive design features (paras. 22 - 24).

28 letters of objection were received in relation to the originally submitted plans and a further 22 letters of objection received following a re-consultation on the amended plans. Councillor Western and Councillor Brotherton have also objected to the application.

The principle of development is considered to be acceptable, and because the Council does not have a 5 year supply of housing land, the tilted balance in NPPF paragraph 11 d) is engaged (paras. 2-4).

The existing building is considered to be a non-designated heritage asset. Whilst the demolition of the existing building would harm its significance, the significance is considered to be low (para. 71). There would also be negligible harm to the setting of the former Police Station and No.'s 29 – 55 Tatton Road, all non-designated heritage assets (paras. 72 - 76).

The development does not include the provision of any car parking (paras. 90 - 95), although the applicant has sought to address this shortfall through a review and

extension of the timing of parking restrictions on the residential streets close to the application site, an approach which is accepted by officers.

There will be a loss of privacy to some existing residents (paras. 44 and 52 - 53); a shortfall in the provision of amenity space for future residents against the recommendations in SPD1, whilst the internal dimensions of the apartments do not all fully comply with the National Described Space Standards (paras. 56 - 59).

The scale, massing, design and appearance of the proposed development is considered to be acceptable, would provide a more attractive outlook for most neighbouring residents (paras 46-48), and generally have a less overbearing impact and a reduced level of overshadowing on most of the neighbouring properties on Chapel Road (paras. 21 - 25).

The benefits of the development include the provision of 29 shared ownership properties in a highly sustainable location, the contribution it would make towards addressing the Council's identified housing land supply shortfall (para. 13) and the regenerative benefits of the scheme overall (para. 127).

Applying the tilted balance in NPPF paragraph 11 d), it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. The application is therefore recommended for approval with conditions, subject to the completion of a S106 legal agreement securing financial contributions for a review of the existing permit parking area on surrounding streets (para. 92) and a full financial contribution towards Education provision (para. 120).

SITE

The application site is located just outside the boundary of Sale Town Centre and is occupied by Sale Masonic Hall, which is a three storey brick built building, characterised by a light blue tiled principal façade fronting Tatton Road. A Hall was originally built on the site in 1882, which has undergone various extensions and alterations during the early and mid-20th Century. The Hall has primarily been used for local Masonic meetings, conference, exhibitions and functions.

The existing building sits on the edge of the public footpath and encompasses a large proportion the site, with a very small yard area to the rear and a narrow secondary access to the north elevation, which is also a shared access to the rear gardens of No.s 57 – 63 Chapel Road.

The character of the area is mixed, comprising of residential properties, commercial units, offices, the former Sale Police Station and a public house 'The Railway'. Two storey terraced residential properties on the western side of Tatton Road directly face the site. Two storey residential terraced properties and commercial properties on

Chapel Road, bound the site to the north and east. An alleyway that provides access to the neighbouring properties, No.'s 37 – 49 Chapel Road, bounds the site to the rear. 'The Railway' public house lies to the far south-eastern corner of the site and the former Sale Police Station, located on corner of Tatton Road and Tatton Place, bounds the site to the south.

PROPOSAL

The application proposes the demolition of the existing Masonic Hall and the erection of a part three, part four storey building to provide 29 apartments (14no. 1-bed, 15no. 2-bed). The building would have a maximum height of 13.11m at four storeys, 10.11m at three storeys and measure 37.11m wide with a maximum depth of 16.32m.

It is proposed that the external elevations would comprise of brickwork with recessed elements to provide breaks and visual interest to the building. Recessed brickwork and string courses also provide vertical divisions on the front and rear elevations and full height glazed windows provide a vertical emphasis. Hanging slate tiles are proposed at the third storey level with metal cladding to the dormer windows. Stone copings are proposed on the pitched gable ends to the side elevations.

The ground floor layout of the building would include a central communal entrance providing access to the apartments on the first, second and third floors, with a lobby, stairwell, lift and small store room. A communal bin store is also proposed within the ground floor, which would be accessed externally from the north elevation.

Other works will include a communal hard and soft landscaped garden to the rear of the apartments and a timber cycle store located within the garden, adjacent to the rear boundary of the site. The cycle store would have a mono-pitched roof and softened in appearance with adjacent planting to the western elevation.

No car parking is proposed for the development.

Floorspace

The total floorspace of the proposed development would be 1,750.4m².

Value Added

Following Officer advice, the applicant has amended their proposal through reducing the massing of the fourth storey, setting it in further from the front and rear elevations and further away from the northern side elevation.

Improvements have also been made to the external elevations of the building, including the removal of ventilation grills above all of the windows (ventilation now provided through smaller circular grills).

The submitted daylight and sunlight study has also been extended to include properties on Chapel Road to the north of the site.

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 Houses
L2 - Meeting Housing Needs
L3 – Regeneration and Reducing Inequalities
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
W1 - Economy
R1 – Historic Environment
R2 – Natural Environment
R3 - Green Infrastructure

PROPOSALS MAP NOTATION

Main Office Development Areas
Sites for Reclamation

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None relevant

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

SPG1 New Residential Development (2004)
Revised SPD1: Planning Obligations (2014)
SPD3: Parking Standards and Design (2012)

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

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 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 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 was updated on 8th February 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

The applicant has submitted the following information in support of the application. Some of the reports have been amended / updated to reflect the changes to the scheme. These documents will be referred to as necessary within this report:-

- Affordable Housing Statement
- Air Quality Assessment
- Crime Impact Statement
- Daylight and Sunlight Assessment
- Design and Access Statement
- Drainage Statement
- Ecology Report
- Heritage Statement
- Landscape Proposal

- Noise Impact Assessment
- Phase 1 Desktop Study
- Planning Statement
- Transport Statement
- Waste Management Strategy

CONSULTATIONS

Housing Strategy & Growth – No objections, the proposal would bring much needed affordable housing into Sale. The site is situated within the ‘moderate’ market location with a requirement of 25% affordable housing under Trafford’s current good market conditions. The development is a fully affordable housing scheme, on a key brownfield site, within Sale Town Centre. The recent Housing Need Assessment 2019 confirmed that the majority of the affordable accommodation required in Sale is 1 and 3 bed houses and 2 or more bed flats. There is an annual net need of 62 new affordable housing units required in Sale with 51% being intermediate tenure (shared ownership) and 49% being for affordable/social rent. Although the Council’s priority is for more affordable homes particularly social rented, it is considered that there is definitely a gap in terms of affordable housing products that allow people to get onto the property ladder. Therefore in this case, there are no objections to the scheme being 100% shared ownership. The recent Housing Need Assessment highlighted a slightly greater need for shared ownership (intermediate) housing in Sale.

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

Local Highways Authority – No objections subject to the developer entering into an agreement to secure revisions to the parking restrictions on the surrounding roads.

Heritage Development Officer – No objections, full comments are discussed in the Observations section below. A condition requiring a detailed survey and photographic recording of the existing building prior to demolition is requested.

Lead Local Flood Authority – No objections provided that relevant drainage conditions are attached.

Pollution & Housing: Air Quality – No objections subject to a condition requiring the submission of a Construction and Pre-Construction Environmental Management Plan, which would include dust suppression mitigation measures.

Pollution & Housing: Contamination – No objections. A range of contaminants have been identified on site including heavy metals, PAHs, hydrocarbons, and asbestos, which could potentially pose a risk to future site occupants and site workers. As such additional investigation is necessary to further delineate the risks present, and to provide details of mitigation measures required to render the site suitable for its intended use. Contaminated land conditions are therefore requested accordingly.

Pollution & Housing: Nuisance – No objections provided that a condition requiring a completion report in relation to noise and ventilation measures and a condition requiring the submission of a construction environmental management plan are attached.

Transport for Greater Manchester – No objections.

- Trip Generation - The trip generation is below the 30 two-way trips required for a more detailed network analysis.

- Car Parking - The development proposes to be 'car-free' and to not provide any car parking spaces for residents. The TRICS analysis shows that the development is forecast 55 two-way trips during the day between 07:00-19:00. Residents are more likely to seek on-street parking with the locality rather than paid off-street parking. It may be prudent to undertake on-street car-parking studies within the local area.

- Cycle Parking - secure covered cycle parking facilities should be provided

GMEU – No objections subject to a condition requiring the recommendations set out in Section 4 of the submitted Ecological Appraisal including Bat Survey (ERAP Ltd, June 2020) are adhered to and conditions requiring biodiversity enhancements.

Greater Manchester Police Design for Security – No objections, recommend a condition to ensure that the development is carried out in accordance with the physical security specifications set out in Section 4 of the Crime Impact Statement.

United Utilities – No objections, request that conditions relating to surface water drainage and foul water are attached should consent be granted.

REPRESENTATIONS

28 letters of objection have been received in relation to the originally submitted plans, from 15 neighbouring residential properties, including 13 properties on Tatton Road, Chapel Lane and Joynson Street, in addition to 2 from properties further away from the application site. Some of the residents are supportive of the principle of the redevelopment of the site to residential, though do have concerns about the current proposal. A summary of the concerns / points raised are: -

- The proposed development is intended to be car free. This is a laudable objective, especially given the location of the site close to a wide range of services, facilities and public transport options. However, the development makes no contribution towards active travel (save for a residents-only cycle store). Should the Council be minded to approve the application, a contribution towards cycle improvements should be secured through a S106 agreement.
- Concern for lack of car parking, parking in the current zone is already at a premium, difficult to believe that none of the residents would need a car, even with excellent transport links.

- We had been told by the developers that residents of the proposed flats would not be able to apply for the parking permit scheme. Is this still the case?
- Lack of disabled parking for disabled residents.
- Deliveries to these apartments will cause a danger on this narrow one-way road.
- More traffic is a danger and create more noise and pollution.
- Refuse bins being left out on collection days will affect pavement access.
- The new apartment block is to be located tight to the existing back of footpath, missing the opportunity to soften the frontage to Tatton Road through landscaping (in line with Policies R2 and R3 of the Core Strategy). Instead, all green space is located to the rear.
- Whilst the proposals are intending to replicate the scale of Masonic Hall elevation they are not recognising the change of use. The hall is currently used on a community basis and as such is occupied at limited times of the day/ week. The existing upper level windows are currently blanked out and the front upper levels of the building are rarely used. The residential proposals introduce a massive privacy intrusion with new habitable rooms under 12m away from existing habitable rooms, with a direct view window to window and introducing new views down from higher storeys into existing habitable rooms.
- The proposed development is a full storey higher than the hall currently stands. The new windows will look directly into our homes from a distance of just 11m rather than the 21m distance required (seen 26.2m marked on the plans, though unclear where this measurement was taken as it certainly is incorrect based on the width of the street).
- The fourth storey will overlook their house and into their loft conversion.
- Understand that the height is to match the apex of the current building, however the new design does not slope as the current building does and runs the entire length of the proposed building, whereas the existing does not.
- The proposals increase the existing building height to the northern end of Tatton Road and is significantly out scale with the character of the existing terraced houses and the adjacent police station. The scale of the proposed block in relation to the existing Victorian houses and the Police Station on a narrow street is not replicated anywhere in the surrounding streets.
- A huge invasion of privacy, their gardens are only very small. If each flat has two people living in it, that's potentially 58 people walking past at least twice a day within 15ft of their back door, which will be intrusive.
- Although the Masonic Hall blocks our view and a certain amount of light in our property, we would prefer that to having our privacy invaded by people living opposite being able to look in on us and we do want to observe others in their homes.
- The proposal does not adhere to the required 24m required and thus has an overbearing impact on the whole of Tatton Road's privacy- although there was a lack of outlook before with the hall in place, there is now a lack of privacy in both directions due to front facing windows of the new development.
- It is not clear whether the terrace area at third floor will be accessible to residents. Strongly object to a roof terrace or balcony at any level as it would have a detrimental impact on their privacy.

- Families live in the neighbouring houses, so 29 flats is not conducive to family living.
- The proposal will block out much of their current natural light and cause substantial overshadowing.
- The number of people who will reside within these apartments will increase noise exponentially.
- The bin store and plant will be almost backing onto their house, causing potential excessive noise and vermin to the bin area. It would be better located to the southern elevation.
- Plans for the utilitarian structure currently up for approval are not in keeping with the unique mix of pleasing Edwardian/ Victorian structures and post war solid builds that lends itself to a look of prosperity and stability.
- The proposed garden would be very small for 29 apartments, with at least 84 residents.
- Concerned that a building works risk assessment has not taken place. How will they access the rear of the site? How will they undertake demolition and asbestos removal?
- Concerned about the impact on drainage in the area as at least five neighbouring houses have experienced flooding in their cellar chambers in the last two years, where United Utilities have confirmed that there is an issue with the old drains.
- The existing side alleyway to the right is shared by 57-63 Chapel Road and the Masonic Hall; the proposal indicates that the access will be cut off if the path is behind a fobbed gate – how will the existing residents gain access?
- Question why the light study does not include their property.
- A better use of the space would be for a number of houses with driveways.

A representation has been received from Councillor Western in regards to the originally submitted plans, which raises the following concerns: -

- Whilst this is a brownfield site that we would all wish to see developed, the intrusion for residents on Tatton Road will be significant and the change of use will make this 24hr.
- Changes to the elevations increase this level of intrusion and also impact on the natural light available to properties on Tatton Road.
- The lack of parking provided will exacerbate existing issues in what is a busy town centre location and impact in particular on neighbouring streets. There can be no guarantee that residents will not have access to a vehicle.

A representation has been received from Councillor Brotherton in regards to the originally submitted plans, which raises the following concerns: -

- Although the proposed building is marginally less high than the pitched roof of the present Masonic Hall, it is a solid rectangular block which will be much more over bearing on the street scene and on neighbouring terraced houses. The design of the proposed building is out of character with the mainly Victorian surroundings.
- The provision of no parking is totally unrealistic. Some of the proposed 29 apartments are likely to have vehicles and, of course, there will also be visitors to the

site. The adjacent roads are covered by a Residents Only parking scheme and residents of (and visitors to) the proposed apartments would be unable to park on these roads during the operating hours of the parking scheme. Parking outside these hours would be allowed, but would exacerbate the parking difficulties in this area.

Following the re-consultation on the amended plans 22 letters of objection were received from 17 residents including 10 residents on Tatton Road, Chapel Road, and Symons Road, in addition to some from further afield. 3 letters were also received from a Planning Consultant on behalf of a number of residents on Tatton Road and Chapel Road. Many of the comments received reiterated the same concerns as previously submitted (summarised above). A summary of additional comments made are: -

- The application does not benefit from the presumption in favour of sustainable development as it does not accord with an up-to-date development plan and the development plan contains policies which are important for determining the application, that are not out-of-date.
- Accept that the proposal would contribute to the supply of affordable homes, but consider this benefit is more than offset by the significant adverse impacts on the amenity of residents on Tatton Road and Chapel Road.
- There has been no change in the separation distance to the properties on Tatton Road, which is 11.885m, far short of the required 25m.
- There is still no parking proposed.
- There is no way to guarantee that the people moving into these flats won't have cars.
- A plan for 12 units plus parking for a minimum of 18 cars ought to be acceptable.
- There has been a rise in crime on their road and expect that this will increase if there are additional unattended cars left parked on the road overnight.
- Lack of appropriate cycle provision. For cycling to be a viable transport option for future residents, it needs to be supported by a safe cycle route. There is no safe cycle route from the site to the centre of Sale. The developer should therefore be expected to make a financial contribution towards the provision of LTN1/20 compliant cycle infrastructure via a S106 Agreement.
- The proposed development does not fall under the maximum height of the current Masonic Hall chimneystack - it's actually higher than the apex of the roof. It's also proposed to be a fully occupied floor with windows that will overlook existing residents' master bedrooms. The proposed height also travels the entire length of the building. In reality, the maximum height of the Masonic Hall only goes half the length of the existing building and for half of the street, so it is actually increasing the height.
- The roofs still do not appear in keeping with the standard pitched roofs on dwellings and buildings in the surrounding area.
- It would have an adverse impact on the historic streetscape in Tatton Road.
- The slightly recessed third floor is just 14.8m from the bedroom windows on the opposite side of Tatton Road, which represents a new higher storey view into existing habitable rooms. This is substantially less than the 24m privacy distance set out in SPG1.

- The proposal involves a change of use from occasional use of the Masonic Hall for community functions to a permanent residential use, so the issue of overlooking and loss of privacy is for 24 hours of every day.
- Unclear from plans whether windows are proposed to the north side elevation. If so they would result in loss of privacy to houses on Chapel Road.
- It should be restricted to the height of the housing opposite. Tatton Road should be significantly altered, with widened pavements and protected cycleway. This road is part of a former gyratory system that has no place in modern society.
- There would still be a loss of privacy to the properties and gardens on Chapel Road.
- Strongly object to any access to a roof terrace or balcony at any storey.
- The updated Daylight and Sunlight Assessment is entirely inadequate and does not provide the necessary evidence to suggest that BRE guidance and British Standard documents have been complied with. Consideration should be given of the responsibilities of the Council under the Human Rights Act, Protocol 1, Article 1, which states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. The proposed development would have a dominating impact and on their right to the quiet enjoyment of their property.
- The plan of the bin store contradicts the Arson Reduction Strategy with regards to the distance between the bin area and the neighbouring premises on Chapel Road. This imposes a fire risk on the adjoining houses on Chapel Road and the residents that share the same access to the passage.
- Concern regarding the health risks of the location of the bin store.
- The Masonic Hall is used often by the community and must not be demolished.
- It is not a good use of this site.
- There is still no confirmation of access during the construction phase.
- It would result in adverse noise and disruption during the construction, for which no Management Plan appears to have been committed to.
- Concerns can only be resolved by the removal of the fourth storey, set the building back, changes to the orientation of windows to protect privacy, reduction in number of apartments and reduce the footprint.

A number of the representations made, whilst raising concerns about some of the elements of the proposed development, state that they welcome the redevelopment of the site and would rather see a brownfield development that destroy greenfield. A resident of Flixton has also submitted supporting comments, noting that they are glad to see the existing “ugly building” being removed, and that the development is within walking distance of several supermarkets, a large pedestrianised town centre, a Metrolink stop, a canal, and several bus stops.

Following the re-consultation, Councillor Western and Councillor Brotherton have also confirmed that their original objections remain. Councillor Western states, *“the material concerns around the increased height of the site, and the distance to neighbouring properties, along with the lack of parking, are not impacted by this amendment”*.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

2. The Council cannot demonstrate a five year supply of housing land (the current supply is 2.4 years), and also has a Housing Delivery Test output of 58%. This automatically triggers the tilted balance in paragraph 11 d) of the NPPF which states:

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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.*

3. Subsequently, the footnote to NPPF paragraph 11 (d)(i) explains that the policies of the NPPF referred to include those which relate to habitats protection, heritage and flood risk. The assessment of the scheme on these areas and assets of particular importance does not lead to a conclusion that 'provides a clear reason for refusing the development proposed'. The scheme therefore falls to be considered under paragraph 11 (d)(ii) as a primary material consideration. This exercise is set out within the 'Planning Balance and Conclusion' section of this report.

4. Paragraph 59 of the NPPF reiterates the Government's objective of significantly boosting the supply of housing. Substantial weight should be given to the contribution this scheme would make to the Council's housing land supply.

5. The housing policy objectives within the NPPF include providing new housing in suitable locations, which offer a good range of community facilities and with good access to jobs, services and infrastructure, including public transport. With the Core Strategy (Policies L2 and L4) promoting development within the most sustainable locations.

6. Policy L1.4 states that the Council will seek to ensure the efficient use of land, concentrating higher density housing development in appropriate and sustainable

locations at lowest risk of flooding, where it can be demonstrated that it is consistent with the provisions of Policy L2.

7. The site is considered to be in a sustainable location adjacent to the boundary with Sale Town Centre, with easy walkable access to transport and services including Sale Metrolink stop and Sale Shopping Centre. Much of the surrounding area to the north and north-east is already residential in character.
8. The principle of housing development on this site is therefore considered to be acceptable.

HOUSING MIX, TYPE AND TENURE

Housing Type and Mix

9. Policy L2 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. Policy L2 as a whole is generally consistent with the NPPF, however references to housing numbers and housing land supply are out of date and less weight should be afforded to Policy L2.5.
10. The proposed development would provide 29 apartments, with a mix of 14 x 1-bed apartments and 15 x 2-bed apartments and therefore would make a much needed contribution to housing supply targets, and would deliver new housing on an unexpected 'windfall' brownfield site. Policy L2.4 of the Core Strategy sets out a target split of 70:30; small:large (3+ beds) residential units, with 50% of the small homes being suitable for families. The proposed development comprises 1 and 2-bed apartments and therefore does not include any 'large' homes that would contribute towards the 70:30 target split referred to in Policy L2. While the proposed development would provide only 1 and 2-bed units, it is recognised that the 2-bed units (which comprises just over 50% of the development) can be occupied by families. Policy L2 as a whole is generally consistent with the NPPF however references to housing numbers and housing land supply are out of date and less weight should be afforded to Policy L2.5.
11. Policy L2.7 states that 1-bed general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. It is considered given the proximity of Sale Town Centre that the 1-bed element of the proposal constitutes an acceptable proportion of the units within the development.

Affordable housing

12. The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised

route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 63 states that affordable homes should be sought within all new residential proposals for major development (i.e. developments for ten units or more). Paragraph 64 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market:affordable housing.

13. The application site is located within a 'moderate' market location and thus has a requirement of 25% affordable housing under Trafford's current good market conditions. Core Strategy Policy L2 seeks a 50:50 split in the affordable housing units to be provided between intermediate (commonly shared ownership) and social/affordable rented housing units, unless exceptional circumstances can be demonstrated. The proposed development would be wholly affordable, with all units shared ownership. The development is to be delivered by Southway Housing Trust, with specific funding from Homes England to support a shared ownership scheme. The recent Housing Need Assessment 2019 confirmed that the majority of the affordable accommodation required in Sale is 1 and 3 bed houses and 2 or more bed flats. There is an annual net need of 62 new affordable housing units required in Sale with 51% being intermediate tenure (shared ownership) and 49% being for affordable/social rent. Although the Council's priority is for more affordable homes, particularly social rented, the Council's Housing Strategy and Growth service considers that there is a gap in terms of affordable housing products that allow people to get onto the property ladder. It is also noted that the recent Housing Need Assessment highlighted a slightly greater need for shared ownership (intermediate) housing in Sale.

DESIGN, LAYOUT AND VISUAL IMPACT

14. 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"*.
15. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing.

16. This states at para 120 that *“Well-designed homes and buildings are functional, accessible and sustainable”* and goes on to state at para 122 that *“Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by”*.
17. Policy L7 of the Trafford Core Strategy reflects the importance of design quality to the Borough’s built environment and 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”*.
18. 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.
19. 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”*.
20. Paragraph 2.4 of PG1 further states that *“Whilst the Council acknowledges that the development of smaller urban sites within small scale housing or flat developments makes a valuable contribution towards the supply of new housing in the Borough, the way in which the new buildings relate to the existing will be of paramount importance. This type of development will not be accepted at the expense of the amenity of the surrounding properties or the character of the surrounding area. The resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.”*
21. The area surrounding the application site is characterised by varying styles of buildings and form. Two storey terraced properties on the western side of Tatton Road directly face the site. Two storey residential terraced properties and commercial properties on Chapel Road, bound the site to the north and east. An alleyway that provides access to these neighbouring properties on Chapel Road bounds the site to the rear. ‘The Railway’ public house lies to the far south-eastern corner of the site and the former Sale Police Station, located on corner of Tatton Road and Tatton Place, bounds the site to the south.
22. The proposed development would comprise of the demolition of the existing Masonic Hall and the erection of a part three, part four storey building that would

measure 37.11m in length along the frontage of Tatton Road. The proposed building would have a maximum height of 13.11m at four storeys, 10.11m at three storeys and a maximum depth of 16.32m. The overall height of the building would be similar to but slightly greater than the existing Masonic Hall, so it is considered it would be acceptable in terms of its height in the streetscene. The building would be set back from the front boundary of the site by 0.4m to form an area of defensible space to the front elevations of the ground floor apartments. Low level railings and a box style hedge would lie along the front boundary of the site.

23. The proposed building would be of a contemporary design but includes some traditional detailing to help it sit comfortably within the setting of the surrounding period buildings. The external elevations would comprise of brick with recessed elements to provide breaks and visual interest to the building, together with direct access to four of the ground floor units and a main entrance situated centrally on the front elevation. Recessed brickwork and string courses also provide vertical divisions on the front and rear elevations and full height glazing provides a vertical emphasis that is reflective of the terraced properties on the opposite side of Tatton Road.
24. The fourth story would be set 1.35m back behind a parapet wall on the front and rear elevations with a mansard style roof – it appears as a pitched roof from the front and back but is flat on top. This storey would be clad in slate hanging tiles and the windows have been designed to appear as dormers, clad in a metal that would match the colour of the tiles. A double pitched gable feature to the north and south elevations of the fourth storey is also reflective of the existing Masonic Hall that the development would replace.
25. The design of the proposed building is therefore considered acceptable and would not result in material harm to the visual appearance and character of the street scene and surrounding area in compliance with Core Strategy Policy L7 and the NPPF.

RESIDENTIAL AMENITY

26. In addition to ensuring that developments are designed to be visually attractive Para 127 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.
27. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of future occupants 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. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.

28. A range of issues have been considered under the broad topic of residential amenity in this case. All issues are considered in turn below, and with the impacts on both existing and prospective residents discussed.

Daylight and Sunlight

29. The Building Research Establishment (BRE) has published detailed guidance in 2011 on daylight, sunlight and overshadowing 'Site Layout Planning for Daylight and Sunlight'. The guidance provides advice on site layout to retain good daylight and sunlight in existing surrounding buildings, which enables an assessment as to whether a proposal would adversely affect the daylight and sunlight reaching existing habitable rooms and relevant external amenity spaces.
30. The BRE Guide sets out the following three parameters to be assessed in measuring the impacts of a development on daylight availability to adjacent key properties: -
- Daylight: Vertical Sky Component (VSC) and Daylight Distribution (DD)
 - Sunlight: Annual Probable Sunlight Hours (APSH)
 - Overshadowing in Amenity Space
31. The guidance sets out that the key rooms to be assessed in the neighbouring residential properties are living rooms, kitchens and bedrooms.
32. Daylight is the level of diffuse natural light from the sky that enters a building to provide satisfactory illumination of internal accommodation between sunrise and sunset. Any reduction in the total amount of daylight can be calculated by finding the 'Vertical Sky Component' (VSC). The VCS is the ratio of the direct skylight illuminance falling on a vertical face at a reference point (usually the centre of a window), to the simultaneous horizontal illuminance under an unobstructed sky. The BRE guidance advises that if the VSC is more than 27%, then sufficient light would still reach the neighbouring window, however, if the VSC is less than 27% as well as less than 0.8 times (one fifth) its former value, then the occupants would notice a reduction in the amount of skylight.
33. Sunlight refers to direct sunshine and is much brighter than ambient daylight. A key difference is that sunlight is highly dependent on orientation whereas this has no effect on daylight. Habitable rooms in domestic buildings that face within 90 degrees of due south are tested, as are rooms in non-domestic buildings that have a particular requirement for sunlight. The analysis is known as the Annual Probable Sunlight Hours (APSH) analysis. The BRE Guidance recommends that relevant neighbouring windows should receive a minimum of 25% of the total annual probable sunshine hours, to include a minimum of 5% of that which is available during the winter months (between the autumn and spring equinoxes).

34. Overshadowing is a consequence of the loss of daylight and sunlight and can occur when buildings are in close proximity relative to their size. The BRE guidance recommends that at least 50% of a garden or open space should receive a minimum of 2 hours of direct sun on the spring equinox.
35. The application is accompanied by a Daylight and Sunlight Assessment by Aval Consulting Group, which has sought to establish the extent of any sunlight and daylight loss on the neighbouring properties on Tatton Road and has since been updated to include those to the north of the site on Chapel Road, and whether any overshadowing would occur. An Internal Daylight and Sunlight Amenity Report has also been submitted to evaluate daylight and sunlight conditions for the proposed residential units. The Assessment states that the appraisal was undertaken in accordance with the guidance and methodology contained in the 2011 Building Research Establishment (BRE) Guide.
36. The Assessment finds that all the tested windows on neighbouring properties to the north of the site on Chapel Road and to the west of the site on Tatton Road have a VSC value that is within the 0.8 times the VSC value with the existing development. It also identifies that some of the neighbouring windows to the north on Chapel Road will actually benefit from the proposed development with an increase in light to these windows.
37. In regards to the impact on the neighbouring properties opposite on Tatton Road, the Assessment concludes that the modelling and Vertical Sky Component (VSC) simulations demonstrate that despite the proposed development being located directly opposite, the amount of light being received by the windows of the Tatton Road properties is still relatively high, with a negligible change to the overall light being received by the windows when compared to the existing building on the site.
38. The Assessment also includes a VSC simulation for the proposed development, which demonstrates that future residents of the development would also be afforded an acceptable level of daylight. The Assessment notes that the proposed angled windows to the rear elevation, serving two separate apartments, do not meet the BRE requirements of 27% VSC value (they range between 22.44 and 26.20%). However, the report further notes that "*the test only measures the light falling on a single point, and therefore does not take into account the size of a window or the benefit of other windows serving the same room. The test also does not consider the size of the room any window serves*". It is recognised that one of the two windows affected would only serve a relatively small single bedroom and the second window would serve an open plan kitchen / lounge, which would have a secondary window to the side elevation. It is therefore considered that the reduced VSC standard to these windows is acceptable in this instance.
39. The submitted Assessment therefore shows that there would be a negligible change in the amount of light being received by neighbouring windows. As a result of this, the Assessment states that any impact on APSH towards the

neighbouring sites cannot be scoped out as the change is considered to be insignificant.

40. The Assessment includes an overshadowing simulation that compares the overshadowing currently experienced and that which would occur from the proposed development. The assessment has simulated overshadowing on dates that represent the typical spring, summer, autumn and winter equinoxes. Each day has also been split into eight different times from 7am to 5pm, thus providing a good comparison of the existing situation and the proposed.
41. The overshadowing simulation shows that across these times and dates the level of overshadowing of neighbouring properties and gardens generated by the proposed development would predominantly either be the same or represent an improvement from the existing situation. A slight increase in overshadowing is shown to occur for No.'s 55 to 63 Chapel Road during mid-afternoon (3pm) in spring (this represents the only one adverse change resulting from the proposed development out of the thirty-two scenarios assessed). These properties, No.'s 55 and 57 in particular, would experience a reduced level of overshadowing at many times throughout the rest of the year, especially during the autumn and winter months, due to the proposed building not projecting as far into the site as the existing building.

Privacy and Overshadowing

42. PG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines states that for new two storey dwellings (houses or flats), that the minimum distance between dwellings which have major facing windows is 21m across public highways and 27m across private gardens. The PG states that where three storey dwellings (houses or flats) are proposed, the minimum distances are increased by 3m over the above figures and for four or more storeys, the figures as for 3 storeys apply.
43. With regard to overshadowing PG1 states *that "In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15m should normally be provided"*. PG1 further states that *"Distances to rear garden boundaries from main windows should be at least 10.5m for 2 storey houses and 13.5m for 2 storey flats or houses or flats with 3 or more storeys"*.

Impact on properties on Tatton Road

44. Two storey terraced properties fronting Tatton Road are situated directly opposite the site. It is recognised that a distance of only 11.6m would lie between habitable windows on the front elevation of the proposed development at ground, first and second floor levels and the front elevation of these neighbouring properties. This

distance is significantly short of the recommended distance set out in PG1 (24 metres). It is noted that this distance is across a public highway and that the existing ground floor windows of the properties on Tatton Road do not currently benefit from a good level of privacy, as they are immediately adjacent to the public footpath on a relatively busy thoroughfare close to the town centre. However, it is recognised that a loss of privacy is likely to occur to the first floor windows because of this significant shortfall in the separation distance. In situations like this, it is normal practice to look to see whether there are any similar relationships on surrounding streets. Whilst no direct comparisons are available here, it is not uncommon for three storey buildings to be situated opposite two storey properties, particularly in a terraced street scene. It is also considered that the proposed building would provide a more attractive outlook for residents of Tatton Road than does the dilapidated existing building.

45. The proposed fourth storey would be set back from the front elevation by 1.35m. The applicant has submitted a cross section plan that demonstrates that this set back, along with a parapet wall, would ensure that views of the neighbouring properties on Tatton Road would not be achievable from the fourth storey of the proposed apartments.
46. It is acknowledged therefore, that the proposed development would result in a degree of harm in the form of a loss of some privacy to the first floor front windows of neighbouring properties on Tatton Road. This is considered to be an adverse impact of the scheme.

Impact on No.'s 55-63 Chapel Road

47. Two storey terraced properties on Chapel Road bound the site to the north and east. No.'s 55 – 63 Chapel Road lie to the north of the site. It is understood from representations received from these residents, that their properties contain patio doors (serving habitable rooms), bedroom and bathroom windows on the rear elevations and roof slopes. A minimum distance of 10.3m would lie between the three storey side elevation of the proposed building and the rear habitable room windows of these properties. Whilst it is recognised that this separation distance is less than that recommended within PG1, the three storey element of the proposed building would only be 0.75m higher than the existing building it would replace.
48. A distance of 8.2m would lie between the proposed fourth storey element of the building and the northern boundary of the application site with No.'s 55-63 Chapel Road. A minimum distance of distance of 15m, increasing to 16.6m would lie between the fourth storey and the main rear elevations of these neighbouring properties. It is noted that the two storey outriggers of these properties do not have windows on the rear elevation, though they do have velux windows within the roof slopes. Due to a set back of the fourth floor of over 5m, this part of the building would not be easily visible from these neighbouring properties and gardens.

49. Two windows are proposed at first and second floor level to the northern side elevation of the proposed building. These would form secondary windows to lounges. It is therefore recommended that a condition is attached requiring these two windows to be obscure glazed and fixed shut to ensure that privacy is maintained to the properties and rear gardens of No.'s 55 – 63 Chapel Road.
50. As discussed in the '*Daylight and Sunlight*' section above, the applicant has also demonstrated through the submission of an overshadowing assessment that the proposed development would only result in a slight increase in overshadowing of the rear gardens of these properties in mid-afternoon around the Spring equinox and that for the remainder of the year the development would result in either a reduction in overshadowing or remain the same as existing. The assessment also demonstrates that No.'s 55 and 57 in particular would experience a reduced level of overshadowing at many times through the rest of the year due to the proposed building not projecting as far into the site as the existing building.
51. It is noted that concerns have been raised by these neighbouring residents in regards to the bin store and its close proximity to their rear boundary. The Council's Pollution and Housing Team have been consulted on the application and have raised no concerns regarding the location of the bin store, which would be located internally within the building. Whilst it is noted that the bins would be accessed and moved on collection day from a passageway to the north of the building, they would then be returned to inside the building once they have been emptied. It is recommended that a condition is attached requiring the submission of a waste management strategy to ensure that bins are made available and returned to the internal storage area in a timely manner so as to prevent undue noise, disturbance and odours to neighbouring residents.

Impact on No.'s 37 – 49 Chapel Road

52. No.'s 37 – 49 Chapel Road are two storey terraced properties that lie to the east of the site. A service alley to these properties lies between these houses and the rear boundary of the application site. A minimum distance of 20.54m, increasing to 26.97m would lie between the three storey element of the proposed building and habitable room windows on the rear elevations of these neighbouring properties. As detailed above, PG1 sets out that a minimum distance of 30m should lie between dwellings (including flats) with major facing windows, when the separation is across private gardens. It is recognised that the separation distance between the rear habitable room windows and the rear elevations of these neighbouring properties fall below the standard set out in PG1 and that the proposal would result in significant number of residential windows within the site (that currently do not exist) facing towards these neighbouring properties. It is therefore recognised that the proposal would result in a greater level of overlooking of these neighbouring properties than is currently possible from the existing commercial building. This is considered to be an adverse impact of the scheme.

53. It is also noted that these neighbouring properties are positioned at a slight angle to the existing houses and thus the views from the windows of the proposed development would not be directly facing the windows of these neighbouring properties. Furthermore, an existing commercial building at No.51-53 Chapel Road, which lies immediately along the common boundary with the application site, would restrict views of the northern end of the proposed building from the neighbouring property No.s 47 and to a lesser extent No. 49 Chapel Road. The proposed fourth storey would be set 1.35m back behind a parapet wall, thus preventing views from these windows of the neighbouring rear windows and gardens of No.'s 37-49 Chapel Road.
54. The existing Masonic Hall, measuring 6m and 8.6m high, is situated either very close to or on the rear boundary of the application site. The proposed building would be set a minimum distance of 8.3m, increasing to 18m away from the eastern rear boundary. The existing building is of particularly poor architectural quality to the rear and as such, it is considered that the proposed development would have less of an overbearing impact on the properties and gardens of No.'s 37-49 than the existing building and would also provide a more attractive outlook.
55. A cycle store is proposed to be located adjacent to the far south eastern corner of the site, adjacent to the alleyway of Chapel Road. The proposed cycle store would have a maximum height of 2.87m. Whilst it is noted that a distance of only 2.45m would lie between the proposed cycle store and the rear boundary of No.37 Chapel Road, a 1.8m - 2m high fence lies along the rear boundary of No.37. An existing boundary wall would also be retained to a height of 2m along the eastern boundary of the site, which would partially screen views of the cycle store from the small rear gardens of No.'s 37 and 39 Chapel Lane. It is recommended that a condition is attached requiring full details of the boundary treatment is submitted and agreed to ensure that the resulting boundary wall would have a good quality finish, thus further improving the outlook for these neighbouring residents on Chapel Road.

Amenity for Future Residents

56. PG1: New Residential Development sets out the Council's standards and states that most new dwellings should provide some private outdoor space and that this is necessary for a variety of functional requirements such as sitting out and children's play. The guidance sets out recommended garden area sizes and advises that for flats, 18m² per flat of adequately screened communal area is considered generally sufficient for these functional requirements.
57. The proposed landscaping scheme seeks to provide a total of 94m² of amenity space for the future residents, an average of 3.2m² per apartment. Three of the ground floor apartments would benefit from small private garden areas to the rear, and a shared garden is provided to the rear of the building. This provision would

be a significant shortfall from the recommended standard in PG1, and must be considered as an adverse impact of the scheme.

58. Central Government's 'Technical Housing Standards – nationally described space standards' (NDSS) (published March 2015 and amended May 2016) *“deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height”* (para 1). The applicant has submitted a breakdown of all of the apartments comparing the floorspace and bedroom room widths with the NDSS. The breakdown shows that all of the apartments meet at least 85% of the relevant space standards as a minimum, with over 79% of the apartments achieving 90% or more of the standard. 45% of the apartments meet or exceed the NDSS.
59. Whilst developers are encourage to fully comply with the NDSS, and it is recognised that these are not adopted standards within Trafford, it should nevertheless be considered as an adverse impact of the scheme. The applicant has also confirmed that all of the apartments accord with the Homes England minimum standard for this tranche of grant funding.

Noise

60. A small industrial unit is located to the north-east of the site, at No.51-53 Chapel Road. The premises was last occupied by Sale Glass & Glazing, though is now vacant. The applicant has submitted a Noise Impact Assessment (NIA), which has been reviewed by the Council's Pollution and Housing Team. The NIA recommends that the noise mitigation scheme includes a whole dwelling ventilation system for apartments with windows located on the north, east and south facing facades. This will serve as an alternative to opening windows for fresh air flow and background ventilation. A condition is therefore recommended accordingly to ensure that the appropriate noise mitigation measures are carried out in order to protect the amenity of future occupants and the operations of neighbouring businesses.

Conclusion on Residential Amenity

61. In regards to the impacts of the proposed development on the amenity of existing residents it is considered that the siting, massing and layout of the proposal, when considered as a whole, would not have a materially greater overbearing impact or result in any materially greater loss of light or overshadowing to neighbouring properties and gardens than does the existing Masonic Hall. It is also considered that the proposed building would provide a more attractive outlook for most neighbouring residents. It is noted that the proposed development will result in reduced privacy to the first floor windows on the front elevation of the neighbouring properties on Tatton Road and the rear windows of houses on Chapel Road to the

east. There is therefore some limited conflict with Policy L7 in relation to its impact on the residential amenity of these neighbouring residents in that some will appreciate the reduced overbearing nature of the proposed development when compared to the existing building, whilst others will be impacted to some degree by an increase in the number of windows and thus overlooking.

62. In regards to the impacts of the proposed development on the amenity of future occupants of the development, the scheme would provide an attractive apartment block in a sustainable location close to local amenities. However, it is noted that the amenity space for the proposed development would fall short of the guideline set out in PG1 and the development would not fully comply with NDSS.

HERITAGE

63. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*
64. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. As indicated above this policy does not reflect case law or the tests of ‘substantial’ and ‘less than substantial harm’ to the significance of heritage assets in the NPPF. As Policy R1 of the Core Strategy is out of date for decision making purposes, the requirements of Paragraph 11 of the NPPF are engaged. In view of this 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.
65. Paragraph 190 of the NPPF states *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset)”*. The NPPF further sets out that the identified significance should be taken into account when considering the impact of a proposal on a heritage asset in order to *“avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”*.
66. Paragraph 193 of the NPPF establishes 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. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises.

67. Paragraph 197 identifies that the effect of an application on the significance of a non-designated heritage asset should also 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.
68. There are no designated heritage assets included within the application site. The site is not located close to any Conservation Areas and GMAAS have confirmed that they consider the development would not impact on any remains of archaeological significance. The nearest designated heritage asset is the Grade II listed former Lloyd's Bank on the corner of Ashfield Road and School Road. The application site lies just within its setting but given the intervening distance and townscape there is not considered to be any harm to its setting.
69. The existing Masonic Hall has been identified as a non-designated heritage asset. A Hall has occupied this site since the late 19th Century and is one of a number of clubs, institutions and civic buildings which illustrate the municipal development of the town during this period. The 19th Century gable is visible adjacent to the former Police Station, albeit it has now been refaced with the distinctive blue façade and the chimneys truncated. These alterations in conjunction with flat roofed extensions to the east and north appear to have been undertaken in the mid-20th Century.
70. The Council's Heritage Development Officer considers that the existing building has some historic significance with social and communal interest, having served the community as a headquarters and recruitment centre for the 3rd Cheshire Regiment; a Conservative working men's club and a Masonic Hall for the past Century.
71. The Council's Heritage Development Officer considers that there would be harm in the loss of the existing building overall, though nevertheless acknowledges that the architectural and historic significance of the heritage asset is low and of local significance. Whilst it is understood that the mid-20th century alterations have impacted on the Hall, they are considered to represent an interesting phase in the life of the building during this period.
72. The site also lies within the setting of three non-designated heritage assets: the former Police Station, Sale Town Hall and Library and No.'s 29-55 Tatton Road.
73. The former Police Station is located adjacent to the south of the site and dates from 1881. The proposed development would form the backdrop to this building. It is noted that the eaves and ridge heights of the proposed building would be significantly greater than that of the former Police Station. However, it is also recognised that these would not be demonstrably greater than the existing Hall that it would replace. The proposal building would also include a gable feature on

the southern elevation at fourth storey, which is reflective of the distinctive gable end to the existing Hall.

74. Sale Town Hall and library were built from 1910 onwards, creating a municipal core to the town. The Town Hall fronts School Road, with elevations also on Tatton Road. Views of the proposed building within the setting of the rear of the Town Hall and library would be achieved from the junction of Tatton Road and Ashfield Road.
75. The application site is enclosed on the west, north and east by late 19th and 20th century terraced houses, along Tatton Road (No.s 29-55). The proposed development would be viewed directly within the setting of these terraced properties and would have a significantly greater height and massing. The full extent of the development is clearly visible in views of this non-designated asset from Tatton Road and due to the proposed height, massing and form it will result in a visual impact on these properties and their appreciation from the street scene.
76. The Council's Heritage Development Officer considers that the proposal would not result in any harm to the setting of Sale Town Hall, though would result in negligible harm to the setting of the former Police Station and No.'s 29 – 55 Tatton Road due to the height, scale, massing and form of the proposed development. Officers agree with this conclusion.

LANDSCAPING

77. The application proposes a hard and soft landscaping scheme to form the communal amenity space to the rear of the development. This would significantly enhance the site, which currently comprises of built form and very little vegetation. A low level hedge is proposed along part of the front boundary, helping to provide a degree of defensible space to the front of the ground floor apartments, whilst also helping to soften the appearance of the development at ground level.
78. The proposed boundary treatment comprises of 0.6m high railings along the front boundary and the retention and building up of a brick wall to 2m high along the rear boundary. 2m high close boarded fencing is proposed along the northern boundary of the site with neighbouring properties on Chapel Road. This fence would include access gates to the rear gardens of No.'s 57 – 61. 2m high metal fencing with controlled access gate is proposed along the southern boundary of the site.
79. Conditions are recommended to ensure that a high quality landscaping scheme and boundary treatment is provided.

ECOLOGY

80. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 175 of the NPPF states that *"if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*.
81. Policy R2 of the Core Strategy (Natural Environment) is considered to be consistent with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on conserving and enhancing the natural environment. Accordingly, full weight can be attached to it in the decision making process.
82. The applicant has submitted an Ecological Appraisal including a bat survey. This report has been considered and accepted by the Greater Manchester Ecology Unit (GMEU), which concludes that the existing building has a negligible value to bats roosting and the surrounding habitats within the site are of only local and in part limited value to biodiversity.
83. The submitted Ecological Appraisal identified an invasive non-native species on the site, Virginia Creeper. GMEU has recommended that the details of the removal of this species from the site is recommended in accordance with the recommendations of the Appraisal.
84. Paragraph 175 d) of the NPPF requires developments to take opportunities to incorporate biodiversity improvements in and around developments. The Ecology Appraisal sets out recommendations for biodiversity enhancement, including the installation of three house sparrow terrace nest boxes and the planting of trees (to be incorporated into the landscaping scheme) that support blossom and fruit, which will attract insects. GMEU advises that a condition is attached requiring the inclusion of these biodiversity enhancements as set out in sections 5.4.4 and 5.5.2 of the Ecological Appraisal.

HIGHWAYS

Sustainable Location

85. Para 103 of the NPPF states 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.'
86. 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’.

87. Policy L4 of the Core Strategy states that the Council will prioritise the location of development within the most sustainable areas accessible by a choice of modes of transport.
88. The site is located in a highly sustainable and accessible location given its close proximity to the Sale Metrolink stop, bus services and cycle infrastructure. Sale Metrolink Station is located 320m away, providing frequent services between Altrincham, Manchester and Bury. Bus stops providing frequent services to Altrincham, Trafford Centre, Wythenshawe and Eccles are also located within a short walk on a number of roads around Sale Town Centre. The site is located 150m away from the Bridgewater Way cycle route which is one of six ‘Cycleways’ in Greater Manchester that provides cyclists with a traffic-free route link from Altrincham to Castlefield in Manchester City Centre and the Trafford Centre.
89. It is also noted that the site is located adjacent to the boundary within Sale Town Centre, which provides many services, amenities and employment opportunities, which would make walking and cycling genuine alternatives to travelling by car or public transport.

Car and cycle parking

90. 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.
91. The Council’s car parking standards as detailed within Supplementary Planning Document 3 (SPD3) state that for this location, each 1-bed dwelling unit requires 1 car parking space and each 2 or 3-bedroom dwelling unit requires 2 car parking spaces. These maximum standards generate a requirement for a total of 44 car parking spaces. The application does not include the provision of any car parking to serve the proposed apartments. It is noted that a large number of objections from neighbouring residents and Councillor Western and Councillor Brotherton have objected and expressed concerns regarding the provision of no car parking for the development.
92. The application site is located within a resident parking restriction zone, with parking on Tatton Road restricted to permit holders only between 09:00 and 20:00. Following discussions with the LHA, the applicant has agreed to fund (through a S106 legal agreement) a review and extension of the timing of parking restrictions on the residential streets close to the application site to prohibit parking into the evenings and throughout the weekend (times to be agreed subject to consultation). The LHA has also advised that residents of the proposed development would not

be eligible for a Residents' Only Parking Permit. The applicant has also confirmed that purchasers of the apartments will be made aware of this. It is therefore considered that this should prevent any parking by residents of the new development on existing streets at times when parking spaces are most needed, and thereby adequately mitigate any harm to residential amenity that may arise from the provision of no car parking within the site.

93. In support of the application, the applicant has submitted a Transport Statement (TS), which confirms that future residents of the development will be made aware that no parking is provided within the site. The TS details that the current car ownership statistics show that at present, approximately 23% of households in Trafford do not own a car, while 49% of households only have one vehicle. The applicant Southway, who are a Housing Association, also state that in their experience residents of affordable units have significantly lower levels of car ownership and typically, tenants are more likely to be younger, single person households on low income who do not own or have access to a car.
94. The TS further states that at present, approximately 13% of existing residents in the ward travel less than 2 kilometres to their place of work, meaning travel by sustainable modes is highly likely and that existing travel to work data shows that the potential of non-car users at the development would be approximately 92%, including those who mainly work from home. The TS advises that the data regarding the travel modes used by existing residents within the ward indicate that there are already many residents travelling to work in a sustainable manner and there are no reasons to suggest that this would not continue to be the case for the proposed development.
95. The applicant has also confirmed that in order to manage travel by residents at the proposed development, they agree to a condition requiring the submission and implementation of a Travel Plan to encourage travel to the site by non-car modes.
96. The minimum cycle parking standards as detailed within SPD3 state that 1 cycle parking space is required for a 1-bed dwelling unit, 1 communal or 2 allocated spaces are required for a 2 or 3-bedroom dwelling unit. The proposed development includes the provision of a cycle store that would accommodate 30 secure cycle parking spaces, thus meeting the minimum standard within SPD3. The provision of sufficient secure cycle parking also helps to provide alternative forms of transport for the residents.
97. It is also recognised that based upon the above information, the LHA has raised no objections to the planning application.

Conclusion on highways

98. It is considered that the proposed development is sustainably located near to a number of sustainable transport options, which offer a genuine alternative to the

private car. A good level of secure cycle parking would also be provided to serve the development. Due to the highly sustainable location of the site, combined with the review and extension of the timing of parking restrictions on the residential streets close to the application site, zero car parking provision is considered to be acceptable in this instance. It is therefore considered that the proposed development complies with the NPPF and Core Strategy Policy L4, subject to the completion of a S106 Legal Agreement securing funding for the review and extension of the timing of parking restrictions on the neighbouring residential streets.

AIR QUALITY

99. Paragraph 181 of the NPPF advises that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Paragraph 110 also requires applications for development to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
100. Policy L5 requires developers to adopt measures identified in the Greater Manchester Air Quality Action Plan, to ensure that their development would not have an adverse impact on air quality. In this respect, L5 can be considered to be up to date for the purposes of decision making and full weight attributed to it.
101. The site is located within an Air Quality Management Area (AQMA) and as such the applicant has submitted an Air Quality Assessment in support of the application. Environmental Protection have reviewed the Assessment, which indicates that concentrations of NO₂ and PM₁₀ are likely to be below the relevant AQOs at the development location. The proposal does not include any car parking spaces, and so the potential air quality impacts associated with the operational phase of the development from road vehicle exhaust emissions are predicted to be not significant, in accordance with relevant IAQM15 screening criteria.
102. The Air Quality Assessment does identify that in respect of the construction phase, the impact of dust emissions has been assessed in accordance with IAQM methodology. Assuming good practice is employed, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout activities are predicted to be not significant. In order to ensure that good practices are employed during the construction phase, a condition is recommended requiring the submission and implementation of a Construction and Pre-Construction Environmental Management Plan.

103. It is considered that the proposed development complies with the NPPF and Policy L5 with regard to air quality.

FLOODING, DRAINAGE AND CONTAMINATION

Flooding and Drainage

104. 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 155 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.
105. 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 Drainage Strategy, which has been reviewed by the LLFA. The LLFA raise no objections to the Drainage Strategy and request that conditions are attached to ensure that the development is carried out in accordance with the submitted Strategy and that the relevant mitigation measures are carried out. A condition is also requested for the submission of a management and maintenance plan for the lifetime of the development in regards to the operation of the sustainable drainage scheme.

Contamination

106. Policy L5 also states that *‘Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place’*.
107. In relation to site contamination the Council’s Pollution and Housing Team have considered the content of the Phase 1 desk top study submitted in support of the application. The desk top study identified a range of contaminants on the site, including heavy metals, PAHs, hydrocarbons, and asbestos which could potentially pose a risk to future site occupants and site workers. Accordingly, the Pollution and Housing Team advise that an additional investigation is necessary to further delineate the risks present, and to provide details of mitigation measures required to render the site suitable for its intended use. Conditions requiring such investigations to be carried out and a subsequent verification report is therefore recommended.
108. Subject to the conditions recommended above it is considered that the scheme is compliant with the requirements of Policy L5 of the Core Strategy and the NPPF.

SECURITY

109. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.
110. A Crime Impact Statement (CIS) has been submitted alongside the application and makes a number of recommendations, mainly in regards to access points. Greater Manchester Police's Design for Security section has been consulted and does not raise any objections to the development, subject to a condition requiring the implementation of the physical security specifications set out within the submitted CIS.
111. On this basis, it is considered that the proposed development would be acceptable with regard to matters of security and safety subject to the condition outlined above.

SUSTAINABILITY AND ENERGY EFFICIENCY

112. Policy L5 of the Core Strategy states that "*New development should ...maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation*" and that development will need to demonstrate how it contributes towards reducing CO₂ emissions within the Borough. For major development the policy states there is potential to deliver CO₂ reduction target of up to 5% above current Building Regulations. It is considered that Policies L5.1 to L5.11 are out-of-date as they do not reflect NPPF guidance on climate change, whilst the remainder of the policy is compliant with the NPPF and remains up-to-date.
113. The applicant has confirmed carbon reduction methods that will be adopted within the proposed development, these include the tender process relating to local employment and training; a sustainable approach to the full construction process, energy and fabric specification assessments; MVHR installation; 'A' rated white goods, LED lighting and water saving devices. The applicant has also confirmed that they take a fabric first approach to development where their building specifications are over current Building Regulations, which also reduces running costs for their tenants.
114. While it is noted that Policy L5 is out of date in relation to NPPF guidance on climate change it is considered that the environmental efficiencies that the scheme seeks to achieve is in accordance with the general thrust of the NPPF guidance. The applicant has agreed to a condition that requires the submission of a Carbon Reduction Statement, which confirms that the development will deliver a minimum CO₂ reduction of 5% above current Building Regulations. Subject to this condition the proposal is considered acceptable to ensure compliance with Policy L5 and the NPPF.

EQUALITIES

115. The Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
116. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
117. The proposed development will incorporate inclusive access throughout the development. The primary pedestrian access to the proposed building is via security controlled doors, with level threshold, situated off Tatton Road, with Plots 1, 2, 6 and 7 also benefiting from direct access, again with level threshold, at street level. A secondary pedestrian route to the proposed building can also be accessed through a fob-controlled access gate off Tatton Road through to the landscaped area to the rear of the site.
118. Internally, all upper floors will be accessed via a centrally located Part M compliant lifts and an ambulant disabled stair.

HUMAN RIGHTS

119. Concerns raised by a neighbouring residents in regards to the proposed development affecting their Human Rights are noted. Section 6 of the Human Rights Act 1998 requires public authorities to act in a way that is compatible with the European Convention on Human Rights. Various Rights may be relevant to this application including Article 1 (protection of property) and Article 8 (Right to respect for a private and family life). The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”. Any interference must be necessary and proportionate. The rights of the individual have been considered against the wider public interest and it is determined that the Articles will not be triggered.

DEVELOPER CONTRIBUTIONS

120. Policy L2.2 states that residential development will be appropriately located in terms of access to existing community facilities and/or deliver complementary improvements to schools. Based on the Department for Education's School Places Score Card rates, as recommended by the DfE, the expected primary pupil yield of the development would equate to a contribution of £47,211 and the secondary pupil yield a contribution of £43,744, resulting in a total contribution of £90,955. The applicant submitted a viability assessment regarding this contribution, stating that it made the scheme unviable. The viability assessment has been reviewed by the Council's viability consultants but is not considered to be robust. The applicant has subsequently agreed to pay the financial education contribution of £90,955, which will be secured through a legal agreement.
121. The proposed development would fully comprise of affordable units in the form of shared ownership, by a registered provider. The proposal therefore falls within one of the exemption categories for the Community Infrastructure Levy (CIL) under Regulation 49 and as such no CIL contribution would be required.
122. 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 and provision will be brought forward as part of the landscaping scheme required by condition.

PLANNING BALANCE AND CONCLUSION

123. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
124. 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. As the Council does not have a five year supply of housing land, the tilted balance in Paragraph 11 of the NPPF is engaged. An assessment of the scheme against Paragraph 11(d)(i) does not suggest that there is a clear reason for refusal of the application when considering open space, heritage or flood risk.
125. Paragraph 11(d)(ii) of the NPPF – the tilted balance – requires a balancing exercise to assess whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This exercise is set out below:

Adverse Impacts

126. The following adverse impacts of granting permission have been identified:

- The demolition of the existing Masonic Hall, which has been identified as a non-designated heritage asset, though its historical significance is considered to be low.
- The proposed development would cause negligible harm to the setting of the neighbouring non-designated heritage assets, the former Police Station and No.'s 29-55 Tatton Road.
- The development does not include the provision of any car parking to serve the development, and thus does not comply with the maximum standards set out in SPD3.
- The separation distance between habitable room windows on some neighbouring properties fall short of the recommended distances set out in PG1. Some loss of privacy is therefore likely to occur.
- Shortfall in the provision of amenity space for residents against the recommendations in SPD1.
- The development would not fully comply with NDSS.

Scheme Benefits

127. The main benefits that would be delivered by the proposed development are considered to be as follows: -

- The delivery of 29 additional affordable residential properties in a highly sustainable location.
- The proposals would contribute towards addressing the identified housing land supply shortfall and the Council's policy aspiration to maximise the use of previously developed land for housing.
- The scale, massing, design and appearance of the proposed development is considered to be acceptable and appropriate to the location of the site and would provide a more attractive outlook for most neighbouring residents.
- The proposed development would generally have a less overbearing impact and a reduced level of overshadowing to most of the neighbouring properties on Chapel Road when compared to the impact of the existing Masonic Hall.
- Enhanced biodiversity on the site.
- Economic benefits that will flow from construction and occupation. Additional expenditure into the local economy will support existing services in the area.
- A financial contribution to education, though this is given negligible weight as it is to mitigate the impacts of the proposed development.

Conclusion

128. A number of the benefits arising from the proposed development can be given substantial weight. Substantial weight is given to the contribution the scheme will make immediately to the Council's five year housing land supply and the

regenerative benefits of the scheme overall, together with affordable housing being provided in excess of the Council's policy requirements.

129. The main adverse impacts relate to the lack of car parking provision, (which is sought to be addressed through a review and extension where necessary of the existing residents parking permit scheme) and the loss of privacy for neighbouring residents on Tatton Road and Chapel Road. Whilst some conflict with Core Strategy Policy L7 has been identified, the scheme is considered to comply with the development plan as a whole.
130. Having carried out the weighted balancing exercise under Paragraph 11 (d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. The application is therefore recommended for approval.

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
- A financial contribution (sum to be agreed) for a review of the existing residents' permit parking area on surrounding streets.
 - A financial contribution of £90,955 contribution towards off-site education facilities, comprising £47,211 towards primary school places and £43,744 towards secondary school places;
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (ii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions (unless amended by (ii) above):
1. 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:
 - A-DR-000 Revision A – Location Plan
 - A-DR - 002 Revision F – Proposed Site Plan
 - A-DR-002 Revision G – Proposed Site Plan
 - A-DR-002 Revision J – Proposed Site Plan
 - A-DR-003 Revision K – Proposed Floor Plans
 - A-DR-009 Revision H – Proposed Elevations Option 2
 - A-DR-015 – Cycle Store Details
 - A-DR-018 Revision E – Brickwork Detail
 - A-DR-019 – Proposed Roof Plan
 - A-DR-020 – Overlooking Distances
 - 6319-01 Revision E – Landscape Proposal
 - 6319.02 Revision E – Landscape Proposal

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

3. The residential units hereby permitted shall only be used for the purposes of providing affordable housing (as defined by the NPPF Annex 2, or any subsequent amendment thereof) and shall not be offered for sale or rent on the open market.

The residential units hereby permitted shall comprise 29no. affordable housing units (all of which shall be shared ownership).

None of the residential units hereby permitted shall be occupied unless and until details of the occupancy criteria to be used for determining the qualifying criteria of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced have been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided and managed thereafter in accordance with the approved details.

This planning condition shall not apply to the part of the property over which:- (i). a tenant has exercised the right to acquire or any similar statutory provision and for the avoidance of doubt once such right to acquire has been exercised, the proprietor of the property, mortgagee in possession and subsequent proprietors and their mortgagees in possession shall be permitted to sell or rent the property on the open market; (ii). a leaseholder of a shared ownership property has staircased to 100% and for the avoidance of doubt once such staircasing has taken place the proprietor of the property, mortgagee in possession and subsequent proprietors and their mortgagees in possession shall be permitted to sell or rent the property on the open market.

Reason: To provide a satisfactory level of affordable housing and to comply with the requirements of Policy L2 and L8 of the Trafford Core Strategy and the NPPF.

4. Notwithstanding any description of materials in the application, (except for the demolition of buildings and structures down to ground level, and site clearance works) no above ground construction works shall take place until samples and a full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

5. Except for the demolition of buildings and structures down to ground level, and site clearance works, no above ground construction works shall take place unless and until a detailed façade schedule for all elevations of the building has first been submitted to and approved in writing by the Local Planning Authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:

- i. All brickwork detailing
- ii. All fenestration details and recesses including detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details of all external window and door systems (including technical details (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour).
- iii. All entrances into the building
- iv. The siting of any equipment on the roofs of the development
- v. The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the buildings
- vi. The siting of any external façade structures such as meter boxes
- vii. The siting, design and material/finish of the louvres indicated for mechanical ventilation

This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved detailed façade schedule.

Reason: To ensure a high quality standard of development in the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Policy L7 of the Core Strategy and the National Planning Policy Framework.

6. (a) The approved landscaping works, as detailed on drawing numbers 6319.01 Revision E and 6319.02 Revision E, 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.
- (b) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

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

8. The development hereby approved shall not be occupied until a scheme for the rear (eastern) boundary wall to the site has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of its height, design, materials and brick detailing. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that a satisfactory appearance is achieved to the rear boundary of the site, having regard to its location, the nature of the proposed development and having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

9. 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:
- i) Suitable hours of construction and pre-construction (including demolition) activity;

- ii) Measures to control the emission of dust and dirt during construction and pre-construction (including demolition) and procedures to be adopted in response to complaints of fugitive dust emissions;
- iii) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- iv) Measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity and plant such as generators;
- v) 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;
- vi) The parking of vehicles of site operatives and visitors;
- vii) Loading and unloading of plant and materials (all within the site) including times of access/egress;
- viii) Storage of plant and materials used in constructing the development;
- ix) The erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- x) Wheel washing facilities and any other relevant measures for keeping the highway clean during demolition and construction works;
- xi) Contact details of site manager to be advertised at the site in case of issues arising;
- xii) Information to be made available to members of the public.

No fires shall be permitted on site during demolition and construction works.

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.

10. The development hereby permitted shall only be carried out in accordance with the approved Drainage Strategy (Feb 2021 / 3237-DS / Integra Consulting) and the following mitigation measures detailed within the document:

- Limiting the surface water run-off generated by the development to 5.9 l/s so that it will not increase the risk of flooding on and off-site.
- Provision of a minimum 15m³ attenuation flood storage on the site to a 1 in 100-year storm event with a 40% allowance for climate change.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere by ensuring that

storage of flood water is provided, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Except for the demolition of buildings and structures down to ground level, and site clearance works, the development hereby permitted shall not take place unless and until a management and maintenance plan for the lifetime of the drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The plan must 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. The management and maintenance plans shall be implemented thereafter.

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, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

12. Within 6 months of the first date of occupation of the development hereby permitted a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:
 - A firm commitment to targets detailed within the Travel Plan;
 - Realistic and quantifiable targets;
 - Effective objectives and incentives to reduce car travel and increase use of non-car modes;
 - Targets to be reviewed and monitored against the baseline which will be established within 3 months of the first date of operation;
 - Resident travel surveys shall be completed every 12 months from the date of first operation, and for a minimum period of ten years.

The approved Travel Plan shall be implemented for a period of not less than 10 (ten) years from the first date of operation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. No external lighting shall be installed on any building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall only be lit in accordance with the approved scheme.

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

14. The development hereby approved shall not be occupied until the cycle parking hereby approved has been provided in accordance with the facilities shown on drawing no. A-DR-015 and made available for use. The cycle parking shall be retained in perpetuity.

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.

15. The development shall be completed in accordance with the physical specification measures outlined in section 4 of the submitted Crime Impact Statement (ref 2020/0062/CIS/01).

Reason: In the interests of residential amenity having regard to Policy L7 of the Trafford Council.

16. The development hereby approved shall not be occupied unless and until a Waste Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how the refuse and recycling bins shall be made available for collection on bin day and then how they will be returned to their approved storage area thereafter. The approved strategy shall be implemented for the lifetime of the development.

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

17. No installation of any externally mounted plant and equipment (including, but not limited to: utility meter boxes, flues, lighting, security cameras, alarm boxes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the Local Planning Authority. Such plant and other equipment shall not be installed other than 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. No development, including demolition of the existing building, shall take place until a detailed survey and photographic record in accordance with Level 2 of Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (2016) of the building's historic features, has been submitted to and approved in writing by the Local Planning Authority. A copy of the report shall also be deposited in Trafford Local Studies Library.

Reason: In accordance with paragraph 199 of the NPPF to record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publically accessible, prior to the commencement of works on site, having regard to Policy R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework. The details are required prior to development, including demolition, taking place on site as any works undertaken beforehand, including preliminary works, could result in an adverse impact on the site's historic features.

19. Except for the demolition of buildings and structures down to ground level, and site clearance works, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to the phase 1 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 other than the excluded works listed above. 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, ground waters 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. iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken v) 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 first occupation of the development hereby 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. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

20. The development hereby permitted shall not be occupied 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.

21. Prior to the first occupation of the development hereby approved, a completion report shall be submitted to the Local Planning Authority to detail the noise and ventilation measures installed within each residential unit on the north, east and south facing facades, to meet the approved mitigation scheme described within the Noise Impact Assessment, 'Tatton Road, Sale' Reference: 50-165-R1-2, dated 15th February 2021, prepared by e3p.

Reason: To ensure that appropriate noise and ventilation measures have been installed, in the interest of the amenity of future residents, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In the interests of the residential amenity of future occupiers of the development having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

23. 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.

Details for this condition need to be submitted prior to the commencement of works on site because mitigation measures need to be in place prior to any operations taking place on site [all nesting birds their eggs and young are protected under the terms of the Wildlife and Countryside Act 1981 (as amended)].

24. The removal and disposal of Virginia Creeper (an invasive non-native species INNS, Schedule 9 of the (Wildlife & Countryside Act 1981) shall be undertaken in accordance with Section 5.2.1 of the submitted 'Ecological Appraisal (including a Licensed Bat Survey) June 2020 reference: 2020-122.

Reason: To prevent the spread of invasive non-native species in the interests of biodiversity, having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

25. Except for the demolition of buildings and structures down to ground level, and site clearance works, prior to any above ground construction work first taking place, a scheme detailing the provision of bird boxes and bat boxes, bricks or tubes across the site, in accordance with Section 5.4.4 of the submitted 'Ecological Appraisal (including a Licensed Bat Survey) June 2020 reference: 2020-122, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and retained thereafter.

Reason: In order to compensate for the loss of nesting bird habitat and to enhance the biodiversity of the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

26. The flat roof areas of the building hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on those roofs (other than as shown on the approved plans) unless planning permission has previously been granted for such works.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouses, having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.

27. Upon first installation the windows in the north elevation shall be fitted with, 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.

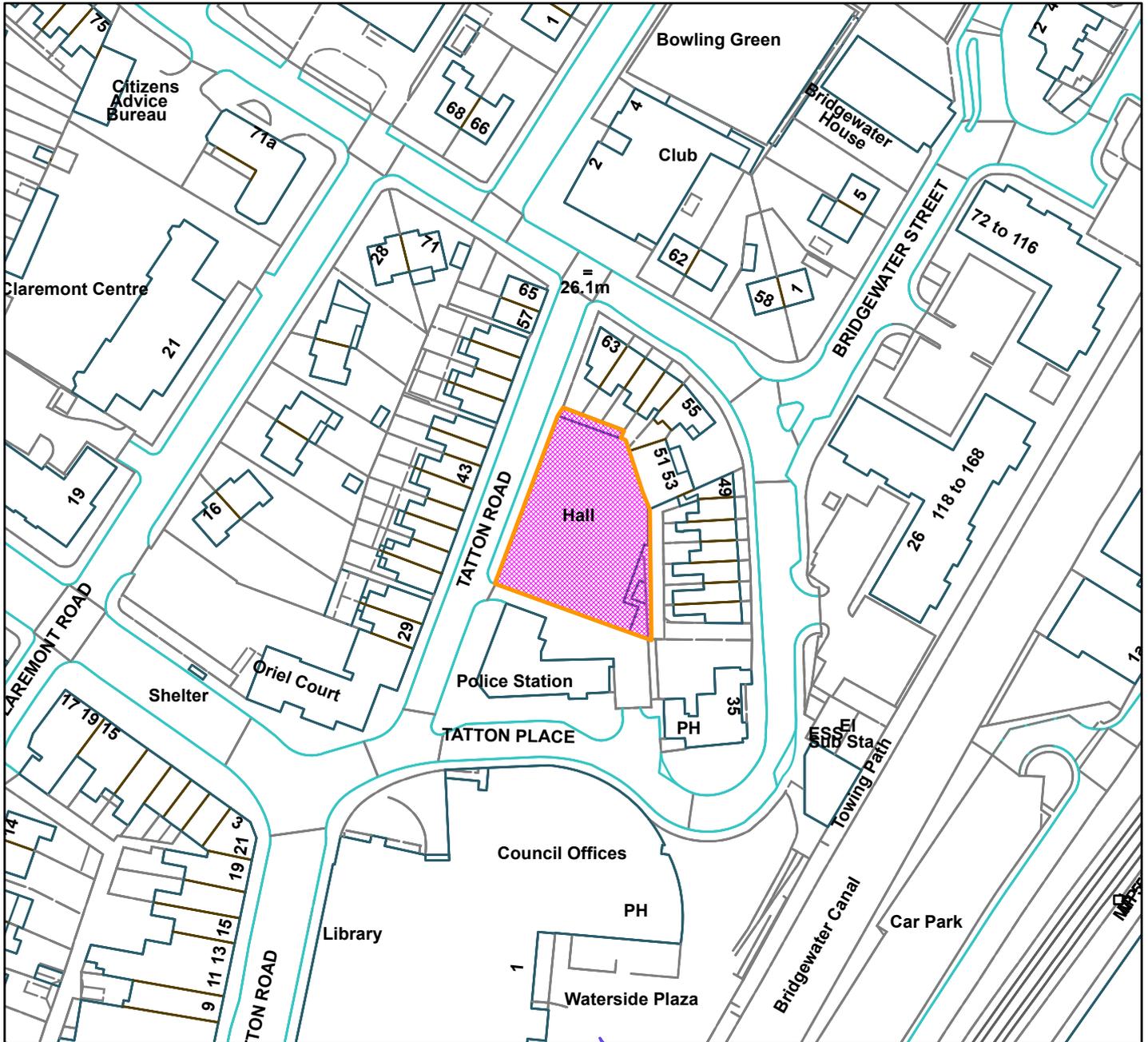
28. No development shall take place until a strategy for energy efficiency and low/zero carbon technologies for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall identify measures to reduce carbon dioxide emissions from the development and demonstrate a minimum CO2 reduction of 5% above current Building Regulations. The approved strategy shall be implemented in full prior to first occupation of the development hereby permitted or in accordance with a phased approach that has first been submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter.

Reason: To mitigate and reduce the impact of the development on climate change and in the interests of achieving a reduction in carbon emissions, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

VW



Former Sale Masonic Hall, Tatton Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/06/2021
Date	25/05/2021
MSA Number	100023172 (2016)

WARD: Timperley

103014/FUL/20

DEPARTURE: No

Change of use of existing retail shop (Class E) to hot food takeaway (sui generis) and installation of ventilation/extraction equipment to rear of property.

361 Stockport Road, Timperley, Altrincham, WA15 7UG

APPLICANT: Mr Snelgrove

AGENT: Groves Town Planning

RECOMMENDATION: MINDED TO 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 site comprises a ground floor commercial property within a two storey commercial block located on the northern side of Stockport Road, the principal shopping street in Timperley. The building is set back off the public highway with a customer parking area provided around the frontage of the block. The adjacent units comprise a local supermarket store and a coffee shop/cafe. Office space is located in the first floor of the building, with retail uses also located on the opposite side of the main road.

Immediately to the rear of the unit is an extension, which does not form part of the application site. The land to the rear of block is used for parking and servicing, with bin storage for the units. A number of the other units have external ventilation plant equipment and there is a flue to another unit which is visible from the rear of the site.

To the east of the commercial block is Timperley Methodist church and to the north is Mayfair Court, a residential apartment development.

PROPOSAL

This application seeks planning permission to change the use of the unit from retail to a hot food takeaway. Since the initial submission the applicant has amended the development proposal to include a full kitchen ventilation/extractor system which includes an external flue to the rear of the unit.

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
- Policy W2 – Town Centres and Retail

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms and the tilted balance is not engaged.

PROPOSALS MAP NOTATION

Timperley District Centre (CS policy W2)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

n/a

OTHER PLANNING GUIDANCE

SPD3 – Parking and Design (2012)

PG 13– Hot Food Takeaway Shops (1993)

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 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 is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

98589/ADV/19 - Advertisement consent sought for a non-illuminated fascia sign
Approved with Conditions

APPLICANT'S SUBMISSION

Planning Statement

CONSULTATIONS

Environmental Protection (EHO) – No objection subject to condition.

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours. Eleven objections have been received making the following points:

- Already enough/ too many pizza shops in the area;
- Will have a negative impact on existing takeaway businesses;
- Will have a negative impact on the retirement apartments (Mayfair Court) through noise and nuisance;
- Will cause further litter issues;
- Insufficient parking and will generate further unwanted traffic;
- Will impact on health and wellbeing of those residents in Mayfair Court

OBSERVATIONS

PRINCIPLE

1. The unit is located within the designated Timperley District Centre. Policy W2 of the Core Strategy notes that within these centres the focus will be on retail at an appropriate scale, opportunities for service uses and independent retailing of a function and character to meet the needs of the local community.
2. The unit is currently vacant but was last in use as a retail unit. There have been major barriers in terms of new retail given the Covid-19 pandemic with a notable rise in retail units closing down in the past 12 months. While the proposed use would see a non-retail use incorporated at ground floor the benefit would be the active use which would also add to the evening economy. This is preferable to it remaining vacant.

3. The proposal would see the loss of a retail unit (albeit vacant). This unit appears to have been vacant for some time with the last retail use being as a 'vape' shop. The concerns from objectors relating to proliferation of hot food takeaways are noted. That the proposed use may introduce further competition between existing takeaway businesses is not material to the consideration of this application.
4. The overall make-up of the town centre is relatively healthy with a good mix of retail and service uses. The use of this vacant unit as a hot food takeaway (HFTA) would not, either on its own or in combination (there are six other HFTA's within a 200m radius) result in an over proliferation which would negatively impact on the vitality of the town centre.
5. Having regard for the above, the change of use is considered to be acceptable in principle and in accordance with the NPPF and Policy W2 from the Core Strategy and represents sustainable development. This is subject to all other, relevant material considerations which will be considered in the following sections of the report.

DESIGN AND APPEARANCE

6. The applicant is not proposing any external alterations to the front of the unit and to the rear the proposal is for a flue and extractor plant, which is sited between an extension to a neighbouring unit and the corner of the building. Whilst there are residential flats to the rear (Mayfair Court) which look towards the rear of the site, there is a separation distance in excess of 30 metres.
7. The flue would be located between two side walls and will not be an overly prominent feature and acceptable in this context. The separation distance from residential properties is acceptable to ensure there is not an unacceptable visual amenity impact. In addition there is a reasonable degree of natural vegetation acting as a screen between Mayfair Court and the rear of the site. Given the height of the flue it would not be visible to the front of the unit.
8. The proposal is therefore compliant with Policy L7 Design and the NPPF.

RESIDENTIAL AMENITY

9. In regards to protecting amenity Policy L7 states in paragraph L7.3 *"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".*

10. It is necessary to consider the potential impact of the proposal in terms of noise and disturbance upon the amenity of neighbouring properties. In this instance the sensitive receptors are those residential apartments (Mayfair Court) to the rear of the site, there are no residential uses at first floor above the commercial units. There is potential for noise break out from the takeaway and in particular the extraction/ventilation equipment to the rear of the property.
11. Following initial concerns the planning authority requested additional information as to how the applicant would seek to minimise odour/noise and vibration. The recommendations of this document include measures through design of the extractor and ventilation system to reduce any potential impact to an acceptable standard.
12. The EHO reviewed the revised proposal and extractor/flue design and concluded that the submitted technical information is satisfactory and therefore subject to the system being installed to the specification proposed has no objection. In addition a number of conditions are proposed to further reduce potential impact on neighbours. These include a condition to ensure the fixed plant does not exceed the background noise level (LA90, T) at any time when measured at the nearest noise sensitive premises.
13. The concerns regarding general noise and disturbance from activity associated to the proposed takeaway are noted. While this is understood the site is located within a District Centre and therefore an expectation that associated activities are going to take place has to be considered. The existing unit retail unit in its current guise could cause the same level of noise by way of deliveries and customer comings and goings. However to minimise disturbance from the proposed use conditions are proposed to protect neighbouring amenity. Whilst the opening hours proposed are 07:00-23:00 hrs inclusive. On the basis of the concerns raised planning officers consider this should be slightly amended to allow the following: 08:00 - 23:00 hrs Monday - Saturday, 09:00 - 22:00 hours Sunday and bank holidays. For the servicing, deliveries and waste/recycling this would be conditioned to take place only between 07:00 - 22:00 hrs Monday – Saturday only to avoid disturbance to adjacent residents, as requested by EHO.
14. In addition to the opening and service hours conditions it is also recommended conditions be attached to prohibit any amplified music/sound/speakers to any part of the unit. It is noted that the EHO requested a limiting the use of the external front area of the property to use beyond 21:00. However this condition is not considered necessary as the application is for take away only. Any future outdoor use which may subsequently be proposed would need to obtain all necessary planning and regulatory permissions.
15. The EHO recommends a condition to limit working construction hours. This is again not considered necessary given the limited external works proposed distance to the nearest residential properties.

16. Taking into account the above, the proposal is considered acceptable without harm to the residential amenity of neighbouring properties. The proposal is therefore considered to be in accordance with Policy L7 of the Core Strategy and the NPPF.

ACCESS, HIGHWAYS AND CAR PARKING

17. Policy L4 of the adopted Core Strategy seeks to ensure that new development does not have a significantly adverse impact on pedestrian / highway safety or the road network. It also makes reference to maximum car parking standards. The unit is within a highly accessible location in Timperley District Centre, well-connected by public transport and cycle routes.
18. Due to the district centre location it is considered the proposal could be accommodated without having a notable impact on the availability of on street parking.
19. The means of access and servicing arrangements would remain as existing.
20. In summary it is considered that the proposal would not give rise to any adverse impact on traffic, parking or highway safety and is as such considered acceptable and in accordance with Policy L4 of the Core Strategy

DEVELOPER CONTRIBUTIONS

21. The proposal would not create any increase in floor area and is not subject to the Community Infrastructure Levy (CIL).

OTHER MATTERS

22. The objector concerns in relation to potential litter and competition are noted.
23. While concerns of litter are a real issue, this is not just associated with the proposed use and unit, it is also dependant on the behaviours of the individuals. It is therefore not considered reasonable or necessary to request conditions regarding litter management in this instance.
24. The issues relating to competition are not material planning concerns. The wider impact on overall vitality has been addressed in this report and the town centre is considered to be in an overall healthy state and able to absorb the proposed use.

PLANNING BALANCE AND CONCLUSION

25. The proposed use of the property to a hot food takeaway (Sui generis - former A5) is considered appropriate within this District Centre location. The proposal would

contribute towards the night time economy and vitality of the area. The proposal is considered acceptable on amenity grounds and there are no other material considerations which would indicate that a decision should be made other than in accordance with the development plan. The proposal is considered to be in accordance with the Development Plan and the NPPF and is recommended for approval.

RECOMMENDATION

Following the submission of a revised red edge site location plan to include the flue within the development site, we are required to consult neighbours again for 21 days. The 21 days expires on the 17th June. It is therefore should Members resolve that they would be **MINDED TO APPROVE** planning permission for the development and in the event no further representation be received by the 17th June 2021 that raises any new material planning considerations, that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development with 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 JG3; JG4 (Both Received 28/05/2021); JL172375-DRG-001-R2 (Received 26/05/2021)

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

3. The premises shall only be open for trade or business between the hours of: 08:00 - 23:00 hrs Monday - Saturday, 09:00 - 22:00 hours Sunday and bank holidays. Servicing, deliveries and waste/recycling shall not be permitted on Sundays or bank holidays and shall be limited to 07:00 - 22:00 hrs Monday – Saturday.

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

4. No amplified music shall be played in or outside the premises.

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

5. The ventilation/extraction equipment shall be installed in accordance with the submitted details (CK Direct report issued 23/03/2021) prior to the premises first coming into use as a hot food takeaway and effectively operated and maintained in accordance within manufacturer's instructions for as long as the proposed use continues.

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

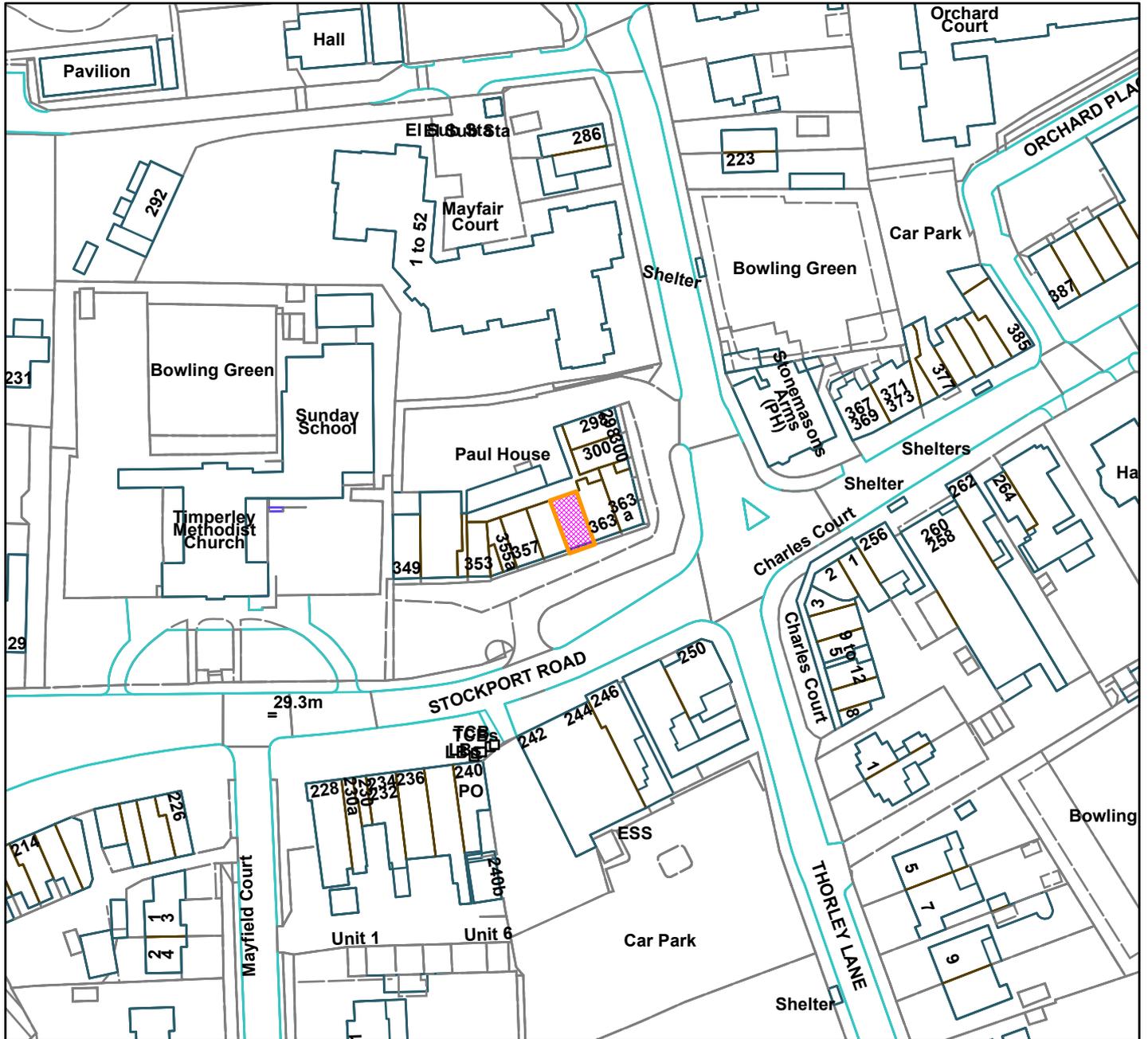
6. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant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

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

CK



361 Stockport Road, Timperley Altrincham, (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/06/2021
Date	25/05/2021
MSA Number	100023172 (2016)

WARD: St Marys

103697/VAR/21

DEPARTURE: No

Application for variation of condition 2 on planning permission 100206/HYB/20 (Hybrid Planning Application for a) Application for outline planning permission including details of access for the regeneration of the Sale West Estate comprising residential development of up to 184 dwellings; replacement sports and community uses; provision of new and improved estate roads; parking; footpath closures; public realm and open space works; play areas; removal of and works to trees; and associated development thereto; and b) Application for full planning permission for the erection of 79 dwellings comprising works to existing and a new internal estate road, landscape works, resurfacing, reconfiguration and new parking provision, footpath closures and associated development thereto.) to allow for minor alterations to approved scheme including external changes to house types and landscaping proposals and minor reconfiguration of properties at Epsom Avenue to plots A1.1 to A1.8; plot A1.9; plots B1.5 to B1.14 and plots IE.1 and IE.2.

Sale West Estate Bounded By Firs Way, Cherry Lane, Woodhouse Lane And Manor Avenue

APPLICANT: Seddon Construction Ltd

AGENT: AEW Architects

RECOMMENDATION: GRANT

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

SITE

The site is referred to collectively as the Sale West Estate and is located at the western extremity of the residential area of Sale. The estate comprises approximately 1,400 dwellings and was developed in the 1960s and 1970s, the majority of which is former council housing stock now managed by Irwell Valley Housing. The planning application site relates to an area approximately 36 hectares in size, the estate covers an area of approximately 42 hectares.

The estate has been arranged in what is referred to as a Radburn layout which is a design concept whereby the back gardens/ yards of properties face the road side and the front of properties face one another across communal areas/footways. The housing stock is predominantly two storey terraced properties with some semi-detached dwellings and a small number of three storey flats and bungalows. The estate includes a community centre with a MUGA which is adjacent to Sale West Park which has children's play facilities, all trees within the park are subject to a Tree Preservation

Order (TPO44). A community garden and allotments (Phoenix Gardens) is located close to Sale West Park.

The estate is effectively bound by Manor Avenue to the east, Firs Way to the north and west and Cherry Lane to the South. Brentwood High School and St. Margaret Ward RC Primary School are located to the south side of the estate accessed off Cherry Lane. A convenience store and takeaway are located off Catterick Avenue close to the junction with Firs Way and Cherry Lane to the south-west of the estate.

To the north side of the site is a public house; Firsway Health Centre and Manor Avenue playing field. The areas to the north, east and south of the estate are predominantly residential.

To the west of the site on the opposite side of Firs Way is a large area of open space including Carrington Moss; agriculture land and land used for sport and leisure and is designated Green Belt and Area of Landscape Protection. The land is also allocated with the emerging 'Places for Everyone' Development Plan Document formerly known as Greater Manchester Spatial Framework as land to be removed from Green Belt providing new homes and industrial development.

The application site is allocated as a Priority Regeneration Area within the Local Plan: Trafford Core Strategy (Policy L3.6). A neighbourhood shopping centre is identified on the Local Plan Composite Policies Map opposite the Sale West Community Centre, however the buildings that formed part of the shopping centre designation were demolished a number of years ago and never replaced. The area where the MUGA is located to the rear of the Community Centre and Sale West Park are allocated as Protected Open Space within the Local Plan Composite Policies map. The site and wider estate is located within a Critical Drainage Area within Trafford Councils Strategic Flood Risk Assessment and is within Flood Zone 1 with regards Environment Agency Flood maps (lowest risk of flooding).

PROPOSAL

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 (Approved Plans) of hybrid planning approval 100206/HYB/20 approved in June 2020 to allow for minor material changes to the scheme. The proposed amendments relate to the 'Full application' element of the approval which includes the erection of 79 affordable dwellings in phase 1. The approval also included up to 184 dwellings under the 'Outline application' element and which will be subject to reserved matters application(s) with regards detail yet to be agreed in relation to appearance; landscaping; layout and scale with access only having been approved at outline stage.

The proposed changes are considered to be relatively minor in relation to the consented scheme. The changes proposed to the consented scheme (Full application) are summarised as follows:-

- House Type C; G; H & K – omission of aluminium flashing to window reveal and replaced with brick finish to window jamb and head (paint finish to the lintel to match window colour).
- House Type C; D; E; F; L & M – Amendments to the position and configuration of the roof lights.
- Amendments to landscaping proposals to individual plots to include replacement of front fences with hedging where sufficient space allows for change; omission of block paving to driveways replaced with a mix of tarmac and block paving edging to front of driveways.
- The shared double sided bin stores amended to replace the dividing brick wall with metal railings.
- The approved scheme included concrete paving slabs to rear patios and side pathways within plots, it is proposed to change the specification of the paving slabs to incorporate a textured finish.
- Realignment of a number of properties within previously approved plots (Plots A1.1 to A1.3; A1.9; B1.5 to B1.14 and IE.1 & IE.2). All of these plots are located on Epsom Avenue. Parking arrangement to the front of terrace 76-79 Epsom Ave realigned.
- Retention of two existing car parking spaces in car parking court opposite 151 Chepstow Ave and realignment of parking spaces within car-parking court adjacent to plot C1.1.

Works have commenced on site with regards a number of the plots within phase 1.

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

L3 – Regeneration and Reducing Inequalities

L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
R2 – Natural Environment
R3 – Green Infrastructure
R4 – Green Belt, Countryside and Other Protected Open Land
R5 – Open space, Sport and Recreation

PROPOSALS MAP NOTATION

Priority Regeneration Area
Protected Open Space
Neighbourhood Shopping Centre

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 – Protection of Open Space
T8 – Improvements to the Highway Network

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Revised SPD1: Planning Obligations
SPD3: Parking Standards and Design
PG1: New Residential Development

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the response. If PFE / GMSF 2020 is not referenced in the response, 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 was updated on 1st October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 and forms part of the Governments collection of national planning practice guidance.

RELEVANT PLANNING HISTORY

100206/HYB/20 - Hybrid Planning Application for a) Application for outline planning permission including details of access for the regeneration of the Sale West Estate comprising residential development of up to 184 dwellings; replacement sports and community uses; provision of new and improved estate roads; parking; footpath closures; public realm and open space works; play areas; removal of and works to trees; and associated development thereto; and b) Application for full planning permission for the erection of 79 dwellings comprising works to existing and a new internal estate road, landscape works, resurfacing, reconfiguration and new parking provision, footpath closures and associated development thereto. – Approved 18th June 2020

H/64006 - Land at Epsom Avenue, Sale West Estate - Erection of 12 three-storey terraced dwelling houses with access to driveways from Epsom Avenue, car parking, and associated footpath and highway works. (Amendment to planning permission H/50700 to increase size of properties to create 10 no. three bedroom dwellings, and 2 no five bedroom dwellings) – Approved 25.04.2006

H/63277 - Land Bounded By 37, 38, 49, 50, 68, And 93 to 95 Chepstow Avenue - Erection of 6 no. two storey, 3 bedroom terraced properties – Approved 20.12.2005

H/56116 - Land at Chepstow Avenue, Sale (Site of Former Nos. 79-88) - Erection of a terrace of 6 bungalows for elderly persons – Approved 25.05.2003

H/DEM/50770 - 62-65 (Inclusive) Epsom Avenue And 69-88 (Inclusive) Chepstow Avenue - Demolition of dwelling houses (Consultation under Part 31 of the Town and Country Planning (General Permitted Development) Order 1995)) – Prior Approval Not Required 04.01.2001

H/50700 - Land at Epsom Avenue - Erection of 24 houses including car parking and associated footpath and highway works – Approved 26.01.2001

APPLICANT'S SUBMISSION

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

- Covering Letter and summary of changes
- Revised Plans

CONSULTATIONS

National Grid – No comments received at time of report preparation

Trafford Public Health - No comments received at time of report preparation

Trafford Clinical Commissioning Group – No comments received at time of report preparation

Trafford Council Education – No comments received at time of report preparation

Trafford Council Asset Management – No comments received at time of report preparation

Electricity North West (ENW) – No objections. Development is shown to be adjacent to or affects ENW operational land or distribution assets. Applicant to contact ENW to verify details of development.

Environment Agency – No comments received at time of report preparation

Greater Manchester Archaeological Advisory Service (GMAAS) – No objections

Greater Manchester Ecology Unit (GMEU) - No comments received at time of report preparation

Greater Manchester Pedestrian Association – No comments received at time of report preparation

Greater Manchester Police (Design for Security) – No objections subject to a condition requiring the development to reflect the physical security specifications set out in the Crime Impact Statement (Section 4).

Health & Safety Executive (HSE) – No objections

Pollution & Licensing (Air) – No comments received at time of report preparation

Pollution & Licensing (Nuisance) – No comments received at time of report preparation

Pollution & Licensing (Contaminated Land) – No comments received at time of report preparation

Ramblers Association – No comments received at time of report preparation

Trafford Council Housing Strategy – No objections

Lead Local Flood Authority (LLFA) – No comments received at time of report preparation

Transport for Greater Manchester (TfGM) – No objections

Local Highway Authority (LHA) – No objections in principle, comments discussed in Observations section of the report.

Trafford Council Arboriculturist – No objections

United Utilities – No comments received at time of report preparation

Trafford Council Waste Management - No comments received at time of report preparation

Trafford Council Strategic Growth – No comments received at time of report preparation

Highways England – No objections

Sport England – No objections, recommend condition requiring details of any redevelopment works for Sale West Community Centre (this condition will replicate condition 39 of the original planning approval 100206/HYB/20)

Greater Manchester Fire Authority – No comments received at time of report preparation

Manchester Airport (Safeguarding) – No objections

City Airport – No objections

REPRESENTATIONS

Neighbours: - 7 letters of objection have been received in relation to the proposed development, the issues raised as follows:-

- Unclear if new properties on Epsom Ave will result in loss of pathway to side of 68 Epsom Ave.
- Loss of existing parking areas
- Insufficient parking provided to meet demand from future residents
- Car Park near the primary school also used by parents of schoolchildren so its loss as part of proposed phase 2 works will add to parking pressure in that part of Hurst Avenue

- Staff and visitors of Ascot House use the car parking area opposite 128 Ascot Ave (phase 2) proposed to be developed and will cause further disputes with residents over parking spaces.
- Proposed flats to rear of 126 Ascot Avenue will result in loss of privacy, Irwell Valley advised that not enough room to build on that plot (phase 2)
- Loss of trees throughout the estate
- More grassland should remain for children to play
- No input from local people regarding proposed works, residents have made suggestions to Irwell Valley
- The new road will result in an increase in pollution and congestion.
- Increase risk to pedestrians when the new road links up with Ascot Avenue (removal of existing path network)
- Less green space for wildlife, including other developments at Carrington Moss and the link road through Carrington is a waste of money
- There is sufficient space to have a market on the estate
- New play area on Chepstow Avenue will result in noise
- Work has already commenced on site.
- Concern existing driveways could be blocked from people parking elsewhere
- New properties being built around existing properties will block views and reduce value of properties.
- The Council needs to improve the cleaning of the Sale West estate.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. This application seeks approval under Section 73 of the Town and Country Planning Act (1990) (as amended) for minor-material amendments following a grant of planning permission and if approved grants a new planning permission in its own right. In terms of decision taking, regard should be had to any changes on site or in the surrounding area and any changes to planning policy that may have occurred in the interim.
2. In the period since planning permission was originally granted (June 2020), it is not considered that there have been any material changes in policy which would justify a different approach being taken in respect of any planning matter relevant to this development as a whole and the development remains as approved in all other regards.
3. The application proposes the variation to the original approved plans condition (condition 2 of planning ref: 100206/HYB/20) to facilitate the stated amendments to the approved development.
4. The NPPF, at paragraph 11, introduces ‘the presumption in favour of sustainable development.’ For decision-taking purposes, paragraph 11c explains that ‘the presumption in favour’ means approving development proposals that accord with

an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11d advises that 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. For applications involving the provision of housing, Footnote 7 confirms that 'out-of-date' includes situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites. This Council does not have a five year supply. Thus, paragraph 11d provides the decision-taking framework for this application and the tilted balance is engaged.
6. The main planning issues considered under the original application were:-
- Principle of Development
 - Housing Delivery
 - Design
 - Residential Amenity
 - Highways
 - Drainage/Flooding
 - Trees & Ecology
 - Developer contributions
7. No further information has been submitted in support of the planning application, save for the submission of revised plans and drawings. Information submitted in support of planning application 100206/HYB/20 remains relevant to the determination of this application.
8. There is no requirement to revisit these other issues through the determination of this application and this report will only assess the acceptability of the proposed minor material amendments as proposed.

DESIGN

External Appearance

9. The approved scheme includes 12 different house types in the form of semi-detached, terraced, detached and maisonettes. The majority of properties are two storey with a number incorporating living accommodation at second floor level

within roof voids. The external design and appearance of the properties has not significantly altered from the consented scheme.

10. The approved dwellings all feature traditional dual pitched roofs, a number with gable detail. The main external materials will be brick (buff and red depending on location of property within the estate) with feature soldier courses and use of grey concrete roof tiles. A small number of the properties those on corners/junctions having an element of cladding to upper levels. Windows and panels will have a generally vertical emphasis with deep reveals and constructed in UPVC (Grey).
11. As stated the proposed amendments to the external appearance of a number of the approved dwellings include the removal of proposed aluminium flashing to the window reveals with the finish now proposed as exposed brick to the window jamb and head and a paint finish to the lintel to match the grey coloured windows. This alteration relates to house types C; G; H & K only. In addition the configuration of roof lights to a number of the approved house types (house types C; D; E; F; L & M) have been amended with the roof lights being marginally smaller and with a more pronounced square configuration rather than the rectangular configuration as approved. Additionally the roof lights to house type E have been amended with regards their position on the roof slope and are now approximately 0.6m above eaves level, the approved scheme detailed the roof lights approximately 1m above eaves level.

Layout

12. A number of the plots located at Epsom Ave are proposed to be amended with regard to the siting of the properties. The realignment of the properties are considered to be relatively minor having regard to the scale of the consented scheme. The relevant plots affected include as follows:-
 - Plots A1.1 to A1.3 have been moved approximately 2.5m towards the front boundary with Epsom Avenue (east) to avoid any impact on an existing sewer which runs northwards between 2 and 15 Epsom Avenue.
 - Plot A1.9 repositioned approximately 2m towards the south side boundary with 32 Epsom Avenue to avoid impacting upon existing lean-to structures and boundary at the neighbouring property on the north side 32 Epsom Avenue.
 - Plots B1.5 to B1.14 which comprises a staggered terrace in the approved scheme will be split into two terraces to allow for the formation of a new pedestrian pathway between plots B1.8 and B1.9 to serve a landscaped area to the rear of the properties. This will allow for residents to access the amenity space.
 - The applicant also proposes rearranging the parking area/court in front of the terrace 76 – 79 Epsom Avenue including the provision of two (net) additional parking spaces (17 in total including an accessible parking space). The realignment works include changing the two parking spaces that had been shown on the previously approved scheme to be in a private driveway to the

front of 79 Epsom Avenue and one for 78 Epsom Avenue, to now form part of the wider car parking court.

- Plots IE.1 and IE.2 on the southern part of Epsom Avenue are a pair of semi detached properties to be located within an existing space between two end terrace properties terraces (158 & 159 Epsom Avenue). The footprint of the properties will be marginally increased to immediately abut the properties either side to enable a more appropriate fit within the existing terrace.
 - Retention of two existing car parking spaces in car parking court opposite 151 Chepstow Ave and realignment of parking spaces within car-parking court adjacent to plot C1.1.
13. The proposed amendment to Plots A1.1 – A1.3 are considered acceptable with regards the streetscene and represent a minor change from the configuration of the terrace as originally approved. The terrace will still incorporate a staggered formation with only three of the eight properties within the terrace being altered. Following the amendment to the siting of the detached property at Plot A1.9, the property will now effectively have its side gable elevation located adjacent to the new footpath on its south side which forms part of the new vehicular access for plots A1.10 and A1.11. The previous scheme had a narrow strip of approximately 2m retained between the gable elevation and the side boundary. The plot has also been made marginally narrower than the previous approval by approximately 1m. Whilst it is considered desirable to retain such buffer space between properties and boundaries, a number of the existing properties throughout the estate have end gables located close to back of pavement and therefore this arrangement is considered acceptable given the wider context.
14. The formation of the new pathway between Plot B1.8 and B1.9 is considered to be an acceptable amendment with regards the terrace incorporating plots B1.5 – B1.14. The amendment will involve the end four plots (B1.5 – B1.8) being moved closer to the side roadside boundary (west side) by approximately 3m, now retaining a distance of approximately 2.3m. Whilst the end property B1.5 is now closer to the roadside boundary, sufficient space is still retained whereby it does not result in a cramped form of development within the streetscene. The proposed change to plots IE.1 and IE.2 are considered a minor amendment to that of the consented scheme. The retained gap between plot IE.2 and the side gable elevation of 159 Epsom Avenue to the south side of plot IE.2 on the consented scheme was approximately 0.5m. This retained gap will now be effectively enclosed to ensure the two new dwellings assimilate within the two adjacent terraces.

Landscaping

15. The proposed changes to the landscaping within the approved plots will include the omission of fully block paved driveways and replaced with mix of tarmac/bitumin finish and block paving strip to the driveway thresholds. The driveway thresholds will now have approximately six rows/courses of paving

blocks which will extend up to the back of pavement. There will be two different types of block paving with the threshold paving areas. An outer course of Omega block paving in charcoal color 200mm x 100mm, this is a precast concrete paving block with a smooth finish. Within this outer course will be Alpha block pavers in a stretcher course (random pattern) with a silver haze colour 105/140/210mm x 140mm. These blocks are pre-cast concrete block pavers with a tumbled surface. It is also proposed to have buff coloured stone chipping within the tarmac/bitumin of the driveway. An Aco type drainage channel is located along the edge of the block paving within the driveway adjacent to the back of pavement.

16. The approved bin stores located to the front of a number of properties towards the front of the driveways (positioned along shared boundary with adjoining property) were approved constructed entirely in brick. It is proposed to change these by having the dividing wall replaced with black metal railings with the end returns still constructed in brick.
17. The approved scheme included concrete paving slabs to rear patios and side pathways within plots, it is proposed to change the specification of the paving slabs to incorporate a textured finish. The applicant also proposes to replace approved low level railings to front boundaries with hedgerow where sufficient space allows.
18. A landscaping condition was included for the phase 1 element of the approved scheme requiring the applicant to submit details for approval of all soft and hard landscaping proposals prior to first occupation of phase 1 dwellings.

Conclusion on Design

19. Good quality design is an integral part of sustainable development. The NPPF and PPG including the National Design Guide recognise that design quality matters and that the planning process should be used to drive up standards across all forms of development.
20. The proposed external changes to the dwelling types as summarised above are considered relatively minor and would not fundamentally change the scale or appearance of the buildings as approved as part of the consented scheme. Similarly the suggested realignment of the properties to the relevant plots and changes to the layout as detailed above are considered acceptable and would not significantly alter the layout of the scheme as originally approved.
21. The main change proposed to the landscaping details is the introduction of tarmac on part of the drive ways of the individual properties. Notwithstanding the applicant has sought to retain six courses block pavers to the edge of the driveways to provide some relief and detail to soften the appearance of the tarmac, as well as seeking to provide softer landscaping along the plot boundaries. Whilst officers consider this regrettable on balance the suggested change to the driveways in this location considered acceptable. The proposed changes to

paving and bin stores within plots and parking space realignment are also considered acceptable and are a minor departure from what has been approved previously.

22. The new buildings will still incorporate attractive architectural detailing and proportions and are considered to be of a high quality design. The development as a whole would deliver a well-conceived, secure, efficient and high quality development creating a distinct sense of place and secure significant regenerative benefits to the existing estate. It is therefore concluded that the development would meet the requirements of Policies L5 and L7 and the design policies in the NPPF.

HIGHWAY IMPACTS, PARKING AND SERVICING

23. The LHA have considered the proposed changes and have no objections in principle but have made a number of observations and requests for further detail with regards the proposed realignment of some of the parking areas.
24. With regards the proposed realigned parking area in front of 76-79 Epsom Avenue the LHA note the increase of parking spaces and have also indicated that the realignment has removed a vehicle turning area and have requested that the applicant provide vehicle swept path analysis to demonstrate that appropriate access and egress is possible. In addition the LHA have asked for a 6m space between the top and bottom rows of spaces is provided and have requested that this is indicated on a drawing.
25. With regards the proposed realignment works to the car parking court adjacent to plot C1.1 on Chepstow Avenue the LHA have also requested that dimensions are indicated on the plan to demonstrate that spaces are acceptable with regard to accessibility and sufficient space for manoeuvring. The additional detail has been requested from the applicant and an update will be provided on the additional information report to planning committee. The LHA have recently met with the applicant on site to discuss wider ongoing highway works as part of the previous approval.
26. The LHA also note that the car park courts will not now be using permeable surfacing for the car park courts due to future maintenance and adoption issues. Some of the courts are proposed to have a block paved entry strip which the LHA would prefer to see removed due to future maintenance issues if adopted. It is requested that an informative is included on any grant of planning permission to advise the applicant of their responsibility in obtaining a stopping up order for the closure of any relevant pathways/alleyways. They have also noted the applicant's intentions for some parts of the redeveloped estate to be put forward for adoption which would be subject to a separate process outside of planning. The LHA have also noted that they would like to see footpaths widened where possible throughout the estate to improve space for pedestrians. They have also stated

that the proposed changes to the double sided bin stores would not impact on servicing arrangements.

RESIDENTIAL AMENITY

27. In addition to ensuring that developments are designed to be visually attractive paragraph 127 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.
28. Policy L7.3 requires new development to be compatible with the surrounding area and not to prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance.
29. The Council's adopted SPG for new residential development (PG1) sets out more detailed guidance and specific distances to be retained between buildings and window to window distances. The SPG refers to buildings of three or more storeys and states where there would be major facing windows; buildings should retain a minimum distance of 21m across public highways and 27m across private gardens (an additional 3m added to these figures for 3 or more stories). Distances to rear garden boundaries from main windows should be at least 10.5m for two storey houses and flats and 13.5m for house or flats with three storeys or more in order to protect privacy. With regards overshadowing, in situations where this is likely to occur a minimum distance of 15m should normally be provided between a main elevation and a blank two storey gable.
30. The proposed reduction in the configuration of the rooflights to the relevant house types (house types C, D, E, F and L&M) are considered acceptable with regards their proportions in relation to the scale of the buildings and would not detract in any way from the appearance of the properties as approved previously
31. House type E will not only incorporate a reduction in the size of the three roof lights (serving two second floor bedrooms, both bedrooms are also served by windows) but the rooflights will also be positioned nearer to the roof eaves, previously positioned approximately 1m above roof eaves now proposed at 0.6m above roof eaves.
32. Within phase 1 there are two plots that will incorporate house type E, plot B1.5 on the opposite side of the road from 80 Epsom Avenue (south side) and Plot B2.10 located to the east side of 94 Epsom Avenue. House type E is a three storey property designed to act as an end of terrace property with dual aspects that address corner plots. The three rooflights that are proposed to be marginally lowered will still be positioned approximately 2m above the internal floor level and will therefore not result in any undue overlooking to neighbouring properties.
33. In relation to the realignment of a number of the approved properties, plots A1.1 – A1.3 form part of a staggered terrace of eight properties in total. The end terrace property (Plot A1.1) proposed nearest to 15 Epsom Avenue will sit forward of the

front elevation of 15 Epsom Avenue by approximately 7.3m (approved dwelling to plot A1.1 projected forward by approximately 5m). 15 Epsom Avenue has no side windows on its gable elevation facing Plot A1.1; it has a front porch and habitable ground and first floor window on its front elevation. To the front of the property is a hardstanding for parking and a shed. Although the new terrace will sit further forward of 15 Epsom Avenue than approved it is not considered to cause any adverse impact on the adjacent neighbour. The gable of the new terrace is at an angled position from the front elevation so is not directly in front of the habitable windows. The proposed new property has no side windows on its gable facing 15 Epsom Avenue and on its rear elevation the nearest first floor window (with 15 Epsom Avenue) serves a bathroom. To the rear of the new terrace is Firs Way. To the front of the three properties (plots A1.1 – A1.3) is 32 Epsom Ave, a distance of approximately 26.4m will be retained from the front elevation of the three new properties and 32 Epsom Avenue and complies with the privacy parameters within the SPG.

34. The property within plot A1.9 is proposed to be moved further away from the adjacent property 32 Epsom Avenue to the north side and the plot narrowed in width. The approved scheme retained a distance of approximately 3m (gable to gable) and this will now be increased to approximately 4.3m. To the south side of the new property is the new vehicular access road leading to plots A1.10 & A1.11, on the opposite side of the access road is 33 Epsom Avenue which has a blank gable facing Plot A1.9. The new property at plot A1.9 will retain a distance of approximately 9.3m to this property, previously approved retaining approximately 10.5m. A distance of approximately 10.8m will be retained to the side boundary of plot A1.10 to the rear of plot A1.9. There are no adverse impact on residential amenity as a result of the proposed realignment of the property to plot A1.9.
35. The proposed change to the terraces of properties (Plots B1.5 – B1.14) involves the introduction of a new pavement between plot B1.8 and B1.9 splitting the terrace into two terraces. As a result of this change the end property at plot B1.5 is moved closer to the side roadside boundary (west side) by approximately 3m (previously approximately 5.3m now proposed at 2.3m). The proposed change has no impact on existing properties in the surrounding area. Plots B1.3 and B1.4 are located on the opposite side of the road from plot B1.5 and the distance between these properties (across the street) is reduced by 3m to approximately 13.5m. Whilst this distance is below the suggested parameters in the SPG, it is considered that as they all form part of the same development layout there is a degree of flexibility with regards applying such parameters in a rigid fashion which can hinder good development. It should also be noted that plot B1.5 will have house type E which only has one secondary first floor window on the elevation facing towards plots B1.3 & B1.4.
36. Plots IE.1 & IE.2 will effectively enclose the gap of approximately 0.5m between plot IE.2 and the side gable elevation of 159 Epsom Avenue to the south side of plot IE.2 to ensure a more appropriate design of the two properties within the

existing terraces and also to prevent small animals and children from accessing the narrow gap. This realignment raises no issues with regards any adverse impact on residential amenity.

Conclusion on Residential Impact

37. In conclusion, the proposal is considered not to result in undue harm to the living conditions of occupiers of neighbouring properties as to warrant a refusal of planning permission. Nor is it considered the amenity of future occupants will be adversely impacted upon with regards the location of the proposed residential accommodation. It is considered that the scheme represents a well-designed development that makes more efficient use of land within the estate providing a pleasant place to live and contributing to the wider residential estate. For the foregoing reasons the impact of the proposed development on residential amenity is considered to be compliant with Policies L5 and L7 of the Trafford Core Strategy and the NPPF.

OTHER MATTERS

38. The applicant has also submitted an application (ref: 103590/CND/21) to discharge conditions previously imposed on the original granting of planning approval. These include condition 5 (Materials); 6 (building facades details); 9 (footpaths), 10 (highways); 12 (tree protection); 17 (construction method statement); 18 (ventilation) and 23 (surface water drainage). Condition 15 (obscured glazing) references the approved plan for house type L&M, this house type has been updated as part of this application submission therefore the updated plan revision will be referenced on condition 15. Condition 25 relates to the approved plans as part of the outline approval, the approved parameters plan has been updated as part of this current proposal and therefore the updated plan revision will be referenced under condition 25. Planning permission granted under section 73 takes effect as a new permission and is required to set out all the conditions imposed on the new permission as well as reinstating any conditions imposed on the original consent that continue to have effect. As well as amending the approved plans condition (Condition 2 of the original consent) the afore mentioned conditions will be redrafted as appropriate to reflect approval of any details to date or to allow for ongoing consideration of details.
39. A representation from a resident at 68 Epsom Ave had raised concerns about an existing pathway to the side of their property being enclosed by the new plots at B1.3 and B1.4 (Epsom Avenue) and loss of car parking spaces. The majority of the side pathway will be removed as a result of the proposed works, however the applicant has provided a side gate for the resident to access a section of the side pathway still retained and a realigned parking court will still be located to the east side of 68 Epsom Avenue for use by residents.

CONCLUSION AND PLANNING BALANCE

40. Section 38(6) of the Planning and Compulsory Purchase Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
41. The decision-taking structure to be applied in the determination of this application is that set out at paragraph 11d of the NPPF as the Council does not have a five year supply of housing land. The tilted balance is engaged
42. It is considered for the foregoing reasons that in terms of design, layout, landscaping and residential amenity the proposed amendments are acceptable and would not fundamentally change the scale and form of the development as originally approved. The development is considered to be in accordance with the development plan.
43. The development, as previously considered, would provide numerous benefits for which substantial weight should be afforded. The proposed amendments do not diminish these benefits. The benefits are identified as 79 new affordable socially rented homes in phase 1 and up to a further additional 184 units in further phases, contributing significantly towards addressing the identified housing land supply shortfall and substantial weight has been given to this benefit. Along with regeneration, environmental and highway benefits to the wider area. The adverse impacts highlighted within the previous application relate to the inability of the development to fund Education infrastructure. As concluded within the previous application it is considered, that it has been demonstrated that the adverse impacts of the development **do not** significantly and demonstrably outweigh the benefits. Thus, it is recommended that planning permission, with conditions, is granted.

RECOMMENDATION: GRANT subject to the following conditions

1. The 'Full' components of the development must be begun not later than the 18th June 2023.

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 following submitted plans:
 - Dwg No: 11284-AEW-XX-XX-DR-A-0501 Rev.P5 Location Plan
 - Dwg No: 11284-AEW-XX-XX-DR-A-0502 Rev.P5 Existing Site Plan
 - Dwg No: 11284-AEW-XX-XX-DR-A-0504 Rev.P11 Parameters Plan
 - Dwg No: 11284-AEW-XX-XX-DR-A-0505 Rev.P13 Detailed Phase 1 Plan
 - Dwg No: 11284-AEW-XX-XX-DR-A-0507 Rev.P8 Street Elevations – Proposed

- Dwg No: 11284-AEW-XX-XX-DR-A-0511 Rev.P4 Car Parking Plan – Proposed
- Dwg No: 11284-AEW-XX-XX-DR-A-0512 Rev.P9 Waste Management Plan
- Dwg No: 11284-AEW-XX-XX-DR-A-0535 Rev.P1 – Detailed Phase 1 Layout - Callout
- Dwg No: 11284-AEW-A-XX-DR-A-0550 Rev.P3 House Type A
- Dwg No: 11284-AEW-B-XX-DR-A-0551 Rev.P3 House Type B
- Dwg No: 11284-AEW-C-XX-DR-A-0552 Rev.P5 House Type C
- Dwg No: 11284-AEW-D-XX-DR-A-0553 Rev.P6 House Type D
- Dwg No: 11284-AEW-E-XX-DR-A-0554 Rev.P6 House Type E
- Dwg No: 11284-AEW-F-XX-DR-A-0555 Rev.P7 House Type F
- Dwg No: 11284-AEW-G-XX-DR-A-0556 Rev.P7 House Type G
- Dwg No: 11284-AEW-H-XX-DR-A-0557 Rev.P6 House Type H
- Dwg No: 11284-AEW-J-XX-DR-A-0558 Rev.P5 House Type J
- Dwg No: 11284-AEW-K-XX-DR-A-0559 Rev.P6 House Type K
- Dwg No: 11284-AEW-LM-XX-DR-A-0560 Rev.P9 House Type L & House Type M
- Dwg No: 1987-EXA-00-XX-DR-L-101 Rev.P2 – Landscape General Arrangement Sheet 02
- Dwg No: 1987-EXA-A-00-XX-DR-L-102 Rev.P2 – Landscape General Arrangement Sheet 03
- Dwg No: 1987-EXA-01-XX-DR-L-110 Rev.H – Phase 1 Landscape General Arrangement Sheet 1 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-111 Rev.F – Phase 1 Landscape General Arrangement Sheet 2 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-112 Rev.G – Phase 1 Landscape General Arrangement Sheet 3 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-113 Rev.E – Phase 1 Landscape General Arrangement Sheet 4 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-114 Rev.E – Phase 1 Landscape General Arrangement Sheet 5 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-115 Rev.E – Phase 1 Landscape General Arrangement Sheet 6 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-116 Rev.E – Phase 1 Landscape General Arrangement Sheet 7 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-117 Rev.E – Phase 1 Landscape General Arrangement Sheet 8 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-118 Rev.E – Phase 1 Landscape General Arrangement Sheet 9 of 9
- Dwg No: 1987-EXA-01-XX-DR-L-210 Rev.P2 – Phase 1 Planting Schedule
- Dwg No: 1987-EXA-01-XX-DR-L-211 Rev.P2 – Phase 1 Softworks Plan Sheet 01
- Dwg No: 1987-EXA-01-XX-DR-L-212 Rev.P2 – Phase 1 Softworks Plan Sheet 02
- Dwg No: 1987-EXA-01-XX-DR-L-213 Rev.P2 – Phase 1 Softworks Plan Sheet 03
- Dwg No: 1987-EXA-00-XX-DR-L-600 Rev.A – Hard Landscapes Details – Surfaces
- Dwg No: 1987-EXA-00-XX-DR-L-601 Rev.A – Hard Landscape Details – Kerbs and Edgings

- Dwg No: 1987-EXA-00-XX-DR-L-602 Rev.A – Hard Landscape Details – Furniture and Equipment
- Dwg No: 1987-EXA-00-XX-DR-L-603 Rev.A – Hard Landscape Details – Boundaries
- Dwg No: 1987-EXA-00-XX-DR-L-604 Rev.A Bin Stores
- Dwg No: 1987-EXA-00-XX-DR-L-605 Rev.A – Hard Landscape details – Front Boundaries
- Dwg No: 1987-EXA-00-XX-DR-L-700 Rev.P2 – Soft Landscape Details Tree Pit
- Dwg No: 1987-EXA-00-XX-DR-L-701 Rev.P2 – Soft Landscape Details Planting

Reason: To clarify the permission, having regard to Policies L3 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. The development hereby permitted (Full application Phase 1) shall be limited to a maximum total number of 79 residential units.

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

4. The seventy nine residential units (Phase 1) hereby approved shall only be used for the purposes of providing affordable housing for social rent (as defined by the NPPF Annex 2, or any subsequent amendment thereof) to be occupied by households or individuals who have a local connection to Trafford and are in housing need and shall not be offered for sale or rent on the open market. Provided that this planning condition shall not apply to the part of the property over which:- (i). a tenant has exercised the right to acquire, right to buy or any similar statutory provision and for the avoidance of doubt once such right to acquire or right to buy has been exercised, the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market;

Reason: To comply with Policies L1, L2 and L8 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 1: Planning Obligations and the National Planning Policy Framework.

5. The development hereby approved shall be carried out in accordance with the details as approved under discharge of conditions application 103590/CND/21 with regards the external materials to be used in the construction of the dwellinghouses.

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.

6. The development hereby approved shall be carried out in accordance with the details as approved under discharge of conditions application 103590/CND/21 with regard façade detail of the dwellinghouses.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework

7. a) Notwithstanding the details shown on the approved plans, Phase 1 of 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.

8. Phase 1 of 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. Development 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 L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Prior to the closure of any alleyways and footpaths within the Phase 1 area, a scheme detailing the measures and timetable for such closures shall be submitted

to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.

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

10. No construction works associated with the new spine road shall take place until a scheme outlining the construction detail of the spine road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of dimensioned carriageway and footways; dimensioned radii for road centre line and junctions/turning heads kerb lines; forward and junction visibility; surface materials, and traffic calming measures. Development shall be carried out in accordance with the approved details.

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

11. No dwellings within Phase 1 of the development hereby approved shall be occupied unless and until a scheme and timetable for the surfacing of car parking courts and pavements as shown on the approved drawings has first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.

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

12. No development or works of site preparation in relation to Phase 1 shall take place until all trees that are to be retained within or adjacent to the site as identified on Drawing Ref: 19/AIA/Trafford/14 02 Rev.C 'Arboricultural Impact Assessment Plan' and the Arboricultural Method Statement Sale West Estate - Phase 1 dated June 2020 by Tree Solutions Arboricultural Consultants have been protected in accordance with the tree protection measures set out in the method statement. The protection measures shall be retained throughout the period of construction and no activity prohibited by the method statement shall take place within the exclusion zones / root protection areas identified on Drawing Ref: 19/AIA/Trafford/14 03 Rev.C 'Tree Protection Plan'.

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.

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 clearance 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), with regards to the 79 new homes in Phase 1 of the development only:

- (i) no extensions shall be carried out to the dwellings
- (ii) no outbuildings (including garages or carports) shall be erected within the curtilage of the dwellings
- (i) no vehicle standing space or other areas of hardstanding shall be provided within the curtilage of the dwellings
- (iv) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwellings
- (v) no means of access shall be constructed to the curtilage of the dwellings
- (vi) no windows or dormer windows shall be added to the dwellings
- (vii) no balconies (including Juliet balconies) 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, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. 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 first and second floor bathroom and en-suite windows in all 79 dwellinghouses within the 'full' component of the development;
- The first and second floor bedroom windows on the north facing elevation to Plot A2.1;

- The first floor bedroom window on the north facing elevation of plot A2.2 (as annotated on Drawing No:11284-AEW-LM-XX-DR-A-0560 Rev.P9);
- The first floor bedroom window on the west facing elevation to Plot B1.1;
- The second floor west facing bedroom window to Plot B2.10;
- The first floor north facing stairwell window to Plot IC1-IC2; and
- The first floor east facing kitchen/dining room windows (two windows) and the north facing stairwell window to Plot IC.3-IC.4; and
- All windows as annotated as being obscured glazed on the approved drawings.

shall be fitted with 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.

16. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section four of the submitted Crime Impact Statement Version B:04.03.20 2019/0744/CIS/01 and these measures shall be retained and maintained thereafter.

Reason: In the interests of crime prevention and community safety, having regard to Core Strategy Policy L7 and the National Planning policy Framework.

17. The development hereby approved shall be carried out in accordance with the details as approved under discharge of condition application 103590/CND/21 with regards the Construction Method Statement.

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 L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The development hereby approved shall be carried out in accordance with the a ventilation strategy/mitigation as approved under discharge of condition application 103590/CND/21 and designed in accordance to meet the criteria as prescribed within the submitted report (Curtins Consulting Ltd - Acoustic Planning Report:Rev.01 February 2020)

Reason: To achieve internal sound levels within the development and to protect the amenities of future occupants in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. The development hereby approved for Phase 1 shall be carried out in accordance with the detail contained within the GRM Remediation Strategy Ref:GRM/P9353/RMS/F.1 (May 2020) and the Gas Protection Measures and Design Verification Plan Project Ref:P9353 (May 2020). Prior to the occupation of

any of the residential units in Phase 1 a verification report demonstrating completion of works set out in the approved contamination remediation strategy and gas protection plan, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution of the site in the interests of amenity of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. Within 6 (six)-months of the first date of 20% occupation for phase 1 of the development hereby approved, a Full Travel Plan shall be submitted to the Local Planning Authority and will include:

- realistic and quantifiable targets;
- effective objectives and incentives to reduce car travel and increase use of non-car-modes for residents;
- Travel Plan targets shall be reviewed and monitored against the baseline which will be established within 3-months of the first date of occupation;
- Travel surveys shall be completed by residents every 12 (twelve)-months from the date of first occupation, and for a minimum period of ten years (i.e. minimum 12 (twelve) no. surveys excluding the initial baseline survey);

The approved Travel Plan shall be implemented for a period of not less than 10 (ten) years from the first date of operation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and National Planning policy Framework.

21. Prior to the first occupation of Phase 1 of the development hereby approved a scheme for secure cycle parking storage (including public & visitor cycle parking provision) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

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.

22. Prior to the first occupation of Phase 1 of the development hereby approved, details of the play areas and seating areas within Phase 1 (including location, size, specification for the play equipment to be installed, full landscaping details and a maintenance regime for the lifetime of the development) shall be submitted to and

approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.

Reason: To ensure that an adequate level of play space is provided and maintained for the occupants of the development, in compliance with Policies L3, L7 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

23. Other than site clearance works, including tree felling, no development shall take place until such time as detailed schemes for foul and sustainable surface water drainage have been submitted to, and approved in writing by, the Local Planning Authority. The detailed schemes shall:-
- (i) investigate the full hierarchy of surface water drainage options and shall include:
 - a. evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - b. an assessment of nearby watercourses and surface water sewers which may facilitate the discharge of surface water to local watercourses;
 - (ii) if infiltration is not possible, a restricted rate of discharge of surface water to be agreed with the Local Planning Authority with any discharge to the public sewer restricted to a rate that is no greater than 5 l/s for each connection;
 - (iii) include levels of the proposed drainage systems and proposed ground and finished floor levels in AOD;
 - (iv) ensure foul and surface water shall drain on separate systems; and
 - (v) include details for the management and maintenance of the sustainable drainage scheme. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Resident's Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development shall thereafter be carried out in full accordance with the approved drainage schemes before the first occupation of the development hereby approved. The development shall be retained, maintained and managed in accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the future maintenance of the sustainable drainage structures having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

25. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development first takes place:
- a) Appearance
 - b) Landscaping
 - c) Layout; and
 - d) Scale

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

26. The reserved matters shall comply with the development parameters outlined on the following drawings:-

- Dwg No:11284-AEW-XX-XX-DR-A-0501 Rev.P5 Location Plan
- Dwg No:11284-AEW-XX-XX-DR-A-0502 Rev.P5 Existing Site Plan
- Dwg No:11284-AEW-XX-XX-DR-A-0504 Rev.P11 Parameters Plan
- Dwg No:11284-AEW-XX-XX-DR-A-0511 Rev.P4 Car Parking Plan - Proposed

Reason: To clarify the permission and ensure the reserved matters for the development are consistent with the details approved at outline stage, having regard to Policies L2, L3, L7, R2, R3 and other relevant policies of the Trafford Core Strategy and the National Planning Policy Framework.

27. The development hereby permitted (Outline Application) shall be limited to a maximum total number of 184 residential units.

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

28. No development hereby permitted shall take place until a phasing scheme for the development which sets out the sequence in which the various land parcels will be

developed out and thereafter brought into use has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing scheme.

Reason: To ensure the satisfactory development of the site in a phased matter in the interests of visual amenity, residential amenity, highway safety, community safety and sustainable development having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. Details of phasing are required to be submitted prior to commencement to enable the Local Planning Authority to assess the phasing of the development and a start on site would prejudice the proper assessment of the scheme.

29. A minimum of 10% of the residential units in the outline phases of the development hereby approved shall be delivered for the purposes of providing affordable housing (as defined by the NPPF Annex 2, or any subsequent amendment thereof) or special needs housing accommodation to be occupied by households or individuals who have a local connection to Trafford and are in housing need and shall not be offered for sale or rent on the open market. Provided that this planning condition shall not apply to the part of the property over which:- (i). a tenant has exercised the right to acquire, right to buy or any similar statutory provision and for the avoidance of doubt once such right to acquire or right to buy has been exercised, the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market; (ii). a leaseholder of a shared ownership property has staircased to 100% and for the avoidance of doubt once such staircasing has taken place the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market.

Reason: To clarify the permission and to comply with Policies L1, L2 and L8 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 1: Planning Obligations and the National Planning Policy Framework.

30. Any applications for reserved matters which include layout or landscaping shall be accompanied by the following highways details:
- Proposed adopted highway and stage 1 road safety audit
 - Proposed stopping up of the adopted highway
 - Proposed parking arrangements (including for the Community Centre)
 - Proposed pedestrian and cycle routes
 - Internal road speed and traffic count surveys (minimum seven days)
 - Parking survey (minimum three days, on and off-road parking)
 - Proposed Homes Zones / shared surfaces
 - Proposed highway construction details and surfacing materials
 - Proposed highway landscaping and boundary treatments.
 - Proposed traffic calming measures
 - Proposed servicing arrangements including swept path analysis

- Junction visibility splays
- Forward visibility should also be provided to demonstrate that the development has been designed in accordance with Manual for Streets

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

31. Notwithstanding the submitted Transport Assessment, the first reserved matters application to be submitted shall be accompanied by an updated Transport Assessment.

Reason: To ensure an assessment of highway considerations is provided that accounts for any subsequent changes since the granting of planning permission having regards to Policies L3, L4 and L7 and The National Planning Policy Framework.

32. Any reserved matters applications that include layout and landscaping shall be accompanied by details of a scheme for secure cycle parking. The cycle parking facilities shall be provided and subsequently maintained for the lifetime of the development in accordance with the approved details.

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.

33. Within 6 (six)-months of the first date of 20% occupation of any subsequent phase(s) of the development hereby approved, a Full Travel Plan shall be submitted to the Local Planning Authority and will include:

- realistic and quantifiable targets;
- effective objectives and incentives to reduce car travel and increase use of non-car-modes for residents;
- Travel Plan targets shall be reviewed and monitored against the baseline which will be established within 3-months of the first date of occupation;
- Travel surveys shall be completed by residents every 12 (twelve)-months from the date of first occupation, and for a minimum period of ten years (i.e. minimum 12 (twelve) no. surveys excluding the initial baseline survey);

The approved Travel Plan shall be implemented for a period of not less than 10 (ten) years from the first date of operation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and National Planning policy Framework.

34. Any applications for reserved matters which include layout and/or landscaping shall include details of play areas and seating areas (including location, size, specification for the play equipment to be installed, full landscaping details and a maintenance regime for the lifetime of the development. The play area facilities shall be provided and subsequently maintained in accordance with approved details.

Reason: To ensure that an adequate level of play space is provided and maintained for the occupants of the development, in compliance with Policies L3, L7 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

35. All applications for reserved matters associated with subsequent phases of development shall include an investigation and risk assessment in relation to contamination on site (in addition to Phase 1 Preliminary Risk Assessment Revision V01 dated 10/1/20, Ref 073833-CUR-00-XX-RP-GE-004, 'Sale West stage 2&3', prepared by Curtins Consulting Ltd., provided with the planning application). The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). . 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, ground waters 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.
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken
- v) 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 first occupation of the development hereby 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. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

36. No phase of development hereby permitted shall be occupied 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. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

37. All applications for reserved matters associated with subsequent phases of development shall include a Construction Method Statement. 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 hoardings 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 and measures to prevent noise and vibration to adjacent properties including any piling activity; vii. a scheme for recycling/disposing of waste resulting from demolition and construction works (including asbestos if uncovered) and viii. days and hours of construction activity on site (having regard to the Councils recommended construction hours of operation) and ix. Contact details of site manager to be advertised at the site in case of issues arising.

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.

38. Any application(s) for reserved matters for layout shall include a scheme for the closure of any alleyways and footpaths. Development shall be carried out in accordance with the approved details and thereafter retained.

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

39. No development of the Sale West Community Centre and associated outdoor sports facilities shall commence until a scheme to ensure the provision of replacement facilities has been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme must set out details of the size, location, type, design and make-up of the facilities together with arrangements for access. The scheme must include a timetable for the implementation of the facilities. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development and retained thereafter.

Reason: To protect sports/community facilities from loss and to ensure the satisfactory quantity, quality and accessibility of replacement provision which secures continuity of use and in accordance with Policy R5 of the Trafford Core Strategy and paragraph 97 of the NPPF.

40. Any application(s) for reserved matters for layout or appearance shall include an updated Air Quality Assessment. Development shall be carried out in accordance with the approved details.

Reason: In the interests of air quality and amenity having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

41. Any application(s) for reserved matters for layout or appearance shall include an updated Acoustic Assessment. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

42. Any reserved matters applications that include layout and/or landscaping shall be accompanied by a waste management strategy. The waste management strategy will be implemented in accordance with the approved details.

Reason: to ensure that the site is properly and safely serviced in the interests of highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

43. All applications for reserved matters associated with subsequent phases of development shall include details of a sustainable surface water drainage scheme and foul water drainage scheme and shall include:-

- (i) An investigation of the hierarchy of surface water drainage options and shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) An assessment of nearby watercourses and surface water sewers which may facilitate the discharge of surface water to local watercourses;
- (iii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public sewer the rate of discharge shall be restricted to a rate that is no greater than 5 l/s for each connection;
- (iv) Levels of the proposed drainage systems and proposed ground and finished floor levels in AOD;
- (v) Ensure foul and surface water shall drain on separate systems; and
- (vi) Details for the management and maintenance of the sustainable drainage scheme. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Resident's Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The development shall thereafter be carried out in full accordance with the approved drainage schemes before the first occupation of the development hereby approved. The development shall be retained, maintained and managed in accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the future maintenance of the sustainable drainage structures having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework

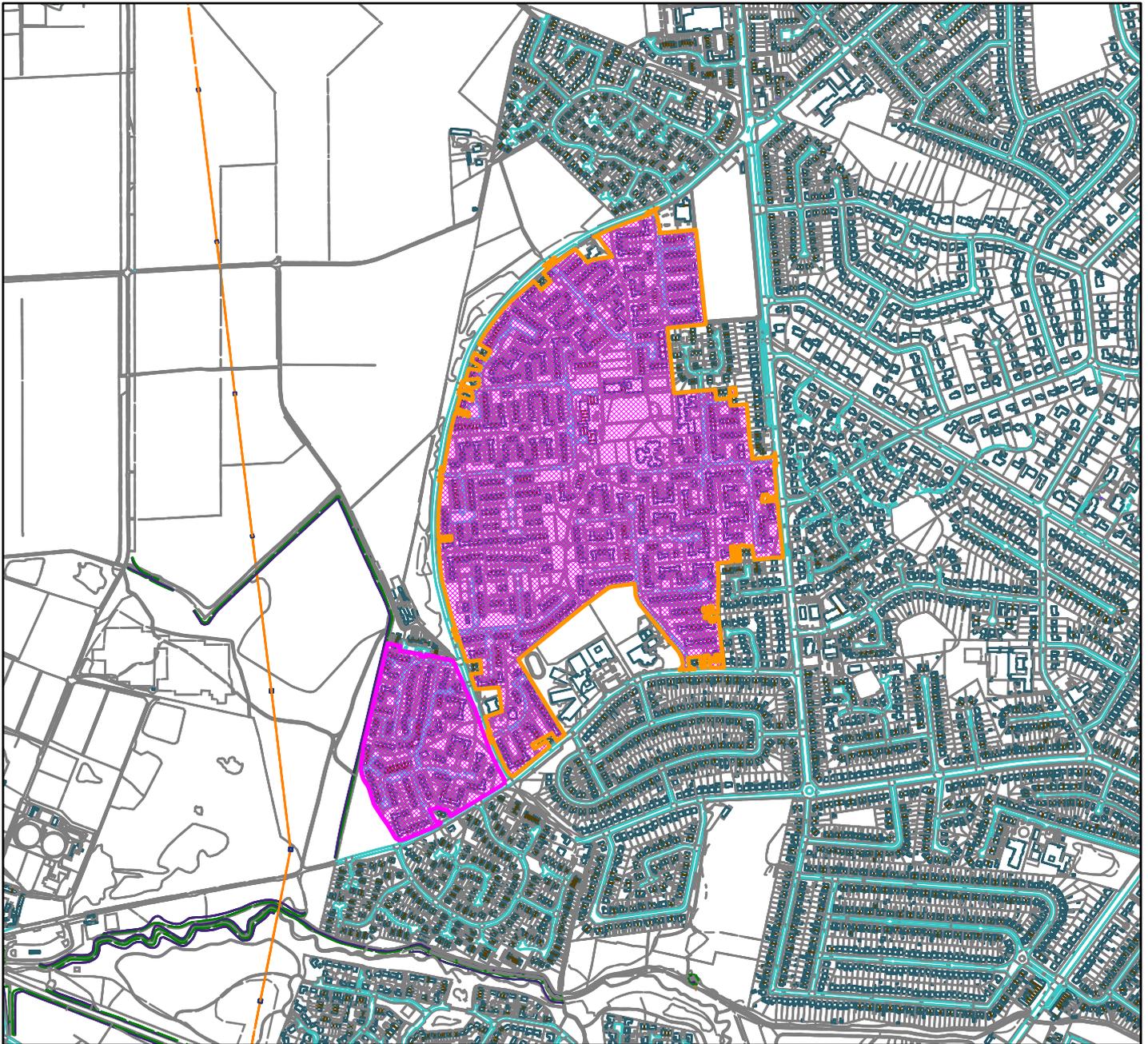
44. Any reserved matters applications that include layout and/or landscaping shall be accompanied by an updated 'Arboricultural Impact Assessment Plan and a Arboricultural Method Statement. The development shall be carried out in accordance with the approved details.

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.

CM



Sale West Estate Bounded By Firs Way, Cherry Lane, Woodhouse Lane And Manor Avenue (site hatched on plan)



Scale: 1:11,256

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/06/2021
Date	27/05/2021
MSA Number	100023172 (2016)

WARD: Longford

103921/FUL/21

DEPARTURE: No

Demolition of Red Rose Suite and seating; replacement with new hotel extension building and grandstand with associated facilities including museum, retail and ticket sales space, spectator seating and facilities; extensions to the existing hotel including a link structure; realignment of Brian Statham Way and associated public realm and landscaping works.

Lancashire County Cricket Club, Brian Statham Way, Stretford, M16 0PX

APPLICANT: Lancashire County Cricket Club Ltd

AGENT: Paul Butler Associates

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

EXECUTIVE SUMMARY

Application 103921/FUL/21 seeks planning permission for the development of a new grandstand with a capacity of 1,025 seats, a hotel extension to the existing Hilton Garden Inn and ancillary accommodation for retail floorspace, a club museum and ticket office at ground floor and a new members' lounge, members' terrace and a sponsors' terrace at first floor level.

The proposed development would be accommodated within a six storey building, the ancillary club facilities, including the retail floorspace, museum and ticket office being located in a two storey plinth with an active glazed frontage. The 100 additional hotel rooms will be located in four floors of accommodation above. The hotel extension will share facilities such as the reception area and dining facilities with the existing HGI which is located within the Old Trafford Ground, via a first floor link.

The principle of the proposed development is considered to be acceptable (paragraphs 1 - 24) and complies with the policies contained in the Core Strategy and Draft Civic Quarter Area Action Plan which encourages the delivery of a mix of uses within the Civic Quarter.

The layout, design and appearance of the proposed development is contemporary and high quality, and is also considered to be acceptable (paragraphs 25 - 55).

The proposed development requires the realignment of Brian Statham Way, which results in the loss of 29 existing car parking spaces. This is considered to be consistent with Council's ambition to deliver a pedestrianised Processional Route along Brian Statham Way and Warwick Road, which would ultimately necessitate the removal of the existing car parking spaces in any event (paragraphs 94 - 98). Visitors to the site will be able to utilise the existing car parking provided within the cricket club grounds but the development does not propose any additional car parking. This is considered to be acceptable for this particular site

given that the cricket club already has a car park and that the Council is seeking to encourage travel by sustainable transport modes in this location (paragraphs 99 - 105). The developer has also agreed to pay a developer contribution towards the delivery of the Processional Route, which will be secured by S106 agreement, details of which can be found at paragraph 129.

There is a requirement for access to the existing Metrolink 'lay down' area to be retained as part of the road realignment works and a condition is recommended to ensure that the revised access is appropriately designed and delivered before any works begin on site.

All other detailed matters have been assessed, including heritage, ecology, amenity, noise, waste provision, contamination and security. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. The scheme complies with the development plan, the starting point for decision making, and is therefore recommended for approval subject to a S106 legal agreement to secure an appropriate contribution towards public realm works as part of the Processional Route.

SITE

The application site for the proposed re-developed Grandstand and hotel comprises the existing Red Rose Suite and Red Rose Stand located on the western side of Brian Statham Way at Old Trafford Cricket Ground, which is home to Lancashire Cricket Club.

The wider complex of Old Trafford Cricket Ground includes the stadium, offices, a 150 bed Hilton Garden Inn (HGI) hotel, conferencing facilities for up to 2000 visitors, Caffé Nero, as well as open areas for parking (circa 700 spaces), crowd circulation, and external entertaining. The ground at present has an approximate capacity of 19,000 seats for domestic cricket and 26,000 for international games, for the latter temporary stands are erected. The ground is also occasionally used for large open air music concerts with capacity for 50,000 people.

The existing Red Rose Suite is a brick built structure which is three storeys high. The facade of the stand facing Brian Statham Way has a projecting element at first floor level which overhangs Brian Statham Way. This element of the stand has a decorative scalloped cream rendered edge and a mono pitch roof. The façade has a number of small window openings facing onto Brian Statham Way. At ground floor level the site has a number of openings into the cricket club which are enclosed with wrought iron railings. To the north of the stand there is a low level stand, circa one to two storeys in height; part of this stand is also proposed to be demolished. Further to the north of the stand are Caffé Nero and the existing Hilton Garden Inn.

To the south of the Red Rose Suite are the Metrolink line and the Old Trafford stop, existing spectator stands and an existing large screen within the cricket ground. The boundary of the site is formed by a combination of brick walls and decorative wrought iron railings.

The wider area around the cricket ground centred on Trafford Town Hall is known as the Civic Quarter and is the subject of a Draft Civic Quarter Area Action Plan which outlines the Council's ambitions for development in the local area.

PROPOSAL

The proposed development involves the demolition of the existing Red Rose Suite (removal of 566 seats) and the erection of a new two storey grandstand (capacity 1,025 seats), resulting in the provision of 459 additional seats.

The proposed grandstand would contain ancillary retail floorspace, a club museum and ticket office at ground floor (423 m²). The upper floors will include a new member's lounge (306m²), a members' terrace and a sponsors' terrace.

Above the plinth of the grandstand and ancillary facilities, a four storey hotel extension to the existing HGI is proposed. The hotel extension will provide 100 additional rooms and will share facilities such as the reception area and dining facilities with the existing HGI which is located within the Old Trafford Ground, via a first floor link.

The southern part of Brian Statham Way would be realigned to accommodate the proposed development.

A transformer is proposed to be located underneath the existing replay screen to the south of the proposed new grandstand and adjacent to the Brian Statham Way fence line.

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.
- The **Draft Civic Quarter Area Action Plan** (Regulation 19 Draft – January 2021) forms part of the Development Plan. The CQ AAP was subject to consultation between 20 January and 5 March 2021 and will now be submitted to the Secretary of State for independent review at an Examination in Public. At this advanced stage, considerable weight can be afforded to the AAP in the determination of this

application, with the exception of Policy CQ11 (Infrastructure and Obligations) which has been the subject of a number of representations and will need to be heard at the Examination in Public.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

SL3 – Lancashire County Cricket Club Quarter
L3 – Regeneration and Reducing Inequalities
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
W2 – Town Centres and Retail
R1 – Historic Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation
R6 – Culture and Tourism

PROPOSALS MAP NOTATION

Trafford Inner Area
Priority Area for Regeneration
Main Office Development Areas

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

H10 – Priority Regeneration Area – Old Trafford

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 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 was updated on 08 February 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

Cricket Ground

There is an extensive planning history at the Old Trafford Cricket Ground, the most pertinent recent planning applications on this site are:

99105/FUL/19 – Demolition of Red Rose Suite and erection of new grandstand (total capacity 4,935 seats) with associated facilities including museum, retail and ticket sales space; erection of a 6 storey block on eastern side of Brian Statham Way to provide a 109 bed hotel extension and ground floor retail/food and drink use and associated pedestrian bridge structure linking to existing hotel; ground floor and first floor extensions of existing hotel; relocation of existing replay screen and erection of additional screens within the cricket ground; realignment of Brian Statham Way and associated public realm and landscaping works. Committee resolution to grant subject to completion of a S106 Agreement on 16.01.2020. Application withdrawn upon submission of the current application being considered in this report.

85781/FUL/15 – Demolition of existing Old Trafford Lodge; rear section of 'A-Stand'; three storey 'Development House' and the former turnstile block. Erection of a replacement 150 bedroom hotel with coffee shop; new ticket office building; 'pop-up' bar facility and other external works, including alterations to the rear of 'A'-Stand. Approved 04.12.2015

74393/FULL/2009 - Part Full/part Outline Planning Application for redevelopment of Old Trafford Cricket Ground and erection of food superstore. Full consent sought for the erection of a (Class A1) food superstore (measuring 15,500 sqm gross internal area) incorporating car parking plus associated petrol filling station, landscaping and infrastructure; creation of pedestrian link between Talbot Road and Chester Road; demolition and replacement of existing Old Trafford Cricket Ground stands and other associated buildings/structures to create a new cricket stadium (Class D2) with new media players and education building, extension to existing cricket school, reconfigured and extended members pavilion, spectator seating, hospitality and ancillary facilities including food and non-food retail units, replay/scoreboard screens, sightscreens, 6 no. 60m high floodlighting columns and other associated cricket ground equipment. Outline consent sought for extension to Trafford Lodge Hotel (Class C1) including the creation of a maximum of 82 no. additional hotel rooms, a new fitness suite and a brasserie with details sought for means of access and layout with all other matters reserved for subsequent consideration. Approved 29.09.2010.

H70373 - Demolition of existing County, Jubilee and Tyldesley Suites and associated area of terraced seating and development of a new grandstand comprising a hospitality and events venue and associated section of new terraced seating (with a total capacity of approximately 2,250). Associated alterations to access road layout. Approved 25.02.2009

H45367 - Erection of 70 bedroomed hotel. Approved 03.06.1998

H16725 - Demolition of existing stands 'a', 'b' and 'c' known as pavilion stand and erection of new stand. Approved 09.09.1982

Proposed Hotel Site (part Former Kellogg's Site)

98661/EIASCO/19 - Request for a Scoping Opinion in respect of a residential-led, mixed-use development.

Adjacent UA92 Site (part of the Former Kellogg's Site)

94747/FUL/18 - Full planning permission for change of use to part educational use (Use Class D1) and part office space (Use Class B1), together with ancillary IT demonstration / experience centre (Use Class D1), café (Use Class A3) and external alterations including selective demolition to facilitate conversion, landscaping, public realm and other associated works. Approved 10.08.2018

Former Kellogg's Site

99795/OUT/20 – Outline planning application (all matters reserved except for access) for the redevelopment of the site for up to 750no residential dwellings (Use Class C3); local centre and office uses (Use Class E); education (Use Class F1); hotel (Use Class C1); drinking establishment (sui generis); energy centre (Use Class B2) uses and associated infrastructure and open space, with access from Talbot Road. Resolution to grant on 20.09.2020 subject to completion of S106 Agreement.

APPLICANT'S SUBMISSION

The planning application was accompanied by the following documents:

- Application form and completed ownership certificates
- Design and Access Statement
- Crime Impact Statement
- Preliminary Ecological Appraisal
- Flood Risk Assessment and Outline Drainage Strategy
- Heritage Statement
- Noise Impact Assessment
- Planning Statement
- Townscape Photography and Visual Representations
- Town Centre Statement

- Transport Assessment
- Waste Management Strategy
- Contamination Desktop Study / Phase 1 Assessment

CONSULTATIONS

Greater Manchester Archaeological Advisory Service (GMAAS) – the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

Greater Manchester Ecological Unit (GMEU) – no objection subject to condition.

Greater Manchester Police Design for Security – recommend that the physical security of the building conforms with the recommendations made in the Crime Impact Statement.

GMP CTU – no response received

Local Highway Authority (LHA) – no objection subject to conditions.

Local Lead Flood Authority (LLFA) – no objection subject to condition.

Environmental Protection, Air Quality – no objection

Environmental Protection, Nuisance – no objection subject to the implementation of recommended conditions.

Environmental Protection, Contaminated Land – The assessment has identified the requirement for an intrusive site investigation to confirm the presence of any contamination which may affect future site users and/or groundwater. To ensure that a suitable investigation is undertaken conditions should be attached.

Trafford Council, Heritage Development Officer – no objections, comments described in full in Observations.

Trafford Council, Strategic Planning – the Sequential Test in the submitted Town Centre Statement adequately considers in centre and edge of centre sites in Stretford Town Centre with regard to the proposed town centre uses. There are no objections to this application.

Trafford Council, Waste – no comments.

Transport for Greater Manchester (TfGM) – no objection.

TfGM Metrolink – no objection subject to conditions.

United Utilities – no objection subject to the implementation of recommended conditions.

REPRESENTATIONS

No representations received.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT AND THE DECISION-TAKING PROCESS

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 was 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, 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.
4. Policies relating to the town centre uses, the strategic location, design, impact on amenity and heritage are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they control the principle of the development and are relevant to the impact of the proposed development and surrounding area:
 - Policy W2 of the Core Strategy is considered to generally be consistent with the NPPF in supporting the growth of Trafford's town centres and the role they play in local communities.
 - Policy SL3 of the Core Strategy is generally in compliance with the NPPF in relation to the regeneration and provision of new sustainable communities. However the references to specific housing numbers and heritage are not consistent with the NPPF. In all other aspects this policy is consistent with the NPPF.
 - Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. Full weight can be afforded to this policy.

- Policy R1 of the Core Strategy, relating to the historic environment, with its requirement to enhance, does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF.
5. Although some aspects of relevant development plan policy are out of date (e.g. the requirement to 'enhance' in Policy R1), overall the basket of 'most important' policies is considered to be up to date for decision making purposes. The tilted balance in Paragraph 11 of the NPPF is not engaged and the application should be determined in accordance with the development plan unless material considerations indicate otherwise.
 6. 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.

The Strategic Location

7. The Lancashire County Cricket Club Quarter Strategic Location allocation, which is covered by Core Strategy Policy SL3 is identified in the Draft Land Allocations Plan (LAP) as LAN1 and LAN2. The preparation of the Draft LAP was however put on hold, pending the production of the Greater Manchester Strategic Framework. Since the delay in the preparation of the LAP, the production of the draft CQ AAP has advanced and is now the latest statement of intent for the future development of the area the application site is located within. The draft Civic Quarter Area Action Plan (CQ AAP) covers the application site and a wider area than that identified by LAP Policies LAN 1 and LAN 2.
8. The Core Strategy outlines a number of Strategic and Place Objectives. Strategic Objectives relevant to this application include regeneration, the provision of employment opportunities, reducing the need to travel, securing sustainable development and protecting the historic built environment. Place Objectives of relevance to this application include OTO11 which seeks to maximise the potential of Lancashire Cricket Club as a visitor attraction and its potential to lead major regeneration in the area.
9. Policy SL3 is considered to be broadly compliant with the NPPF as it seeks to deliver a strengthened mixed use community centred around the existing sporting and community facilities. The LCC Quarter is one of the most visited places in the Borough containing the sporting attraction that is the cricket club and a number of important community facilities such as Trafford Town Hall, Trafford College and Stretford Leisure Centre, the area is however also fragmented by a number of large footprint single uses. CS Policy SL3 identifies a significant opportunity to improve the visitor experience for its sporting attractions and to create a new residential neighbourhood.

10. CS Policy SL3 states that major mixed-use development will be delivered in this location to provide a high quality experience for visitors balanced with a new, high quality residential neighbourhood centred around an improved stadium at LCC. CS Policy SL3 goes on to state that the Council considers that this Location can deliver:
- A redeveloped LCC sports stadium with ancillary sports and leisure facilities;
 - 400 residential units comprising predominantly accommodation suitable for families;
 - A redeveloped and renovated Trafford Town Hall providing new accommodation for Trafford Council's administrative functions;
 - Improvements to education, community and commercial facilities (including a superstore); and
 - Improvements to the local highway network and better linkages with public transport infrastructure.
11. Policy SL3.4 states that in order for development to be considered acceptable a contribution to the provision of a strategic processional route, suitable for a variety of users with a high quality public realm area incorporating green infrastructure along Warwick Road and Brian Statham Way to enhance visitor experience and to link to existing and future public transport improvements. This application incorporates a realigned Brian Statham Way which will ultimately form part of the proposed processional route and the developer has indicated that they will provide developer contributions towards the delivery of the strategic processional route.
12. It should be noted that the LCC Strategic Location has already delivered a partially redeveloped LCC sports stadium, a redeveloped and renovated Trafford Town Hall and a superstore. Improvements have also been made to the local highway network including the introduction of cycle route improvements along Talbot Road.

Draft Civic Quarter Area Action Plan (AAP):

13. The Draft CQ AAP is intended to establish a vision, masterplan and strategy for how the area could be revitalised and developed over the next 15 years and beyond. The AAP area covers the current application site as well as land as far north as Chester Road, Great Stone Road to the west, Trafford Bar Metrolink stop to the east and the Manchester-Altrincham Metrolink line to the south. This document will form part of the Council's Development Plan and includes policies on a wide range of matters relevant to the development management process. As the document is at 'Regulation 19' stage, the weight to be afforded it in the determination of this application is considerable, and it is an important material consideration in the assessment of this planning application.

14. Draft AAP policy CQ3 (Mixed Use Communities) supports a mix of uses within the Civic Quarter as this will help to enhance sustainability and deliver its objectives for a new vibrant neighbourhood, creating both active day time and night time economies and a real sense of place. In relation to this planning application, Policy CQ3 in particular encourages the delivery of hotel uses within the Civic Quarter.

Main Town Centre Uses

15. In addition to the proposed grandstand the submitted planning application also seeks planning permission for the development of a 100 bed hotel with ancillary retail space, a club museum and ticket office (total 423 m²) at ground floor level. The upper floors will include a new member's lounge (306m²), a member's terrace and a sponsor's terrace. The use classes proposed as part of this development at ground floor fall within the definition of 'main town centre uses' in the NPPF.
16. Paragraph 86 of the NPPF requires local planning authorities to apply a sequential test to planning applications for main town centre uses which are not located within an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of 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.
17. A Town Centre Statement has been submitted in support of the application, which focuses on the hotel floorspace. It is considered that the museum, retail, food and drink floorspace provided as part of the development is ancillary to the leisure use of the cricket club and does not need to be assessed as part of this application.
18. The proposed grandstand is a leisure use and also falls within the definition of a 'main town centre use'. This new stand falls within the defined SL3 boundary which refers specifically to leisure facilities as an acceptable use in the area. The retail, food and drink uses proposed as part of the grandstand redevelopment are considered to be ancillary to the proposed use. Due to the site's location in the SL3 boundary and the fact that the proposed stand is an extension and improvement to the existing facilities, it is not considered that there is a requirement for this element of the proposed development to be sequentially assessed.
19. Policy W2 of the Core Strategy, which is considered to be compliant with the NPPF in supporting the growth of town centres and the role they play in local communities and is therefore up-to-date for the purposes of decision making. It states that outside the established retail centres, there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance.

20. A sequential test was submitted in support of this planning application, which assessed the level of floor space on an aggregated basis and assessed the availability of floorspace (ranging between 3,375 m² and 5,625 m², allowing for a flexibility of 10% in floorspace area against 4,500m² within an agreed search area. 4,500 m² is the area of floorspace feasibly required to accommodate the required facilities and hotel) within an agreed search area.
21. The assessment focused on Stretford Town Centre and edge of centre locations. Seven sites in the defined centre and within circa 300m (edge of centre) were identified for evaluation and assessed.
22. The assessment found that there were no sequentially preferable sites within, or on the edge of the identified centres. Officers have analysed the submitted assessment and concluded that the applicant has satisfied the requirements of the sequential test, in that it has been demonstrated that there are no sequentially preferable sites (either within or closer to established retail centres) that could accommodate the proposed hotel and retail floorspace.
23. In addition to the lack of locally available sites to accommodate the application proposal, there are also unique site-specific circumstances which limit the ability for the development proposal to be located elsewhere, namely the nature of the proposal to expand the existing HGI hotel to provide additional and improved facilities at The Old Trafford Cricket Club, which is a major international sporting attraction.

Conclusion on the principle of development

24. The majority of the proposed development is located within the LCCC Quarter Strategic Location. Overall it is considered that the provision of a new grandstand with ancillary retail, museum, food and drink uses within the strategic location is acceptable in principle and complies with Core Strategy Policy SL3 and the policies of the Draft Civic Quarter Area Action Plan.

DESIGN

25. The promotion of high standards of design is a central narrative within the NPPF, which states at paragraph 124, that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 urges local planning authorities to refuse 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. The importance of design in determining planning applications is emphasised in the NPPG and National Design Guide (October 2019).
26. Policy L7 of the Core Strategy attaches importance to the design and quality of the Borough's built environment and states that design solutions must: be appropriate

to their context; and enhance the street scene by appropriately addressing scale, density, height, massing, layout, elevational treatment, materials, hard and soft landscaping, and boundary treatments, the policy is clear. Policy L7 is considered to be compliant with the NPPF as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.

27. The Draft CQ AAP identifies that application site as being located within the 'Southern Neighbourhood'. The Cricket Club is noted to have 'high defensive metal fencing boundaries', which 'detract from the sense of place'. In particular the club is noted to 'have plans to extend the eastern stand, including a new museum facing a revitalised pedestrian priority Brian Statham Way'. Of relevance to this planning application and site, the 'activation' of the Processional Route is noted as an opportunity for the area.
28. The following Draft AAP Policies are considered to be of relevance to this application in terms of design:
 - CQ1 (Civic Quarter Regeneration) – this policy seeks to ensure that development will proactively respond to the vision of the CQ AAP and generally accord with the vision, principles and objectives of the Neighbourhood Area guidance. In relation to this application site the parameter plans indicated that development should be predominantly for: civic / education / sport and leisure uses; up to six storeys in height; and, accommodate the Processional Route.
 - CQ4 (Sustainability and Climate Change) – this policy seeks to ensure that developments achieve the highest levels of energy and water efficiency that is practical and viable, and should maximise opportunities to incorporate sustainable design features where feasible. This policy also seeks to encourage sustainable travel methods.
 - Policy CQ5 (Conservation and Heritage) – seeks to strengthen the historic and local character of the Civic Quarter by conserving and enhancing heritage assets, their setting, and the wider historic environment.
 - CQ6 (High Quality Urban Design) – this policy promotes the delivery of high quality and accessible developments, which are usable by all sections of the community.
 - CQ7 (Public Realm Principles) – this policy requires developments to deliver high quality, accessible public realm design, in accordance with the AAP Public Realm Principles and Neighbourhood Landscape Design Principles.
 - CQ9 (Processional Route) – this policy outlines the intention for the Processional Route which reimagines Brian Statham Way and Warwick Road as a pedestrianised ceremonial route, amplifying the connection between Lancashire Cricket Club and Manchester United FC. The policy requires new development along the identified route to positively address the street with active frontages, public art, quality landscaping and a cohesive approach to development.

29. In the interest of achieving high quality urban design the Design Code contained in the draft AAP outlines key objectives in relation to form and massing, frontages, amenity and residential quality. Of relevance to this scheme are the following points:

Form and massing – developments should incorporate variation to scale and massing to create townscape interest, high quality outlook and maximise light penetration. Buildings should have an uncluttered, simple roof profile with all elements such as plant enclosures and lift overruns etc., forming an integral part of the overall building form.

Frontages – the AAP advises that active frontages must be maximised with no more than 20% of the total frontage of each side of a perimeter block or development to be inactive. Any inactive frontage (including ventilation and extraction grilles) should be treated with high quality detailing and materials. All ground floor units should have entrances directly from streets or public spaces.

Layout

30. The development of the new grandstand requires the realignment of Brian Statham Way to accommodate the proposed larger grandstand footprint.
31. The proposed grandstand is set out symmetrically around the centreline of midwicket. The lower tier seating maintains the pitch geometry defined by the playing area, whilst repositioning the match day entrance (and concert mode entrance) further north along Brian Statham Way will reduce the potential for congestion back to the Old Trafford Metrolink stop south of the site.
32. This proposed development results in a wider ground level spectator concourse which significantly increases the width of spectator flow along the eastern edge of the ground. The re-developed grandstand, with the proposed ground floor ticket office and ancillary retail and museum also creates an active frontage which is a positive improvement to the streetscene and pedestrian environment of Brian Statham Way, especially when alighting from Old Trafford Metrolink stop.
33. The proposed hotel is an extension to the existing hotel at the cricket ground, the Hilton Garden Inn. The layout of the proposed hotel is reflective of the needs of LCC and the hotel operator. The four storey 100 bed hotel extension will be constructed above the grandstand and associated facilities at ground and first floor. The proposed extension will share reception and dining facilities with the existing hotel, and will be connected via an elevated link which runs from the northern end of the new terrace to the existing hotel, above the existing ground floor retail unit (Caffé Nero) fronting Brian Statham Way.

34. Adjacent to the first floor link, a new enclosure and hotel function bar the 'Terrace bar' is proposed. This additional space will provide complementary external viewing space occupying and extending the existing hotel podium at first floor level.
35. To the south of the new grandstand, a transformer is proposed beneath the existing large screen. This infrastructure will be accessed from within the site.
36. The layout of proposed development reflects the functional need of the site to provide a new grandstand to the existing cricket ground and the requirement for additional hotel space to connect with the existing hotel. The development and the proposed realignment of Brian Statham Way will provide an improved area of public realm with an active frontage to Brian Statham Way which will ultimately form an integral part of the Processional Route from the Cricket Ground to the Old Trafford football stadium which is set out as a main development requirement in Policy SL3.
37. It is considered that the layout of the proposed development will accord with the requirements of Core Strategy Policy L7, and Draft CQ AAP Policies CQ1, CQ6, CQ7, and CQ9 by improving the character and quality of the area and is acceptable.

Appearance

38. The proposed six storey development has an eaves height of 21.5 metres, with the plant screen increasing the height of the proposed development to 23.5 metres. The existing HGI hotel has an overall height of 19.5 metres.
39. The Brian Statham Way elevation comprises an eight metre high brick plinth which accommodates two storeys internally, providing space for facilities which are ancillary to the operation of the stand such as ticket office, museum and members lounge. The brick plinth contains a glazed entrance and frontage to Brian Statham Way with simple but contemporary brick detailing adding interest to what would otherwise be areas of blank brick facade. At first floor level of the plinth a heavily recessed wide window serving the members lounge is proposed.
40. The upper floors of the development contains the hotel element of the development and has a contrasting external appearance comprising dark grey metallic cladding with a light grey cladding 'wrap' which encompasses the upper elements. The side elevations will be clad in flat and sinusoidal metal rain-screen panels, in the same contrasting colours of dark and light grey.
41. The elevated link from the hotel extension to the existing hotel will be simple in form and be clad to match the existing ground floor retail unit in light grey cementitious rain screen cladding (to match the existing hotel).

42. The proposed development makes the most of the unique position of the site to provide a largely glazed elevation to the hotel which overlooks the cricket pitch. The lower levels of the pitch side elevation comprises grandstand seating for 1,025 spectators. The pitch side elevation will complement the existing spectator areas at the ground through a common approach to scale, form, and the use of materials.
43. Assessment Viewpoints contained within Appendix B of the submitted Townscape Appraisal demonstrate that the scale of the proposed grandstand development is similar to the existing stands at the cricket ground and views of the re-developed grandstand will generally be from the immediate surrounding area. The scale and massing of the proposed grandstand is considered to be acceptable.
44. The ground floor, lower tier terrace and second floor have a commercial and active appearance, in particular the ground floor which proposes a wholly glazed ground floor space to Brian Statham Way providing the museum, ticket office and retail space.
45. Design drawings have been submitted providing large scale detailed sections of each element of the proposed development (drawing no. LCCC-BDP-Z1-XX-DR-A-(21)-001 P00). These satisfactorily demonstrate that the proposed development will incorporate good levels of design details, such as recessed elements and the interfacing of different materials throughout the scheme to provide interest and depth to the façade.
46. The submitted information indicates that a high quality palette of materials is proposed to be used throughout the proposed stand and a condition is recommended requiring materials details to be submitted prior to the commencement of development.
47. It is considered that the scale, massing, design and appearance of the proposed grandstand and hotel, whilst being functional is also contemporary and high quality. The proposed development adds visual interest to Brian Statham Way with an active façade at ground and first floor levels and offers a significant improvement to the existing development on site. It is considered that the proposed development complies with Core Strategy Policy L7, Draft CQ AAP Policies CQ1 and CQ6 and the NPPF.

Existing Hotel

48. A small infill extension is proposed at ground floor level to the existing HGI hotel. The infill is proposed to the western side and will reconfigure the 'cellar' area serving the hotel in order to provide a covered 50m² 'pop-up bar area'. The façade of the extension will match the existing ground floor façade of the hotel dining area, with dark grey aluminium rainscreen cladding and a dark grey aluminium roller shutter.

49. It is considered that the proposed infill extension is small in scale and will be in keeping with the existing appearance of the ground. The proposed extension is considered to be acceptable.

Landscaping

50. The realignment of Brian Statham Way contributes towards the provision of the Council's aspiration to provide a strategic processional route. As noted in Policy SL3.4 development in this location will be expected to contribute towards the provision of a strategic processional route and as part of this application, Lancashire Cricket Club has agreed to pay a developer contribution towards the cost of delivery of the new public realm along the Brian Statham Way portion of the Processional Route.
51. It is acknowledged that the processional route may not be delivered until after the hotel and grandstand have been completed and the implementation of this is not within the control of the applicant. Therefore should this situation arise, there will be a requirement for Brian Statham Way to be temporarily reinstated.
52. The temporary reinstatement works comprise the realignment of Brian Statham Way to accommodate the proposed grandstand and hotel and will result in the permanent removal of 29 car parking spaces.
53. A new boundary treatment is proposed to the southern part of site, adjacent to the new grandstand and Metrolink station. The submitted elevations indicate that the proposed boundary will comprise black metal railings to match existing around the site, however a condition is recommended to secure the final details of this boundary.

Conclusion on design

54. It is considered that the scale, massing, design and layout of the proposed development will enhance the street scene and character of the Strategic Location area through the introduction of a contemporary grandstand and hotel which will incorporate active frontages at ground floor level to an area where there is currently no activity.
55. It is considered that the proposed development complies with Core Strategy Policy L7, Draft CQ AAP Policies CQ1, CQ6, CQ7, and CQ9 and the NPPF.

HERITAGE

56. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or

historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

57. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy 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 and can be given limited weight.
58. Paragraph 190 of the NPPF requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
59. Paragraph 193 of the NPPF establishes 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. The NPPF sets out that harm can either be substantial or less than substantial and there will also be cases where development affects heritage assets but from which no harm arises. Significance is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest, which includes any archaeological, architectural, artistic or historic interest. The significance of a heritage asset also derives from an asset's setting, which is defined in the NPPF as 'the surroundings in which a heritage asset is experienced'.
60. Draft CQ AAP Policy CQ5 (Conservation and Heritage) is also of relevance to this application. CQ5 seeks to strengthen the historic and local character of the Civic Quarter by conserving and enhancing heritage assets, their setting, and the wider historic environment.
61. The application site lies within the setting of Trafford Town Hall which is Grade II listed, Longford Park Conservation Area and Old Trafford Cricket Ground, which is considered to be a non-designated heritage asset.
62. The application is accompanied by a Heritage Statement and a photographic analysis in the 'Townscape Photography and Visual Representations' document.

Trafford Town Hall

63. Trafford Town Hall is significant for its aesthetic, historical illustrative and communal values. The clock tower in particular is an important local and distinctive landmark and views of this contribute greatly to its aesthetic value. Its landmark quality orientates residents and visitors and provides a focal point within the locality. A clock face is intentionally visible on all four elevations of the tower emphasising the importance and visibility of this civic building at the time of construction in 1933 and this remains the case today. During this period Talbot Road was extended to the west through the Clifford Cricket ground (immediately north of the LCCC) and Gorse Hill golf course to join Chester Road.
64. There are views of the clock tower looking northwest along Brian Statham Way, these views contribute to the significance of this Grade II listed building. There may also be glimpses of the clock tower from within the cricket ground however it is unlikely it can be seen from the existing Red Rose Stand due to the siting of the Hilton Garden Inn. Until the 1980s a third platform was in operation at Old Trafford Station (formerly known as Warwick Road Station). This remains dis-used but in situ and views are possible across the former Kellogg's site to the clock tower.
65. The application proposes the replacement of the existing Red Rose stand, which lies adjacent to Brian Statham Way.
66. Brian Statham Way has historically provided access north from the station and following the erection of Trafford Town Hall in 1933 is the main route leading from the station to the Town Hall. The clock tower is currently only visible when aligned with Caffé Nero looking northwards and from the southbound platform at the Metrolink station as demonstrated by Figures 6.3 and 6.4 in the Heritage Statement. The proposed development will not interfere with these views and will not result in any harm to the setting of the Town Hall.

Old Trafford Cricket Ground and Pavilion

67. The Old Trafford Cricket Ground and pavilion are identified as a non-designated heritage assets. The pavilion was designed by Thomas Muirhead architect, who also designed the pavilion at the Oval. Despite being altered and rebuilt after WWII bomb damage as well as a comprehensive redevelopment in recent years, the building maintains its original layout and relationship with the cricket pitch. The pavilion remains an iconic image of LCC and has remained in its intended use since 1895. Limited glimpses of the pavilion can be seen from Brian Statham Way. The circa 1920s turnstiles fronting Brian Statham Way are also of interest. The site of the existing Red Rose Stand is part of the non-designated heritage asset and any proposal to replace the stand is required to enhance and sustain its significance.

68. There are no objections in principle to the demolition of the existing Red Rose Suite which it is understood dates from the 1970/80s, however a condition is recommended requiring the building to be recorded prior to demolition to ensure there is an adequate record of the historic development of the cricket ground.
69. It is considered that the replacement stand will sit comfortably alongside the existing 21st century grandstands in terms of scale, massing, form, appearance and materials and will therefore not adversely impact on the setting of the Old Trafford Cricket Ground and Pavilion.

Longford Park Conservation Area

70. Floodlights from the Cricket Ground are visible from within the Longford Park Conservation Area. The significance of the conservation area derives from the site of the former Longford Hall and its association with John Rylands. The park, which is also highly valued as a recreational facility, provides vistas across to the open space to the north of the conservation area and beyond from the former Firwood Library towards the cricket ground application site.
71. The proposal, by virtue of its low scale form of development would not impact on views from Longford Park Conservation Area and it is considered that the proposed development will not impact on or cause harm to the setting of this designated heritage asset.

AMENITY

72. In addition to ensuring that developments are designed to be visually attractive paragraph 127 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.
73. Policy L7 of the Core Strategy contains similar requirements and requires development to 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, amongst others, overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance. It has already been concluded earlier in this report that L7 is considered to be up to date for decision making purposes and that full weight can be attached to it.

Noise

74. The application is accompanied by a Noise Impact Assessment (NIA) which sets out the findings of environmental noise surveys undertaken in relation to the proposed scheme.
75. The proposed new grandstand will provide a total of 459 additional seats to the existing permanent stands which can accommodate approximately 19,000

spectators. It is therefore considered that the additional impact of the proposed development with regard to noise from the grandstand and general activities related to the use of the ground as a Cricket Club will be limited.

76. The application site is a long established cricket ground which hosts a number of international and domestic cricket events throughout the year. On these occasions and when large crowds are present it is acknowledged that noise does emanate from the site.
77. With regard to concert noise, the Cricket Ground is permitted to host a total of seven events per annum. However, if seven events are held within one year they are only permitted to host five events the following year.
78. Environmental Protection have advised that the proposed grandstand development could significantly alter the propagation of sound from large-scale open air concerts held at the Emirates Old Trafford stadium and there is no discussion within the Noise Impact Assessment on the extent of the potential changes in sound propagation from a concert. Environmental Protection have gone on to advise that whilst there is no objection to the proposed development with regard to concert noise, it is recommended that an informative paragraph is appended to any granted planning permission to advise that the applicant engages a suitably qualified acoustician to conduct an assessment of the likely change in concert noise propagation brought about by the development, including during the demolition and construction phases, and to identify any areas of concern where further mitigation would be required to ensure that off-site noise impacts that would be influenced by the development can comply with current applicable national guidelines.
79. It should be noted that as part of the premises licence a noise limit is in place and noise is monitored from three locations around the site during concerts.
80. The proposed hotel use has been assessed in terms of its impact on other noise sensitive uses in the local area and against the hotel operator's brand standards, relevant British Standards and local and national planning policy.
81. The operation of new fixed plant may have an adverse impact on noise sensitive receptors in the area, however the NIA has advised that plant noise emanating from the development site can be suitably controlled by meeting specified noise level targets that conform to the guidance of BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Planning conditions are recommended to control the combined noise level from fixed plant items on the site through suitable mitigation measures.
82. The NIA recommends a glazing and ventilation specification to ensure that the hotel operator's brand standards can be met under typical environmental noise conditions. This can be adequately controlled by condition.

83. Servicing, deliveries and waste and recycling collections for any commercial uses of the development should only take place between the hours of 07:00 – 21:00 hrs on Mondays to Saturdays and 09:00 – 19:00 on Sundays in view of the potential of undue disturbance affecting adjacent residents on the opposite side of the Metrolink line, should these activities occur at other times.

Residential Amenity

84. As well as nuisance, the impact of the proposed grandstand and hotel on the surrounding area in terms of overbearing impact, overshadowing, overlooking and visual intrusion is also a material consideration.
85. The proposed development is located on Brian Statham Way. The nearest dwellings are located on Trent Bridge Walk, approximately 70 metres away. The front elevations of these existing dwellings look over the Metrolink line and directly on to the rear of the south eastern stand. The proposed stand and hotel will not impact on these existing dwellings in terms of overbearing impact or overshadowing. Due to the orientation of the proposed development and low level tier seating it is unlikely that there would be any views to these dwellings, if in the exceptional circumstance there are any views, they would be oblique and given the distances between the proposed development and existing dwellings it is not considered that the proposed development would result in overlooking. The stand and hotel will be visible from the existing dwellings, however it is not considered that it will look out of place in context with the existing cricket club development, and would not result in visual intrusions to surrounding occupiers.
86. As noted earlier within this report an outline application for the redevelopment of the former Kellogg's site is pending determination subject to the completion of a S106 agreement. This outline application seeks outline planning permission for a residential led mixed use development on the site of the former Kellogg's headquarters. The indicative application proposes the development of residential dwellings and a hotel opposite the proposed hotel and grandstand. Although the indicative outline masterplan can only be given limited weight as a material consideration at present it is not considered that the proposed replacement grandstand would detrimentally impact on the amenity of future occupiers of this development given the separation distance between the two developments.

Air Quality

87. The proposed development does not propose the provision of any additional car parking spaces. The proposed development is considered to be acceptable in terms of air quality impact.

Lighting

88. No lighting proposal have been submitted as part of this application, however it is considered that any impacts could be adequately dealt with by condition. A condition is therefore recommended to be attached should permission be granted requiring an Exterior Lighting Impact assessment to be submitted for approval prior to the first operation of the development.

Conclusion on amenity

89. The proposed development proposes the development of a replacement cricket stand, with 459 additional seats to the existing 19,000 seats. Overall it is not considered that the increase in capacity or the introduction of the proposed new uses within the area would detrimentally impact on the amenity of existing or future residents in the local area, and so in this regard the proposal complies with Core Strategy Policy L7.

HIGHWAYS

90. Core Strategy Policy L4 deals with sustainable transport and accessibility and requires development to contribute towards the provision of a sustainable integrated transport network that is accessible and provides a choice of travel modes. Developments should ensure that they operate in a safe, efficient and environmentally sustainable manner.
91. Core Strategy Policy L7 requires development to be of functional design and in particular to ensure that development safely incorporates vehicular access and egress points and provides sufficient manoeuvring and operational space.
92. The following Draft AAP Policies are considered to be of relevance to this application in terms of highways:
- CQ4 (Sustainability and Climate Change) – this policy seeks to ensure that developments achieve the highest levels of energy and water efficiency that is practical and viable, and should maximise opportunities to incorporate sustainable design features where feasible. This policy also seeks to encourage sustainable travel methods.
 - CQ7 (Public Realm Principles) – this policy requires developments to deliver high quality, accessible public realm design, in accordance with the AAP Public Realm Principles and Neighbourhood Landscape Design Principles.
 - CQ8 (Wellbeing Route – Talbot Road) – this policy supports the delivery of a Wellbeing Route along Talbot Road which seeks to enhance cycle and pedestrian permeability.
 - CQ9 (Processional Route) – this policy outlines the intention for the Processional Route which reimagines Brian Statham Way and Warwick Road as a pedestrianised ceremonial route, amplifying the connection between Lancashire Cricket Club and Manchester United FC. The policy requires new development along the identified route to positively address the street with

active frontages, public art, quality landscaping and a cohesive approach to development.

- Policy CQ10 (Movement and Car Parking Strategy) - A key objective of the AAP is to improve permeability throughout the Civic Quarter area by connecting different uses and encouraging sustainable modes of movement. The improvements to pedestrian and cycling connections and public transport services should allow for a modal shift, reducing the reliance on the private car.

Road Layout and Adopted Highway

93. As part of the proposed development Brian Statham Way is to be realigned to accommodate the grandstand as shown on the revised indicative highway works and swept path analysis drawing no. 2693-01-D01 Rev A. It is envisaged that the realigned route will be pedestrianised as part of the delivery of the processional route, which is noted in Policy SL3.4 to be a development requirement within the LCCC Strategic Location.
94. The realignment of Brian Statham Way will result in the loss of the existing 29 on-street parking bays along the eastern side of the road. Draft AAP Policy CQ 9 outlines the Council's ambition to deliver a pedestrianised Processional Route along Brian Statham Way and Warwick Road, which would necessitate the removal of the existing car parking spaces. Their removal is considered to be acceptable and in accordance with this policy.
95. There is a requirement for service access to the existing Metrolink 'lay down' area to be retained as part of the road realignment works on Brian Statham Way. TfGM and the LHA have expressed concern that current highways layout proposal shown on the revised indicative highway works and swept path analysis drawing no. 2693-01-D01 Rev A does not provide sufficient room for the large articulated vehicles used by TfGM to maintain the Metrolink network to access their 'lay down' area in a safe manner. Therefore a Grampian condition is recommended to ensure that the revised access is appropriately designed and delivered before any demolition or construction works begin on site.
96. As noted in paragraphs 51 to 53 an interim landscaping scheme, including the temporary reinstatement of the adopted highway may be required depending on the phasing of the proposed development and the proposed Processional Route works.
97. The design and implementation of the Processional Route is being led by Trafford Council and it is considered appropriate for a developer contribution through a S106 agreement to the works to be secured in this instance to enable the proposed pedestrianisation and public realm works to Brian Statham Way to be completed as one operation.

Car Parking and Accessibility

98. Policy L4 of the Core Strategy states that the Council will prioritise the location of development within the most sustainable areas accessible by a choice of modes of transport. The site is within a highly sustainable and accessible location given its location next to the Old Trafford Metrolink stop, bus services and cycle infrastructure. The site is within walking distance of Old Trafford Metrolink stop (within a 2 minute walk) providing frequent services between Altrincham, Manchester and Bury). Trafford Bar Metrolink stop is located within a 15 minute walk from the application site and provides additional links to the whole tram network providing links to Manchester Airport, Eccles, Bury, Rochdale Town Centre and Ashton-under-Lyne.
99. Draft CQ AAP Policy CQ10 (Movement and Car Parking Strategy) sets a number of principles which seek to place greater reliance on public transport in the Civic Quarter, with the provision of new high quality multi-storey car parks on the periphery of the AAP area, and the consolidation of existing surface parking where it can be demonstrated it is surplus to requirements. Draft CQ AAP Policy CQ4 indicates that all developers should demonstrate how their proposals improve the pedestrian and cycle environment, promote the use of sustainable transport modes, and reduce reliance on vehicular usage.
100. The nearest bus stops are located on Talbot Road, Chester Road and Kings Road. Metrolink services will likely be the most utilised giving visitors to the cricket club and hotel guests access to a choice of travel modes which would reduce the amount of car travel otherwise generated by this development.
101. No additional car parking is proposed as part of the development. Visitors to the cricket club and hotel guests will have access to the existing car parking facilities at the cricket ground, but most visitors tend to arrive by public transport.
102. However, on event days, and depending on the scale of the event, much of the existing car parking is reduced due to the operation of fan villages, the increase in off-site parking and encouragement to use public transport, which all forms part of the major event management plans. During major events all hotel guests must have a match ticket. On non-match days, hotel guests will be able to make use of the existing car parks at the cricket ground, although it is anticipated most will arrive by public transport.
103. Cycle parking facilities are available on the existing site with 33 parking spaces for pedal cycles / light motorcycles in the form of 14 'Sheffield Hoops' (each capable of having two cycles secured to them) and 5 'Wheeled bays' (each taking one motorcycle). The former are located under the overhang of The Point and the latter at the entrance to the Indoor Cricket Centre. The proposed cycle parking arrangements are acceptable to the LHA.

104. Due to the site's highly sustainable location, the proposal to not provide any additional car parking spaces as part of this development is considered to be acceptable, and is compliant with Core Strategy Policy L4 and the Draft CQ AAP Policies CQ4 and CQ10.

Event Traffic Management

105. Lancashire Cricket Club produce bespoke event traffic management plans, which include the consideration of transport measures for all large events which take place at the cricket ground.

DRAINAGE

106. The NPPF sets strict tests in order to protect people and property from flooding, which all local planning authorities are expected to follow. In summary these tests are designed to ensure that if there are better sites in terms of flood risk, or if a proposed development cannot be made safe from the risks of flooding, then it should not be permitted. A similar approach is embodied in Core Strategy Policy L5 (and thus this aspect of Policy L5 is also up-to-date for the purpose of decision-taking). The application site is located within Flood Zone 1 and is thus categorised as having the lowest probability of river or sea flooding. The site also sits within a Critical Drainage Area as defined by the Council's Strategic Flood Risk Assessment (SFRA). The Local Lead Flood Authority have reviewed the submitted Flood Risk Assessment and Drainage Strategy and have concluded that the proposed works will not cause flood risk to the development or the surrounding area. The application is considered to be acceptable, subject to the measures outlined in the submitted documents being implemented.
107. The submitted Drainage Strategy assessed a number of options for surface water disposal. Due to the design and use of the grandstand and hotel it is not possible to incorporate SuDS into the building design and instead the drainage strategy focuses on the provision of SuDS in the highway.
108. The Outline Surface Water Drainage strategy for the site indicates that the general principle of the surface water drainage strategy is to collect the runoff from the roof and external areas of the new development buildings and highway, and direct it to a new below ground surface water drainage network that will ultimately outfall via the existing connections to the public sewer. In order to achieve the water discharge rates set by the Greater Manchester Strategic Flood Risk Assessment, site control SuDS in the form of geocellular crates or oversized pipes will act as the storage measure upstream of the flow restricting devices.
109. Having regard to flood risk and drainage matters, the development is considered to be acceptable and compliant with Core Strategy Policy L5 and the NPPF.

CONTAMINATED LAND

110. The planning application was accompanied by a Ground Contamination Survey. The survey identified the requirement for an intrusive site investigation to be completed to confirm the presence of any contamination which may affect future site users and/or groundwater. A condition is therefore recommended to be attached should planning permission be forthcoming requiring such a survey to be completed prior to the commencement of development.

CRIME PREVENTION AND SECURITY

111. The application was accompanied by a Crime Impact Statement which set out a number of physical security specifications. Greater Manchester Police have recommended that a condition is attached requiring the physical specifications to be implemented as part of the development.

112. The physical security specifications note the required standards for areas of the development such as doors, windows, glazing, curtain walls, boundaries, landscaping and lighting amongst other areas of note. The required standards are capable of being implemented and an appropriate condition is recommended to be attached.

ECOLOGY

113. Core Strategy Policy R2 seeks to protect and enhance biodiversity of sites and their surroundings and protect the natural environment throughout the construction process. Policy R2 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.

114. Section 15 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment. Specifically paragraph 175 d) of the NPPF requires developments to take opportunities to incorporate biodiversity improvements in and around developments.

115. The application was accompanied by a Preliminary Ecological Appraisal which has been assessed by GMEU who have advised that the submitted appraisal has adequately assessed the site.

116. It is concluded that the site supports habitats of limited biodiversity value within the urban context and there are no substantive habitats which would be a material consideration in the determination of the application. The structures on site were found to have negligible potential to support bats. However, despite this assessment it was observed that the Red Rose Grandstand has a crack below the terrace which could have potential to be used on a casual basis by single or very small numbers of bats and as a result precautionary measures are proposed

during demolition. A condition is recommended to ensure that the demolition of this area undergoes supervision work by a suitably licenced ecologist during its demolition.

117. In order to achieve biodiversity enhancements on the site it is advised that the proposed development incorporates at least 2x bat boxes (or other bat brick) and 1x bird box (starling or house sparrow terrace) into the new scheme in appropriate locations. This is recommended to be secure by condition.
118. It is considered that the proposed development complies with the NPPF and Policy R2 of the Core Strategy.

EQUALITIES

119. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
120. In addition to the duty under the Equality Act, Policy L7 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
121. The applicant has submitted a statement on accessibility within the Design and Access Statement which sets out how accessibility within the site will be maintained as part of the proposed development. The design of the proposed grandstand and hotel takes into account relevant guidance from the Guide to Safety at Sports Grounds (sixth edition), Equality Act (2010), Building Regulations Approved Document Part M, and best practice from BS 8300 illustrating best practice design of buildings and their approaches to meet the needs of people with disabilities. Accessibility at the cricket ground is also independently audited as part of the ECB venue development review process.
122. Accessible parking provision is provided in a number of locations within the existing club car park and the proposal will provide inclusive access in areas of public realm, the approach to the building, horizontal and vertical circulation routes and WC facilities. The spectator viewing area is flexible to cater for a range of events, crowd profiles and attendance capacities and accessible spectator viewing areas are provided in a range of locations in the ground, including at Level 1 of the proposed development.

123. The applicant has confirmed that no persons will be affected by access to or use of the development due to being pregnant, a parent, their race religion, belief or their sex, sexual orientation or gender.

DEVELOPER CONTRIBUTIONS

Community Infrastructure Levy (CIL)

124. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'leisure' and 'hotel' development; consequently the development will be liable to a CIL charge rate of £10 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

SPD1: Planning Obligations

125. This supplementary planning document sets out Trafford Council's approach to seeking planning obligations for the provision of infrastructure and environmental improvements required in relation to new development. Contributions sought through SPD1 will be through the established mechanism of a Section 106 agreement.
126. SPD1 states that enhancements to public spaces will be sought as an integral element to any development with a significant impact on its physical environment and setting.
127. Policy SL3 states that developments within the Strategic Location will be required to contribute to the "provision of a strategic processional route, suitable for a variety of users with a high quality public realm area incorporating green infrastructure along Warwick Road and Brian Statham Way to enhance visitor experience and to link to existing and future public transport improvements."
128. Draft AAP Policy CQ11 (Infrastructure and Obligations) requires all planning applications for major development to contribute towards the delivery of essential infrastructure, such as public realm improvements, within the Civic Quarter. As noted previously, draft Policy CQ11 has been the subject of a number of representations and will need to be heard at the Examination in Public.
129. As part of the work carried out for the CQ AAP the Council instructed an external consultancy to carry out initial design work for the area of public realm and cost the scheme. From this an appropriate developer contribution towards the implementation of the scheme has been calculated and agreed with the developer to be secured through a S106 Agreement. The agreed contribution totals £111,478 and comprises:
- £66,600 towards public realm works as part of the Strategic Processional Route; and,

- The completion of an appropriate legal agreement to modify and/or discharge the section 106 Agreement dated 2nd December 2015 in respect of planning permission reference number 85781/FUL/15 in order to enable the contribution paid under that agreement of £44,878 (Strategic Processional Route Contribution) to be used in combination with the aforementioned £66,600 to deliver the Strategic Processional Route.

PLANNING BALANCE AND CONCLUSION

130. 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. It has been concluded earlier in this report that the tilted balance at Paragraph 11 of the NPPF is not engaged in the context of this application.
131. Analysis in the Heritage section of this report concludes that the development will not result in any harm to nearby designated or non-designated heritage assets.
132. Core Strategy Policies SL3, W1 and W2, together with Draft CQ AAP Policies CQ1 and CQ3 indicate that the principle of a new grandstand and hotel extension development with ancillary development including retail, museum, food and drink uses is acceptable in this location.
133. The proposed development, which is located in a highly sustainable location, seeks to realign Brian Statham Way to provide an enhanced area of public realm which will be fronted by a building which provides ancillary facilities to the Cricket Club with an active frontage. The realignment of Brian Statham Way complies with Core Strategy Policy SL3 and Draft CQ AAP policies CQ1, CQ7 and CQ9.
134. The introduction of active uses is a positive addition to the area given the status of Old Trafford as an international sporting venue. The design and appearance of the proposed development is considered to be high quality and appropriate to the area. The small infill extension to the HGI hotel is considered to be acceptable in terms of design and appearance. It is not considered that there needs to be any car parking provision given the nature of the development and the highly sustainable location of the site. The proposed development would comply with Core Strategy Policies L4 and L7 and Draft AAP policies CQ1, CQ4, CQ6, CQ9 and CQ10.
135. All other detailed matters have been assessed, including ecology, amenity, noise, waste provision, contamination and security. 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. The scheme complies with the development plan, the starting point for decision making, and is therefore recommended for approval subject to a S106 legal agreement to secure an appropriate contribution towards public realm works as part of the processional route.

RECOMMENDATION:

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

- i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure £66,600 towards public realm works as part of the Strategic Processional Route.
- ii) To complete an appropriate legal agreement to modify and/or discharge the section 106 Agreement dated 2nd December 2015 in respect of planning permission reference number 85781/FUL/15 in order to enable the contribution paid under that agreement of £44,878 (Strategic Processional Route Contribution) to be used in combination with the aforementioned £66,878 to deliver the Strategic Processional Route.
- iii) To carry out minor drafting amendments to any planning condition.
- iv) To have discretion to determine the application appropriately in the circumstances where a S106 agreement and modification / discharge of the existing s106 associated with planning permission 85781/FUL/15 has not been completed within three months of the resolution to grant planning permission.
- v) That upon satisfactory completion of the above legal agreement(s) that planning permission be **GRANTED** subject to the following conditions (unless amended by (iii) above):
 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:

LCCC-BDP-ZZ-XX-DR-A-(0-)-1001 P01 – Site Location Plan
LCCC-BDP-ZZ-XX-DR-A-(0-)-1002 P02 – Proposed Site Plan
LCCC-BDP-ZZ-XX-DR-A-(0-)-1004 P01 – Demolition Plan
LCCC-BDP-ZZ-XX-DR-A-(0-)-1101 P00 – GA Elevation N & E
LCCC-BDP-ZZ-XX-DR-A-(0-)-1102 P00 – GA Elevation S & W
LCCC-BDP-ZZ-XX-DR-A-(0-)-1103 P00 – GA Elevation NE & SE

LCCC-BDP-Z1-00-DR-A-(0-)-1001 P05 – Red Rose Grandstand & Hotel - Level 00
LCCC-BDP-Z1-01-DR-A-(0-)-1002 P04 – Red Rose Grandstand & Hotel - Level 01
LCCC-BDP-Z1-02-DR-A-(0-)-1003 P04 – Red Rose Grandstand & Hotel - Level 02
LCCC-BDP-Z1-03-DR-A-(0-)-1004 P04 – Red Rose Grandstand & Hotel - Level 03
LCCC-BDP-Z1-05-DR-A-(0-)-1005 P01 – Red Rose Grandstand & Hotel - Level 04
LCCC-BDP-Z1-05-DR-A-(0-)-1006 P04 – Red Rose Grandstand & Hotel - Level 05
LCCC-BDP-Z1-05-DR-A-(0-)-1007 P01 – Red Rose Grandstand & Hotel - Roof

LCCC-BDP-Z1-XX-DR-A-(0-)-1101 P01 – Red Rose Grandstand & Hotel - N Elevation
LCCC-BDP-Z1-XX-DR-A-(0-)-1102 P01 – Red Rose Grandstand & Hotel - E Elevation
LCCC-BDP-Z1-XX-DR-A-(0-)-1104 P01 – Red Rose Grandstand & Hotel - W Elevation
LCCC-BDP-Z1-XX-DR-A-(0-)-1105 P02 – Red Rose Grandstand - E Elevation
LCCC-BDP-Z1-XX-DR-A-(0-)-1200 P03 – Red Rose Grandstand & Hotel Section AA
LCCC-BDP-Z1-XX-DR-A-(0-)-1301 P01 – Red Rose Grandstand & Hotel Axo 1
LCCC-BDP-Z1-XX-DR-A-(0-)-1302 P01 – Red Rose Grandstand & Hotel Axo 2
LCCC-BDP-Z1-XX-DR-A-(0-)-1303 P01 – Red Rose Grandstand & Hotel Axo 3
LCCC-BDP-Z1-XX-DR-A-(0-)-1304 P01 – Red Rose Grandstand & Hotel Axo 4
LCCC-BDP-Z1-XX-DR-A-(0-)-1305 P01 – Red Rose Grandstand & Hotel Axo 5
LCCC-BDP-Z1-XX-DR-A-(21)-001 P00 – Design Intent Typical Details

LCCC-BDP-Z3-XX-DR-A-(00)-1001 P02 – GA Plan – Restaurant Extension Level 00
LCCC-BDP-Z3-XX-DR-A-(00)-1002 P01 – GA Plan – Terrace Bar Level 01
LCCC-BDP-Z3-XX-DR-A-(00)-1100 P01 – HGI Extension Northeast Elevation
LCCC-BDP-Z3-XX-DR-A-(00)-1102 P01 – Terrace Bar & HGI Extension Elevations
LCCC-BDP-Z3-XX-DR-A-(00)-1200 P00 – GA Section Restaurant Extension & Terrace Bar Cross Section

LCCC-BDP-Z3-XX-DR-A-(00)-1500 P01 – Axonometric Restaurant Extension
LCCC-BDP-Z3-XX-DR-A-(00)-1501 P01 – Axonometric Terrace Bar - Brian
Statham Way
LCCC-BDP-Z3-XX-DR-A-(00)-1502 P01 – Axonometric Terrace Bar - Pitch Side

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

3. No development, including any works of demolition, shall take place until full details of a highway scheme to ensure that vehicles carrying railway tracks can safely access and egress the Metrolink 'Lay down' area at the southern end of Brian Statham Way has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to any works starting on site, including the demolition of the existing Red Rose Grandstand.

Reason: In the interests of highway safety and to ensure that the development does not adversely impact Metrolink operations having regard to Policy L4 of the Trafford Core Strategy and Policy CQ4 of the Draft Civic Quarter AAP.

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and or a full specification of all materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The samples shall include the building of sample panels incorporating window recesses and brickwork feature detailing for the hotel extension. 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 and R1 of the Trafford Core Strategy, Policy CQ6 of the Draft Civic Quarter AAP, and the requirements of the National Planning Policy Framework.

5. No above ground construction shall take place until details of the feature brickwork panels have first been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policy L7, Policy CQ6 of the Draft Civic Quarter AAP, and the National Planning Policy Framework

6. Prior to installation of the roof top plant screen, full design details at a scale of 1:50 shall first be submitted to and approved in writing by the Local Planning Authority.

Thereafter the plant screen shall be erected in accordance with the approved drawings.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 and R1 of the Trafford Core Strategy, Policy CQ6 of the Draft Civic Quarter AAP and the requirements of the National Planning Policy Framework.

7. No soft-strip or demolition of the Red Rose Suite shall take place until the applicant has secured the implementation of a programme of historic building recording in accordance with a Written Scheme of Investigation which has first been submitted to and approved in writing by the Local Planning Authority. The programme shall be undertaken by a suitably qualified historic buildings surveyor and conducted to Recording Level 1 of the English Heritage document 'Understanding Historic Buildings' (2016).

Reason: In order to ensure that there is an adequate record of the historic development of the cricket ground through the recording of the site prior to demolition having regard to Core Strategy Policy R1, Policy CQ6 of the Draft Civic Quarter AAP, and the National Planning Policy Framework.

8. Other than the demolition of the buildings and structures down to ground level (in accordance with drawing no. LCCC-BDP-ZZ-XX-DR-A-(0-)-1004-P01), and site clearance works, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to any assessment provided with the planning application) has first 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 other than the excluded works listed above. The submitted report shall include:
 - a) a survey of the extent, scale and nature of contamination
 - b) 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, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
 - c) 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;
 - d) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - e) 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 first occupation of the development hereby 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. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

9. The development hereby permitted shall not be occupied 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. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

10. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the demolition and construction period. The approved CEMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CEMP shall address, but not be limited to the following matters:
 - a) Suitable hours of construction and pre-construction (including demolition) activity;
 - b) The parking of vehicles of site operatives and visitors (all within the site);
 - c) Deliveries to site;
 - d) The retention of 24 hour unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational;
 - e) Excavation details;

- f) Construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- g) Pedestrian access;
- h) Loading and unloading of plant and materials (all within the site), including times of access/egress;
- i) Storage of plant and materials used in constructing the development;
- j) The erection and maintenance of security hoardings;
- k) Wheel washing facilities;
- l) Measures to control the emission of dust and dirt during construction and pre-construction (including demolition) and procedures to be adopted in response to complaints of fugitive dust emissions;
- m) A scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);
- n) measures to prevent undue impact of disturbance from noise and vibration in accordance with the principles of Best Practicable Means as described in BS 5228: 2009 (parts 1 and 2), including from piling activity and plant such as generators;
- o) 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;
- p) Information to be made available for members of the public;
- q) Contact details of site manager to be advertised at the site in case of issues arising.

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

Reason: 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 and 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.

11. No development shall take place until a Works Phasing Plan, which shall be prepared in consultation with TfGM, and shall demonstrate how crowd safety will be managed for the period of the demolition and construction works on event days (football matches, cricket matches and concerts at both Lancashire Cricket Club and Manchester United Football Club) has been submitted to and approved in writing by the Local Planning Authority (in consultation with TfGM). Thereafter the scheme shall be adhered to throughout the demolition and construction period.

Reason: To enable safe crowd management on event days, in the interests of pedestrian safety, having regard to Core Strategy Policies L4 and L7, and the National Planning Framework.

12. No demolition works shall take place until an endoscope survey has first been completed under the supervision of a suitably licenced ecologist, or ecological clerk of works in accordance with the precautionary measures outlined in section 9.3 of the Preliminary Ecological Appraisal, dated 17 March 2021. If bats are found, demolition works shall cease and a full survey report should be submitted to and approved in writing by the Local Planning Authority including details of the proposed mitigation measures and an assessment for the need for protected species licences. Any necessary mitigation measures shall thereafter be carried out in accordance with the approved survey report.

Reason: In the interests of the preservation of bats, a protected species, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby approved shall not be brought into use until a report providing details of the fixed plant schedule has been submitted to and approved in writing by the Local Planning Authority. The report shall provide sufficient information to demonstrate that the combined noise level from fixed plant items (when rated in accordance with BS 4142: 2014) shall not exceed 44dB (LAr) between 0700-2300h and 34dB (LAr) between 2300-0700h on any day at 1m from the façade of the nearest noise-sensitive receptor. The report shall take account of any existing sensitive receptors or those proposed within committed developments in the vicinity of the site. The approved plant schedule and mitigation measures shall be retained in good order for the duration of the development.

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

14. No above ground construction works shall take place until a scheme for acoustically insulating the hotel against vibration from the adjacent Metrolink line has been submitted to and approved in writing by the Local Planning Authority. If necessary, the approved vibration insulation measures shall be completed in accordance with the approved scheme before the hotel is first brought into use.

Reason: To secure a reduction in noise from Metrolink in order to protect the business and users of the facility from noise nuisance, having regard to policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. No above ground construction works shall take place until a scheme for the provision of a minimum of 2 x bat boxes (or other bat brick) and 1x bird box (starling or house sparrow terrace), together with a timetable for their provision has been submitted to and approved in writing by the Local Planning Authority. The bat boxes and bird boxes shall be provided in accordance with the approved scheme and retained thereafter.

Reason: To provide mitigation for bats using the building and to enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In the interests of amenity having regard to Policy L7 of the Trafford Core Strategy, Policy CQ6 of the Draft Civic Quarter AAP, and the National Planning Policy Framework.

17. The development hereby approved shall not be brought into use until details of the hotel guest bedroom glazing and ventilation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include sufficient information pertaining to the acoustic performance of the selected products, in order to ensure that they meet with the recommendations of the Noise Impact Assessment prepared by Cundall Johnston & Partners LLP, dated 9 March 2021 (ref:1023931-RPT-AS-001, revision: C). The development shall be implemented in accordance with the approved plans.

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

18. The development hereby approved shall not be brought into use unless and until an updated Travel Plan for the cricket club and hotel, which should include measurable targets for reducing car travel to the hotel and cricket club, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the updated 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 sustainability and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy (Issue/rev 03 / 20th April 2021/Marston & Grundy LLP (Consulting Engineers)) which includes:
 - Provision of 31m³ (Highway) and 50m³ (Grandstand) attenuation flood storage on the development area to a 1 in 100 +CC standard.

- Drainage Strategy Plan in accordance with Dwg No: LCCC-MaG-ZZ-XX-DR-C-92001 Rev.P2
- Limiting the surface water run-off generated by the 1 in 100 +CC critical storm so that it will not exceed 8.4 l/s (Highway) and 15.5 l/s (Grandstand) and not increase the risk of flooding off-site.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure sustainable drainage is provided in accordance with policy with the Guidance Document to the Manchester City, Salford City and Trafford Councils' Level 2 Hybrid Strategic Flood Risk Assessment, Policies L5, L7 and SL1 of the Trafford Core Strategy and the National Planning Policy Framework.

20. The development hereby permitted shall not be brought into use until 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 Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime, has been 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, having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 4 of the submitted Crime Impact Statement dated 12 April 2021, reference 2019/0690/CIS/02, and retained thereafter.

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.

22. Servicing, deliveries and waste and recycling collections for any commercial uses of the development shall only take place between the hours of 07:00 – 21:00 hrs on Mondays to Saturdays and 09:00 – 19:00 on Sundays.

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

23. On site refuse and waste management shall take place in accordance with the Revised Waste Management Strategy (ref no. 2693-01-WMS02).

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

24. Prior to the installation of any new exterior lighting and illuminated displays, an Exterior Lighting Impact assessment shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that obtrusive light and illumination impacts into habitable windows would be within acceptable margins, following the Institution of Lighting Professionals' Guidance Note 01/20 Guidance notes for the reduction of obtrusive light and PLG05 The Brightness Of Illuminated Advertisements (2015). The approved details, including any mitigation measures, shall be retained in good order for the lifetime of the development and thereafter the site shall only be lit in accordance with the approved scheme.

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

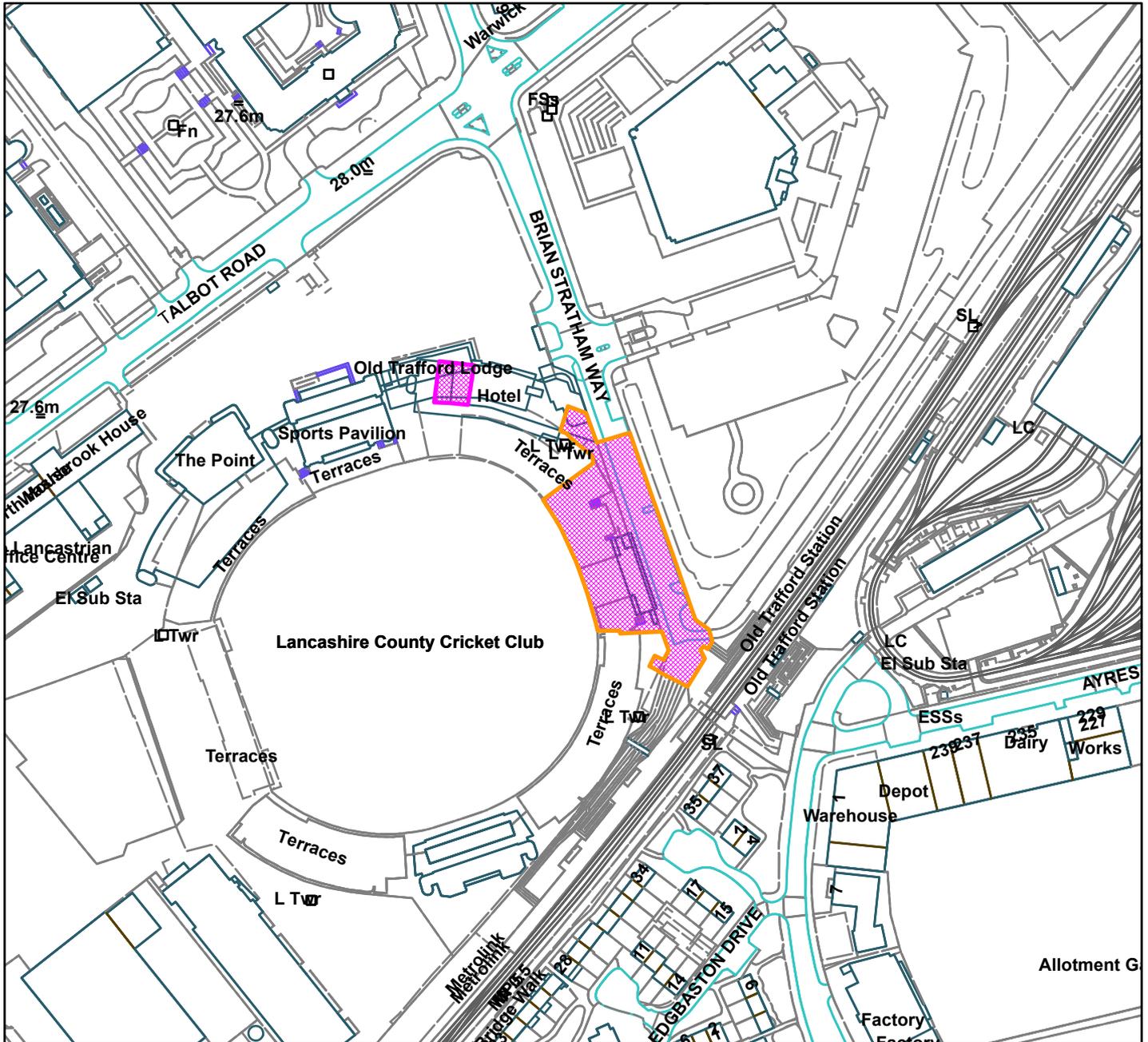
25. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

DH



Lancashire County Cricket Club Brian Statham Way Stretford M16 0PX (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/06/2021
Date	27/05/2021
MSA Number	100023172 (2016)

WARD: Hale Central

103983/HHA/21

DEPARTURE: No

Partial retrospective application for: - extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension and external alterations including reconfiguration of the roof to single storey outrigger (amendments to 100604/HHA/20).

22 Queens Road, Hale, WA15 9HE

APPLICANT: Mssrs. Nolan

AGENT: Crowley Associates Ltd

RECOMMENDATION: REFUSE

This application has been referred to the Planning Committee at the discretion of the Head of Planning and Development.

SITE

The application relates to a two storey detached property situated on the western side of Queen's Road in Hale. Substantial roof alterations have already been carried out in breach of planning control. On 2 March 2021 the Council refused to grant retrospective planning permission for the existing unauthorised work due to the resulting visual harm (application ref: 102933/HHA/20).

The site is located within a predominantly residential area, with two storey residential properties bounding the site to the southern side and the east (rear). The Grade II listed Stamford Park Infant and Junior School is located on the opposite side of Queens Road, to the north-west of the site. School playing fields bound the site to the north side. Single storey buildings forming offices and a vehicle workshop are situated opposite the site on the western side of Queen's Road.

The original dwelling had a hipped roof with a decorative gable, ground floor and first floor curved bay windows, with a single storey side extension and front driveway. The west side elevation has a two storey curved bay window. To the rear, there is a large single storey rear extension and a small sized garden. The western side of Queen's Road is characterised by large two and half / three storey semi-detached Victorian properties.

Properties on the opposite side of Queen's Road and to the south are within the South Hale Conservation Area. The site itself is located outside the conservation area, with a minimum distance of 21.2m lying between the front boundary of the site and the closest part of the conservation area boundary.

PROPOSAL

The application property was extended in 2020 with the construction of a new and enlarged roof structure. Alterations, including a small extension, were also made to an existing single storey rear extension.

The roof alterations have resulted in an increase in the maximum height of the building. The extent of the increase in height is disputed. The applicants say that the maximum height has been increased by 5cm, but it appears to the Council that the increase in height could be as much as 40cm.

The new roof has gable walls and a large flat roof dormer. The dormer extends to the full three storey height and is framed by imitation eaves and verge detailing. The gable walls have a black and white mock-tudor style finish, whilst the dormer, verges and eaves are clad in roof tiles.

This planning application seeks to regularise most of the work, but proposes alterations to reduce the angle of front facing roof slope from 44° to 33° which the applicants say matches the pitch of the original roof slopes. However, this detail is also in dispute and it appears to the Council the original roof slope was shallower, resulting in a lower maximum height.

Alterations cannot be required to be made by a planning condition and so if Members were minded to approve the application enforcement action would be necessary to ensure the alterations were carried out.

Following the alterations, the roof extension would provide two bedrooms, a bathroom and a store room. Two velux windows would be provided to the front roof slope and three windows are provided to the rear elevation.

The application also seeks retrospective planning permission for the small enlargement to the existing single storey rear extension, as well as alterations to its roof. The enlargement and alterations to the single storey extension comprise of amendments to the scheme approved under a previous planning permission 100604/HHA/20.

In support of the application, three sets of plans and elevational drawings have been submitted: original, existing and proposed. It is noted that the 'original' plans and elevational drawings have been produced after the works have taken place and therefore are not based upon an actual survey of the original dwellinghouse.

Value Added

In this instance, it is considered that the proposal is harmful to the appearance of the host dwelling and streetscene and that amendments required to make it acceptable go beyond the scope of this application.

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 – Transport and Accessibility

L7 - Design

R1 – Historic Environment

PROPOSALS MAP NOTATION

Unallocated

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking Standards and Design

SPD4 – A Guide for Designing House Extensions & Alterations

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the response. If PFE / GMSF 2020 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 is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

102933/HHA/20 - Retrospective application for: - extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension and external alterations including reconfiguration of the roof to single storey outrigger (amendments to 100604/HHA/20) – Refused 02.03.2021. (Appeal submitted)

100604/HHA/20 - Erection of single storey rear extension – Approved with conditions 13.07.2020.

100360/CPL/20 – Certificate of proposed lawful development for alteration to roof shape, rear dormer, porch to front of property, replacement of upvc windows and remodelling of the eaves & roof of rear outrigger – Approved 19.05.2020.

APPLICANT'S SUBMISSION

The applicant has submitted a Planning Statement in support of the application. The information provided in this statement is discussed where relevant within this report.

CONSULTATIONS

Heritage Development Officer – No objection to the proposal, making the following comments:

The application site lies within the setting of Stamford Park junior and infant schools, master's house and play sheds with surrounding walls, gates and railings, Grade II listed.

Setting is defined as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral [NPPF, Annex 2]. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset can contribute to significance, other factors can also influence the experience of a heritage asset.

There are kinetic views of Stamford Park Junior School when moving north and south along Queens Road. Due to the curve of the road, the view looking north in particular allows the full layout and architectural interest of the school buildings, boundary wall & schoolmasters house to be appreciated. At the junction with Stanway Drive, the application site along with the similar neighbouring property forms the periphery of a wider view of the listed building and the buildings can be seen in context of one another.

Having assessed the part retrospective application, I consider the works will not impact upon the appreciation or experience of the significance of Stamford Park Schools. I confirm there is no harm to the setting of this Grade II listed building.

REPRESENTATIONS

A letter of objection has been received from an adjacent resident which is summarised below: -

- In relation to the proposed roof extensions, they will require a lot more work and disruption and the end result will be no better than the existing, that has already been refused by the Council.
- The roof should be a hip or gable, not flat and the gables should be brick to match the existing.
- In regards to the changes to the outrigger, they do not object if the building is never extended again.

Two letters of support has been received, one from resident on the opposite side of Queens Road and one from a resident of Hawthorn Road, which is summarised below: -

Hawthorn Road:

- They consider that there is no material harm or visual impact with the structure that has been built.
- The new structure does not look out of place with the existing street and improves it by refreshing the property.
- Having to take further work on the property would be unjustified and environmentally irresponsible.

Queens Road:

- Previously 22 Queens Road was a HMO in need of renovation, rundown and with numerous residents and cars lead to parking problems.
- Once the current owners purchased the property they (the applicants) discussed their plans to extend with neighbours and kept them notified and contactable during the building works.
- Many properties in area have been extended and altered and so no certain street scene and the proposal is not out of keeping, consider the extension at no. 20 to be more out of keeping due to brick colour.
- The proposal would be permitted development if built from the start so to refuse and require the removal would be waste of taxpayers' money.

- Many other applications consider fallback position and have been approved as such, the Council should be consistent.

Following the receipt of the above letter of support an email was received from the previous owner of 22 Queens Road who disputes the claims regarding the condition of the property and that it was an HMO with many cars parked on the front, and in fact they occupied it with one other member of their household.

OBSERVATIONS

BACKGROUND

1. In May 2020 the application site was granted a Certificate of Lawful Proposed Development (CLPD) for alterations to the roof shape, including a rear dormer window and for a front porch, replacement of windows and the remodelling of the eaves and roof of the single storey outrigger (ref: 100360/CPL/20). A CLPD is confirmation that the works proposed (as shown on the submitted plans) can be built without planning permission (in this case under permitted development rights) and the certificate confirms they are lawful on the date the application is made.
2. The Council became aware in July 2020 that the works being carried out to the property were not in accordance with the details of the Certificate of Lawful Proposed Development and that the works that had been carried out did not constitute permitted development. The applicants have informed the Council that the Certificate proposals were based on an inaccurate survey of the property, which resulted in inaccurate "original drawings" and a proposed scheme which was incapable of being built.
3. A retrospective planning application (ref: 102933/HHA/20) was submitted on 17 December 2020 which sought to retain extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension and external alterations including reconfiguration of the roof to single storey outrigger. The application was refused under officers' delegated powers on 2 March 2021 for the following reason: -

"The proposed alterations to the roof, including the realignment of the front roof slope, the change in roof form, and the configuration of the rear roof slope to incorporate a box dormer window, by reason of their scale, massing and design (including materials), result in an incongruous and prominent feature that is detrimental to the character and appearance of the host property and is visually intrusive when viewed from within the street scene and neighbouring gardens. As such, the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework."

4. Following the refusal, the applicants have submitted the current revised proposal, which seeks to retain the works to the roof and single storey outrigger, with an amendment to the front roof slope. The applicants contend that this latest scheme would have constituted permitted development had none of the works already been carried out and thus should be treated as a 'fallback' position. The matter of the fallback position is discussed in more detail below.

PRINCIPLE

5. Policy L7 of the adopted Core Strategy is considered to be most important for determining this application. This policy is 'up to date' in NPPF terms and therefore the 'tilted balance' in Paragraph 11 of the National Planning Policy Framework does not apply. The application should be determined in accordance with the development plan unless material considerations indicate otherwise.

DESIGN AND STREET SCENE

6. 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".
7. Paragraph 130 also 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. 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."
9. In regards to dormer windows and roof extensions, section 3.6.2 of SPD4 states that "Not all properties can achieve this type of extension as a shallow pitch on the main existing roof would result in an unduly large dormer to get adequate floor space and ceiling height, and this is likely to spoil the appearance of the house."
10. Section 3.6.3 – 3.6.5 of SPD4 further states "Dormer windows should be proportionate to the scale of the property and reflect the style and architectural character of the original house. The design of a dormer window should complement the parent roof. Pitched roofs are generally more appropriate, reflect the character of the property more effectively, and often improve the appearance of the dormer extension. Flat roofs will not normally be accepted except where it can be clearly demonstrated that they complement the host property. Dormers

should match the style and proportions of the windows below and as far as possible be vertically aligned with openings below...large dormers with large expanses of glazing should be avoided as these can dominate the roof line. It is better to have two smaller dormers rather than one large dormer. Excessively large or too many dormer windows can appear incongruous, top heavy and visually harmful... a dormer window should be small scale and modest in size...dormers should not project above the edge of the roof...space should be retained between the edges of a dormer and the top and side of the roof and its eaves.”

11. Queens Road contains some non-residential buildings, including Stamford Park Infant and Junior School to the north-west of the site and a small single storey in-fill commercial building directly opposite the application site. However, the predominant character is that of a residential street, with the western side comprising of larger two and a half / three storey Victorian dwellings, whilst the eastern side is characterised by smaller interwar two storey detached and semi-detached houses, typically with hipped roofs.
12. The application site can be considered as one of a pair of detached houses with its twin at number 20. Prior to alteration, the properties shared many architectural details in common, such as recessed arched entrance, curved two storey bay windows at front and side and a hipped roof forming a short central ridge line.
13. The proposal to reduce the pitch of the front facing roof slope will do little to diminish the cumulative impact of the roof alterations at the application site. The roof would still appear to be overly dominant and top heavy creating an incongruous feature that is out of character with the host property, its neighbour at number 20 and the surrounding area.
14. The materials of the side elevations of the roof extension comprise of white render and dark painted timber panels. Whilst it is recognised that the materials are reflective of the fascia to the original pitched roof of the two storey projecting bay on the front elevation, the original render and timber are only a small feature on the property. Whereas, due to the size of the resulting roof, the white render and timber panels to the side elevations of the extension cover a considerably larger area. It is considered that the materials used on the side elevations further contribute to the unduly prominent appearance of the roof.
15. The dormer construction dominates the rear facing elevation of the property. The height, width and depth of the construction results in an incongruous feature that eliminates almost all traces of the original roof form. It is further noted that the windows within the dormer do not align with any of the openings below, as advised in section 3.6.4 of SPD4. It is therefore also considered that the design and massing of the rear part of the roof is contrary to SPD4.

16. The property is bound to the north by school playing fields, which results in the northern side elevation of the property, and the roof in particular, being visible from longer ranged distances along Queen's Road than if there had been a dwellinghouse adjacent to the north boundary. Due to its elevated position and large scale, it is also noted that the rear box dormer window is also readily visible from the neighbouring cul-de-sac Stanway Drive. It is therefore considered that as well as causing harm to the appearance of the host property, the proposed development also results in undue harm to the existing street scene and the character of the surrounding area. The proposal is therefore contrary to Policy L7 of the Trafford Core Strategy, SPD4 and the NPPF and is thus recommended for refusal.
17. Whilst it is noted that the applicant identifies within their accompanying Planning Statement that many of the properties on the eastern side of Queen's Road have been altered and extended, none of the neighbouring properties have substantially altered the main roof to the degree proposed on the application site. Only one of the examples provided (No.4 Queen's Road) has been granted planning permission for a dormer window, which is significantly smaller than that proposed at No.22 and has a pitched roof. Where two storey side extensions have been provided, the roof reflects the pitch and style of the existing main roof, thus complementing the host property and creating a subservient appearance, whilst still being able to read the original roof form. It is not considered that the examples provided by the applicants of neighbouring extensions and planning permissions demonstrates a precedent for the development proposed under this planning application.
18. The single storey extension to the existing outrigger essentially squares off the existing L shape rear extension. The design of the extension is considered acceptable and in keeping with the host property. The single storey rear extension is of an appropriate projection and would integrate well with the existing property. Whilst it is noted that the property has already been significantly developed, it is considered that this further extension does not reduce the space available around the property, is not detrimental and does not warrant refusal, therefore on balance it is considered acceptable. It is also acknowledged that the footprint and massing of this extension is comparable to that approved under the extant consent 100604/HHA/20.
19. The proposal also includes external alterations to the existing outrigger, including the replacement of a window and set of patio doors on the north elevation with a double set of patio doors. The roof of the outrigger has also been significantly lowered in height, changing from a maximum ridge height of 4.18m to 3.3m. These alterations to the existing outrigger are also considered acceptable in regards to their design in relation to the host property and the character of the surrounding area. It is also noted that planning application 102933/HHA/20 was not refused on the grounds of the design and massing of the extension and alterations to the single storey outrigger.

IMPACT ON SETTING OF HERITAGE ASSETS

20. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local planning authority in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
21. 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' when determining planning applications.
22. 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.
23. Paragraph 190 of the NPPF states that local planning authorities should take the particular significance of any heritage asset into account to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
24. The application site lies within the setting of Stamford Park junior and infant schools, master's house and play sheds with surrounding walls, gates and railings, Grade II listed. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset can contribute to significance, other factors can also influence the experience of a heritage asset.
25. Given the site layout and separation it is not considered that the proposal would impact upon the appreciation or experience of the significance of Stamford Park Schools and no harm would arise to the setting of this Grade II listed building.
26. Neighbouring properties on the western side of Queen's Road, up to No.15 lie within Character Zone B of the South Hale Conservation Area. The application site lies outside of the Conservation Area, with a minimum distance of 21.2m lying between the extension and the nearest part of the Conservation Area boundary. However, there is a duty to consider the impact of the proposals on the setting of

the conservation area. For the avoidance of doubt the property itself is not considered to be a heritage asset.

27. The proposed development would result in a substantially larger roof than that of the original dwellinghouse, which also contains a large section of flat roof at three stories high. It is noted that whilst the roof extension is visible from within the Conservation Area and from views from the north of the site looking southwards towards the Conservation Area, the extension does not project beyond the front building line and does not restrict views into the Conservation Area. Furthermore, due to the distance between the site and the Conservation Area boundary, the views obtained would be at a distance and not directly adjacent. It is therefore considered that whilst the roof extensions and alterations do have a harmful impact on the appearance of the host property and the street scene they do not affect the character or appearance of the South Hale Conservation Area and no harm would arise to the significance of the South Hale Conservation Area.
28. It is therefore considered that the application proposal would not harm the setting or significance of the identified designated heritage assets of Stamford Park Junior and Infant School or the South Hale Conservation Area.

RESIDENTIAL AMENITY

29. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
30. SPD4 also sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant sections for particular types of development.

Impact on No.20 Queen's Road

31. The adjacent property No.20 benefits from a two storey rear extension and the application property has an existing large single storey rear extension that lies along the common boundary with No.20. Due to the relationship of the two properties, the roof extension and dormer window do not have an overbearing impact or result in a loss of light or privacy to the property or rear garden of No.20.
32. The single storey extension would be screened by the existing L shaped rear extension. The alterations to the roof of the rear extension would result in the ridge of the roof being lowered by 0.88m, thus reducing the massing of the roof of the extension as viewed from the rear garden of No.20. The changes in the windows and patio doors to the outrigger are also on the northern elevation facing

away from No.20. It is therefore considered that the extension and alterations to the outrigger of would not unduly impact on the property or garden of No.20.

Impact on No.1 Stanway Drive

33. No.1 Stanway Drive is a two storey semi-detached property that bounds the site to the rear. The side boundary of No.1 forms the rear boundary of the application site, with the application property predominantly facing the rear garden of No.1. A minimum distance of 13.6m would lie between the proposed dormer window and the common boundary with No.1, this complying with SPD4. It is therefore considered that the proposed roof extension and dormer window would not result in a loss of light or privacy to the property or rear garden of No.1.
34. It is however noted that full views of the rear box dormer window would be visible from the rear garden of No.1, which would be visually harmful to the character of the surrounding area, as discussed in more detail in the 'Design and Street Scene' section above.
35. The single storey rear extension to the existing outrigger would not project closer to the common boundary with No.1 than the existing property. No windows are proposed to the eastern rear elevation of the extension. The proposed reconfiguration of the roof of the outrigger would also reduce the massing of the existing outrigger. It is therefore considered that the extension and alterations to the outrigger of would not unduly impact on the property or garden of No.1.

Other Amenity Matters

36. It is noted that a neighbouring resident, that is situated approximately 285m away as the crow-flies from the site (this distance is across four other roads) has written in support of the application, stating that any further building work to change the roof structure again would cause more disruption to residents and be harmful to the environment. Whilst it is recognised that changes to the roof to fully comply with Policy L7 and SPD4, would result in further construction works on the site and could result in wasted materials, it is considered that these are not a justified reasons to permit a visually harmful and unlawful development.

PARKING AND HIGHWAY SAFETY

37. Whilst the proposed development would result in an additional bedroom at the property, the proposal would not result in a loss of any car parking provision on the site, which accommodates a minimum of two car parking spaces. The proposal is therefore considered acceptable on highways grounds.

FALLBACK POSITION

38. The submitted Planning Statement in support of the application states that it is the applicant's view that had the proposed work been undertaken prior to the unauthorised works the proposal would constitute permitted development (under the General Permitted Development Order).
39. The starting point is that, when determining applications for planning permission, the local planning authority ("LPA") must have regard to the provisions of the development plan, so far as material and any other material considerations, and the determination must be made in accordance with the development plan unless material considerations indicate otherwise.
40. Whether or not a particular matter constitutes a material consideration is a question of law, but the weight to be given to any material consideration is a matter of planning judgment for the decision maker, and, absent legal error, the Courts will not interfere with that judgment.
41. A fallback position is what could lawfully happen on the land if the planning application was not approved. A fallback position will constitute a material consideration to which a local authority shall have regard under section 70 (c) TCPA 1990 when determining an application for planning permission, provided that there is more than just a theoretical prospect of that fallback position taking place (i.e. in the event that the proposed development does not proceed).
42. If a fallback position comprising a material consideration is established (because there is a real prospect of it taking place), weight must then be attributed to that fallback position.
43. Factors affecting weight are likely to include the level of probability (ranging from just more than a theoretical prospect to certainty) and the degree of impact of the fallback position compared to the proposed scheme.
44. In regards to this application, the Council does not accept that the alterations as proposed amount to a fall-back position, because they do not comply with permitted development (PD) tolerances. Taking the applicants own evidence at face value, there is an increase in the maximum height of the building. The alterations therefore conflict with the clause set out at Schedule 2, Part 1, Class B.1(b) of the General Permitted Development Order, which states:

"development is not permitted if any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof".
45. The applicant's agent has responded to this matter claiming that the increase in the roof height is within normal construction tolerances. The General Permitted Development Order does not allow for any judgement to be applied here, development either complies with the Order or does not (unlike in assessing a planning application where material considerations can be balanced and a

judgement made on a degree of harm) and therefore any development which breaches the GPDO tolerances is not lawful unless granted planning permission expressly by the Local Planning Authority. Officers' stance on this matter is supported by a recent appeal decision relating to an enforcement notice issued by Three Rivers District Council (ref: APP/P1940/C/20/3248124 dated 13 November 2020), where the Inspector confirmed: -

There is no dispute between the parties that the ridge of the roof extension is raised above the highest part of the existing roof.

As the roof extension conflicts with limitation B.1(b) [of the General Permitted Development Order] it is not PD. In addition, the appellant considers there is no breach regarding the eaves and set back of the dormer in the roof slope. But any breach of any such condition or limitation renders the roof extension not PD."

46. As a matter of fact, the proposals conflict with permitted development limitations and cannot be lawfully implemented without planning permission. The proposal is therefore not a fall-back position and no weight should be given to this argument in reaching a decision.
47. The scheme proposed under the Lawful Development Certificate application (ref: 100360/CPL/20) is not a fallback position either and therefore not a material consideration. The certificate confirmed that a building operation to alter the property from its original state (as presented in the application) to its proposed enlarged state, would have been development permitted by the General Permitted Development Order. However, that building operation did not take place and the applicants have informed the Council that the proposal was in fact not capable of being implemented, due to the original state of the property being misrepresented in the application.
48. If the property is returned to its original condition, permitted development rights would once again apply. There is therefore the theoretical possibility that some scheme of enlargement other than that presented in the current application, or in the LDC, could be implemented. However, no alternative scheme is provided for consideration in this application and no weight should be given to a notional fallback position which has not been established through the grant of planning permission or certificate of lawful development.
49. The way in which this property can be restored to its "original" condition, and subsequently altered in the future, is also a point of dispute. Two different sets of original plans have been provided by the applicants. The first set, submitted with the LDC application, has been described by the applicant as inaccurate and incapable of being implemented. The second, submitted with this application, are based on assumptions rather than a measured survey of the building before the unauthorised alterations took place.

50. Guidance on the consideration of applications for certificates of lawful development confirms that an applicant needs to describe a proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved. In applications for existing use the guidance advises that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability. This principle can also be applied to the proposals for building work.
51. The conflicting sets of original drawings makes it impossible to confirm that further alterations to the roof would achieve compliance with permitted development tolerances and represent a fall-back position. The correct way to proceed is for the property to be returned to its condition before the breach took place and an assessment to then be made about if and how further alterations can be made.
52. Photographs of the property before it was extended indicate that numbers 20 and 22 Queens Road appear to be the mirror image of each other, with matching fenestration and detailing, including curved bay windows at front and side, arched doorways, chimney stack on the side wall and decorative gable roof at the front. Land Registry records and the Council's 'Hale Ledger' of planning and building applications prior to 1974 indicate they were built at around the same time, by the same builders.
53. Detailed drawings of number 20 were submitted with a planning application to extend the house in 2010 (ref: 75987/HHA/2010). These plans show that number 20 has a shallower roof pitch than what has been assumed to have been the original configuration at number 22. The shallower pitch would result in a lower maximum height and less headroom in the roof void. It appears that the roof of this property was not capable of accommodating a loft conversion without increasing the maximum height of the building. Such an alteration is not permitted development and there is therefore no fallback position is available.

RELEVANT APPEAL DECISIONS

APP/P1940/C/20/3248124 – 170 Highfield Way, Rickmansworth, Hertfordshire – 13th November 2020

54. This appeal was against an enforcement notice issued by Three Rivers District Council in relation to a breach of planning control as alleged in the notice as "Without planning permission the erection of a two storey front and side extension, front porch, conversion of garage to habitable accommodation, single storey rear extension, alterations to the roof form to include a rear dormer/roof extension and alterations to fenestration detail." The enforcement notice required the demolition

of the rear dormer / roof extension. The Inspector dismissed the appeal and upheld the enforcement notice, stating:

“As the roof extension conflicts with limitation B.1(b) it is not PD. In addition, the appellant considers there is no breach regarding the eaves and set back of the dormer in the roof slope. But any breach of any such condition or limitation renders the roof extension not PD. The ground (c) appeal therefore fails.”(Paragraph 7)

The alleged roof extension extends across the full width of the roof of the main house (approximately 10m in length) and straddles the main pitched rear roof gable. The roof extension has a flat roof that extends a considerable distance back from the ridge of the main house...As a result the roof extension appears as a flat-roofed third storey, rather than a roof extension. This is further marked by the rendered and brick elevations of the roof extension that match the retrospective parts of the dwelling they join. Furthermore, the large flat-roof boxy form, occupying an elevated position, is a dominating addition to the rear of the property that is not a subservient feature.” (Paragraphs 10 – 11)

The visual diversity of Highfield Way means there is scope for individual householders to enlarge their properties without harming the character or appearance of the area. However, it does not follow that any extension or alteration would be acceptable. (Paragraph 14)

The appellant contends that the amount of development falling outside the limitations of PD are so minor in nature that the roof extension has limited impact. Also, because the vast majority of the roof extension would be within PD this represents a strong fallback position. The limitations to the size of PD are expressed precisely in the GPDO and as already stated, there cannot be a ‘bit’ or a ‘minor’ infringement. Something is either PD or it isn’t and an assessment of impact or harm does not come into it. Furthermore, the existence of PD rights cannot be used to justify a grant of permission for the roof extension as it is.” (Paragraphs 17 – 18)

APP/Q4245/D/21/3266567 – 8 Hampton Avenue, Stretford – 11th March 2021 (101432/HHA/20)

55. This was a retrospective application relating to a part single, part two storey side extension, single storey rear extension and roof alterations including hip to gable enlargement and rear dormer extension. The Inspector dismissed the appeal noting that: -

“The alterations to the roof of the property have introduced an alien roof form which does not reflect the appearance of the host property, its attached neighbour or the area as a whole...”

Moreover, the rear dormer does not reflect the form of the existing roof and reads

as a top-heavy and overly dominant addition to the dwelling due to its scale, bulk and positioning. It is an intrusive, over large, bulky addition, which has significantly altered the roofscape of the host property and semi-detached pair.

I am mindful that planning permission has been granted for extensions to the property, however the development before me differs from that which the Council has previously found to be acceptable. I also note the suggestion that the rear dormer and the hip to gable roof alteration is permitted development, however this is not a matter for me to determine in the context of this appeal, which I have determined on its merits...” (paragraphs 8 – 10)

APP/Q4245/D/19/3237736 - 196 Walton Road, Sale - 21st January 2020 (98164/HHA/19)

56. This application was for a single storey rear and side wrap around extension and for a hip to gable loft conversion with dormer on the rear elevation. The Inspector dismissed the appeal noting that: -

“The proposed rear dormer would have a flat roof design and would span much of the full width of the extended roof. It would be set in only marginally from the eaves and ridge. As such, it would be a box-like structure which would not reflect the form of the existing roof but rather would read as a top-heavy and overly dominant addition to the dwelling due to its scale, bulk and positioning.

Consequently, taking all the above into consideration, the proposed development would harm the character and appearance of the host dwelling and the wider street scene. It would therefore conflict with policy L7 of the Trafford Local Plan: Core Strategy, 2012... It would also be contrary to the requirements of the SPD as set out above.” (paragraphs 8 – 9)

APP/Q4245/D/19/3234956 - 481 Kings Road, Old Trafford - 14th November 2019 (96392/HHA/18)

57. This application was for the retention of a large box dormer window to the rear roof slope. The Inspector dismissed the appeal noting that: -

“The dormer window dominates the building by virtue of its scale and design. Whilst the proportions of the windows may reflect the existing fenestration of the host building, the dormer does not complement the original building due to its overbearing dimensions, rectilinear style and poor choice of building materials, in particular, the cladding. As an unsympathetic addition, it significantly harms the appearance of the appeal property.

Although it is located at the rear of the property, the dormer window can be clearly viewed from local vantage points; at the junctions of Norwood Road, Kings Road and Hortree Road, and at the rear, through gaps between dwellings situated on

Norwood Road. These views are localised and limited. However, the development was clearly visible despite the presence of summer foliage on existing vegetation at property boundaries. The inelegant design of the development is particularly noticeable in the street scene as, although properties in the area are of differing architectural styles, the area is characterised by pitched/hipped roofs, red brick and harmonising roof tiles. The dormer window, which essentially is a large black flat roofed box, is therefore at odds with this distinct local character and as such is harmful to the character of the area.

Whilst it is noted that some properties on Kings Road, near the appeal property, have roof extensions, it was observed that such alterations were limited in number. Furthermore, the few existing were mainly located on side elevations, and comprised small dormers with pitched/hipped roofs...

In summary, the development is contrary to Policy L7 of the Trafford Local Plan: Core Strategy 2012 (Local Plan 2012) and Supplementary Planning Document SPD4: A Guide to House Extensions & Alterations 2012 (SPD 2012) as it harms the appearance of the host property and fails to enhance the character of the area.” (Paragraphs 7 – 10)

EQUALITIES

58. By virtue of Paragraphs 4(2) of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by The Local Government (Access to Information) (Variation) Order, the equalities assessment has been excluded from Part 1 of this report and included in Part 2 of the report:

4(2) The public must be excluded from a meeting during an item of business whenever—

(a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence;

59. The information with the equalities assessment has been treated as confidential from the public as it includes personal information about the applicants and their protected characteristics.

PLANNING BALANCE AND CONCLUSION

60. The development has been assessed against the development plan and SPD4 guidance and it is considered that the proposed alterations to the roof, including the change in roof form, and the configuration of the rear roof slope to incorporate a box dormer window, by reason of their scale, massing and design (including materials), result in an incongruous and prominent feature that is detrimental to the character and appearance of the host property and is visually intrusive when viewed from within the street scene and neighbouring gardens.

61. As such, the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework. The applicant's suggestion that there is a fallback position has been carefully reviewed, but it is not considered that there is a fallback in this case which carries any weight in the decision making process. As such, and having regard to all other matters, no material considerations have been identified which would indicate that a decision should be made otherwise than in accordance with the development plan. The application is therefore recommended for refusal.

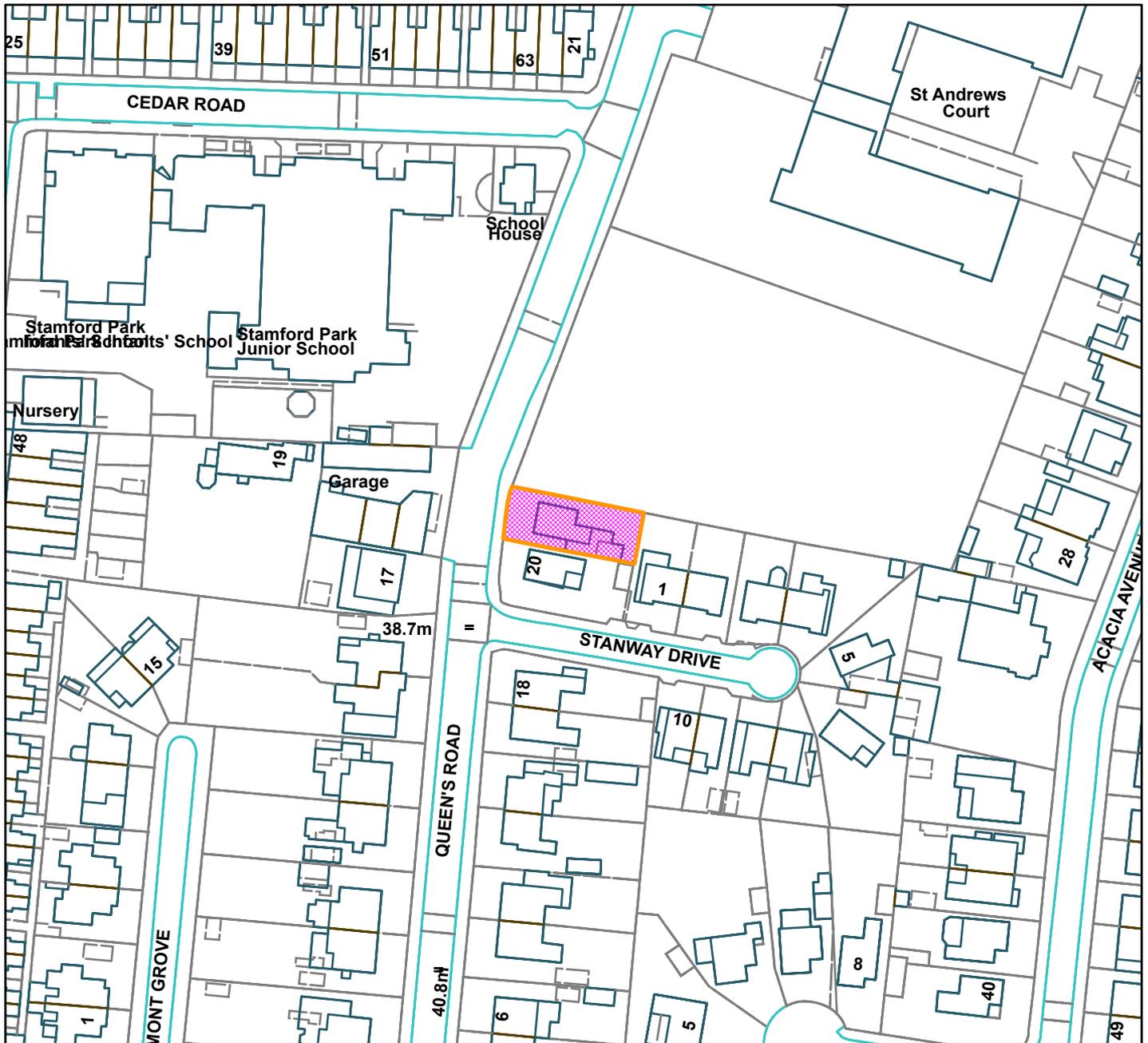
RECOMMENDATION: REFUSE for the following reason:

1. The proposed alterations to the roof, including the change in roof form and the configuration of the rear roof slope to incorporate a box dormer window, by reason of their scale, massing and design (including materials), result in an incongruous and prominent feature that is detrimental to the character and appearance of the host property and is visually intrusive when viewed from within the street scene and neighbouring gardens. As such, the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework.

VW



22 Queens Road, Hale, WA15 9HE (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 10/06/2021
Date	27/05/2021
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