

**WARD:** Altrincham

**102874/FUL/20**

**DEPARTURE: No**

**The demolition of the existing dwelling, and the erection of five dwellings, together with access, parking, drainage, landscaping, and other associated works.**

Parkfield , 8 Groby Place, Altrincham, WA14 4AL

**APPLICANT:** Bowdon Developments GB

**AGENT:** Eden Planning and Development Ltd

**RECOMMENDATION: GRANT**

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**This application is reported to the Planning and Development Management Committee as it has received more than six objections contrary to Officer Recommendation.**

#### **Executive Summary**

The application relates to the redevelopment of Parkfield, which is located at the northern extent of a private road - Groby Place, Altrincham. The application site is currently occupied by a mid-20<sup>th</sup> century dwelling and covers 0.49 ha. It is wholly located within the Old Market Place Conservation Area and John Leigh Park (a non-designated heritage asset - NDHA) lies beyond the northern boundary of the site.

Planning permission is sought for the demolition of the existing dwelling and erection of five dwellings (2no. four bedroom and 3 no. five bedroom) together with associated development, such as landscaping and access. The proposals have been amended during the course of the application. The revisions include an amended red boundary plan, the removal of the Lodge and addition of the Villas (net increase in 1 no. dwelling), relocation and reduction in scale, massing and footprint of the Main House, as well as a number of other minor improvements.

This application has received 15 no. letters of objections from local residents. In addition, letters of objection have been received from Altrincham & Bowdon Civic Society, Friends of John Leigh Park, Loreto Convent Grammar School, Loreto Preparatory School, and a letter from Walsingham Planning (Specialist Planning & Development Consultants), which included comments from a transport and drainage consultant, on behalf of residents of Groby Place. The main concerns are in relation to overdevelopment of the site, harm to the conservation area, increased traffic at an already dangerous junction with a primary school, inadequate width of the current road to accommodate an additional 5 dwellings, adequacy of the drainage system to deal with additional demand and loss of trees and harm to ecology.

All representations received have been duly noted and considered as part of the appraisal. The comments are discussed within the Observations section of this report.

The proposed development would result in less than substantial harm to the designated heritage asset and setting of the NDHA. However it is considered that public benefits would outweigh the harm identified. As such, the proposed development would comply with the heritage policies of the NPPF and Policies L7 and R1 of the Core Strategy. In terms of paragraph 11 d) i), there would therefore be no clear reason for refusal of permission.

All other detailed matters have been assessed, including design and visual amenity, residential amenity, highway safety, drainage and tree and ecology impacts. The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition, and the proposal complies with the development plan and guidance in the NPPF in relation to these matters. In terms of paragraph 11 d) ii), it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission. It is therefore recommended that planning permission should be granted, subject to conditions.

## **SITE**

Parkfield, 8 Groby Place, Altrincham is located at the northern extent of a private road Groby Place and the red edged site covers 0.49 ha. Groby Place serves 12 dwellings, which range in age, style, design and merit. John Leigh Park is located beyond the northern boundary of the site, the school playing fields of Altrincham C of E Primary School is to the east, and the school grounds of North Cestrian to the south-west. Residential properties on Hartley Road exist to the north-west and on Groby Place to the south.

The application site is currently occupied by a mid-20<sup>th</sup> century dwelling, which is sited centrally. The dwelling is constructed from red/brown brick with a hipped roof form and is of a simple design. An attached garage is sited on the eastern side and set back from the front elevation. An area of hard surfacing is located to the front of the garage, which adjoins to the internal access road. The site has been vacant for a number of years and thus the gardens are overgrown. A copse of trees are sited to the western part of the site as well as to the periphery. An existing Swamp Cypress tree has been identified as a key feature of the site, given its high value and maturity in arboriculture terms.

The site is located within the north-west tip of the Old Market Place Conservation Area (as amended & adopted in 2014) – Character Zone E. The site is located within a critical drainage area.

## **PROPOSAL**

Planning permission is sought for the demolition of the existing dwelling and erection of five dwellings (2no. four bedroom and 3 no. five bedroom) together with associated development, such as landscaping and access.

The proposal comprises of a pair of semi-detached dwellings (The Villas), which would be sited to the western side of the site, and a larger building containing three dwellings (The Main House), would be sited to the northern part of the site. The existing access point would be re-utilised and the internal access road realigned to form a 'Y' shaped layout. The eastern arm would serve The Main House and the other would serve The Villas. Each dwelling would have 2 no. car parking spaces. The Villas' car parking spaces would be sited to the side of each dwelling, whilst the car parking spaces for The Main House would all be located adjacent to the north-east boundary. These would be arranged in three double spaces, delineated and bordered to three sides by soft landscaping.

The Main House comprising of three dwellings – 2 no. five bedroom and 1 no. four bedroom – would be a 2.5 storey building, which would measure a maximum 17.4m (D) x 22.3m (W). The four bedroom dwelling occupies the central position whilst the larger five bed dwellings would flank each side. The building features 2 no. gables with double storey splayed bay windows on the front elevation, a centrally located larger/primary porch with two smaller/secondary porches on either side elevation, a smaller two storey gable on the side elevations and two 2.5 storey gables plus two gable dormer windows on the rear elevation. It would also feature cat slide roofs, rooflights, and two chimneys. The building comprises of predominantly gable roof forms of varying roof heights, the highest ridge would measure approx. 10.6m, whilst the eaves height would be circa 6.4m, falling to 5.8m and 5.3m on varying gables.

The Villas would measure approximately 15.8m (D) x 16.8m (W) and would comprise of 2 no. four bedroom dwellings. It is a smaller 2.5 storey building with a maximum ridge height of 9.3m, and eaves height of 6.4m. The building also features two gables with double height splayed bay windows on the front elevation, a gable and chimney on the each side elevation, and the rear elevation features single storey glazed 'sun rooms' dormer windows and a central gable. A third chimney is also located in the centre of the roof.

The proposed material palette includes a buff/white brick for external walls, along with sandstone detailing to window surrounds, string courses and plinths. The roof would be finished with natural slate, whilst windows are proposed to be timber framed with decorative joinery details.

The landscaping proposals seek to introduce a significant number (in excess of 50no.) of new native and cultivar trees, re-introduce a formal open green area to the front of the Main House. The additional tree planting, hedges are proposed to reinforce the existing boundary treatment as well as focus on enhancing the site and screening the car parking

areas. An arc of Whitebeam (sorbus aria) are proposed to the western side of the central green, intended to act as a further filtering layer between the dominant Main House and the subservient Villas.

The total floorspace of the proposed development would be 1141 m<sup>2</sup>.

The proposals have undergone a series of revisions and the amendments comprise of:

- Removal of 'The Lodge' (proposed in the south-eastern corner of site) and replaced with a pair of semi-detached – The Villas
- Re-location of The Main House with a greater distance from John Leigh Park
- Reduced scale, massing and footprint of The Main House
- Removal of front dormer window on The Main House
- Split larger rear single dormer to 2 no. gable dormer windows on The Main House
- Removal of Juliet balconies
- Minor amendments to The Villas
- Amended car parking layout
- Bitmac access road omitted and replaced with narrower resin bound gravel road (4.5m, reduced from 5.3m) with stabilised loose gravel with sett edges for driveways.
- Bin re-located to eastern side of access road
- Additional soft landscaping, including hedges to internal garden boundaries

## **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 L1 – Land for New Homes

Policy L2 – Meeting Housing Needs

Policy L4 – Sustainable Transport and Accessibility

Policy L5 – Climate Change

Policy L7 – Design

Policy L8 – Planning Obligations

Policy R1 – Historic Environment

Policy R2 – Natural Environment

Policy R3 – Green Infrastructure  
Policy R4 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION:**

Old Market Place Conservation Area

### **Supplementary Planning Documents**

PG1 – New Residential Development (2004)

Revised SPD1: Planning Obligations

SPD3 – Parking Standards and Design

SPD5.3 – Old Market Place Conservation Area Appraisal (October 2014)

SPD5.3a – Old Market Place Conservation Area Management Plan (March 2016)

### **Other Relevant Legislation**

Planning (Listed Buildings and Conservation Areas) Act 1990

### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the National Planning Policy Framework (NPPF) on 20 July 2021. 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**

No recent planning history relevant to this site

Pre-application advice was provided in relation to this site and the applicant entered into a Planning Performance Agreement.

## **APPLICANT'S SUBMISSION**

Arboricultural Report  
Design and Access Statement  
Ecological Survey Report  
Flood Risk Assessment and Drainage Strategy  
Heritage Addendum  
Heritage Statement  
Landscape Design Strategy  
Planning Statement  
Planning Statement Addendum  
Transport Technical Note

## **CONSULTATIONS**

**Cadent Gas** – No objections. Informative recommended for applicants

**Heritage Development Officer** – the proposed development would result in moderate harm to the positive contributor, the wider Old Market Place Conservation Area and negligible harm to the setting of John Leigh Park.

**GMAAS** – No objections - the proposed development does not threaten any known or suspected archaeological heritage of any significance

**GM Ecology Unit** – No objections, subject to a series of conditions in relation to biodiversity mitigation

**Local Highway Authority** – No objections on highway grounds, subject to conditions in relation to secure cycle parking/storage and a Construction Method Statement

**Lead Local Flood Authority** – No objections subject to conditions in relation to drainage

**TC Pollution and Housing (Contaminated Land)** – No comments in relation to contaminated land

**United Utilities** – recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy

**Altrincham & Bowdon Civic Society** – Object to the proposed development, the comments are summarised as follows:

- Local flooding experienced by residents on Groby Place – no consideration of this in application
- Extensive hard standing reduces ability of site to absorb excessive rain
- Loss of trees, which absorb CO2
- The site is an important green site, having an environmental impact on its surroundings

- No mention of TPO being lifted, although numerous trees proposed to be removed
- No mention of how continued maintenance will be ensured
- Concern with regard to 50 dead bats were found in the dwelling, these are protected mammals with heavy penalties for disturbing or harming them
- Groby Place is private road, narrow and has no pavement
- Junction with Dunham Road is difficult and pavements heavily used
- The site is an important open site

**Friends of John Leigh Park** – Supports and highlights the Heritage Development Officer comments

- It does not address adequately the serious shortcomings in the previous application identified by the Conservation Unit.
- The number of housing units has increased to 5.
- This number, their design and placement is not in keeping with the culture of the Conservation area.
- There is planned removal of more mature trees which is at odds with the national and international determination to preserve trees and add to their number.
- It would have a marked and adverse impact on views to the south from John Leigh Park.
- There would be adverse effects on life within Groby Place – and increased dangers from traffic, especially at the junction with the A56.
- We are keen to see this important site being used appropriately. Over too many years it has been allowed to deteriorate and attract vandals. But this application is not the way forward. What is needed is a new application which takes into account the helpful observations by the conservation unit. The essence will be to have one, certainly no more than two homes on the site.

## **REPRESENTATIONS**

Objection letters have been received from a total of 15 no. separate premises in relation to this application. In addition, letters have been received from Loreto Convent Grammar School, Loreto Preparatory School, and a letter from Walsingham Planning (Specialist Planning & Development Consultants).

Comments from neighbouring properties, including a Planning Consultant and Drainage Consultant are summarised as follows:

### Submission & Principle of Development

- Material Change in the Submission, which should not have been accepted
- The applicant has not sought to address points raised in representation or by statutory consultees, such as Heritage Development Officer
- Supporting documents and application form, including Ecological Reports and Transport Assessments are inadequate and inaccurate Incorrect Statements on the application form, with regard to:
  - Justification to demolish existing building (para. 6)

- Pedestrian and vehicle access, roads and rights of way (para. 9)
  - Flood risk (para. 12)
  - Important habitats (para. 13)
- Principle of proposed development (redevelopment of predominantly greenfield land) is directly at odds with the Council's stated priority to redevelop brownfield land

#### Design, Appearance and Impact to Conservation Area

- Overdevelopment
- Out of character and harmful to the Conservation Area and John Leigh Park
- Proposed application does not complement, preserve or enhance the character or appearance of the conservation area
- Bin collection area is a significant distance from properties
- The bin storage is inadequate in size

#### Trees & Ecology

- Removal of trees is excessive and unnecessary
- Some trees to be removed are now outside of red edge
- Proposed development will have a negative impact upon the root protection areas of numerous trees protected by a TPO
- Negative impact upon ecology of the area, including bats

#### Highways & parking

- The junction of Groby Place/Loreto Preparatory School and the A56 is not safe and will be adversely impacted by further traffic/pedestrian load
- Parking provision in the proposal is inadequate:
- Increase risk to children
- Groby Place with 12 dwellings is at its limit - The road is very narrow, no pavements, no drainage, poorly lit at night

#### Drainage

- There is a significant risk of loss and damage to dwellings on Groby Place from the drainage plan; the applicant's plan has several significant failings
- No evidence of existing drainage provision being surveyed
- No evidence of consultation with Lead Local Flood Authority and / or United Utilities in relation to the point of connection or the discharge rate for the disposal of foul surface water flows
- No details of rainwater harvesting tanks have been provided
- Increase in hard-surfacing and associated drainage problems

#### Amenity

- Vermin is common in this area of the proposed bin collection location and clean-up is regularly required – potential health hazard
- Cycle parking located at rear of Main House would not encourage use
- Increased level of light pollution

- Loss of privacy through loss of trees, elevated site, roof top and dormer windows
- Planting of trees will not provide adequate screening
- Proposed 2.5 storey buildings will appear to be 3.5 stories high relatively speaking for Hartley Road
- No details of lighting proposed – should be conditioned
- Fencing should be erected around parking bays to prevent glare from headlights (previous scheme)

#### Private matters

- The development creates excessive use of private land rights which are not permitted.
- The failure to address proposals for/deal with/even mention the existence repair/rebuilding of an existing c150 year old two metre high boundary wall forming the boundary of the site between no 7 and Parkfield which the developer has claimed is their ownership and who has said would be dealt with at the time of planning.
- Do not know how their land would be affected although notice served

#### Other matters

- any development increasing number of properties on Groby Place would be detrimental to strong community
- The Planning Statement (paragraphs 4.2 and 4.4) referred to:
  - On 22 June 2020 the Council in principle permitted only 2 dwellings at the site;
  - On 22 September 2020 the Council changed its mind and “agreed” to 4 dwellings. [para. 4.2 states 2-2.5 storey dwellings]

### **OBSERVATIONS**

#### **POLICY CONTEXT**

1. S38(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 NPPF is a material consideration in planning decisions as the Government’s expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
3. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. As the Council does not currently have a five year supply of housing land, and this is an application for housing development, the tilted balance in Paragraph 11d)(ii) is triggered, provided that there are no protective policies in the NPPF which indicate that the development should be refused (Paragraph 11d)(i)).

## **PRINCIPLE OF DEVELOPMENT**

5. The application site is located within a predominantly residential area in close proximity to Altrincham town centre. The application site is also sited on unallocated land. The development of this land therefore is considered to be of benefit to the wider Plan objectives, particularly SO1.
6. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. The proposal would see the creation of 4 no. additional (net) dwellings in a sustainable location within an existing residential area, which would make a contribution towards the Council's ability to meet its overall housing land target. Additionally there is also likely to be a small economic benefit during the construction phase of the proposal. It is therefore considered that it would satisfy the tests of Policy L1.7 and relevant policies within the NPPF.
7. The site falls within a "hot" market location where Policy L2 of the Core Strategy states that affordable housing will be required on sites of 5 residential units or more. However, the NPPF (paragraph 64) has since limited affordable housing contributions to major developments (for housing this means development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more). The NPPF carries greater weight and therefore there is no requirement for affordable housing.
8. The principle of development is acceptable and in accordance with the development plan and the NPPF.

## **IMPACT ON DESIGNATED HERITAGE ASSETS**

### **Policy summary**

9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "special attention in the exercise of

planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area” in the determination of planning applications.

10. A number of paragraphs with the NPPF under section 16 are relevant to this application, the most relevant are outlined below:
11. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. (Para 199)
12. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (Para 202)
13. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. (Para. 203)
14. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. (Para 206).
15. 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’ to the significance of heritage assets in the NPPF.
16. 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 Significance of the Designated Heritage Assets**

17. The application site comprises of a large, two storey, mid-20th century, detached property located within a spacious and landscaped plot. Parkfield is situated at the north western end of Groby Place. John Leigh Park and the former grounds to Oldfield Hall are located beyond the northern boundary of the site. The land gently slopes up Groby Place towards John Leigh Park.
18. Designated in 1973, the Conservation Area was extended a number of times, most recently in 2014. As part of the 2014 boundary review, one of the extension areas included the application site and north-east side of Groby Place. This area is described within the Old Market Place Conservation Area Appraisal 2014 (SPD5.3) as follows: *The main character of Groby Place is found in the two pairs of large white brick, early Victorian villas. There are more recent infill developments. Parkfield House at the end of the cul-de-sac is well set back and has a large garden with mature trees, adding to the greenery within the conservation area. Two original lighting columns with more recent lanterns are present.* (Paragraph 7.1.9).
19. The site forms the western extremity of the Conservation Area and is located within Character Zone E of the Old Market Place Conservation Area (OMPCA). With reference to Character Zone E; SPD 5.3 states: *The character zone also contains more substantial detached and semi-detached Victorian and Edwardian properties. These include the residential properties on Sylvan Grove, Groby Road, Groby Place and Regent Road. Those on Groby Road provide examples of the Romanesque revival style, with architectural details such as arched recessed openings. Houses included within the Conservation Area on Sylvan Grove are Edwardian, in an Arts and Crafts style. Properties on Dunham Road are a combination of the Victorian Revival styles (Photographs 64-65). There are a number of white brick 1840's houses located on Groby Place.* (paragraph 4.3.106)
20. Parkfield is identified within SPD 5.3 as a positive contributor with the following description: *Spacious plot with landscape value which forms significant backdrop to Groby Place and the character zone. Property currently vacant.*
21. The houses located on the eastern side of Groby Place align with the medieval strip fields as shown on the Cheshire tithe map (1835). Groby Place roughly follows the boundary of one of these burgage plots. The tithe apportionments indicate the land was used as pasture and garden during the early 19th century. By the 1840s the site was developed with a detached villa known as Parkfield and laid out at a similar time to Nos 3-4 & 6a-7 Groby Place, which are also identified in SPD 5.3 as positive contributors. A small parcel of land located on the western side of the application site has not always been within the same ownership as it was previously part of a different burgage plot.
22. The layout of Parkfield and its expansive gardens suggests the site is of a greater status than contemporary dwellings on Groby Place. The 1852 Board of Health Plan clearly shows a substantial house & outbuilding/stables located towards the south eastern corner of the site overlooking a large spacious formal garden, perimeter walk with kitchen garden, orchard & glasshouses to the north. By 1937 this villa and

its associated outbuilding had been demolished and the site remained vacant until the mid-20th century when the existing dwelling was erected to the north of the previous villa. The replacement Parkfield is constructed over two storeys from a light coloured red brick with an attached garage. Both buildings have hipped roofs. Elevational treatment is modest and typical of the era (post WWII) when building materials were still in short supply. Presently the building is vacant and in a deteriorating condition. The accompanying Heritage Assessment (Turley) considers the existing building does not make a positive contribution to the conservation area “due to its simple and uncharacteristic design, mid-20th century age and inconsistent use of materials”. The council’s HDO concurs with this in so far that the existing building makes a neutral contribution to the application site and wider Conservation Area.

23. The site is an exceptional plot in the Conservation Area and topographically occupies one of the highest points. It’s spacious, largely undeveloped nature is evident when viewed from Groby Place and the adjacent public area of John Leigh Park. The Park lies outside the Conservation Area, however it is considered to be a non-designated heritage asset.
24. The existing dwelling is partially screened from the streetscene, the overriding impression from Groby Place is one of mature landscaping which complements the setting of adjacent positive contributors and the wider Character Zone. The landscape character of the site and limited built form acts as a transition from the residential nature of Groby Place to the historic parkland of Oldfield Hall to the north (John Leigh Park).
25. Greater Manchester Archaeological Advisory Service were consulted on the application and having checked their records are satisfied that the proposed development does not threaten any known or suspected archaeological heritage of any significance.

### **Old Market Place Conservation Area Management Plan Policies (SPD5.3a)**

26. The application site is situated within Old Market Place Conservation Area has a number of relevant policies as detailed within the Old Market Place Conservation Area Management Plan, the most relevant being:

Policy 7 - Each proposal for change should be informed by an assessment of the existing building and its wider context in line with the requirements of national guidance. Proposals for change will be assessed on a case-by-case basis.

Policy 63 - Demolition is only likely to be permitted if it involves the replacement of a property that has not been defined as a positive contributor (as identified in map 3) to the Conservation Area and where any replacement development preserves or enhances the conservation area; and it can be demonstrated that the substantial harm or loss is necessary as set out in NPPF. Buildings identified as positive

contributors are not to be demolished, or substantially altered in any way that dilutes its contribution to the Conservation Area.

Policy 64 - Any new development is to take inspiration from the established Georgian, Italianate, Arts and Crafts, Tudor Revival, Edwardian and Victorian architectural styles which are well-established within the Conservation Area. Use of traditional materials and architectural details would ensure new development is appropriate for its setting. Modern designs that do not respect their surroundings will be refused consent.

Policy 65 - Height and massing of new developments should reflect the traditional form of development that gives the conservation area its special character. New development should reflect the traditional roofscape of the town. Prominent roof top plant and dormer windows will not generally be accepted.

### **Proposal and Impact on Significance of the Designated Heritage Assets**

27. The proposal seeks the demolition of the existing dwelling, and the erection of five dwellings, together with access, parking, drainage, landscaping, and other associated works.

Demolition of existing dwelling

28. The proposal involves the demolition of the existing dwelling and redevelopment of the site to create 5 no. residential properties. The 'Old Market Place: Conservation Area Management Plan (March 2016) (SPD5.3a) states at paragraph 2.10.1 and Policy 63 that the demolition and replacement of a building identified in the Conservation Area Appraisal as a positive contributor is harmful development.
29. As described above, Parkfield is identified within SPD 5.3 as a positive contributor, however the HDO advises that its positive contribution appears to relate to the spaciousness of the site, its landscape value, low density and limited built form rather than any significance attributed to the appearance & materiality of the dwelling itself. As such providing these former attributes are preserved, it is considered that the loss of the dwelling itself would not result in harm the designated heritage asset.

Residential development

*Layout*

30. The layout would comprise of a pair of semi-detached dwellings (Villas), located within the western part of the site, and one large building hosting three dwellings (Main House) within the northern part of the site. The access road arrangements includes a fork at the entrance, which leads towards the eastern side (Main House) in one direction and the western side of the site (Villas) in the other. A large central lawn is located between the access roads and to the front of the Main House. Car

parking spaces would be positioned to the sides of the Villas and to the eastern side of the Main House.

31. The Main House would be positioned within a similar position to the existing dwelling. The Villas would be located within the western part of the site. The rear gardens would be in an area that was not historically associated with Parkfield as it formed part of a different burgage plot. The Main House is designed to appear as a single dwelling (discussed in more detail below) to reflect the historic form of the site. It is noted that historically, Parkfield was located in an off-set position adjacent to the north-east boundary. At this time a tree plantation was present to the east (now school playing fields). Although the proposed Main house would be sited in a different location, the view from Groby Place would be of a large dwelling within large verdant grounds.
32. The HDO welcomed the revision to omit the Lodge from the development (previously located on the south-eastern corner) and notes that although the Villas would represent a greater amount of built form, the siting of development to this area of the site would have less impact on views of the Conservation Area along Groby Place. Whilst the whole of this site is located within OMPCA, it is noted that the western side of Groby Place (including Nos. 9, 10 and 11 and Loreto Preparatory School) is not located within OMPCA. Notwithstanding the subdivision and proposed scale (discussed below), the proposed layout, as amended, is considered to be sympathetic to the historic pattern of development given it would appear as a single large dwelling within the historic part of the site and a pair of semi-detached dwellings within the area of historic burgage plots. The large area of landscaping to the front of the dwellings would retain a sense of verdant, spaciousness from within the site and from the approach via Groby Place, albeit less spacious than the existing site.

#### *Subdivision*

33. The proposed development would increase the density, amount of built form and hard landscaping compared with the existing site. In addition, the sub-division would intensify the use of the plot, increasing noise and activity which are at odds with the quiet seclusion of Parkfield and its transition from Groby Place to John Leigh Park beyond.
34. For these reasons it is considered the sub-division and increased density would harm the spacious, verdant character, acknowledged within the significance section, which this site currently contributes to the OMPCA.

#### *Scale, Form and Massing*

35. The proposed Main House (as amended) would measure approximately 17.4m (D) x 22.3m (W) and would contain three dwellings. The dwellings appear as two storey with accommodation within the roof space and would have a height of approx. 10.6m

at the ridge, whilst the eaves height would be between 6.4m and 5.3m. The proposed Villas would measure approximately 15.8m (D) x 16.8m (W) with a maximum ridge height of 9.3m, and eaves height of 6.4m. The dwellings would also appear two storey with accommodation within the roof space.

36. The proposed form of the buildings comprises of numerous gables at varying heights, chimneys, bay windows and single storey elements, including porches and sun rooms, which all help to break up the mass of the dwellings and provide visual relief and depth. It is also recognised that historically Parkfield was larger than other dwellings on Groby Place (which still exist and are identified as positive contributors).
37. Nevertheless, the HDO concerns are sustained with regard to the depth, height and massing of the proposed dwellings, which is considered to be out of character with the residential properties in the OMPCA and which would impact on views from John Leigh Park and wider views across the site.
38. It is recommended that if permission is granted that a condition restricting a number of permitted development rights (such as extensions, outbuildings or additional dormer windows) is imposed, given the sensitive nature of the site and surroundings.

#### *Architectural Design & Materials*

39. As aforementioned the Main House has been designed to resemble a large, single Victorian dwelling. It comprises of a symmetrical design and features a large central porch on the front elevation and two smaller porches on the side elevations. The Villas are also symmetrical and include a central double porch entrance. The house design features large gable pitched roofs, canted bays, prominent chimney stacks and timber bracketry. The proposals also include brick and stone detail around the porches, windows and doors, as well as a brick plinth. The buildings are similar in appearance, however include some variation, for example the Villas include arched windows with brick headers, whilst the Main House include straight stone headers.
40. The design of the dwellings are considered to be of high quality and reflect the character of the area. The HDO does not raise any objections to the overall design. It is therefore considered the principle of the design is acceptable, however a condition requiring further details is recommended with any permission. It is acknowledged that insufficient details have been submitted with regard to elevational treatment and architectural details, however it is considered that a condition would be acceptable to ensure compliance with policy 64 of the OMPCA Management Plan (SPD5.3a).
41. It is proposed that the external finish comprises of buff/white brick, sandstone detailing to window surrounds, string courses and plinths, natural slate, timber windows and doors as well as decorative joinery details. The palette of materials are

considered acceptable in principle, however a condition requiring samples is recommended with any permission.

### *Landscaping*

42. A landscaping scheme has been submitted with this application, which explains the design proposals have followed three key principles, listed below:
  - a) Reinforce the mature frame of trees and understorey along the boundaries of the Site, particularly with native species trees;
  - b) Retain “openness” within the core of the site and introduce new native species and cultivar trees within that core; and,
  - c) Celebrate the Swamp Cypress tree
43. The Landscape proposals advise the boundaries would be reinforced with native species trees including Scots pine, Silver birch, holly and Sessile oak. A total of 54 no. trees plus hedges are proposed to be planted on the Landscape Layout. The ornamental understorey to the perimeter would be rationalised and the floor partially seeded with native meadow grass mix and woodland understorey planting. The existing holly hedgerows would be reinforced.
44. As part of the proposed works a total of 33 no. trees and 1 no. group are proposed to be removed as part of the works. This includes 13 to enable development and 20 category “U” trees and 1 tree group which is to be removed irrespective of the development. It is noted that 4 no. of the trees noted on the plan to be removed now lie outside of the red edge and therefore require a separate application.
45. The existing boundary to John Leigh Park is proposed to be replaced with a high-quality black metal railing (circa 1.8m high) with the existing hedge trimmed and additional planting proposed. Beech hedges are proposed to be planted along internal garden borders, except for the initial run of 2.5m-3.4m from the rear elevations of dwellings, which is proposed to be 1.8m high timber fence. Brick walls are also proposed to the side of plots 1, 4 & 5, whilst a hedge is also proposed to enclose the bin collection point.
46. Hard landscaping would consist of a resin bound gravel for the main access road and driveways would be laid with stabilised loose gravel with sett edges plus setts laid flush at entrance thresholds.
47. The proposals are considered to be acceptable in principle, however it is noted that a full schedule of plants/trees has not been provided and therefore a condition is recommended with any permission. The HDO acknowledges that further planting could be incorporated to the south-east corner of the site. It is considered that this could be sought and approved under a planning landscape condition. Furthermore to ensure the longevity of the proposals it is recommended that a condition requiring a landscape management plan is attached to any permission.

48. The site topography slopes away from the Main House towards the northern extent as shown on the Site Sections. A condition requiring site levels is recommended to ensure limited harm to the existing landscape value.

#### *Conclusion*

49. The proposed development as amended would result in the loss of a building within a site identified as a positive contributor. This aspect of development is considered acceptable on the basis that the dwelling has limited historic or architectural merit and rather the spacious, low density, verdant character of the site is the positive aspects that contributes to the Old Market Place Conservation Area.
50. Although the proposed layout has attempted to reflect the historic form of development, given the appearance of a single large dwelling within the spacious historic plot with a pair of semi-detached dwellings within the previously separated site (burgage plots); it is considered, by reason of the sub-division, increased density, intensification of the plot, increased amount of built form (including scale, form and massing of dwellings) and hard landscaping, the proposal would harm the existing verdant and spacious character of the site and wider area.

#### *Consideration of harm*

51. For reasons set out above, the proposed development is considered to result in moderate harm to the application site and the significance of the wider Old Market Place Conservation Area and negligible harm to the setting of John Leigh Park. This level of harm equates to less than substantial harm in NPPF terms when assessing the contribution the site makes to Old Market Place Conservation Area as a whole. In addition, the proposals would cause less than substantial harm (of a negligible scale) to the setting of John Leigh Park.
52. Having regard to paragraph 195, it is acknowledged that the applicant has made a number of welcomed changes to the proposals, which have reduced the impact of the proposed development upon Parkfield and the Old Market Place Conservation Area from major harm to moderate harm, and reduced the harm upon John Leigh Park from minor to negligible.
53. In line with paragraph 202 of the NPPF, this harm should be weighed against the public benefits or the proposal. Furthermore, a balanced judgement is required in weighing the effect of the development on the significance of the non-designated heritage assets (John Leigh Park & application site), in line with paragraph 203 of the NPPF.

#### *Public benefits*

54. The proposed development would provide 5 no. (4 no. net) family sized dwellings within a predominantly residential and highly sustainable area of Trafford. Substantial weight is attached to providing additional housing, given the Council's identified housing land supply shortfall.
55. The proposed would deliver 5 no. high-quality designed homes, combined with an enhanced landscaping scheme. The proposals would therefore assist in creating a high quality built environment, and re-purpose a presently vacant and derelict site, which currently detracts from the character of the area. Additionally, the proposals would make a significant contribution in terms of additional tree and hedgerow planting which will have a positive impact in terms of landscape and ecology. Again substantial weight is attached to this.
56. The site is owned by the National Trust and it is understood that the capital generated from the sale of the land would be reinvested in Dunham Massey, securing the long-term sustainability of the estate, which would support Policy R6 (Culture and Tourism). The proposals would also provide an economic benefit during the construction phase plus additional expenditure into the local economy (from future occupiers), which would support existing services in the local area, this is given limited weight.
57. The proposals would support the creation of strong, vibrant and healthy communities by increasing the supply of housing. The proposals would deliver energy efficient design principles to help reduce CO2 emissions, such as the inclusion of EVPC points. These are also afforded some weight.

#### *The heritage balance*

58. The proposals would directly impact on the character and appearance of the application site, a positive contributor, and would result in less than substantial harm (of moderate scale) to the designated heritage asset. Additionally the proposed development would indirectly affect and result in less than substantial harm (of negligible scale) to the setting of John Leigh Park.
59. It is considered that the public benefits outlined above would be sufficient to outweigh the harm that would arise to the significance of the designated heritage assets. In making this assessment, considerable importance and weight has been given to the desirability of preserving the Old Market Place Conservation Area.
60. It is therefore considered that the proposal would comply with the heritage policies of the NPPF and would not trigger Paragraph 11d)(i) of that document i.e. would not provide a reason for refusal of this application.

## **DESIGN AND APPEARANCE**

61. Paragraphs 126 and 134 of the NPPF state: The creation of high quality, beautiful and sustainable buildings 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... Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
62. Trafford Core Strategy Policy L7 states that “In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”.
63. The scale of the proposed dwellings are larger than immediate neighbours, however it is considered they are proportionate to the plot size. The amount of space within the site and within which the development is set is considered to offset the size of the development in contrast to those within the wider area. The bulk and massing of the proposed dwellings is minimised through articulation and form, including varying heights of projecting gables, canted bays, chimney breasts and a series of single storey elements. Additionally the architectural detail, including the arched brick headers, stone headers, plinths and timber eaves detailing are considered to visually enhance the appearance of the buildings.
64. It is acknowledged that the dwellings are large, however the buildings would be situated on a unique, large plot within the vicinity of other large properties, varying in terms of age, scale and design. Furthermore the proposed layout and enhanced landscaping of the site would retain the verdant and spacious character.
65. The proposed material palette includes buff/white brick, natural slate, sandstone, and timber windows. The design of the dwellings include steep, overhanging gables with timber bracketry detail, canted bays, window header and cill details, plinth, and exposed large chimney breasts. The overall design and appearance of the dwellings is considered to be high quality and in-keeping with the locale.
66. For the above reasons, it is therefore considered that the proposed development is acceptable in terms of design and visual amenity, having regard to Policy L7 of the Core Strategy and guidance in the NPPF.

## **RESIDENTIAL AMENITY**

67. 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.

68. The adopted Supplementary Planning Guidance (PG1) New Residential Development recommends that where the development would result in major facing windows, two storey dwellings, including dormers, should retain a minimum distance of 21m across public highways and 27 metres across private gardens.
69. The closest neighbouring properties to the proposed development are Nos. 9 & 7 Groby Place, and Nos 23, 25 & 27 Hartley Road. It is noted that dwellings located on Hartley Road are sited at a lower level than the proposed development.

Impact upon neighbouring properties:

#### *Overlooking/ Privacy*

70. House 5 (The Villas) would be sited approx. 12m from the southern boundary shared with Oakwood No. 9 Groby Place. The side elevation would include habitable room windows within the side gable across three floors. The second floor would not meet PG1 guidance and therefore it is recommended that a condition in relation to obscure glazing is attached to any permission to ensure privacy is protected.
71. House 4 (The Villas) would be located approx. 10m at a pinch point from the northern boundary shared with No. 25 Hartley Road. However the distance measured perpendicular from the centre of the gable would be 11.5m. It is therefore considered that the ground and first floor windows in this location would be acceptable and would not give rise to unacceptable overlooking, however it is recommended that the second floor window is fitted with obscure glazing to protect privacy. It is acknowledged that the land levels fall towards the dwellings located on Hartley Road, however the length of the gardens and existing vegetation are considered adequate as to not result in an undue loss of privacy or adverse overlooking.
72. It is noted that there is a boundary dispute along the north-western curved boundary, however the distances have been measured to the edge of the application site (red edge/line) and boundary disputes are not a material planning consideration.
73. The two storey element of the Villas would have a distance of over 22m from the rear boundary, which bounds the tennis courts of North Cestrian School. As such the proposals would not result in an adverse overlooking to the west.
74. The window serving Bedroom 3 of House 3 would be located approx. 9.5m from the red edge boundary to the west. The window would overlook the rearmost garden of No. 23 Hartley Road and given the extent of the garden it is considered the proposed dwelling would not result in an undue loss of privacy. Furthermore, the existing

Common Oak and Holly tree located on the boundary are considered to provide additional protection with respect to privacy.

75. The rear elevation of The Main House would be over 25m from the rear boundary bordering John Leigh Park and over 14m from the eastern boundary bordering the copse of trees within the adjacent school playing fields. The orientation and distance is therefore considered sufficient as to not prejudice nearby occupiers.

#### *Overbearing impact, Loss of Light, Overshadowing*

76. The proposed dwellings are considered to be of a scale and siting, which would not result in an undue loss of light, overshadowing or overbearing impact to any neighbouring properties.
77. It is acknowledged that dwellings on Hartley Road are sited on lower ground than the application site, however it is considered the spacious plots and distances from the plot boundaries and dwellings would mean the proposals would not result in an undue overshadowing or overbearing impact. Furthermore, the existing and proposed vegetation would sufficiently soften and screen the appearance of the proposed dwellings.

#### *Amenity of Future Occupiers*

78. The proposed dwellings would have approximately 18.5m distance between the canted bay windows of Houses 3 & 4. The dwellings are orientated approx. 90 degree from each other. As such the interfacing distance is considered to be sufficient as to not result in an undue loss of privacy.
79. The proposed development would comply with the Nationally Described Space Standards and provide adequate amenity space for future occupiers.
80. It is therefore considered that the proposed development, subject to conditions, would not have an unacceptable impact on the residential amenity of neighbouring properties and would provide a satisfactory level of amenity for future occupiers and would comply with Policy L7 of the Core Strategy in this respect.

## **HIGHWAYS**

81. Paragraph 111 of the NPPF states: 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.
82. Policy L4 of the Trafford Core Strategy states that “maximum levels of car parking for broad classes of development will be used...to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central

urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion.”

83. The Local Highway Authority was consulted on the application and raised no objection, subject to the imposition of a condition in relation to a construction method statement and cycle parking.
84. The proposed development would provide 2 no. car parking spaces and a bike store (for 4 no. bicycles) for each of the 5 no. dwellings (2 no. 4 bedroom units, 3 no. 5 bedroom units). Having regard to SPD3, the required maximum parking standards for such a development is 15 spaces. The proposed development would therefore fall short of the maximum requirements, however the proposed development is located in a highly sustainable location, close to Altrincham town centre and the public transport interchange. It is also observed from the submitted plans that there is sufficient space within the curtilage of the development to accommodate additional parking. The LHA has raised no objections in relation to the car parking provision, however request a condition requiring secure, weatherproof cycle stores.
85. The revised layout includes a bin collection area close to the site entrance on the eastern side. It is understood the refuse vehicle currently reverses along Groby Place, and this practice would continue. The Waste Team and LHA are satisfied with the waste provisions.
86. A number of representations raise concern with regard to road safety for both pedestrians and vehicle users, and also the road traffic accident data undertaken by the applicant. When considering the personal injury collision (PIC) record for the site, no PICs were been recorded for the period 01 January 2016 to 31 December 2020, this being the latest available five year data period. When also considering an extended length of the A56 (between its junctions with Kingsway and Regent Road/Booth Road, a distance of circa 436m), for the same period only one collision is recorded which took place in April 2021 and resulted in a single casualty sustaining a slight injury.
87. The LHA within their response have acknowledged that the access is not ideal due to the close proximity to the egress of Loreto School, however, the visibility splays at the junction of Groby Place and Dunham Road (A56) comply with the requirements set out within the Manual for Streets. Furthermore, the access already serves 12 dwelling units, for which no road safety problem has been identified, and it is not considered that the proposed minor increase in the number of dwellings would have a severe impact to the operation of the junction or the adopted highway at this location.
88. The internal road layout (Y shaped arrangement) is also considered acceptable by the LHA as it is observed sufficient internal space would be provided across the site to accommodate turning vehicles, allowing vehicles to access and egress the site in a forward gear.

89. As such, subject to conditions in relation to a Construction Method Statement and cycle stores, the proposed development is considered to be acceptable in terms of highway and parking impacts and to be in accordance with Policies L7 and L4 of the Core Strategy and guidance in the NPPF.

## **DRAINAGE**

90. NPPF paragraph 169 states: *Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.*
91. 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 159 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.
92. A revised Surface Water Drainage Layout, Surface Water Drainage Strategy Report plus additional evidence in relation to rights to sewer connection was submitted following receipt of the consultation response from the LLFA. The LLFA has reviewed this information and are satisfied that subject to condition the proposed development is acceptable with regard to drainage.
93. The proposed development, subject to condition, is therefore considered acceptable in terms of drainage and in line with NPPF and Policy L5 of the Core Strategy.

## **TREES**

94. 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.
95. A number of trees within the site are protected under TPO390 and the site lies within the Old Market Place Conservation Area. The proposals include the removal of 33 no. trees and 1 no. group of trees. This includes 20 no. category “U” trees and 1 tree group which are to be removed irrespective of the development. It is noted that a tree (T5) has already been felled in January 2019 on safety grounds as agreed by the Council.

96. The boundaries of the site are currently well screened by the existing trees on the periphery and the majority of these would remain so the visual impression of tree loss from outside the site would be minimal. Furthermore, the proposed landscaping scheme includes over 50 tree specimens with a broader range of species that currently exists on the site. The majority of trees would be planted along the boundaries and therefore there would be a net enhancement of the external visual appearance of the site trees. The quantity and species of proposed new trees are considered acceptable in principle, however a condition requiring a landscaping scheme is recommended with any permission as more information is required.
97. The Arboriculturist raises no objections to the proposals providing all the recommendations within the submitted Arboricultural Planning: BS5837 Tree Assessment are followed, particularly in relation to works to be carried out within the RPA of the retained trees. The tree protection measures shown on the submitted Tree Protection Plan, v11 must be in place prior to demolition and construction works starting on site. As such it is considered that suitably worded conditions would make the proposed development acceptable with regard to trees. The development in this sense is therefore considered to be in accordance with Policies R3 & R5 along with the NPPF which put great emphasis on tree planting and landscaping proposals.

## **ECOLOGY & BIODIVERSITY**

98. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity.
99. The application was accompanied by a series of Ecological Survey Reports (by Kingdom Ecology), ranging from 2016 to June 2021. Greater Manchester Ecology Unit (GMEU) have reviewed the submission and are satisfied that the Reports appear to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]). The application can be forwarded to determination in respect of biodiversity without the need for any further work prior to determination.
100. The Report identified a number of features which are of value to biodiversity and which are material considerations in the determination of the application. These are discussed below with recommendations for mitigation, including planning conditions.

### *Bats*

101. The Report identifies a bat roost for small numbers of common pipistrelle within the roof void of the existing property. As such a European Protected Species Licence (EPSL) would be required from Natural England to derogate from the provision of the legislation in order to implement the proposals should planning permission be

granted. In order to provide for a derogation under the legislation three tests should be met: -

- That the action is for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
- that there is no satisfactory alternative; and
- that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range

102. The Report concludes that the roosts are considered low conservation values. GMEU agrees with this assessment. The three tests are considered to be met as the development can only be achieved through the demolition of the existing building, the social and economic benefits of the provision of improved housing in this location is considered to override the public interest and the mitigation measures proposed are considered to be appropriate in order to maintain the conservation status of bats on the site. Given the low conservation value of the identified roosts, it would be appropriate to complete the works under a Bat Mitigation Class License. The Class License provides a streamlined service for developers where effects on bats can be easily mitigated (but which nonetheless require a licence to derogate the law). Natural England are the EPS licensing authority, however this does not negate the Local Planning Authorities responsibilities. Reg 3(4) of the 1994 Regulations states public bodies must have regard to the requirements of the Habitats Directive in the exercise of their functions.
103. It is noted the surveyor observed a large number of dead pipistrelle bats between the glass and plywood shuttering on windows of the building, indicating the site was likely a bat roost in the opinion of the GMEU. Once discovered, this feature was removed to prevent any further bat deaths. Although the Report indicates that this does not constitute a bat roost, GMEU recognise that this number of bats recorded at one location, whether dead or alive, is significant in a Greater Manchester context.
104. The Mitigation Strategy included in the Report (section 4.2.3 and figures 3 & 4) provides the details of the proposed mitigation to be implemented via the EPS Licence:
- Erection of emergency bat boxes (x6 boxes)
  - Pre demolition site inspection by named licenced bat worker
  - Supervised hand striping of all roof coverings and other identified high risk features.
  - Compensation roosts to be provided within the new building (x5 boxes) and around the site.
105. GMEU recommend that given the location of the dead bats (previously found between the glass and plywood shuttering on the windows of the existing building) it is recommended the hand removal of window frames and investigation of any void between the inner and outer walls is carried out as part of the mitigation strategy. The applicant requested the following amendment - *“Supervised hand striping of all*

*roof coverings and other identified high risk features. This should include a destructive search of the upper floor windows at the south face of the house and an investigation of any potential bat access points into the cavity wall or crevice features in and around this location".* GMEU have not yet responded to this request. Any additional comments will be provided within the Additional Information Report.

106. GMEU are satisfied that the Mitigation Strategy, subject to the above point is adequate for planning purposes and demonstrates the approach that would be used in the Natural England Licence application. It is therefore recommended that a Bat Method Statement based on the aforementioned Mitigation Strategy is agreed via a condition to prevent injury to bats. Additionally, GMEU recommend that the detail of external lighting is agreed via a condition so that it does not conflict with the bat mitigation proposals.

#### *Trees with Bat Roost potential*

107. The Report identifies 9 trees with low bat roost potential (T6, T43, T50, T60, T61, T62, T65, T66 and T67) as shown on the AIA and in the Appendix final plan of the Report. Section 4.1.3 of the Report identifies that these trees should be section felled and the cut sections left lying for 48 hours. A condition requiring this to be implemented is recommended with any permission.

#### *Mammals*

108. The Report identifies that the boundary fences on the curtilages of the properties and internal fencing should be ecologically permeable to allow the passage of larger mammals. It is recommended that a condition be placed on any permission for the details of fencing to incorporate the specification as outlined in section 4.2.3 of the Report and other mitigation recommendations including surveys.

#### *Birds (all wild birds Wildlife & Countryside Act 1981 as amended)*

109. The Report identifies that the trees, scrub and undergrowth within the site (including bramble) is suitable for nesting birds. Site clearance as identified should not be undertaken during the bird breeding season (March – August inclusive), unless it can be demonstrated that no nesting activity is present. It is identified that mitigation in the form of 8x general bird boxes are to be erected on retained trees and 6x house sparrow boxes to be erected on the new properties. The proposals, subject to suitably worded conditions, are therefore considered acceptable with regard to birds.

#### *Biodiversity Enhancement*

110. The NPPF (July 2021 paragraphs 170.d and 175.d) guides decision takers to seek enhancement to biodiversity via the planning system. In this case the Report has identified a wide range of features that both provide mitigation but go further to

provide enhancement for a development of this scale. These features include 11 no. bat boxes and 14 no. bird boxes fitted to both retained trees and proposed buildings. GMEU are satisfied that sufficient measures are encapsulated within other recommendations made above. GMEU also recommend that any landscape scheme seeks to replace the lost trees with locally native specimens and that the rhododendron (Schedule 9, Wildlife & Countryside Act) is removed and disposed of in an appropriate manner.

### *Conclusion*

111. In summary and conclusion, the application support biodiversity features which are material to the determination of the application:
- Bat roosts within the building to be demolished.
  - Trees with bat roost potential
112. It is therefore recommended that conditions are attached requiring that the development is implemented in accordance with the recommendations of the report and requiring the submission and implementation of biodiversity enhancement measures, in accordance with guidance in the NPPF. It is therefore considered that, subject to appropriate conditions, the proposed development would comply with Policy R2 of the Core Strategy and guidance in the NPPF in terms of ecology.

### **Other Matters**

113. One of the letters referred to the planning statement at paragraphs 4.2 and 4.4 and misunderstood that paragraph 4.2 states 2-2.5 storey dwellings would be acceptable, rather than 2 dwellings.
114. With respect to the amendments made to the proposed development, Planning Practice Guidance stipulates that the receipt of the amendments is at the local planning authority's discretion. The amendments made to this application were advertised by way of site notices displayed near the site, a press advert and neighbour notification letters in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Each consultation period was for a minimum of 21 days.

### **DEVELOPER CONTRIBUTIONS**

115. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the hot zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
116. No other planning obligations are required.

117. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide additional trees on site as part of the landscaping proposals.

## **PLANNING BALANCE AND CONCLUSION**

118. 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. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision making process. As the Council does not have a five year supply of housing land, Paragraph 11 of the NPPF is engaged.

119. It is considered that the proposed development would result in 'less than substantial' harm (moderate harm) to the character and appearance and the significance of the Old Market Place Conservation Area and "less than substantial" harm (negligible harm) to the setting of the non-designated heritage assets of John Leigh Park. Applying the test in paragraph 202 of the NPPF, it is nevertheless considered that the public benefits associated with the development (comprising the contribution of five (4 no. net), family sized dwellings of high quality design towards the Borough's housing supply, re-purposing a currently derelict and vacant site, landscaping and biodiversity enhancements, and the economic benefit associated with the development) are sufficient to outweigh the identified harm to the significance of the heritage assets. As such, the proposed development would comply with the heritage policies of the NPPF and Policies L7 and R1 of the Core Strategy. In terms of paragraph 11 d) i), there would therefore be no clear reason for refusal of permission. The proposal therefore needs to be considered in relation to the test in paragraph 11 d) ii).

120. All other detailed matters have been assessed, including design and visual amenity, residential amenity, highway safety, drainage and tree and ecology impacts. The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition, and the proposal complies with the development plan as a whole and guidance in the NPPF in relation to these matters. In terms of paragraph 11 d) ii), it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission. It is therefore recommended that planning permission should be granted, subject to conditions.

## **RECOMMENDATION:**

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

1. Time limit

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. Approved plans

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

- 18157 (SU) 001 A – Location Plan
- 18157 (PL) 001 F – Proposed Site Layout
- 18157 (PL) 101D - The Main House - Plans and Elevations
- 18157 (PL) 102A - The Villas - Plans and Elevations
- 18157 (PL) 106 - The Main House - Roof Plan
- 18157 (PL) 107 - The Villas - Roof Plan
- 18157 (PL) 206A - The Main House - Colour Elevation
- 18157 (PL) 207A - The Villas - Colour Elevation

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

3. Materials,

Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and/ or full specification of materials to be used externally on the buildings, boundary walls, and any hard surfacing treatment, including: brick sample panel; natural slate tiles; clay decorative ridge tiles; natural stonework; timber painted (vertical sliding sash) window frames, doors and bargeboards; leadwork to all flat roofs, dormers, and flashings; and cast iron or aluminium rainwater goods; resin bound gravel; loose gravel and sett edges have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of all proposed traditional brickwork patterns illustrating the type of joint, the type of bonding and the colour of the mortar to be used and this panel shall be available on site for inspection, and retained for the duration of the build.

Reason: In order to ensure a satisfactory appearance in the interests of the historic environment and visual amenity having regard to Policies L7 and R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

#### 4. Technical details

Notwithstanding any description of façade treatment in the application no above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the buildings and boundary walls have 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 (at a scale no less than 1:10) and the building of sample panels on site as necessary and shall include:

- (i) All brickwork and stonework detailing, including bond type, plinths, arch openings (to porch) and copings (to porch and conservatories)
- (ii) All fenestration details and recesses (including heads, cills, mullions, transoms, casement and jambs, doors and conservation style rooflights. Recesses are to be no less than 100mm)
- (iii) Roof edge, including ridges, verges, soffits, fascias, bargeboard and timber bracketry details
- (iv) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building
- (v) Siting of any external façade structures such as meter boxes (no individual extraction vents or flues, meter boxes or gas supply shall be fitted to the front elevations)
- (vi) Dormer windows
- (vii) Chimney and pots

Development shall proceed in accordance with the approved detailed façade schedule.

Reason: In the interests of the historic environment and visual amenity and of protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policies L7 and R1 and the National Planning Policy Framework.

#### 5. M&E

No above-ground construction works shall take place unless and until a detailed scheme for the provision of all energy supplies, meter boxes, external plant, and mechanical and electrical systems (M&E) has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure:

- (i) There are no individual extraction vents or flues to dwellings visible on the street front elevation of the building, and that the M&E solutions do not impact on the fenestration detailing shown on the approved elevational drawings
  - (ii) All plant is included within the building façade and is not located on or protruding above the roof of the buildings
  - (iii) There are no gas supply pipes or meter boxes fitted to the street front elevation.
- Development shall proceed in accordance with the approved scheme.

Reason: In the interests of visual amenity and design quality, specifically to protect the original design intent of the architect and the quality of the proposed development,

having regard to Core Strategy Policy L7 and the National Planning Policy Framework, and the National Design Guide.

6. Landscaping scheme

a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority, which will be in general accordance with the Landscape Layout, drawing no. M2688-PA-01-V12. 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 the lifetime of the development 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, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

7. Landscape management plan

No part of the development shall be occupied until a landscape management plan for the area edged in red and blue on Site Location Plan (drawing no. 18157 (SU) 001 A) for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include details of the arrangements for the implementation of the approved landscaping scheme, a schedule of maintenance, and details of responsibilities and management of the area. The schedule of maintenance shall be implemented in accordance with the approved landscape management plan.

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. Drainage SUDS

No development shall take place until a detailed drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposed site levels and a detailed analysis of the drainage across the critical storm events (1 in 2yr, 1 in 30yr, 1 in 100yr +CC), in addition to the approved Drainage

Strategy (29/09/21 / MR-19-3816 Rev. C / STL Consulting Structural Engineers), Drainage Calculations (28/09/21 / 19 -3816) and Preliminary Drainage Layout (Dwg No: 19-3816 DR01A Rev. C) which includes:

- Limiting the surface water run-off generated by the critical storm so that it will not exceed 3.9 l/s and not increase the risk of flooding off-site.
- Provision of 35.45m<sup>3</sup> attenuation flood storage on the site to a 1 in 100yr +CC (40%) critical storm event.

The scheme must be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

#### 9. Drainage Management / Maintenance

No part of the development shall be occupied until a management and maintenance plan for the drainage scheme for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The management and maintenance of the drainage scheme shall be implemented in accordance with the approved plan.

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.

#### 10. Tree protection

No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction - Recommendations' and Tree Protection Plan, Sheet 3/3, Rev v11. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

#### 11. Tree recommendations

The development hereby permitted shall not be carried out except in complete accordance with the recommendations, including the use of special surfaces such as Cell Web, as shown on the Fairley Trees and Landscapes submitted plans: titled Arboricultural Impact Assessment Sheet 2/3, Rev v11, Tree Protection Plan, Sheet 3/3, Rev v11, in order to safeguard root protection.

Reason: In order to protect the root system of existing and proposed new trees on the site, which are of amenity value to the area generally and the Old Market Place Conservation Area, having regard to Policies L7, R1 R2 and R3 and R1 of the Trafford Core Strategy and the National Planning Policy Framework

#### 12. Boundary treatment, including any gates

No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls or erection of gates 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. At least one suitable access point (gaps beneath or within fencing measuring 300mm x 300mm, ideally located within areas of retained scrub vegetation or other areas of shelter around retained trees) shall be provided for on the north, east and west boundary features. The structures shall thereafter be retained.

Reason: In the interests of the historic environment, ecology and visual amenity having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

#### 13. Site levels

Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development, including excavation, shall take place until details of existing and finished site levels and internal finished floor levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity and in compliance with Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

#### 14. PD restriction - windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the second floor on the side elevations of Plots 4 and 5 facing north and south shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

#### 15. Removal of PD-New dwellings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof) (i) no external alterations shall be carried out to the dwellings (ii) no extensions shall be carried out to the dwellings (iii) no garages or carports shall be erected 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 or areas of hard surfacing shall be constructed in the curtilage of the dwellings (vii) no dormer windows shall be added to the dwellings other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

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

#### 16. CEMP

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities, including measures for keeping the highway clean
- vi. measures to control the emission of dust and dirt during construction and procedures to be adopted in response to complaints of fugitive dust emissions
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- viii. days and hours of construction activity on site (in accordance with Trafford Council's recommended hours of operation for construction works), hours of construction and demolition activity
- ix. contact details of site manager to be advertised at the site in case of issues arising
- x. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity

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

#### 17. Cycle stores

The residential units hereby approved shall not be occupied unless and until details of the cycle storage (for 4 no., secure and weatherproof bicycle spaces per property) has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved cycle storage 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.

#### 18. Bin stores

No development shall take place until details of the bin collection stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and made available for use prior to the first occupation of the dwellings and shall be retained thereafter.

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

#### 19. Parking

The development hereby approved shall not be occupied until the means of access and the areas for the movement, loading, unloading and parking of vehicles been provided, constructed and surfaced in complete accordance with the submitted plans and the details approved in relation to condition 2. These areas shall thereafter be retained and not be put to any other use than their intended purpose.

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

#### 20. Bats

No development shall take place, including any works of demolition or removal of any structural features for salvage/reclamation, which support roosting bats, unless and until a Bat Method Statement based on the provisions of section 4.2.3 (Ecological Survey Report, KE21/0110/B, Kingdom Ecology, 28th June 2021) has been submitted to and approved in writing by the local planning authority. The development should be implemented in accordance with the approved details and then retained as such thereafter.

Reason: In order to protect and safeguard any bats, a protected species, that may be present on the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994.

#### 21. Birds

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

#### 22. Ecology recommendations

The trees identified with low bat roost potential (T6, T43, T50, T60, T61, T62, T65, T66 and T67 as shown on the AIA Sheet 2/3, Rev v11) shall be section felled and the cut sections left on site for a minimum of 48 hours, prior to being chipped or moved from site.

Reason: In order to allow any bats present within the trees to escape, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

#### 23. Mammal condition

#### 24. Biodiversity measures

No above ground construction works shall take place unless and until a scheme to include measures to enhance biodiversity at the site and provide a net gain for biodiversity, together with a timetable for their provision has been submitted to and approved in writing by the Local Planning Authority. The measures should include bat and bird boxes and native tree and shrub planting and shall not be any less than recommendations set out within Ecological Survey Report (Kingdom Ecology, ref: KE21/0110/B, dated 28<sup>th</sup> June 2021). The scheme shall be provided in accordance with the approved scheme and timetable and retained thereafter.

Reason: To enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework

25. External lighting

No external lighting shall be installed on the application site unless and until a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be implemented in accordance with the approved scheme.

Reason: In the interests of historic environment, ecology and residential amenity, having regard to Policies R1, R2 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

26. EVCP

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

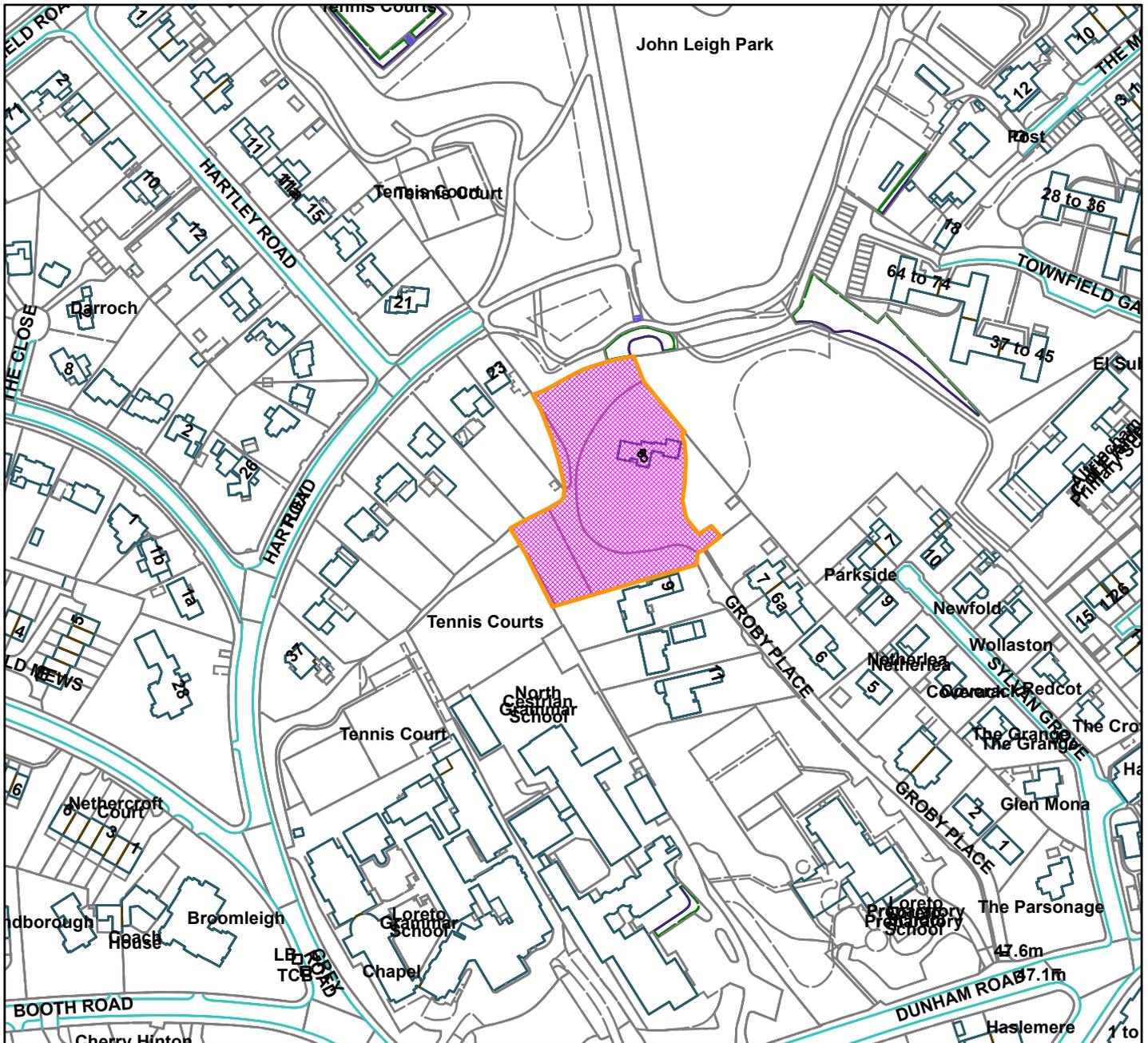
Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

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LT



Parkfield, 8 Groby Place, Altrincham (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** Hale Barns

**103366/FUL/21**

**DEPARTURE: No**

**Erection of new detached house with associated parking and landscape works following demolition of existing house.**

White Oaks, Bollinway, Hale Barns, WA15 0NZ

**APPLICANT:** Mr D James

**AGENT:** Mr Chris Parks (Calderpeel Architects)

**RECOMMENDATION: GRANT**

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**The application is reported to the Planning and Development Management Committee as there have been in excess of 6 letters of objection contrary to Officers' recommendation.**

**Executive Summary**

The site relates to a residential property, and associated garden, to the eastern side of Bollinway within Hale Barns. Vehicular access is via Bollinway. The site falls entirely within the South Hale Conservation Area. This application seeks planning permission for the demolition of the existing single storey dwelling and erection of a replacement dwelling. The replacement dwelling is of a substantial size, with accommodation spread across four floors. The design is, however, considered to be appropriate in its context and would assimilate within this site without causing harm to the built and landscaped character of Bollinway.

It should be noted that the site benefits from an extant planning permission (ref. 99209/FUL/19) for a similarly substantially sized replacement dwelling albeit of a different architectural style. This permission, granted in March 2020 has not been implemented.

Objections received raise concerns regarding the scale and design of the proposal and the impact this would have on the character of the site, the Conservation Area and adjacent Listed Barrow Cottage along with the impact on amenity of occupiers of neighboring properties.

However the proposal is not considered to cause harm to the character or appearance of the South Hale Conservation Area which has been confirmed with the Councils Heritage Development Officer. Further to this, the proposal would establish an acceptable relationship to the surrounding properties in terms of residential amenity. Matters such as parking, trees, and nature conservation are all considered to be acceptable. The proposal would accord with policies L2, L4, L7, R1 and R2 of the Core Strategy.

The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted. 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.

Paragraph 11 of the NPPF outlines that development that accords with an up-to-date development plan should be approved without delay. The application is therefore recommended for approval, subject to appropriate conditions.

## **SITE**

The application site comprises a modestly sized rendered bungalow set within the southern edge of the South Hale Conservation Area. The site is of a relatively flat topography, predominantly rectangular in form with a large garden to the rear and some landscaping to the front. An outdoor swimming pool exists within the rear of the site. The site is well screened from Bollinway by mature trees and landscaping along the street frontage. The site is accessed via a gated driveway which extends to the side of the property.

The area is characterised by large detached dwellings positioned in generous plots, set back from the highway. There are fluctuations in size, materials and architectural styles. Many properties are well screened from the road by mature landscaping.

## **PROPOSAL**

The proposal seeks planning permission for the demolition of the existing bungalow and erection of a 2.5-storey detached dwellinghouse (excluding basement) on a similar footprint to the existing dwelling. The proposed dwelling represents a contemporary approach to a traditionally formed dwelling. Features sought include projecting gables, dormer windows exposed timber frame, chimney stack.

An swimming pool would be included within the basement alongside a games room and golf swing room. At ground floor, the main living space is provided, including a gym. At first and second floor the main bedroom accommodation is provided, which includes 6 large en-suite bedrooms.

The 2.5-storey element of the building would have a maximum height of 9.8m, an eaves of 5.8m and a width of 17.8m. The overall length of the building would be 22.1m. A 1.5 storey element projects further to the side at the very rear of the building. Taking this into account, the total width of the building would be 21.2m. A lift is provided internally, although there would be no overrun above the building ridge due to the lift serving only floors -1 to 1.

The development would utilise the existing access from Bollinway, though the driveway would extend down into the site to an underground quadruple garage (to be excavated below the proposed dwellinghouse).

This application follows on from a previous scheme for a substantial 2.5 storey replacement dwelling approved in March 2020 (ref. 99209/FUL/19). This permission has not been implemented although remains extant.

*Value added: Partial reduction in the height of the leisure suite at the rear (2.5 storey to 1.5 storey), landscaping of the basement ramp.*

## **DEVELOPMENT PLAN**

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**

L2 – Meeting Housing Need  
L4 – Transport  
L5 – Climate Change  
L6 - Waste  
L7 – Design  
L8 – Planning Obligations  
R1 – Historic Environment  
R2 – Natural Environment  
W1 – Economy

## **OTHER LOCAL POLICY DOCUMENTS**

PG1 – New Residential Development  
SPD1 – Planning Obligations  
SPD3 – Parking Standards and Design  
SPD5.21 – South Hale Conservation Area Appraisal  
SPD5.21a – South Hale Conservation Area Management Plan

## **PROPOSALS MAP NOTATION**

South Hale Conservation Area (CA)  
Tree Preservation Order (TPO)

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

None

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

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20<sup>th</sup> July 2021. 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 updated in June 2021) which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3<sup>rd</sup> October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **RELEVANT PLANNING HISTORY**

97340/FUL/19 - Construction of a new detached family home with associated parking and landscape works following demolition of the existing dwelling. *Withdrawn 16.08.19*

99209/FUL/19 - Construction of a new detached family home with associated parking and landscape works following demolition of the existing dwelling. *Approved with conditions 03.03.20.*

## **APPLICANT'S SUBMISSION**

Arboricultural Impact Assessment  
Arboricultural Method Statement  
Bat survey  
Design and Access Statement  
Visuals

## **CONSULTATIONS**

Tree Officer – No objection subject to conditions (Tree Protection Plan).

Environmental Health (Contamination) – No objection.

Environmental Health (Nuisance) – No objection subject to conditions (Construction Management Plan, Noise limit from fixed machinery)

Greater Manchester Ecology Unit (GMEU) – No objection subject to condition (Natural England license required)

Heritage Development Officer – “I confirm I have no objections to the revisions and note the reduction in the leisure suite. Please can these usual conditions be added should the application be approved including materials [notwithstanding the details provided samples are needed and side hung garage doors], windows & doors, architectural details [incl eaves], landscaping and if possible a separate condition for the retaining walls and ramp to mitigate impact.”

Lead Local Flood Authority (LLFA) – No objection.

Local Highway Authority (LHA) – No objection subject to conditions (Construction Management Plan)

United Utilities – No objection.

## **REPRESENTATIONS**

Eight letters of objection from different addresses have been received, summarised as follows:

- Proposal is not in keeping with other properties along Bollinway nor takes design cues from the surrounding properties
- Overdevelopment of the site
- Approval of this scheme would set a precedent for overdevelopment
- Loss of light
- Loss of privacy
- Harm to the significance of the South Hale Conservation Area
- Loss of spaciousness and landscaping
- Adverse impact on the setting of Grade II listed Barrow Cottage
- Size and massing of the building inconsistent with the massing of surrounding buildings.
- Contrary to planning policy
- Loss of a view (from neighbouring house)

*Officer response: All representations received have been duly noted and considered. Please see appraisal. Please note that concern relating to loss of a private view is not*

*a material planning consideration. As to whether approval of this scheme would set a precedent, please also note that each application is assessed on its own merits against the relevant Development Plan policies.*

## **OBSERVATIONS**

### **Principle of Development**

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
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 2021 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, it should be given significant weight in the decision making process.
4. The application site does reside within the South Hale Conservation Area, which is a designated heritage asset. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. The application is for a replacement dwelling, within (albeit close to the edge of) the urban area and in a sustainable location. There is an extant permission for a replacement dwelling on this site. It is considered that the proposals are acceptable in principle with reference to Policies L1 and L2 of the adopted Core Strategy.
6. As this is an application for housing development, the Council does not have a five year supply of housing land, and it is found later in this report that no harm would arise to heritage assets, the tilted balance in Paragraph 11 of the NPPF is automatically engaged. 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.*

7. 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’, as discussed later on. 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.
8. Planning permission should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

### **Differences to extant scheme 99209/FUL/19**

9. The proposed scheme remains for a replacement dwelling of a substantial detached form with accommodation spread across four floors.
10. The proposed scheme would provide a greater amount of floorspace, through a larger basement (which now includes the swimming pool). The proposal also provides a larger massing at the rear of the site (2-2.5 storey). The result is a total floorspace provision of 1,182sqm compared to the extant scheme (991sqm).
11. The architectural style is also different with the proposal incorporating a timber frame effect, greater expanses of facing brick, and slate tiles as opposed to approved clay tiles.
12. The extant scheme has an eaves height of 5.9m, total height of 9.7m and a width of 18.3m. The proposed scheme has an eaves height of 5.8m, a total height of 9.8m and a (front elevation) width of 17.8m.

### **Impact on heritage assets**

13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area” in the determination of planning applications.
14. 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' to the significance of heritage assets in the NPPF.

15. 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.
16. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. (Para 199)
17. The application site is contained within the South Hale Conservation Area (CA) (the heritage asset), although not identified as a positive contributor.

### *Significance*

18. The significance of the South Hale Conservation Area stems from its residential nature and the marriage of its built and natural environments. The buildings within the Conservation Area are characteristically of a high architectural quality and level of integrity. In addition to this, the retention of the generously-proportioned original plots is especially notable and, together with the mature planted boundaries and tree-lined streets, is one of the driving forces behind the characteristic greenness of the Conservation Area.

### *Application site*

19. The application site is located within the northern aspect of the Conservation Area within Character Area C. Within Character Area C (Hilltop, North Road and Bollinway), the properties are characteristically large and set within very generously-sized plots. The site is heavily landscaped, and its boundary treatments (trees, hedges, boundary wall) contribute significantly to the sylvan setting of Bollinway.
20. The host building, built 1954-1967, itself is not of significant architectural merit, and its architecture viewed in its surrounding context is not significant in its contribution to the street scene or nearby CA. It is recognised that the boundary treatments are an important contribution in the setting of the CA.

### *Assessment of harm*

21. The Heritage Statement outlines that the existing White Oaks makes a relatively insignificant contribution to the South Hale CA. This is agreed with in that the dwelling has limited contribution to the wider architectural character of the area. However, its arrangement in the plot allows for extensive landscaping around the site, an important feature within the CA. As a recently built property (1954-67), it is considered that in principle its loss (subject to a good quality replacement) would not adversely affect the CA.
22. The proposed replacement dwelling bears reasonable resemblance to the larger properties within Bollinway, including modern replacement dwellings in the wider area. The development would preserve the street facing landscaping, which shall be strictly conditioned and the principal elevation is well articulated reaching a good design standard. This is necessary in safeguarding the sylvan setting to Bollinway and protecting the marriage of the built and natural environments commonplace throughout the South Hale CA. The plot to build ratio would respect those in Character Area C of the CA. The building, by reason of its larger scale would likely be visible from Bollinway, albeit softened with the intervening vegetation to the boundary. Notwithstanding this, as a result of the good architecture proposed, the proposal would not adversely affect the appearance of the South Hale CA and would maintain the landscaped and spacious character of the plot central to the significance of the CA.
23. Concerns were initially raised regarding the massing of the leisure suite within the rear of the building. Owing to the height and side projection of this feature, this was likely to be visible at the front of the building. This would have highlighted the depth and large massing of the building given the set-back of the leisure suite. The architect has considered this concern raised by Officers and reduced the massing of this perceivable section to 1.5 storey. This has successfully reduced its presence to a more subservient scale. This is now considered acceptable.
24. A letter of representation draws upon an impact of the proposal upon Barrow Cottage. Barrow Cottage is Grade II listed. The proposed development is sited some 76m from this heritage asset. Whilst residents of Bollinway would pass Barrow Cottage when descending Bollinway towards the application site, the distance between the two buildings prevents them being viewed directly in the same context. It is not considered that the proposed development would have any adverse impact on the setting of this listed building.
25. The Council's Conservation Officer has raised no objection to the works. Conditions shall be attached to any positive decision, including architectural details being provided, garage doors being side-hung, and landscaping. These conditions are necessary in the interests of protecting the Conservation Area.
26. The proposal is considered to protect the character and significance of the South Hale CA and no harm would arise to heritage assets. As no harm would arise, no

public benefits are required to be identified at this stage of the assessment. The proposal would accord with the NPPF, policies L7 and R1 (Trafford Core Strategy), and SPD5.21 and SPD5.21a.

## **Design and Appearance**

27. Paragraph 126 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 expands on this outlining that development should be visually attractive as a result of good architecture and be sympathetic to local character, including the surrounding built environment and landscape setting.
28. 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”
29. The dwelling would be of a traditional form incorporating features such as gable ends, chimney stack, exposed timber frame, and detailed fenestration. It is agreed that the interplay of materials, architectural style and features would assimilate well, creating a modern interpretation of a traditional building. Whilst the design, in itself, does appear slightly pastiche, the architectural style of this building would sit comfortably alongside the architecture of others along Bollinway.
30. The height of the dwelling would sit comfortably within the wider street scene. The property is well set-back within the plot, with retained landscaping/trees allowing filtered views of the development. Its eaves height would assimilate to surrounding dwellings in the area. The proposed balconies, and larger expanses of glazing, are concealed to the rear and side of the property and would not be visible in the street scene. The layout itself is respectful of the building line to Bollinway and resides over a similar footprint of the existing house (to be demolished).
31. The area is characterised, in part, by properties of individual styles, set in substantial grounds. Variety forms part of the character to this area, including in size and appearance. The development follows the typology of this area. The dwelling at 2.5 storey would not be excessively large compared to others in the surrounding area. The building to plot ratio would be similar to other large sites in the area and the site would not appear overdeveloped. The architectural style,

whilst limited in its contribution to the street scene, due to the landscaping, contributes a well-designed building into this established residential area.

32. The materials indicated in the application form are appropriate for this area (Hathaway Brindled brick) with a slate tiled roof (hipped). Windows and doors would be hardwood framed with casement windows provided. Stone detailing is proposed and the timber doors are shown as side hung. Exact details shall be submitted to the LPA as part of a condition prior to their first use for further assessment. A condition will also ensure that all windows and door openings are constructed with a minimum 90mm deep external reveal. This will ensure punctuation of the external elevations and ensure a high quality appearance to the external elevations. Full details of the window and door systems, design and materials of the main entrances and the rainwater goods shall also be conditioned.
33. Ample space would be retained within the site for a suitable external amenity space for the replacement dwelling. The site plan submitted indicates large areas which can accommodate soft landscaping suitable for private outdoor recreation. The extent of landscaping will be subject to a landscaping condition (scheme and implementation timetable submitted prior to occupation). The boundary treatments to the front would be retained including the stone wall, and mature hedge. There is sufficient space within the site to accommodate bin storage (including within the garage), which would not be visible from the street scene. The ramp which descends down to the garage would not be prominent in the street with the curved section set 23m within the site (taken from the street). The curved section of the basement ramp is stepped which would allow planting along the wall to soften its impact.
34. No details have been provided regarding any replacement gates to Bollinway. A condition should require details of any replacement gate/boundary treatment to be submitted to, and approved by, the LPA prior to their use. Such features shall be considered in discussion with the Councils Conservation Officer.
35. Overall, the design would add to the overall quality of the area, optimising the potential of the site, and would appear visually attractive as a result of good architecture. The proposal is considered to be aligned with the aims of the NPPF, and policy L7 of the Trafford Core Strategy (2012).

### **Residential Amenity**

36. PG1, the Council's Supplementary Planning Guidance for New Residential Development provides separation distances between dwellings which are considered acceptable to prevent losses of privacy. These are as follows:
  - 10.5m habitable room window to rear boundary.
  - 21m habitable room window to habitable room window (at two storey)

- 15m habitable room window to wall (or non-habitable room window)
37. The development would accord with these guidelines. Whilst the dwelling is large in scale, the separation between the development and the surrounding properties prevents an overbearing relationship between the two sites, nor a diminishment of light. The proposed garden is suitable for its purpose as a private external amenity space for a large family sized dwelling. In assessing the relationship to surrounding properties, additional weight has been afforded to the trees along the boundaries which are formerly protected under a TPO thereby achieving a greater likelihood of retention.
  38. The development would be slightly visible from 'Foxhollow' but not such that it would appear significantly overbearing nor compromise light to the neighbouring property. A gap of 11m would be retained between the north elevation of the 2.5 storey section and the side boundary, and respectively 7m from the 1.5 storey section. Extensive and mature vegetation is established between the two sites along the boundary. At the closest points, 19m would be retained between the two buildings.
  39. No habitable room windows are sought within the 1<sup>st</sup> and 2<sup>nd</sup> floor side elevation of the development. The windows that are proposed (non-habitable rooms) shall be conditioned to be obscure glazed. This is in the interests of protecting the privacy of 'Foxhollow' and ensuring an acceptable relationship between the two sites. The proposed rear balcony shall also be conditioned to be screened at the northern side to protect the privacy of 'Foxhollow'
  40. 14m would be retained to the southern boundary with 'The Spinney'. Their main private garden is situated to the southern side of their property, with an existing driveway extending down the northern part of their site closest to the mutual boundary. It is not considered that the 2.5 storey elevations of the proposed development would appear significantly overbearing upon 'The Spinney' owing to a 24m distance between the two buildings. Further to this, there is a dense treeline between the two buildings which provides extensive screening/privacy.
  41. A 1<sup>st</sup> floor bedroom window is proposed within the southern elevation of the development. However, owing to the distance between the properties it is not considered that this would significantly prejudice the privacy of the neighbouring property.
  42. A gap of 36m is maintained between the proposed principal elevation and the front elevation of no.5 Bollinway across the highway.
  43. Existing / proposed levels are submitted with this application. The topographical details clarify that the land level shall not be significantly changed as part of the re-development of this site. The proposed site plan (which includes the proposed levels) shall form a conditioned plan.

44. Subject to the aforementioned conditions, the proposal would accord with policy L7 of the Trafford Core Strategy, PG1 and the NPPF.

### **Impact on trees**

45. Policy R2 of the Trafford Core Strategy outlines the significant protection afforded to the natural environment within the Borough. Development is required to protect and enhance the landscape character and conservation value of its natural urban assets. The Borough's assets including woodland, hedgerows and hedgerow trees including street trees and ancient trees. A pleasant and visually attractive environment is important to the quality of life enjoyed by residents, and adds to the visual amenities associated with environments within the Borough.

46. The mature trees within this site are formally protected under TPO075 area A1. None, however, are proposed for removal to enable the development.

47. The Council's tree officer raises no objection to the development provided that the tree protection fencing proposed in the submitted Method Statement Plan is in place prior to demolition and construction starting on site. This shall be conditioned.

48. As set out above, a detailed landscape scheme shall be reserved via condition which will include planting specifications and implementation schedules. It is noted that the rear of the site is not visible within Bollinway, or other public vantage points. The provisions of landscaping and tree planting/retention would be in the interests of good design and securing a suitable amenity area for this private residential house.

49. Subject to the above condition, the proposal accords with policy R2 of the TCS (2012).

### **Ecology**

50. A bat survey has been submitted in support of the application. The survey, undertaken in February 2021, found approximately thirty pipistrelle spp. bat droppings under a roof tile on the southern roof pitch. Aside from this, the building supports no other potential roosting features. The property is, however, close to good foraging habitat via well vegetated gardens and the River Bollin valley.

51. The overall scale of the impact is assessed as low at the local level, and negligible at any greater level. The survey outlines that mitigation/compensation measures (section 4.4) should be implemented within the scheme. This includes:

- Lead flashing and tiles around the chimney stack are removed under the supervision of a licensed bat ecologist
- Prior to works commencing, a Schwegler bat box shall be fixed to mature tree within the site.
- A bespoke bat roosting unit shall be installed within the new dwelling. This shall be positioned within a gable end just below the apex.

52. GMEU have assessed the submitted survey and are satisfied with the findings. No objection is raised subject to the mitigation/compensation measures set out above being implemented. As such a European Protected Species Licence (EPSL) would be required from Natural England to derogate from the provision of the legislation in order to implement the proposals should planning permission be granted. In order to provide for a derogation under the legislation three tests should be met: -

- That the action is for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
- that there is no satisfactory alternative; and
- that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range

53. The submitted ecology report concludes that the potential roosts would have low conservation value. GMEU agrees with this assessment. Therefore the proposal is considered to meet the three tests, as the development can only be achieved through the demolition of the existing building, the social and economic benefits of the provision of improved housing in this location is considered to override the public interest and the mitigation measures proposed are considered to be appropriate in order to maintain the conservation status of bats on the site.

54. A condition will also ensure that the mitigation/compensation measures in accordance with the recommendation of the ecology survey are implemented.

55. An informative shall be added to the decision notice reminding the application that under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to disturb, harm or kill bats, and that if a bat is found all work should cease immediately and Natural England be informed.

56. Subject to the above conditions, the proposal is considered to accord with policy R2 of the TCS and the NPPF.

## **Parking / Access**

57. Policy L7 requires development to provide sufficient off-street car parking manoeuvring and operational space, and incorporate vehicular access and egress which is satisfactorily laid out having regard to the need for highway

safety. The proposal is for a seven bedroom dwelling. The maximum parking standards applied to development of this scale, in this location, would be three parking spaces.

58. The existing site access would be retained as is existing. This access serves the existing residential unit and the LHA raise no objection to its continued use with the proposed replacement dwelling.
59. There is ample space for off-road parking within the site, including four designated parking spaces within the basement. The LHA raise no objection to the proposed parking provision.
60. Four secure bicycle spaces are proposed within the basement of the dwelling. The LHA are satisfied with this provision.
61. The proposal would comply with Policy L7, L4 of the Trafford Core Strategy (2012), SPD3 and the NPPF (2021).

### **Refuse and Recycling**

62. No bin storage is indicated within the submitted site plan. There is, however, ample space within the site to accommodate bin storage. A condition should require details of a bin store to be submitted to the LPA prior to first use of the development.
63. It is expected that during bin-collection days, the bins would be positioned within the hardstanding area to the front of the site, suitable for collection. The arrangement proposed is practical and suitable both in terms of servicing and visual amenity. Subject to the above condition, the proposal would accord with policy L5 of the TCS.

### **Air Quality**

64. Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The provision such infrastructure within the proposed site would be safe, accessible and convenient.
65. A condition should require Electric Vehicle Charging points to be provided for the new dwelling. This shall seek to future-proof the dwellings, whilst making a small contribution to improving air quality within the Borough. This condition is reasonable and necessary in accordance with paragraphs 110(e) and 181 of the NPPF through contributing towards compliance with national objectives for pollutants and taking opportunities available to improve air quality.

### **Flood Risk**

66. The site is located within Flood Zone 1 which indicates a low probability of flooding (less than 1 in 1,000 annual probability). Significant areas of permeable surfacing would be retained within the site for drainage during storm events.

67. The development proposed is not considered to exacerbate flood risk in the area, nor would the residential floorspace at GF be at significant risk of flooding. The LLFA and United Utilities have raised no objection to the works. The proposal would accord with policy L5 of the TCS and the NPPF.

### **Economic impact**

68. Jobs in construction and economic benefits to the construction industry supply chain could also be supported within the local area and wider Trafford environment.

69. It is acknowledged that, whilst these economic benefits would exist, they are considered to be relatively minor and should be given limited weight

### **Other matters**

70. A number of concerns have been raised about the impact during the demolition phase and construction phases of the new development. It is agreed that dust could contribute towards poor air quality within the immediate area if unmanaged. Parking of constructors vehicles on the highway could also lead to highway safety issues. Due to the density of this residential area, and scale of the development, it is considered reasonable and necessary to request a Construction Method Statement to be submitted to, and approved by the Local Planning Authority, prior to the commencement of works.

71. A condition is recommended to the decision noticed stating that any plant and equipment relating to the development, when operating simultaneously, shall not exceed the background noise level at any time. This is in the interests of protecting both residential amenity and the character of this area.

72. Consideration has been given as to whether any permitted development rights should be restricted (Classes A – G, Part 2, GPDO). Owing to the Article (2)3 designation, the larger works to the building that could be achieved as 'permitted development' i.e. extensions and outbuildings, would be limited to the rear of the building/site where there is significant space for such additions to be achieved. Side extensions, roof additions and outbuildings (to the side) which could result in the development appearing cramped, or harming the setting of Bollinway, could not be achieved without planning permission. With this in mind, it is not considered necessary or reasonable to remove these permitted development rights nor is it required in order to make the development acceptable. As such, the condition would fail to meet the 'conditions test' set out in the NPPF / NPPG.

## **Developer Contributions**

73. The proposed dwelling would comprise 1180sqm new build floorspace and would therefore be liable for CIL (Community Infrastructure Levy). The site is within a designated 'hot charging zone, which outlines a charge of £80 per sqm for private market houses. The submitted CIL form states that this would not be a 'self-build'.

## **Summary**

74. The proposed development is not considered to cause harm to the character or appearance of the South Hale Conservation Area a position which is supported by the Councils Heritage Development Officer. Further to this, the proposal would be acceptable in design terms and establish an acceptable relationship to the surrounding properties in terms of residential amenity. Other matters such as parking, trees, and nature conservation are all considered to be acceptable.

75. The application complies with the development plan when taken as a whole. There are no policies in the NPPF which would suggest that the application be refused. No adverse impacts are identified that would significantly and demonstrably outweigh the benefits of this scheme, when assessed against the policies within the NPPF taken as a whole. It is considered that there are only minor benefits associated with this application, but with appropriate mitigation through planning conditions, no harm is identified.

76. The proposal would accord with policies L2, L4, L7, R1 and R2 of the Core Strategy and the NPPF.

77. Thus this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

## **RECOMMENDATION:**

Approve subject to 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 amended plans, numbers:

20089(PL)040C, 20089(PL)100E, 20089(PL)101F, 20089(PL)102B, 20089(PL)250, 20089(PL)200D, 20089(PL)201E, and 20089(PL)300A.

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

3. Notwithstanding any description of materials in the application above ground works shall take place until samples and / or full specification of all materials (brickwork, render, windows, doors, roof covering, rainwater goods etc.) 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 and protecting the character of the area having regard to Policies L7 and R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. All window and door openings shall be constructed with minimum 90mm deep external reveals.

Reason: In order to ensure a satisfactory appearance to the development having regard to Policies L7 and R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

5. Notwithstanding the details hereby approved, no development above ground level shall take place until detailed plans and sections at a scale of 1:20 have been submitted and approved in writing by the local Planning Authority showing:

- i. All external window and door systems, (including technical detail (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour at scale 1:10;
- ii. Design and material of all main entrances including surrounds and treatment of facade and roof edges
- iii. Rainwater goods (including locations, fixing, material and colour)

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard the visual amenities of the locality, in accordance with Policies L7 and R1 of the Trafford Core Strategy.

6. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft

landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) For the avoidance of doubt, the details of landscaping shall also include specific details of the planting to the basement access, as shown on Drawing No. 20089(PL)250

(c) 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.

(d) 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, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

8. The development shall not be occupied 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 and the National Planning Policy Framework.

9. Prior to the occupation of the development, specific details of the boundary treatment to Bollinway shall be submitted to and approved in writing by the Local Planning Authority. The details shall consider the retained vegetation / trees, and any hard landscaping including gates, gate piers, walls / fences and hard surfacing.

Reason: In the interests of amenity having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The garage doors hereby approved shall be vertically timber boarded and side hung.

Reason: In the interests of securing an acceptable appearance to the development having regard to the South Hale Conservation Area and in accordance with policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

12. An obscurely glazed screen of a height of no less than 1.8m shall be erected along the northern side of the approved 1st floor terrace erected directly from the room identified as 'treatment/nursery' (as shown on Drawing No. 20089(PL)101F. The screen shall be glazed to Pilkington Level 3 or higher, or equivalent, and shall be erected prior to the occupation of the development, and retained in perpetuity.

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

13. Prior to the first occupation of the development hereby approved, t Electric Vehicle Infrastructure shall be provided to the following specification:

A single Mode 2 compliant Electric Vehicle Charging Point for the property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW charging or the best available given the electrical

infrastructure. The infrastructure shall be maintained and operational in perpetuity. A plan showing the installation point of the infrastructure shall be submitted to the Local Planning Authority for approval in writing prior to installation.

Reason: In accordance with paragraph 112e of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life with respect to Local Air Quality and in accordance with minimum good design standards as set out in the EPUK Guidance Land-Use Planning and Development Control: Planning for Air Quality.

14. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii hours of construction activity. ix 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. x 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 Policies L4 and L7 of the Trafford Core Strategy.

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

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

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

Reason: To secure proper drainage and to manage the risk of flooding and pollution having regard to the National Planning Policy Framework.

17. No development shall take place, including any works of demolition or removal of any structural features for salvage/reclamation, which support roosting bats, unless and until a Bat Method (in accordance with recommendations set out in Bat Survey (Dunelm Ecology, dated February 2021)) has been submitted to and approved in writing by the local planning authority. The development should be implemented in accordance with the approved details and then retained as such thereafter.

Reason: In order to protect and safeguard any bats, a protected species, that may be present on the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994

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

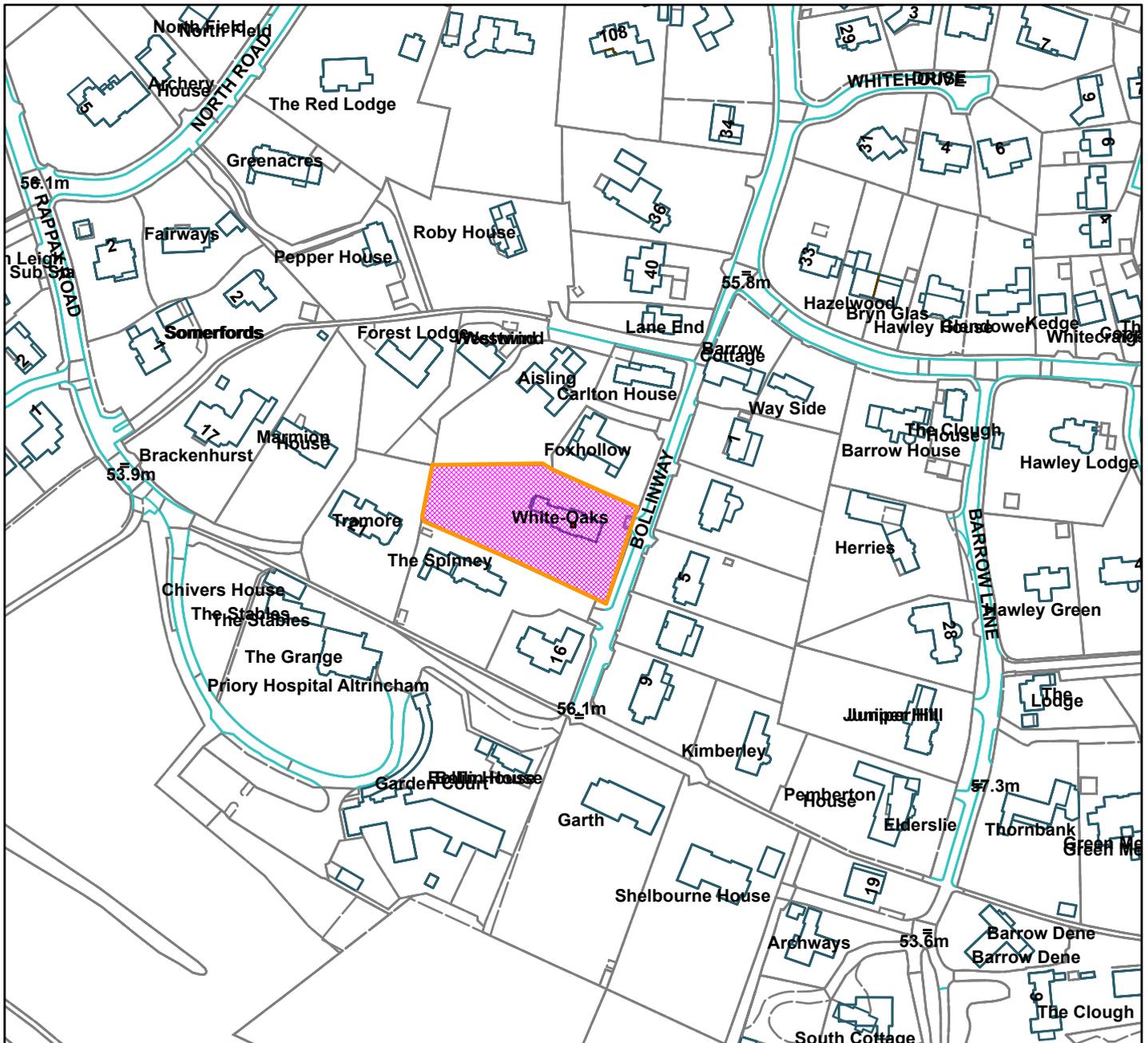
Reason: In the interests of protecting residential amenity and the character of the area having regard to policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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RC



White Oaks, Bollinway, Hale Barns (site hatched on plan)



**Scale:** 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

## **Alterations to roof terrace parapet**

Flat 7, Evenholme Flats, Green Walk, Bowdon, Altrincham, WA14 2SL

**APPLICANT:** Mr Ban

**AGENT:** Urbane Forms

**RECOMMENDATION: APPROVE WITH CONDITIONS**

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**The application is reported to the Planning and Development Management Committee due to receiving more than 6 objections contrary to officer recommendation.**

### **SITE**

The application site relates to a top floor apartment within a block of apartments located on the south side of Green Walk – a residential street within Bowdon. The apartment block has several balconies with outlooks to the east, west and south, and a large open terrace area within the roof space, surrounded by a high parapet wall / section of roof – there is one window within the parapet, with outlook to the south.

The application site is situated within Character Zone C of the Devisdale Conservation Area – it is not identified as a positive contributor to the Conservation Area in the Conservation Area Appraisal. The site also borders onto the Bowdon Conservation Area to the east and is therefore within the setting of this Conservation Area.

### **PROPOSAL**

Planning permission is sought for the lowering of the parapet wall by 1.1m on each of the west and south-facing elevations, whilst the parapet would be lowered by 0.7m on the north-facing (front) elevation.

### **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were

saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

R1 – Historic Environment

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

ENV21 – The Devisdale Conservation Area

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD5.9 – Devisdale Conservation Area Appraisal, July 2016

SPD5.9a – Devisdale Conservation Area Management Plan, July 2016

## **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 MHCLG published the National Planning Policy Framework (NPPF) in 20 July 2021. 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 1<sup>st</sup> October 2019. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

H/54974 - Flat 7, Evenholme Flats - Insertion of 2 no. roof lights in north-west facing roof slope. Approved with conditions 11.11.2002

H30465 - Evenholme – Alterations to approved scheme comprising the glazing of the balcony to apartment 4. Refused 13.12.1989

H28533 - Evenholme – Erection of part two, part three & part four-storey building to form 7 apartments with basement garaging – revised scheme. Approved with conditions 01.03.1989

H27265 - Evenholme – Demolition of Evenholme and erection of part two part three and part four-storey building to form seven flats with basement garaging. Approved with conditions 17.08.1988

H27264 - Evenholme – Conservation Area consent for demolition of Evenholme and erection of four-storey building to form 7 flats with underground garaging. Approved with conditions 17.08.1988

H24145 - Evenholme – Erection of 1<sup>st</sup> floor extension over garage to form bedroom, dressing room & bathroom. Erection of single storey rear extension to form lounge, reception area family room, den and games room & front extension to garage to form porch. Alterations to front gable. Approved with conditions 04.12.1986

H23365 - Evenholme - Erection of first floor side extension over garage to form bedroom. Erection of single storey side and rear extension to form swimming pool with changing room with balcony on roof. Erection of single storey rear extension to form lounge, hall and family room with balcony on part of roof. Alterations to external appearance to front gable. Approved with conditions 03.07.1986

### **APPLICANT'S SUBMISSION**

Heritage statement

### **CONSULTATIONS**

**Heritage Development Officer** – the proposal is not considered to harm the appearance of the building or conservation area.

### **REPRESENTATIONS**

Ten objections received from separate properties, relating to;

- Overlooking of the terrace below, as well as to neighbouring gardens and windows,
- noise and light pollution from the terrace and more exposed windows as a result of the removal of the parapet wall,
- the outward appearance and structural integrity of the property,
- altering the character of the Conservation Area and,
- encroachment of property – it has been highlighted that the lowering of the roof parapet would lower the roof-space of Flat 6, below.

The Bowdon Conservation Group raised concerns regarding the clarity of the proposal as outlined in the submitted plans and heritage statement. They share residents' concerns regarding privacy and overlooking as a result of the proposal.

*Matters relating to the structural integrity of the building or encroachment onto neighbouring property would not be material planning considerations. The other matters are considered in the Observations section below.*

## **OBSERVATIONS**

### **Principle of Development**

1. The applicant proposes the alteration of an existing parapet roof within Bowdon Conservation Area.
2. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF 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.
3. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. Policy L7, which relates to matters of design and residential amenity, is considered to be up to date in NPPF terms, and is the 'most important' policy in the determination of this application.
5. 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. However, as explained later in the report, heritage matters are not determinative as no harm arises to heritage assets.
6. As this is not an application for housing development and L7 is up to date, the tilted balance is not engaged. The application should be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Impact on Heritage Assets:**

## Legislation and Policy

7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area” in the determination of planning applications.
8. The National Planning Policy Framework (NPPF) is also a material consideration. Paragraph 193 of the NPPF advises 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.” This is supported by paragraph 195 which states, ‘Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss’. Where it is identified that a development proposal will cause less than substantial harm, paragraph 196 specifies that ‘this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.’
9. Further to the above, Policy R1 of the TBC Core Strategy advises that Trafford’s historic environment makes a major contribution to the attractiveness and local distinctiveness of the Borough. Heritage assets are buildings, monuments, sites, or landscapes of historic, archaeological, architectural or artistic interest whether designated or not. The significance, character, and appearance of these heritage assets are qualities that will be protected, maintained and enhanced. It is recognised that Policy R1 is out of date with respect to the 2019 NPPF and is therefore given limited weight in the decision making process.

## The Significance of the Heritage Assets

10. Significance (for heritage policy) is defined in the NPPF as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.
11. The application site is situated within Character Zone C of the Devisdale Conservation Area, though is not identified as a positive contributor to the Conservation Area. It is not considered to be a non-designated heritage asset in its own right. The property is also adjacent to Bowdon Conservation Area with the east boundary of the site forming the interface between the Bowdon and Devisdale Conservation Areas.
12. The Devisdale Conservation Area is significant ‘for its value as an historic area of enclosed land on the summit of Bowdon Hill. The topography and landscape of the area is important, and includes the wooded north slope of Bowdon Hill and the

gentler west slope descending towards Dunham Massey. The associations with the Earl of Stamford are strong here, as the Conservation Area was laid out in the late 19<sup>th</sup> century as an appropriate social neighbourhood adjacent to Dunham Park. The residential properties are characterised by large plots, grand houses, magnificent gardens, sweeping drives, coach houses, tree-lined streets and a vast mix of revival architectural styles. The area is also characterised by gradients and associated views, and the open space of The Devisdale is much valued common land, used extensively today by pedestrians. The area also has high ecological and arboricultural value in particular.'

13. Character Zone C, in which the application site is located, consists of a large residential area dominated by two main streets; Green Walk and Park Road. There are also a number of smaller roads which are lined by a combination of modern cul-de-sac developments, other modern development and historic property. The area also features 4 Listed Buildings. The properties within the character zone vary in terms of their age, style, design and size. However, there are more 20<sup>th</sup> century properties than historic property within this character zone.
14. The Devisdale Conservation Area Management Plan, July 2016 (CAMP) sets out the following policies which are of particular relevance to this proposal:

Policy 5 - Ensure those adaptations to 21<sup>st</sup> century uses are sensitive to the historic character and appearance of the building; balancing the need for new facilities with the retention of original features, detailing and decorative materials.

Policy 6 - Each proposal for change is to be informed by an assessment of the existing building and its wider context in line with the requirements of national guidance. Proposals for change will be assessed on a case-by-case basis.

Policy 12 - Roofs should be repaired with the original roofing material; this will either be in Welsh or Westmorland slate or clay tiles. Decorative slates (for example in polygonal or fishscale designs) should be replaced like-for-like.

Policy 18 - Established architectural detailing and features are not to be removed or replaced, unless on a like-for-like basis. All replacement features should conform to the original design of the property, as described in the design guidance above.

#### Impact on the significance of the Heritage Assets

15. The development proposes the lowering of the existing parapet wall/ roof height on the front, side and rear elevations of the building – the resultant roof ridge would be 0.7m lower on the front elevation and 1.1m lower on the side and rear elevations.
16. The roof terrace located at the side elevation has four window openings on the opposite side of the terrace from where the roof would be lowered – these would be partially exposed with the lowering of the roof ridge, although any views of the

glazing from ground level would be very limited. The submitted elevation drawings show the windows as acceptably matching the relatively modern design and dimensions of the existing windows at the property. Whilst there would be a minor change in the appearance of the roof, it is considered that this would not be significant when viewed from ground level and that, given that the building is not a positive contributor to the Conservation Area or of any particular architectural merit, this would not result in any harm to the character and appearance of the Conservation Area. The proposal is considered acceptable, subject to the use of appropriate matching materials being used on the resultant roof ridge.

17. As such, the proposed development would have a 'neutral impact' on the character and appearance of the Devisdale Conservation Area, and would not cause harm to its significance. It is also considered that the proposal would not harm the setting of Bowdon Conservation Area, given that the proposed development is located to the west of the property and there would therefore be very limited visibility of this from Bowdon Conservation Area to the east. The proposed development would therefore comply with the heritage policies of the NPPF.

18. In arriving at this conclusion, considerable importance and weight has been given to the desirability of preserving the character and appearance of the Devisdale Conservation Area and the setting of Bowdon Conservation Area.

#### **Impact upon Visual amenity:**

19. *Paragraph 126 of the NPPF states that "The creation of high quality, beautiful and sustainable 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".*

20. *Paragraph 134 of the NPPF states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes."*

21. *In relation to matters of design, Policy L7 of the Core Strategy states development must:*

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

22. Whilst there would be a minor change in the appearance of the roof, it is considered that this would not be significant when viewed from ground level. It is considered that the proposed development would be acceptable in design terms and would not have

any detrimental impact on the character and visual appearance of the street scene or the surrounding area. As such, the proposal would comply with Policy L7 of the Core Strategy and guidance in the NPPF in terms of good design.

### **Residential Amenity**

23. Paragraph 130 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
24. 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.

### **Overlooking/impact on privacy**

25. Concerns have been raised that the proposed lowering of the parapet / roof ridge at the west and south-facing elevations would impact upon the terrace space currently enjoyed by the occupier(s) of the flat below (Flat 6). The original submission was amended in order to mitigate any undue overlooking impact and not to impinge upon the roof space of No.6, where a cold water tank is believed to be located by flattening the roof where it would be lowered.
26. It is recognised that the entire roof slope, up to the ridge, is visible from the edge of the terrace of No.6 and that someone standing on the upper terrace would potentially only be about 6m from someone standing on the lower terrace. However, the submitted cross-section and sightline demonstrate that, with the proposed amendment to the parapet, the terrace of the host property would not unduly overlook the terrace below, and that it would only be possible to see somebody standing on the edge of the terrace below if a user of the application terrace was at the very edge of their terrace and peering over. It is also noted that there are other balconies / terraces on the application building that have a clearer view of the terraces below, including the lower terrace itself in this case, from which it is possible to view the terrace below this. In this context, it is therefore considered that the proposed alteration would not result in a significant loss of amenity to the occupiers of Flat 6 such as to justify the refusal of the application.
27. The views from the host terrace would retain a distance of 17m to the boundary with Erlesdene Court to the west and approx. 30m to the nearest habitable room windows of Erlesdene Court. A distance of over 30m would be retained to the boundary with Seven Oaks to the south, whilst only limited views would be possible to Ingleby House, which is located yet further away. The habitable room windows of Heather Lea would be over 50m away, whilst views to Cedar House and West Hill to the east would not be possible as a result of the proposal. Distances to the amenity

space and main habitable room windows of other neighbouring properties would therefore comply with the Council's SPD4 guidelines.

#### Overbearing and visual intrusion

28. The proposed lowering of the roof parapet would not cause an overbearing or overshadowing impact.

#### Other Impacts

29. Whilst concerns have been raised regarding noise and lighting impacts, it is considered that, given that the proposal relates to a domestic property, there is no reason to anticipate any undue impacts in terms of these issues. There is no reason to suggest that the alterations would lead to levels of activity on the roof terrace over and above that which would be expected at a domestic property.

#### Amenity Conclusion

30. It is considered that the proposal would not have an unacceptable overlooking impact in relation to the terrace of the flat below (Flat 6) or in relation to any other neighbouring properties. As such, the proposal would not have any unacceptable impact on the residential amenity of neighbouring dwellings and would comply with policy L7 of the Core strategy, and the relevant sections of the NPPF.

#### Developer Contributions

31. The proposed development will increase the internal floor space of the dwelling by less than 100m<sup>2</sup> and therefore will be below the threshold for charging. No other planning obligations are required.

#### Conclusion:

32. The proposal would have a neutral impact on and would not cause harm to the significance of the Devisdale Conservation Area and would preserve its character and appearance. Furthermore, it would not cause harm to the setting of the Bowdon Conservation Area. The proposal would therefore comply with the heritage policies of the NPPF and, in terms of NPPF paragraph 11 d) i), there would be no clear reason for refusing the development proposed.

33. It is considered that the proposed development would not have an unacceptable overlooking impact on the residential amenity of the neighbouring property at Flat 6 Evenholme Flats, or any other surrounding property. Nor would there be any further unacceptable impacts upon the level of amenity surrounding properties could reasonably expect to enjoy. It would comply with the development plan when taken as a whole and would meet the aims of the NPPF and SPD4. It is therefore recommended that planning permission should be granted, subject to conditions.

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings 19007, (0-)08B, 19007, (0-)09B, 19007, (0-)19B, 19007, (0-)10B, 19007, (0-)20B, 19007, (0-)11B and 19007, (0-)12B, received by the Local Planning Authority on 29 March 2021, 19007, (0-)21C and 19007, (0-)22C, received by the Local Planning Authority on 02 July 2021, 19007, (0-1)15D and 19007, (0-1)25C, received by the Local Planning Authority on 27 July 2021, and 19007,(0-)31A, received by the Local Planning Authority on 05 August 2021.

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

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

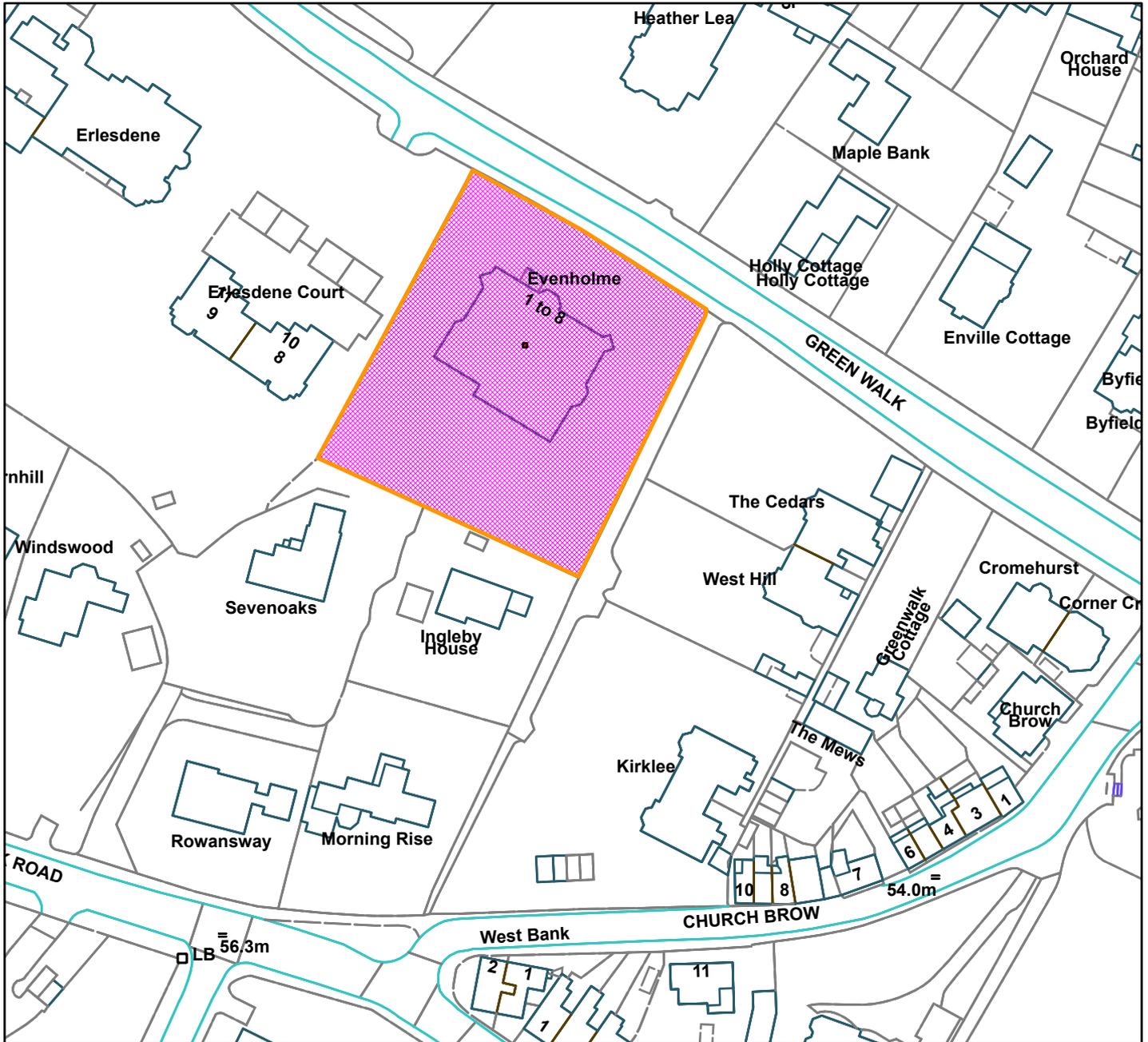
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

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CH



Flat 7, Evenholme Flats, Green Walk, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** Priory

**104509/FUL/21**

**DEPARTURE:** No

**Erection of a two-storey children's nursery (Use Class E), provision of car parking and new car park barrier, cycling parking and associated plant, tree removal and landscaping with associated works and improvements**

Land Adjacent Stanley Square Shopping Centre Service Yard , Springfield Road, Sale, M33 7XS,

**APPLICANT:** Maloneview (Sale) Limited

**AGENT:** Barton Willmore

**RECOMMENDATION: GRANT**

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**The application is reported to the Planning and Development Management Committee due to receiving more than 6 objections contrary to officer recommendation and being called in by Cllr Brotherton.**

EXECUTIVE SUMMARY

The application seeks permission for a two storey children's nursery with associated parking and landscaping. Twenty one parking spaces, including three accessibility spaces would be provided, accessed off Springfield Road. The building would comprise a two storey, red brick building with a flat roof. The proposed facility would accommodate up to 100 child places.

The application proposal constitutes Phase 2C of the Stanley Square Masterplan, a phased redevelopment of Stanley Square shopping centre in Sale, providing a new mixed use development including 202 residential units, a cinema, retail, multi-storey car park and new public realm and landscaping.

The proposal is considered to provide a valuable community facility that would support the growing residential and employment uses in the surrounding area. Objections received raise concern regarding the impact on other early years care providers, traffic and parking and visual amenity.

In respect of the tests of NPPF paragraph 11, there are no policies protecting areas or assets of particular importance that would provide a clear reason for refusing the development proposed and there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of granting planning permission. The application is therefore recommended for approval, subject to appropriate conditions.

SITE

The application site currently accommodates a 19-space car park previously used by the currently vacant Springfield House office building and a small section of the service yard of Stanley Square Shopping Centre which contains a further 12 parking spaces and is accessed from Springfield Road. The site is located on the west side of Springfield Road in Sale Town Centre. Springfield Primary School lies on the opposite side of Springfield Road to the east of the site and the site is bound by commercial units to the north, 'The Square' shopping centre to the south and a service yard to the west.

## **PROPOSAL**

Permission is sought for the erection of a two-storey children's nursery (Use Class E) (571 sq/m gross internal floor area), provision of a 21 space car park (including three accessibility spaces and two motorcycle spaces) and new car park barrier, eight cycling parking spaces, and associated plant, tree removal and landscaping with associated works and improvements. The development includes the provision of external play spaces at ground and first floor.

The building itself would have a flat roof and a maximum height of approximately 7m and would be constructed of red brick.

Supporting information submitted with the application states that the proposed facility is designed to accommodate up to around 100 child places but it is expected to operate at around 60 places to start off, building up to 80-90 spaces. 90% occupancy is considered full occupancy in the market due to changing needs of parents and children.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

W1 - Economy  
W2 – Town Centres and Retail  
R1 – Historic Environment

### **PROPOSALS MAP NOTATION**

Main Office Development Area  
Town and District Shopping Centre

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

E10 – Main Office Development Areas  
S5 – Development in Town and District Shopping Centres

### **SUPPLEMENTARY PLANNING DOCUMENTS**

Revised SPD1 – Planning Obligations  
SPD3 – Parking Standards and Design  
PG5 – Day Nurseries and Playgroups (Revised 1991)

### **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 MHCLG published the National Planning Policy Framework (NPPF) on the 20<sup>th</sup> July 2021. The NPPF will be referred to as appropriate in the report.

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

MHCLG published the National Planning Practice Guidance on the 6<sup>th</sup> March 2014, and is updated regularly. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

Whilst there is no relevant site history for the application there are approvals for Springfield House and sale town centre relevant to this proposal.

## The Square Shopping Centre Development Site Town Square

94986/FUL/18 - Demolition of existing buildings and structures, and construction of a new mixed use development to provide 202 residential units (Use Class C3) including two residential buildings of 12 and 15 storeys, a cinema (Use Class D2), retail units (Use Classes A1, A2 and A3), a multi-storey car park, new public realm and landscaping, new and modified access points, and associated works and improvements.

*Resolution to grant subject to the signing of an s106 14 March 2019*

100626/FUL/20 - Demolition of existing structures and canopies, alterations and refurbishment of existing retail units at ground floor (Use Class A1-A3) including new shop fronts, the provision of new office floorspace (Use Class B1) at part first floor, refurbished public realm and landscaping, and associated works and improvements.

*Approved subject to conditions 06 August 2020*

## Springfield House, 2 Springfield Road

99466/FUL/19 - Erection of ground floor extension and other external alterations to existing office (Use Class B1), including the replacement and relocation of the external staircase

*Approved subject to conditions 18 February 2020*

## **APPLICANT'S SUBMISSION**

The following supporting documents have been submitted as part of this application:

- Drainage Strategy
- Heritage Statement
- Design and Access Statement
- Air Quality Assessment
- Arboricultural Impact Assessment
- Crime Impact Statement
- Noise Assessment
- Waste Management Strategy
- Planning Statement
- Transport Assessment
- Tree Survey and Constraints Report

## **CONSULTATIONS**

Lead Local Flood Authority – No objection raised subject to recommended conditions in relation to development to be carried out in accordance with the approved Drainage Strategy Report and a management and maintenance plans for the lifetime of the development to be submitted and approved.

United Utilities – In accordance with the NPPF and NPPG, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Greater Manchester Police – Recommend a condition to reflect the physical security specifications set out within section four of the Crime Impact Statement.

Early Years – The Local Authority does not usually comment on proposals to build private day nurseries as the early years' sector is built on the premises of a competitive market and there are many benefits of the buoyant childcare market in Trafford. With regards to childcare sufficiency duties, the Local Authority would only intervene when there was a shortage of places in a particular area, and does not play a market management role in any other circumstances.

Pollution and Licensing (Contaminated Land) – Information available to this department confirms that this proposed development is to be located on land that has potentially been contaminated by a former industrial usage, a clothing factory. Conditions are recommended to ensure that future site users are not subject to any potential risks.

Pollution and Licensing (Nuisance and Air Quality) – No objection is raised on the grounds of noise nuisance or impact on air quality.

Local Highway Authority – there are no objections on highway grounds subject to the recommended conditions as set out in the highway section of this report.

Heritage Development Officer – The proposed development will not impact on the setting of the Church of St Paul, Grade II listed nor Springfield Primary School, identified as a non-designated heritage asset, subject to a good quality palette of materials, improvements to window design and details of eaves to roof. Whilst the heritage assets and the application site will be viewed in the context of one another, the scale and siting of the building is such that it will not impact on the setting of the Church of St Paul and Springfield Primary School. The nursery will also be partially obscured by the height of the adjacent Stanley Square Shopping Centre.

The proposed development offers an opportunity to improve the fragmented townscape and strengthen the building line along the west side of Springfield Road. Incorporating a vertical sliding sash window would be preferable to top hung opening windows to give a cleaner silhouette to the building when viewing the site southwards along Springfield Road. A traditional roof covering to the eaves and good quality brick will help assimilate the development in to the street scene and contribute to the local distinctiveness of Sale Town Centre whilst contemplating the nearby heritage assets.

## **REPRESENTATIONS**

A total of 8 letters of objection have been received from neighbouring residents, Councillor Barry Brotherton, Board of Governors of Springfield Primary School, The

Headteacher and Board of Governors at Wellfield Infant and Nursery School and St Paul's Parochial Church Council. The main points raised are summarised below.

### Traffic

- Additional traffic created by the proposal will exacerbate existing traffic issues along Springfield Road, particularly during drop off and pick up times which will be similar to those at Springfield Primary School;
- Traffic congestion would cause safety issues for parents and children. The school does not have a designated road crossing patrol;
- A high proportion of parents use cars for school drop-off and pick-up en route to work locations. It is expected that this will also be the case for the nursery and aspirational modelling assumptions involving very low car usage associated with the nursery are not likely to be reflected in reality;
- Increased traffic and pollution in an area where many young children spend their day;

### Need/Oversupply of Nursery Places

- Will impact directly on the nursery numbers at Springfield Primary School and other local nursery schools. Concerns are raised that the proposal would add to a growing over supply of nursery places;
- Query the demand for additional nursery provision within Sale. With a new nursery due to open on Britannia Road, will there be an oversupply in the area?
- Adverse impact on local businesses/nurseries who provide jobs to local people of Sale;
- No evidence that this provision is needed in the area;
- Childminders, day nurseries, playgroups and schools are struggling to stay open due to the extra providers that have appeared in Sale over the last few years.

### Visual Amenity

- Impact on the street scene;
- Building design and materials are out of keeping with the surrounding older buildings such as Springfield Primary School and St Paul's Church;

In addition to the above, an electronic petition was submitted. The petitioner has been contacted by email and advised that under the new General Data Protection Regulations) legislation the Council no longer accepts online petitions. Despite this, no paper copy has been received.

## **OBSERVATIONS**

### PRINCIPLE OF THE DEVELOPMENT

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

2. 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.
3. Paragraph 11 of the NPPF indicates that plans and decisions should apply a presumption in favour of sustainable development. Bullet point d) of paragraph 11 indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:
  - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. A Heritage Impact Statement has been submitted with the application. However, for reasons set out in the report below, it is considered that there would be no harm to the setting of the two listed buildings in the vicinity of the application site.
5. Policies L4 and L7 are considered to be up to date for the purposes of the determination of this application. Core Strategy Policy W1 is considered to be compliant with the NPPF by supporting economic growth and is therefore up to date. Policy W2 of the Core Strategy is considered to be compliant with the NPPF in supporting the growth of its town centres and the role they play in local communities and is therefore up to date.
6. Core Strategy Policies W1 and W2 seek to encourage employment uses within town centres, which this proposal is considered to provide.
7. A public realm masterplan for Sale town centre has been approved (by the Council's Executive in September 2018) with the aim of further instigating positive change.
8. The application proposal constitutes Phase 2C of the Stanley Square Masterplan, a phased redevelopment of Stanley Square shopping centre in Sale, drawn up by the owners of the site, Maloneview Ltd.(This is not a Council plan).
9. Proposals to redevelop the southern part of The Square and land adjacent to Sibson Road (application ref. 94986/FUL/18) for a new mixed use development to provide 202 residential units, a cinema, retail units and a multi-storey car park and new public realm improvements were approved by Committee subject to an as yet unsigned Section 106 Agreement in March 2019.

10. Subsequent applications have dealt with works including the refurbishment of Springfield House, adjoining the application site (ref. 99466/FUL/19) and works including demolition, removal of structures and refurbishments of shop facades and some change of use including the provision of new office floorspace (ref. 100626/FUL/20).
11. It is therefore considered that the development of a nursery at this site would provide a valuable community facility to support the growing residential and employment uses in the surrounding area. The nursery itself would generate up to 20 (FTE) jobs and is therefore considered to fall within the 'similar appropriate uses' set out in Policy W1.
12. Representations received query the need for further nursery spaces and the impact on existing nursery provision and childminding services within Sale. Market competition is not a planning matter for the consideration of this application and is supported by the Early Years consultation comments as summarised in an earlier section of this report. It is also recognised that the type of care offered in the proposed setting differs particularly in terms of hours of provision from school nurseries and other day nursery provision.
13. Permission has been sought specifically for a day nursery and no justification has been submitted for any other uses within Class E. The application is therefore determined on this basis with any restrictions to change of use dealt with by condition as necessary.
14. Accepting the principle of the development in this location, the main issues for consideration relate to design, heritage, amenity, highways and loss of trees.

## DESIGN

15. Policy L7 of the 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.
16. A simple, modern design approach has been taken with regard to the appearance of the building. The building would be two storey in height with a flat roof. A two storey high glazed entrance is proposed on the Springfield Road elevation with a dark grey metal canopy over the entrance to the building at ground floor. The entrance is set back from the front elevation of the building and the parapet to the external terrace is set lower than the height of the main element of the building, both providing articulation to the design.

17. The building is to be constructed of red brick. The ground floor of the building, up to the height to the top of the ground floor windows is to be finished with recessed alternate courses, thereby creating additional texture and visual interest to the building through the contrast with the upper storey. Brick headers and cills are proposed to the first floor window. The proposed red brick is in keeping with the character of Sale Town Centre and the height and materials complement the traditional school buildings opposite.
18. Positioning of windows on the Springfield Road elevation is functional yet the variation in single and double width window openings, particularly at street scene level, provides a more interesting elevation. The coloured elevations provided within the Design and Access Statement suggest window reveals however a condition is recommended to require the submission and agreement of this level of detail.
19. Wall mounted air conditioning units are proposed on the northern elevation of the building. These will be set back from the main elevation of the building and would be largely screened by the boundary fence to the side.
20. The proposed southern elevation includes space for a wall mounted sign. For the avoidance of doubt, consent has not been sought for any advertisements under this application and the granting of planning permission would not grant consent or imply approval for any advertisements proposed to be displayed within the site of the approved development, as this requires separate consent.
21. The proposed building follows the building line on Springfield Road of the buildings to the north and south thereby providing a continuous street frontage. The siting of the building also serves to screen the parking and service yard to the rear and sits a similar distance from the road to Springfield Primary School on the opposite side of Springfield Road, in providing consistency within the streetscape.
22. There is limited scope for landscaping however the proposal does include a landscaping strip between the front elevation of the building and the back of the pavement on Springfield Road. Proposed planting would provide low level, year round foliage. A flowering Cherry Tree is proposed to the south west corner of the car park. Landscaping is discussed in more detail in following sections of this report.
23. Overall the proposal provides a building that is modern yet in keeping with the wider character of Sale Town Centre as well as the immediate streetscene and proposals for the wider Stanley Square redevelopment. The proposal is considered to be appropriate in terms of scale, design, height, massing, layout and materials in relation to its siting and the character of the surrounding area. As such the proposal accords with Policy L7 and NPPF.

## IMPACT ON HERITAGE ASSETS

24. The importance of preserving the historic environment is reflected in the National Planning Policy Framework (NPPF) and supporting Guidance (NPPG).
25. Section 66(1) of the Planning (Listed Buildings 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 feature of special architectural or historic interest which it possesses.”
26. 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 and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (NPPF paragraph 199). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (NPPF paragraph 200).
27. Where a development would lead to ‘less than substantial harm’ to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (NPPF paragraph 202).
28. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF paragraph 203).
29. Policy R1 states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to Conservation Areas, listed buildings and other identified heritage assets.
30. There are two listed buildings sited near to the application site. Lloyds Bank, a Grade II Listed Building is located to the northeast of the site on the corner of School Road and Tatton Road. St Paul's Church is a Grade II Listed Building located to the southeast of the site on Springfield Road.
31. It is considered that given the positioning of the proposed building and the distance to the listed buildings that the development would not impact on views

to the listed buildings or be sited close enough for the proposal to impact on them or their settings. It is therefore considered that there would not be any harm to the setting of the two listed buildings.

32. Springfield Primary School is located immediately opposite the application site on Springfield Road. The school is identified as a non-designated heritage asset. Having regard to the scale, siting, design and materials of the proposed development as discussed in more detail later in this report, it is considered that the proposal is complementary to the traditional buildings of the school and that there would be no harm to its significance.

## AMENITY

33. Policy L7 of the Core Strategy states that in matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.
34. Pollution and Licensing raise no objection to the application on the grounds of noise nuisance. It is acknowledged that the development will incorporate elevated open air play areas, but there are no sensitive residential receptors in the immediate vicinity which are close enough to suffer detrimental impact. PG 5 'Day Nurseries and Playgroups' sets out guidance to protect neighbours from noise associated with outdoor play, but it is considered to be of limited relevance in relation to this site.
35. Whilst the proposed redevelopment of Stanley Square would incorporate new residential development however future occupiers would be aware of the presence / potential presence of the nursery prior to purchasing or occupying any of the residential units, and none of them are immediately adjacent to the proposed nursery. The proposed residential development forms part of a mixed use development including a wide range of town centre uses. It is not considered that the nursery would result in any greater source of noise or disturbance and is of a level that is expected with town centre living. Moreover, there is a long established primary school opposite the application site with several playgrounds which are likely to generate more noise than the nursery. No hours of opening are proposed within the application, however in order to prevent any undue impact a condition restricting hours of opening to between 07:00 and 19:00 is considered to be consistent with other nursery permissions and appropriate to the nature of the site.
36. Conditions are recommended to limit the noise generated from any fixed plant associated with the proposed development and a Construction and Pre-Construction Environmental Management Plan (CEMP).

## AIR QUALITY

37. The application is accompanied by an Air Quality Assessment. There is not predicted to be any exceedances of the NO<sub>2</sub>, PM<sub>10</sub> (particulate matter) or PM<sub>2.5</sub> (fine particulate matter) at any of the proposed sensitive receptors and therefore mitigation is not required at the proposed development. Proposed areas of outdoor play would not be dissimilar to the playgrounds at the primary school opposite and Pollution and Licensing do not consider there to be any reason why children shouldn't play outside in the areas provided.

## PARKING AND HIGHWAYS

38. Core Strategy Policy L4 states that the Council will prioritise the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.

39. Core Strategy Policy L7 states that in relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.

40. The Parking SPD's objectives include ensuring that planning applications accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.

41. The Local Highway Authority has been consulted on the application and their comments are incorporated into this section of the report.

42. 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."*

43. A Transport Statement has been submitted with the planning application which addresses accessibility, parking, servicing and trip generation. The statement also has regard to application reference 94986/FUL/18 (Phase 1 of Stanley Square).

## Access

44. It is proposed to utilise the existing access with minor changes to the internal arrangements to accommodate the proposed rear parking area and retained service yard access.

45. There are no proposals to undertake works within the extent of the adopted highway and all changes to the access arrangements will be applicable only to privately owned land.
46. Storage for refuse and recycling bins is to be provided to the north west corner of the site, and all servicing will be undertaken as per the existing shopping centre arrangements.

## **Parking**

### *Car Parking Arrangements*

47. The proposal is for 21 parking spaces to the rear of the nursery building, of which 3 spaces would be disabled parking bays. In regards to child and staffing numbers the maximum capacity of the nursery is for 100 child spaces, with 27 members of staff.
48. SPD3 sets out the maximum parking standards for car parking spaces, with minimum standards for disabled spaces, motor cycles and bikes. The car parking maximum standards as detailed within Supplementary Planning Document 3 (SPD3) state that for this location a day nursery requires one space per member of staff with drop-off spaces to be determined on a case-by-case basis. The commentary on the parking standards indicate that the total amount of parking on site including staff and drop off will usually be assessed in the following way, notwithstanding that there is also a reference to one parking space per member of staff:
  - 10 children – 2 spaces;
  - 20 children – 3 spaces;
  - 30 children – 5 spaces;
  - 40 children – 7 spaces;
  - 50 children – 9 spaces;
  - 60 children – 11 spaces and so on and so forth
49. Therefore the maximum standards for 100 children would be 19 spaces, which are proposed to be provided. It is also noted that the proposed development is located near a number of town centre public car parks and circa 230m from the closest tram stop, with access to bus services a shorter distance away. Furthermore, whilst it is known that having a school or nursery located in a town centre environment does not prevent parents/guardians from driving children to and from such a facility, at this location the B5166 Springfield Road is subject to double yellow line parking restrictions, with no loading permitted between the hours of 7.30 – 9.30 am and 4pm to 6pm. Therefore the LHA raises no objection on the number of parking spaces provided.

50. In regards to the existing parking on site, the application site is currently private parking for the adjacent Springfield House offices and (Snap fitness) gym. There are 34 spaces in the dedicated parking area and the wider Mall service yard dedicated to the gym and offices on a temporary basis, of which 31 are to be lost to the proposed nursery development. Given the floorspace within Springfield House the maximum parking standards for this facility would be 50 spaces and as such there would be a shortfall 47 spaces.
51. Whilst it is acknowledged that this represents a significant shortfall in parking for Springfield House, it is not considered that the proposed reduction in the number of spaces will have a severe impact on the adopted highway given the presence of enforceable parking restrictions, including a peak hour loading ban, which remove the ability for drivers to park on-street along Springfield Road. In addition, the proposed development would make an efficient use of this town centre site. The application site and Springfield House are located in a highly accessible town centre location, circa 140m away from the nearest bus stop and 250m away from Sale tram stop, with a public town centre parks also only a short walk away. This is a highly sustainable location and as such a shortfall in car parking provision is supported in this location.
52. The prospective tenants of Springfield House would be aware of the parking arrangement prior to occupation and servicing will take place via the shopping centre service yard entrance (intercom system) as is the case now for Snap Fitness which occupy the ground floor of Springfield House. On site there is a directional sign for vehicles sending them into the service yard. On this basis it is not considered that any objection on highway grounds to the proposals could be sustained.
53. The LHA has advised that the Council's car park team could look at options to undertake enforcement to deter illegal parking outside the school and therefore ameliorate parking problems on Springfield Road. In addition a S106 contribution could be requested for a TRO review to extend the hours of the existing loading ban to ensure school/nursery peak drop off and collection hours are fully covered. However measures to address existing parking issues in relation to the school should not be requested from this application. As discussed, the level of parking provided within the current proposal is considered acceptable and receives no objection from the LHA on parking or highways grounds. It is not considered to be reasonable or necessary therefore to seek a S106 contribution.

#### *Accessibility Car Parking*

54. The accessibility parking standards shown in SPD3 Appendix A are minimum requirements. It is proposed to provide three spaces which meets the minimum required for the proposed development.

#### *Motorcycle Parking*

55. It is proposed to provide two spaces in accordance with SPD3. For information, parking for motorcycles should be located on a flat surface and in an area that is overlooked by staff or members of the public and well-lit, particularly if it is anticipated that any motorcycles would be parked for two hours or more (any long-stay spaces would also need to be covered). Secure anchorage points or railings sited 0.6m above ground level should be provided.

### *Cycle Parking and Storage Arrangements*

56. The minimum cycle parking standards as detailed within SPD3 state one space per four members of staff and one space per 200 sqm for visitors (minimum of 2 spaces) should be provided, and it is proposed to provide a secure, covered eight-space bicycle store to the rear of the proposed building; however, no detailed information has been seen for the proposed arrangements.

57. A condition is recommended to be attached to any planning permission granted that details for the specification of storage and cycle stand (or rack) shall be submitted to and approved in writing by the LPA prior to operation of the building, to include stand/rack spacings, and the location of the store illustrated on a site plan.

### **Full Travel Plan**

58. A Transport Statement has been written for the proposed development and it is considered that when also considering the site characteristics, a Travel Plan will also help mitigate the impact of the proposed development. An appropriately worded condition is therefore recommended.

### **Parking and Highways Summary**

59. The Local Highway Authority have not objected to the proposal on highway grounds subject to conditions referred to above and a condition for a Construction Management Plan. The parking and access arrangements are therefore considered to be acceptable.

### **ECOLOGY, BIODIVERSITY AND LANDSCAPING**

60. The proposal involves the loss of 9 trees from within the site adjacent to the car park/service yard and along the Springfield Road frontage. A Tree Survey has been submitted as well as a landscaping scheme detailed within the Design and Access Statement (Part 7). The trees to be lost as a result of the development are Category C and therefore low value. The proposed landscaping scheme includes the planting of only 1 no. new tree to the car park and low level planting along the frontage.

61. Springfield Road has suffered incremental tree loss over the past few years. The proposed landscaping strip to Springfield Road is not sufficiently large enough to accommodate a tree, even of the fastigiated (columnar) variety. The pavement is not wide enough for street trees either. It is not possible to seek additional planting to the front of the building therefore. The Council's Tree Officer has identified that there would be room to plant trees to the north eastern and south-eastern corners of the site as well as within the site adjacent to the parking to the south-western corner of the building. A landscaping condition is therefore required to ensure an enhanced landscaping scheme.
62. It is acknowledged that overall, the level of mitigation possible does not fully compensate for the tree loss at the site. Nevertheless, there is scope to provide more trees on site than the proposals currently show and to achieve quality low level planting to the frontage to soften the appearance of the development. Having regard to the relationship of the proposed building with the streetscene and wider character of the area as discussed in earlier sections of this report, and the quality of the trees to be lost, it is considered that a refusal on these grounds alone could not be sustained at appeal. A condition is recommended to restrict tree clearance to those months outside of the bird breeding season.
63. In addition to trees and planting, in accordance with Core Strategy Policy R2, a condition is recommended to secure biodiversity enhancements to the site through the use of bird and bat boxes.

#### DRAINAGE AND FLOOD RISK

64. Policy L5 of the Core Strategy relates to Climate Change and states that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.
65. The proposal has been considered by the Lead Local Flood Authority who advise that the proposed development will only be acceptable if the measures as outlined in the submitted Drainage Strategy Report and Phase 2 Geoenvironmental Report submitted with the application are implemented and secured by way of condition.

#### SUSTAINABILITY AND ENERGY EFFICIENCY / CLIMATE CHANGE

66. 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. Whilst not a major development, policy L5.3 indicates that such developments will be encouraged to adopt the principles of

energy efficiency and incorporate appropriate technology to help contribute towards reducing carbon emissions. 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.

67. Having regard to Core Strategy Policy L5 and the NPPF, a condition is recommended 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

68. The pedestrian environment is level and all access points to the site are level and accessible to all. All footpath surface finishes within the public realm will be designed to be even and slip resistant when wet or dry and to comply with relevant regulations. The design has been developed in full consideration of national legislation. This includes the provisions of BS8300 and The Building Regulations Part M (2015 Edition). The design also reflects the importance that the Applicant places on complying with the requirements of the Equality Act 2010. These considerations seek to ensure that people are not discriminated against regardless of disability, age or gender. These extend from accessing the buildings and the public realm within the application site through to moving around the internal parts of the buildings within the site.

## LIGHTING

69. A condition is recommended to require the submission and agreement of any external lighting schemes prior to installation to ensure suitability in relation to residential and visual amenity.

## DEVELOPER CONTRIBUTIONS

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

71. No other planning obligations are required.

## **PLANNING BALANCE AND CONCLUSION**

72. S38(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.

73. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision making process.
74. 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.
75. The scheme will deliver a number of benefits including new nursery place provision and employment opportunities in a sustainable town centre location close to Sale Metrolink station; and the provision of a well designed building which will repair the fragmented streetscene in this location. Overall it is considered that the proposal will constitute a sustainable development which will bring economic benefits to the area as well as providing a valuable community facility.
76. All other detailed matters have been assessed including land contamination, drainage, amenity, ecology, climate change 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. It is acknowledged that there will be some tree loss and little room for replacement tree planting, but overall the scheme is considered to comply with the development plan, the starting point for decision making, and is therefore recommended for approval.

### **RECOMMENDATION:**

**Grant**, subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:  
Site Location Plan – 10171-SHP-Z3-XX-XP-A-B5D7-G000-001 P02  
Proposed East Elevation - 10171-SHP-Z3-EE-EL-A-B5D7-G200-001 Rev P02  
Proposed East Site Elevation - 10171-SHP-Z3-EE-EL-A-B5D7-G100-001 Rev P02  
Proposed Level 01 Plan – 10171-SHP-Z3-01-PL-A-B5D7-G200-001 Rev P02  
Proposed Ground Floor Plan – 10171-SHP-Z3-00-PL-A-B5D7-G200-001 Rev P02  
Proposed Ground Floor Site Plan – 10171-SHP-Z3-00-PL-A-BD57-G100-001 Rev P02  
Proposed North Elevation – 10171-SHP-Z3-EN-EL-A-B5D7-G200-001 Rev P02

Proposed Roof Plan – 10171-SHP-Z3-RF-PL-A-B5D7-G200-001 Rev P02  
Proposed Section AA – 10171-SHP-Z3-AA-SE-A-B5D7-G200-001 Rev P02  
Proposed Section BB – 10171-SHP-Z3-BB-SE-A-B5D7-G200-001 Rev P02  
Proposed Site Plan – 10171-SHP-Z3-RF-PL-A-B5D7-G100-001 Rev P02  
Proposed South Elevation – 10171-SHP-Z3-EL-A-BD57-G200-001 Rev P02  
Proposed West Elevation – 10171-SHP-Z3-EW-A-BD57-G200-001 Rev P02

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

3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below 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.

4. No development works above ground level shall take place until detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. 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 details.

- i) All external window and door systems, including elevations, plans and cross sections showing cills and reveal depths/colour at scale 1:10 (reveals should be minimum of 90mm);
- ii) Design and material of all main entrances including surrounds;
- iii) Rainwater goods (including locations, fixing, material and colour) and;
- iv) Boundary treatment, including gates
- v) Refuse storage area

Reason: To ensure a high quality standard of development and to safeguard and the visual amenities of the locality, having regard to the siting within the Conservation Area in accordance with Policies L7 and R1 of the Trafford Core Strategy.

5. The premises to which this permission relates shall be used as a day nursery for a maximum of 100 children and for no other purpose (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Other uses within the same Use Class may have a detrimental effect on the character of the surrounding area and the restriction to the use proposed with the maximum number of children stated will enable the Local Planning Authority to consider any further change of use or increase in children on its merits, having regard to Policies L4 and L7 of the Trafford Core Strategy and National Planning Policy Framework.

6. The use hereby permitted shall not operate outside the following times: 07.00 - 19.00.

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

7. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the provision of additional tree planting, 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. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

Reason: To ensure that satisfactory provision is retained within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 3 - Parking Standards and Design and the National Planning Policy Framework.

9. The development hereby approved shall not be brought into use unless and until a Travel Plan, which should include measurable targets for reducing car travel, 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 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.

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a. the parking of vehicles of site operatives and visitors
- b. deliveries to site
- c. loading and unloading of plant and materials (all within the site), including times of access/egress
- d. storage of plant and materials used in constructing the development
- e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- f. wheel washing facilities, including measures for keeping the highway clean during demolition and construction works, and
- g. measures to control the emission of dust and dirt during demolition and construction (refer to approved AQA, and IAQM Guidance of the Assessment of Dust from Demolition)
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- i. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity (refer to BS 5228)
- j. days and hours of construction activity and pre-construction activity on site (in accordance with Trafford Council's recommended hours of operation for construction works), and
- k. contact details of site manager to be advertised at the site in case of issues arising
- m. nuisance complaints procedure

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.

11. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, 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 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.

12. The development hereby permitted shall not be occupied until a verification report demonstrating the 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.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Drainage Strategy Report (8<sup>th</sup> March 2021/DW Consulting) and Phase 2 Geoenvironmental Report (1<sup>st</sup> March 2021/NX Consulting) which includes:

- Drainage Strategy Plan in accordance with Dwg No: DR 101 REV A

- Soakaway Calculations DW Consulting 18<sup>th</sup> Aug 2021

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

14. No development shall take place (excluding demolition, vegetation clearance, initial groundworks and site regarding) until a management and maintenance plan for the sustainable drainage scheme for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The plan 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. The scheme shall be managed and maintained in accordance with the approved details.

Reason: To prevent 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.

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

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

16. The rating level (LA<sub>eq,T</sub>) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA<sub>90,T</sub>) 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 amenity, having regard to Policy L7 of the Trafford Core Strategy and the NPPF.

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

Reason: To ensure that satisfactory cycle and motorcycle 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.

18. No above ground construction works 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. This strategy shall demonstrate how carbon emissions of at least 5 per cent below the Building Regulations Target Emissions Rate (2010) shall be achieved. 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: 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.

19. No clearance of trees, hedgerows or 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.

20. Prior to the occupation of any unit hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be implemented before the development is brought into use and retained in working order thereafter.

Reason: To protect local air quality in accordance with Trafford Core Strategy Policy L5.13 and the National Planning Policy Framework.

21. No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. 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.

22. No above ground works shall commence unless and until a scheme identifying opportunities for biodiversity enhancement to be incorporated into the new development have been submitted to and approved by the Local Planning Authority. These should include:

- Bat bricks/boxes,

- Bird boxes
- Native tree and shrub planting

The development shall thereafter be carried out in accordance with the approved details which shall be retained as such thereafter.

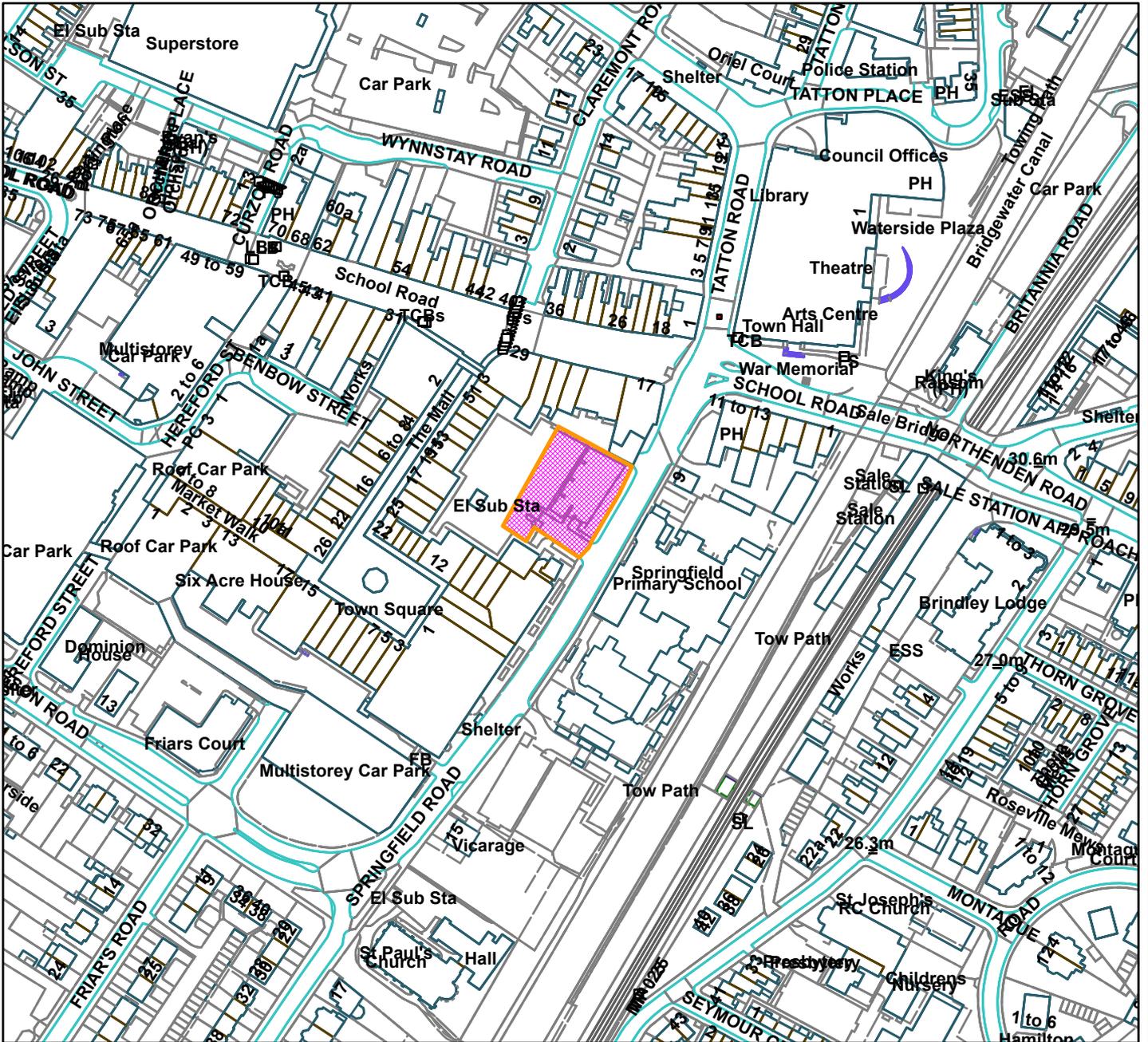
Reason: To ensure opportunities for biodiversity enhancement, having regard to the requirements of the NPPF and Policy R2 of the Trafford Core Strategy.

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JE



Land Adjacent Stanley Square Shopping Centre Service Yard, Springfield Road, Sale (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** Brooklands

**104974/FUL/21**

**DEPARTURE: No**

**Erection of two dwellinghouses with associated landscaping.**

Plot to the rear of 3 Brooklands Road, Sale, M33 3QH

**APPLICANT:** Mr Jun Du

**AGENT:** Mr Daniel Peacock (Kitson Architecture Ltd)

**RECOMMENDATION: GRANT**

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**The application is reported to the Planning and Development Management Committee as there have been in excess of 6 letters of objection contrary to Officers' recommendation.**

**Executive Summary**

The site relates to a residential garden associated with no.3 Brooklands Road. The proposal seeks to subdivide this garden, and erect 2x semi-detached dwellings at the rear of the site, with a frontage and access on to Brooklands Crescent. The proposals are for market housing of 2.5 storey scale, constructed predominantly in facing brick with 2 contemporary gable features. Two parking spaces are provided for each unit.

This application has been submitted for full planning permission. A previous outline consent (with all matters reserved) for 2 semi-detached dwellings has been granted recently in November 2020 under planning ref. 101860/OUT/20.

This application has attracted letters of objection from surrounding residents. Changes made to the scheme include reductions in scale, increased application of facing brick, removal of balconies and additional landscaping. It is considered that the scheme achieves an acceptable design quality without, amongst others, prejudicing the prevailing character of this area, residential amenity, trees, or the surrounding highway network.

The Council's 3.13 year land supply automatically triggers the tilted balance but, in any case, the proposal is considered to be acceptable in policy terms and in design, residential amenity, trees/landscaping/biodiversity, parking, highway safety and drainage.

In respect of the tests of NPPF paragraph 11, there are no policies protecting areas or assets of particular importance that would provide a clear reason for refusing the development proposed and there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of granting planning permission (namely, the provision of two family dwellings in a sustainable location, contributing to the Borough's housing supply, together with a small economic benefit arising from the

construction process). The application is therefore recommended for approval, subject to appropriate conditions.

## **SITE**

The application site currently forms part of the rear garden of 3 Brooklands Road which backs onto Brooklands Crescent, a one-way residential public road. The boundary with Brooklands Crescent consists of a mature hedgerow and several small trees. The garden is long and level with the associated dwelling being an established two storey, detached dwelling.

An apartment development (The Newlands) consisting of two blocks of 3 storey buildings sits on the adjoining site to the north while to the south there are a pair of period semi-detached dwellings (7 & 9 Brooklands Crescent) which are an oblique angle to the site. The Bradley nursing home sits opposite what would be the site entrance onto Brooklands Crescent. There is a mix of residential development along the crescent consisting of both apartments and houses.

## **PROPOSAL**

This application seeks planning permission for the erection of two semi-detached properties within the rear garden of no.3 Brooklands Crescent. Vehicular access to the site would be from the Brooklands Crescent frontage, which is a one-way road.

The building would be 2.5 storey, constructed predominantly in brick with a pitched tile roof. Contemporary gable ends with vertically emphasised glazing is sought to each dwelling. Hardstanding provided at the front would accommodate 2 spaces per dwelling.

The proposed dwellings would be market housing, and comprise 5x bedrooms each.

*Value added: Reduction in eaves/ridge height and greater extent of roof plane, removal of terrace, simplified fenestration, removal of balconies at the front, increased landscaping, change in materials of gables to increased brick and reduction in overall width and softening of pitch. Agreement of brick with darker tones.*

## **DEVELOPMENT PLAN**

The Development Plan in Trafford Comprises:

- The Trafford Core Strategy (TCS) 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 Need  
 L4 – Transport  
 L5 – Climate Change  
 L7 – Design  
 L8 – Planning Obligations  
 R2 – Natural Environment  
 W1 – Economy

## **OTHER LOCAL POLICY DOCUMENTS**

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

## **PROPOSALS MAP NOTATION**

None

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

None

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

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20<sup>th</sup> July 2021. 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 in June 2021. The NPPG will be referred to as appropriate in the report.

## **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching

development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3<sup>rd</sup> October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **RELEVANT PLANNING HISTORY**

101860/OUT/20 - Outline application for erection of 2 no. semi-detached houses with all matters reserved. *Approved with conditions 17.11.20.*

## **APPLICANT'S SUBMISSION**

Arboricultural Impact Assessment  
Arboricultural Method Statement  
Design and Access Statement  
Preliminary Ecological Appraisal Survey  
Swept Path Analysis  
Tree Protection Plan  
Tree Survey

## **CONSULTATIONS**

**Tree Officer** – No objection subject to conditions.

**Environmental Health (Contamination)** – No objection.

**Environmental Health (Nuisance)** – No objection.

**Greater Manchester Ecology Unit (GMEU)** – No objection.

**Lead Local Flood Authority (LLFA)** – No objection subject to condition (surface water drainage scheme).

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

**United Utilities** – No objection

## **REPRESENTATIONS**

Seven letters of objection from different addresses have been received, summarised as follows:

- Impacts from construction, including blocking of Brooklands Crescent
- Increase in traffic, and increased risk of vehicle accidents.

- Increased traffic raises risks for pedestrians along the road.
- Poor visibility to/from site access
- Overdevelopment of the site
- Adverse impact upon ecology as area is suitable for hedgehogs
- Design not in keeping with surrounding area
- Councillors should visit the site
- Loss of greenfield land
- Contrary to planning policy.
- Parking would dominate the street scene
- Exacerbation of surface water run-off within the area

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
2. The Council cannot demonstrate a five year supply of housing land (the current supply is 3.1 years) and 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. Moderate weight should be given to the contribution this two unit scheme would make to the Council's housing land supply.

5. Whilst Policy L1 seeks to prioritise development on previously developed land, much of the Council's housing policy (with some significant exceptions) should be considered out of date. The application site is contained within a suburban environment to the southern side of Sale. The site is within walking distance of Brooklands Metrolink station, and Sale Town Centre. Within the wider area reside schools, shops, medical centres, leisure and religious facilities. The site is also well served by road networks and cycle networks (including to Manchester City Centre and Altrincham via Bridgewater Canal. It is considered to be a sustainable urban greenfield location for housing. The proposed development would make a net contribution to the housing supply of 2 additional units. The principle of residential development is therefore acceptable.
6. The proposed development is acceptable in principle subject to all other material considerations being satisfactory. This includes the sustainability of the site, design, residential amenity, flood risk, contamination, highways, trees and any ecological impacts.

## DESIGN AND APPEARANCE

7. The NPPF stipulates at paragraph 124 that decisions should support development that makes efficient use of land, although due regard must be had to the safeguarding of residential gardens especially where this contributes to maintaining an areas prevailing character and setting.
8. The proposed development is considered to be in line with the area's prevailing character. The proposal supports a ridge height and eaves that sit marginally below that of the adjacent buildings. The materiality of facing brick would correspond well to the predominant facing brick of this area. The roof pitch follows that of the adjacent buildings, and the principal elevation would sit behind the established building line. Two and a half storey and three storey buildings are an attribute of this area, which this development would harmonise with. The flat-roof single storey projections are located at the rear, where there are no clear public vantage points.
9. The front projecting gables provide a contemporary focus to the proposal. Following discussions with the architect, these have been reduced in height and width, with the pitch softened. They would also incorporate a much greater use of facing brick. Slim sections of sandstone would be retained, although it is expected that these would be of a 'St Bees' finish, or similar. This is important given the reddish tone to buildings with this area. This can be covered by a suitably worded condition. The uniformity that exists within the area is predominantly defined by materiality. There are other gable ends within the street scene, and further around Brooklands Crescent sits an example of contemporary design. It is not considered that the use of these contemporary gables would cause harm to the character of this area. It is also noted that 'The

Newlands' supports a limited section of vertical glazing to the front elevation, albeit of a more subservient style.

10. The proposed building projects a symmetrical appearance. This follows the style of both 'The Newlands' and nos. 5/7 Brooklands Crescent. In the interests of securing a high quality design, a condition should require architectural details to be submitted, and that all windows/doors support a 90mm external deep reveal.
11. The submitted site section does emphasise the massing of the building, and its larger height in relation to no.3 Brooklands Road. However, as set out above, the proposal would assimilate with the massing and appearance of buildings to Brooklands Crescent. It is from this perspective that the site would largely be read. A condition will require details of finished floor levels to be submitted prior to commencement of works, ensuring that proposal maintains a similar ground level to other properties in the area.
12. A distance of 1.8m would be retained to the western boundary and 2.8m to the eastern boundary. Even taking into account retained vegetation, at least 1.0m would be maintained at the sides for external access and maintenance of the site. This prevents the development appearing cramped amongst its boundaries or prejudicing the functionality of the external areas.
13. The more landscaped aspect of Brooklands Crescent is largely defined to the northern side with mature trees and shrubbery well established. The proposal would not prejudice this. Some planting is proposed amongst the proposed parking area. This includes the planting of 2no. trees, retention of hedge to the eastern boundary, and some planting at the front of each building. It appears that there is potential for additional planting between the proposed parking areas of each dwelling. This can be secured via a landscaping condition. Details of boundary treatments can also be sought, including the proposed fences/gate posts which delineate each site at the front and back.
14. Overall, the design would add to the overall quality of the area, optimising the potential of the site, and would appear visually attractive as a result of good architecture. In developing this residential garden, it is not considered to cause harm to the distinct character of this area. The proposal is considered to be aligned with the aims of the NPPF, and policy L7 of the TCS.

## RESIDENTIAL AMENITY

15. PG1, the Council's Supplementary Planning Guidance for New Residential Development provides separation distances between dwellings which are considered acceptable to prevent losses of privacy and overbearing impact. These are as follows:
  - 10.5m habitable room window to rear boundary.

- 27m habitable room window to habitable room window (at two storey) across private gardens
- 15m habitable room window to wall (or non-habitable room window)

### *Privacy*

16. The proposed rear elevation (ground floor) would be sited 10.5m from the proposed rear garden boundary and 21.1m to the rear elevation of no.3 Brooklands Road. Minimal information is provided regarding boundary treatments although it is expected that a fence (1.8m high) and planting will be established along the rear boundary. This distance, and appropriate treatment of the boundary is appropriate to prevent losses of privacy between no.3 Brooklands Road and the proposed development at ground floor and garden level.
17. A distance of 24.6m would be retained between the proposed 1<sup>st</sup> floor rear elevation and the rear elevation of no. 3 Brooklands Road. This would be a slight breach (400mm) of the guidance aforementioned in PG1. However, owing to the density of residential development in the area, there is also some aspects of mutual overlooking between properties in the area. As part of any conditioned landscaping scheme, the LPA can secure establishment of some additional tall planting to the rear boundary in providing a natural screen. Whilst it is recognised that the development would provide some direct lines of sight to the rear elevation of no.3, this is not considered to be significantly harmful to the living conditions of this adjacent property. Nevertheless, an impact would exist in slight breach of PG1.
18. The side elevation window of no. 7 Brooklands Crescent would provide an oblique line of sight towards the proposed garden of the development. This gap would be 22.0m and is not considered to significantly prejudice the privacy of the occupiers of the development.

### *Dominance / Loss of light*

19. Having regard to dominance and loss of light, the proposal is not considered to be significantly overbearing to no.3 Brooklands Road and would be positioned to the North East of no.3. This would limit any significant impact in terms of loss of light.
20. Due to the change in orientation of the building in relation to no.7 Brooklands Crescent, the proposal is not considered to appear overly dominant nor diminish light to this property/garden. The building would be set 2.5m off the common boundary, and a driveway extends down to a garage for the length of no.7 alongside their respective boundary. The garden of no.7 is dual aspect with areas to the SW and SE of the building with any visual impact of the development to be largely localised within the SW corner.

21. A distance of 15m would be retained between a 1<sup>st</sup> floor side elevation window within no. 7 Brooklands Crescent and the proposed side elevation. Given the distance and the elevated nature of this window, it is not considered that the proposal would harm the living conditions of this room.
22. The proposed building would extend beyond the rear elevation of 'The Newlands' by 5.3m. However a gap between the buildings of 4.80m would be retained. Taking into account guidance contained in both PG1 and policy L7, this relationship is considered to be acceptable. It is not considered that the proposed building would be unduly dominant within the outlook of the rear windows to 'The Newlands' nor significantly compromise natural light levels within these rear windows. As shown on Drawing no. 443-022E, views of the side elevation from the rear windows to 'The Newlands' would be at an oblique angle. It is also noted that the side elevation windows within 'The Newlands' are smaller secondary windows to the respective larger front/rear windows.

### *Living Standards*

23. The proposed living conditions for the occupiers of the development are acceptable. Bedrooms are of a generous size, and ample living space is to be created. The rear gardens are of a suitable size for their purpose as a private residential garden and the retained garden to no.3 is of a sufficient size. It is noted that only rooflights are sought within the 4<sup>th</sup> bedroom. However, the other bedrooms within the development are well lit through windows, as is the main living space. On this basis, the provision of rooflights only within one of the bedrooms is considered acceptable. This approach to living conditions has been considered acceptable in a recent appeal at Levenot, Charcoal Road (Appeal ref. APP/Q4245/W/20/3252588). Overall, the proposed occupiers of the development would enjoy a good standard of residential amenity.
24. Conditions would be necessary to make the development acceptable in terms of impacts on residential amenity. These include:
- obscure glazing of the 1<sup>st</sup> floor side elevation windows to protect the privacy of adjacent sites
  - restricting the use of the flat roof extension at the rear to prevent its use as a balcony or external terrace, to protect the privacy of no.3 Brooklands Road.
  - Landscaping of the rear boundary.
25. Subject to the above conditions, the proposal for the reasons set out above, would comply with policy L7 of the TCS and the NPPF.

## IMPACT ON TREES

26. Policy R2 of the TCS outlines the significant protection afforded to the natural environment within the Borough. Development is required to protect and enhance the landscape character and conservation value of its natural urban assets. The Borough's assets including woodland, hedgerows and hedgerow trees including street trees and ancient trees. A pleasant and visually attractive environment is important to the quality of life enjoyed by residents, and adds to the visual amenities associated with environments within the Borough.
27. The Council's Tree Officer has confirmed that the two protected trees along the south-western boundary of the site (adjacent to no.3 Brooklands Road, and bordering Brooklands Road) are unlikely to be affected by the proposals. These are not in the vicinity of the area of development. However a number of trees to the southern boundary with no. 7 Brooklands Road are within close proximity of the proposed building.
28. A tree protection plan and Arboricultural method statement have been submitted by the architect, which have been considered acceptable by the Council's Tree Officer. A condition will require that the tree protection plan (and fencing) is in place prior to the commencement of works, and that the development is carried out in strict accordance with the submitted method statement.
29. Subject to the above conditions, it is expected that the proposal would accord with policy R2 of the Core Strategy.

## ECOLOGY

30. The application is accompanied by a Preliminary Ecological Appraisal. The submitted appraisal identified the presence of no protected species. The report does, however make a series of recommendations set out in 'Table 7'. This includes the addition of bat boxes, bird boxes, and gaps within boundary fences for hedgehogs. A condition should stipulate that the development be carried out in accordance with these recommendations. This will improve biodiversity on the site.
31. GMEU have reviewed the appraisal and have confirmed that they have no objection to the proposed works.
32. An informative should be added to the decision notice, should permission be granted, reminding the application that under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to disturb, harm or kill bats, and that if a bat is found all work should cease immediately and Natural England be informed.
33. Subject to the above condition, the proposal is considered to accord with policy R2 of the Core Strategy and the NPPF.

## PARKING / ACCESS

34. Policy L7 requires development to provide sufficient off-street car parking manoeuvring and operational space, and incorporate vehicular access and egress which is satisfactorily laid out having regard to the need for highway safety. The proposal is for 2x 5-bedroom dwellings. The maximum parking standards applied to development of this scale, in this location, would be 2 x 3 parking spaces.
35. 2 spaces are proposed per dwelling. However, given the site's sustainability (access to the Metrolink, Bridgewater Canal, Sale Town Centre), it is considered that this level of parking is acceptable. The LHA raise no objection to the shortfall of 1 per dwelling.
36. Swept path analysis drawing have been submitted by the architect. The LHA have reviewed this, and confirmed the analysis demonstrates satisfactory access / egress for large sized family cars to each driveway.
37. A cycle store is proposed at the rear of the site. For a development of this scale, the LHA would request that the cycle store must accommodate four bicycles per dwelling. Details of the cycle store which must be secure, can be secured by condition.
38. The proposal would comply with Policy L7, L4 of the Core Strategy and the NPPF.

## REFUSE AND RECYCLING

39. Bin storage is indicated within the rear of the site along the side boundaries to each respective dwelling. It is expected that during bin-collection days, these would be positioned within the hardstanding area to the front of the site, suitable for collection. The arrangement proposed is practical and suitable both in terms of servicing and visual amenity. A condition will require exact details of the bin stores to be submitted to the LPA prior to first use of the development. This is necessary to accord with policy L6 of the TCS.

## AIR QUALITY

40. Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The provision of such infrastructure within the proposed site would be safe, accessible and convenient.
41. A condition can require Electric Vehicle Charging points to be provided to each new dwelling to future-proof the dwellings, whilst making a small contribution to improving air quality within the Borough. This condition is reasonable and

necessary in accordance with paragraphs 112(e) and 186 of the NPPF through contributing towards compliance with national objectives for pollutants and taking opportunities available to improve air quality.

## FLOOD RISK

42. The site sits within Flood Zone 1 which indicates a low probability of flooding (less than 1 in 1,000 annual probability). The development, whilst reducing the extent of soft landscaping within the site, is not considered to significantly exacerbate flood risk in the area. Significant areas of permeable surfacing would be retained within the site for drainage during storm events.
43. The LLFA have raised no objection to the development. However, they have noted that there is possibly a culverted watercourse passing through the proposed development. A diversion of this culvert may be required. A condition can stipulate that if a culvert is identified within the development site, no building works are permitted above the structure unless the details of the culvert, and if necessary, a scheme to divert the culvert, has been approved by the LPA.
44. The LLFA also require a condition to be attached to any approval requiring details of a surface water disposal scheme. This would be required prior to the commencement of works and is necessary to prevent flooding in the locality.
45. Subject to the above conditions, the proposal would accord with policy L5 of the Core Strategy and the NPPF.

## ECONOMIC BENEFITS

46. The proposed development would make a small contribution to the Council's housing land supply, and provide a limited boost to the economy through additional spending.

## OTHER MATTERS

47. A number of concerns have been raised about the impact during the demolition phase and construction phases of the new development. It is agreed that dust could contribute towards poor air quality within the immediate area if unmanaged. Parking of constructors vehicles on the highway could also lead to highway safety issues. Due to the density of this residential area, and scale of the development, it is considered reasonable and necessary to request a Construction Method prior to the commencement of works.
48. Consideration has been given as to whether 'permitted development' rights should be removed. The Town and Country Planning (General Permitted Development) Order (2015) sets out these rights in full, but namely consideration

has been given to the removal of Classes A (extensions), B (roof additions), and E (outbuildings) which provide for the more substantive additions.

49. It is not considered necessary to remove permitted development rights in the whole for Classes A, B and E (Part 1, Schedule 2). The scheme complies with the Development Plan in the first instance. Further to this, there is ample space within the rear of the site to accommodate rear extensions or outbuildings within the parameters of the GPDO. Whilst roof additions could be sought, it is not considered that this should readily be removed. The NPPF is clear that permitted development rights should only be restricted where there is clear justification to do so. It is not considered that there is a sufficiently strong reason on either design or amenity grounds to restrict these rights in full.
50. However, should a side extension be achieved, this would prevent external access of the bin store and bike store. These being provided at the front, whilst impractical, could prejudice the functionality of the parking area and visual amenity of Brooklands Crescent.
51. Overall, it is considered that there is clear justification for restricting permitted development rights (side extensions under Class A of Part 1, Schedule 2) in accordance with paragraph 54 of the NPPF. This is reasonable and necessary to make the development acceptable having regard to Policy L7 of the Trafford Core Strategy and the NPPF as a whole.

## DEVELOPER CONTRIBUTIONS

52. The proposed dwelling would comprise 413sqm new build floorspace and would therefore be liable for CIL (Community Infrastructure Levy). The site is within a designated 'Moderate' charging zone, which outlines a charge of £40 per sqm for private market houses. The submitted CIL form states that this would not be a 'self-build'.
53. The development would therefore be liable for a CIL payment of £16,520.

## PLANNING BALANCE AND CONCLUSION

54. 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.
55. 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.

56. 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.

57. It is acknowledged that the relationship in terms of privacy between the development and no.3 Brooklands Road would fall slightly short of PG1 guidance, all car parking would be to the front of the houses, and there is limited room for landscaping and boundary treatment to the front, but these are considered to be very minor harms. The benefits of the scheme, namely the contribution of 2 additional houses to the Borough's housing land supply in a well-designed scheme in a sustainable location close to Brooklands Metrolink station are considered to significantly and demonstrably outweigh the harm.

58. The development is considered to comply with the development plan as a whole, and Paragraph 11 of the NPPF indicates that development proposals that accord with the development plan should be permitted without delay. The application is therefore recommendation for approval subject to conditions.

### **RECOMMENDATION:**

Approve subject to 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 amended plans, numbers 443-022(F), 443-023(E) 443-024(F), and 443-025(G), received by the Local Planning Authority on 1<sup>st</sup> October 2021.

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

3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such

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

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

4. All window and door openings shall be constructed with minimum 90mm deep external reveals.

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. Notwithstanding the details hereby approved, no development above ground works shall take place until detailed plans and sections at a scale of 1:20 have been submitted and approved in writing by the local Planning Authority showing;

- i. All external window and door systems, (including technical detail (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour at scale 1:10;

- ii. Design and material of all main entrances including surrounds and treatment of facade and roof edges

- iii. Rainwater goods (including locations, fixing, material and colour)

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard the visual amenities of the locality, in accordance with Policy L7 of the Trafford Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation, the windows in the 1st floors on the side elevations facing 'The Newlands' and 'No.7 Brooklands Crescent' shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

7. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that

Order), the use of the flat roofs on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity or sitting out area.

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

8. Prior to above ground works details, including a plan and technical specification, of the Electric Vehicle Charging (EVC) infrastructure to be installed for each unit shall be submitted to and approved in writing by the Local Planning Authority.

The approved EVC shall be installed and ready for use prior to the first occupation of the development hereby approved.

Reason: In accordance with paragraph 112e of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life with respect to Local Air Quality and in accordance with minimum good design standards as set out in the EPUK Guidance Land-Use Planning and Development Control: Planning for Air Quality.

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

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

10. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

11. Before any development takes place, finished floor and site levels inside and outside the existing building at no.3 Brooklands Road and proposed finished floor and site levels inside and outside the proposed building, sufficient to establish a relationship between the two shall be submitted to and approved in writing by the Local Planning Authority. The works thereafter shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory land levels and to safeguard the appearance and setting of the building, and to protect residential amenity, having regard to Policy L7 of the Trafford Core Strategy.

12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors
- b) the management of deliveries to site, including site access and egress
- c) loading and unloading of plant and materials
- d) storage of plant and materials used in constructing the development
- e) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate
- f) wheel washing facilities and any other relevant measures for keeping the highway clean during demolition and construction works, and
- g) measures to control the emission of dust and dirt
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works
- i) days and hours of construction activity on site (in accordance with Trafford Council's recommended hours of operation for construction works), and
- j) 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 Policies L4 and L7 of the Trafford Core Strategy.

13. No dwelling shall be occupied until space for the parking of cars has been laid out within the site in accordance with drawing no. 443-022(F) or any subsequent landscaping plan approved in writing by the Local Planning Authority, and that space shall thereafter be kept available at all times for the parking of vehicles.

Reason: To ensure a satisfactory provision of parking within the development in accordance with policy L7 of the Trafford Core Strategy.

14. The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site having regard to Core Strategy Policy L5 the National Planning Policy Framework.

15. If a culvert is identified within the site, no building works shall take place above the structure unless the details of the culvert, and if necessary a scheme to divert the culvert, has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall proceed in accordance with the approved scheme.

Reason: In the interests of preventing flooding having regard to Core Strategy Policy L5 the National Planning Policy Framework.

16. The development hereby approved shall be carried out in strict accordance with section 4.2 (Table 7) - 'Enhancements' set out in the submitted Preliminary Ecological Appraisal Survey (Arbtech, dated 29th March 2021). This shall include:

- One bat box to be provided on site.
- Two bird boxes to be provided on retained trees on site
- Gaps to be created within new boundary fences for hedgehogs.

Reason: To safeguard protected species having regard to policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

17. The development hereby approved shall not be occupied until details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans, food and garden waste, in addition to other household waste, have been submitted to and approved in writing by the Local Planning

Authority. The approved bin stores shall be completed and made available for use prior to the first occupation of the development and shall be retained thereafter.

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

18. No building hereby approved shall be occupied unless and until a scheme for secure cycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the houses are occupied and shall be retained at all times thereafter.

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

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof):

(i) no side extensions shall be carried out to the dwellings

unless planning permission for such development has first been granted by the Local Planning Authority.

Reason. To protect the residential and visual amenities of the area, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with Drawing No. Arbtech TPP01, and BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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

21. The development hereby approved shall be carried out in strict accordance with pages 9 - 25 of the submitted Arboricultural Method Statement (ref. ARBTECH, dated 29th September 2021).

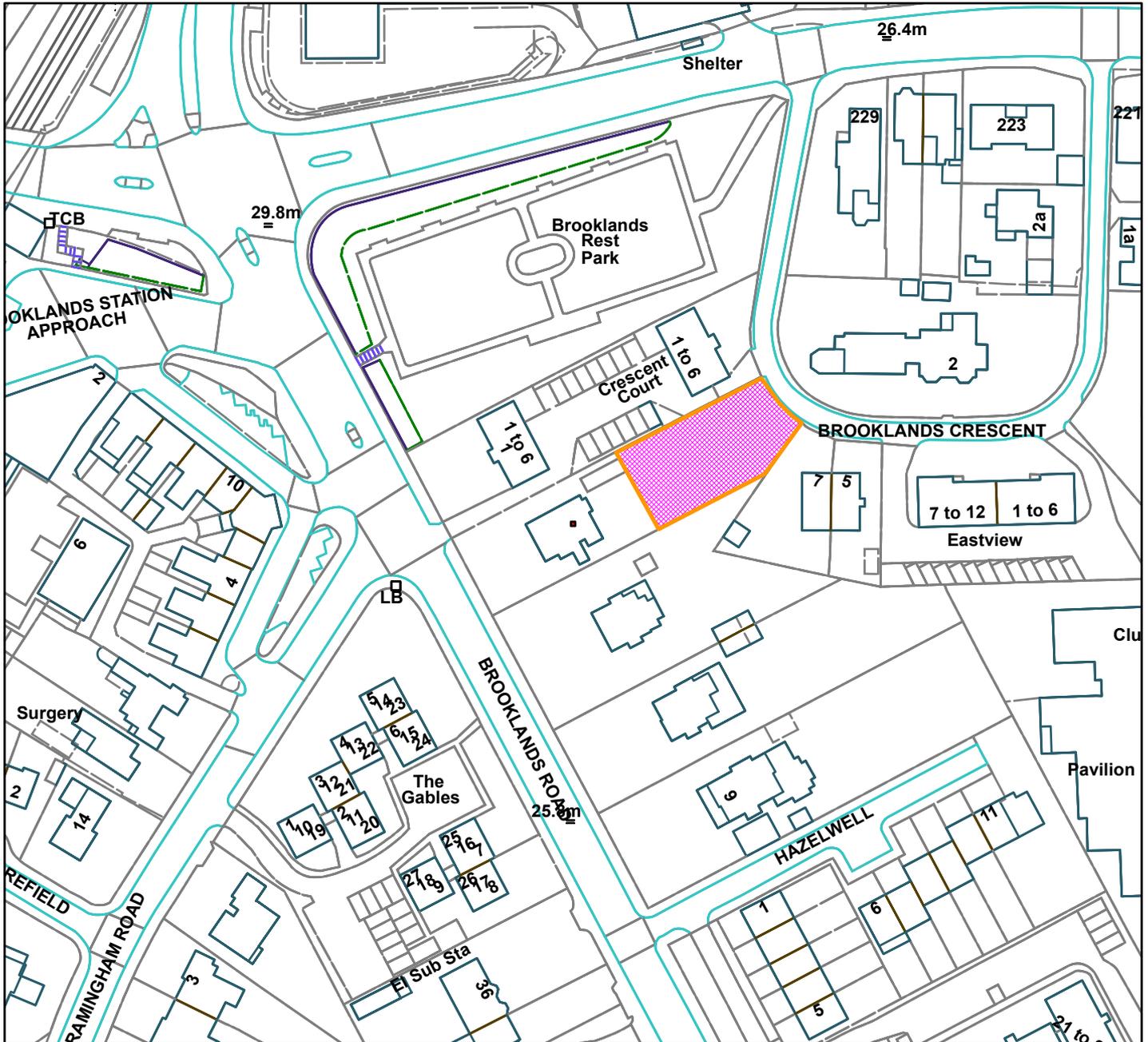
Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

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RCR



Plot to the rear of 3 Brooklands Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** Ashton On Mersey    **105138/HHA/21**

**DEPARTURE:** No

## **Erection of two storey side extension**

**ADDRESS:** 12 Bowness Drive, Sale, M33 6WH

**APPLICANT:** Mr Lloyd

**AGENT:** William McCall

**RECOMMENDATION: GRANT**

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**The application is being reported to the Planning and Development Management Committee because an officer of the Council has an interest in the application.**

### **SITE**

The application site relates to a two storey semi-detached dwellinghouse located at the south-west end of Bowness Drive – a cul-de-sac within Sale. The dwelling has a hipped roof, small single storey rear outrigger and front bay windows. The dwelling has a splayed common boundary with No.14 Bowness Drive, adjacent to which a detached outbuilding and driveway with space for at least two vehicles exists.

### **PROPOSAL**

Planning permission is sought for the erection of a hipped roof two storey side extension that would project 4m from the side elevation of the dwelling. The proposal would create an open-plan kitchen at ground floor, and a fourth bedroom and en-suite at first floor.

### **DEVELOPMENT PLAN**

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

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

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

L4 – Parking;

L7 – Design.

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

#### **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards and Design;

SPD4 – A Guide for Designing House Extensions & Alterations

#### **PROPOSALS MAP NOTATION**

None

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

None

#### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the National Planning Policy Framework (NPPF) on 20 July 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 1<sup>st</sup> October 2019. The NPPG will be referred to as appropriate in the report.

#### **RELEVANT PLANNING HISTORY**

None

#### **APPLICANT’S SUBMISSION**

None

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. Therefore, the proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy and SPD 4.

### **Design and Visual Amenity**

2. Policy L7 requires that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
3. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance in order that proposals can successfully do this.
4. The proposed two storey side extension would project 4m from the original side elevation of the dwelling - it would retain a gap of 2.5m to the common boundary with No.14 Bowness Drive at the front of the extension and 5.8m at the rear. The extension would be set back 3m from the front elevation of the dwelling and meet flush with its rear elevation – 6.4m would be retained to the rear boundary. The proposal would retain an adequate sense of spaciousness and is acceptable in scale.
5. Whilst the proposed development is of a significant width, and over half the width of the original dwelling, the proposed hipped roof ridge would be 1m lower than the existing roof ridge. Combined with the 3m setback to the front elevation, it is considered that the proposal would not appear out of proportion to the original dwelling, and would have very limited impact in the street scene given the orientation of the property.
6. The proposed eaves of the roof would continue the existing eaves line, and the proposed front elevation windows would horizontally align with the existing front elevation windows. The size, positioning and style of the front and rear elevation window openings is considered acceptable. Brickwork, roof tiles and window materials would match those of the existing property - the proposed two storey

extension is not considered to unduly impact the street-scene or introduce any visual harm to the surrounding area.

7. As such, it is considered that the proposal would be acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and the NPPF in this respect.

### **Residential Amenity**

8. Guidance contained within SPD4 states it is important that extensions or alterations do not impact adversely upon neighbour amenity.
9. Given that the proposed two storey side extension would be set back 3m from the front elevation of the host dwelling and would retain a minimum gap of 2.5m to the common boundary with No.14 (at the front of the extension, where it would be most impactful), there is not considered to be an unacceptable overbearing or overshadowing impact on the front elevation windows of No.14. The proposed front elevation windows would not directly face any main habitable room windows of No.14 and therefore there is not considered to be unacceptable overlooking of No.14.
10. Whilst a minimum distance of 6.5m would be retained to the rear boundary of the host property, the proposal would be splayed away from the rear boundary, which adjoins land within the curtilage of The Homestead (apartments). There is not considered to be an unacceptable overbearing, overshadowing or overlooking impact on the any private amenity space of Flats 1, 3 and 5 The Homestead, located to the rear of the host property. There are no side elevation windows in Flats 1, 3 and 5, to which the rear elevation windows of the proposal would face. Garages are located at the adjoining boundary, whilst mature vegetation forms the rear boundary of the host property to offer a degree of screening. Moreover, the area of The Homestead that falls within 10.5m of the windows would be hardstanding (driveway and parking) rather than private amenity space.
11. As such, the proposal would not have any unacceptable impact on the residential amenity of any neighbouring dwellings and would comply with Policy L7 of the Core Strategy and guidance in the NPPF.

### **Parking**

12. The proposal would result in an increase in the number of bedrooms from three to four. Space exists for at least two vehicles on the driveway of the property at present, and unrestricted parking exists on Bowness Drive. It is therefore considered that the proposed development is acceptable in terms of its parking impacts.

### **DEVELOPER CONTRIBUTIONS**

13. The proposed development will increase the internal floor space of the dwelling by less than 100m<sup>2</sup> and therefore will be below the threshold for charging. No other planning obligations are required.

**PLANNING BALANCE AND CONCLUSION**

14. The proposed development is not considered to cause harm to the character or visual appearance of the street scene or the surrounding area by reason of its design, scale and materials, and therefore it is considered acceptable within its context. In addition, the proposed development would not have any unacceptable impacts on the residential amenity of any neighbouring properties. It is therefore considered that the proposal would meet the aims of SPD4, the Core Strategy and the NPPF and would comply with the development plan as a whole. It is recommended that planning permission should be granted, subject to conditions.

**RECOMMENDATION:**

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

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

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

- 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings “04/21/69 1/2” and “04/21/69 2/2”, received by the Local Planning Authority on 02 July 2021.

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

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

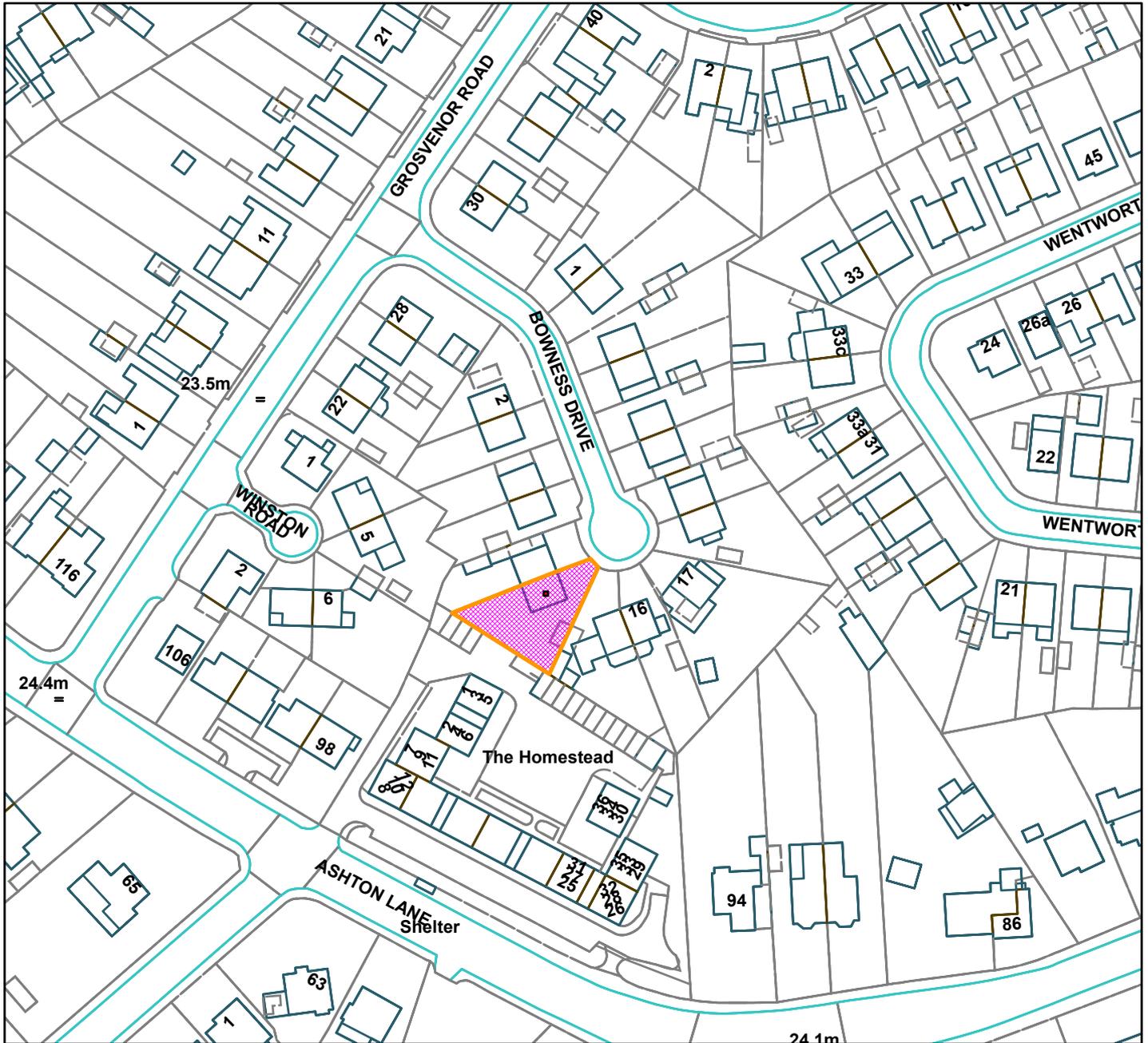
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

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CH



12 Bowness Drive, Sale (site hatched on plan)



**Scale:** 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD: Brooklands**

**105150/HHA/21**

**DEPARTURE: No**

Erection of new front porch, part two storey rear/side extension including addition of a hip to gable for incorporation of rear dormer.

210 Walton Road, Sale, M33 4FG

**APPLICANT:** Mr Harrop

**AGENT:** Cube Design Solutions

**RECOMMENDATION: REFUSE**

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**The application is reported to the Planning and Development Management Committee due to being called in by Cllr Longden for approval, contrary to officer recommendation.**

### **SITE**

The application site comprises a two storey semi – detached property located on the north side of Walton Road in Sale. The property is constructed of brick walls with a hipped tiled roof and white upvc framed windows. There is a front feature bay window, whilst to the rear is a small original kitchen outrigger. Neighbouring properties are entirely residential and also feature hipped roofs, including the adjoining semi, no. 208.

The application site features a front garden, front / side driveway and rear garden with patio area and shed. Boundaries are formed of 1m to 1.80m high timber fencing, hedges and trees.

### **PROPOSAL**

This application seeks planning permission for the erection of new front porch, part two storey rear/side extension in addition to a hip to gable roof conversion incorporating a rear dormer.

Specifically the two storey side extension would project 1.90m from the side elevation of the existing dwelling and be set 3.5m back from the front elevation. To the rear the ground floor element would project by 4m and the two storey rear extension would project 1.50m increasing to 4m. The rear and side extensions would feature hipped roofs, with eaves level to match that of the main property. The extensions would wrap around the rear corner of the main property in an L shape.

A hip to gable roof conversion is proposed, providing a new side end gable wall and a large flat roof rear dormer is also proposed. 3no. roof lights are proposed to the front.

The front porch would project 1m with a width of 2.48m with dual pitched roof. Materials throughout are proposed to match the appearance of the existing property.

The proposal includes a similar side and rear extension to that approved previously through application 102460/HHA/20. The difference is the inclusion now of the hip to gable roof conversion and rear dormer, which were removed from the previous proposal at the request of the planning officer.

#### **Value added:**

The total additional internal floor space proposed is approximately 77sqm.

No amended plans were considered possible to overcome Officer's concerns.

### **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**

R2 – Natural Environment

L4 – Sustainable Transport and Accessibility

L7 – Design

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

### **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking and Design

SPD4 – A Guide for Designing House Extensions and Alterations

### **PROPOSALS MAP NOTATION**

None relevant

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

None

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

The MHCLG published the National Planning Policy Framework (NPPF) on the 20<sup>th</sup> July 2021. The NPPF will be referred to as appropriate in the report.

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

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

### **RELEVANT PLANNING HISTORY**

102460/HHA/20 - Erection of two storey side and rear extension and front porch extension. Approved with conditions 04.06.2021

### **APPLICANT'S SUBMISSION**

Application Form  
Location Plan  
Bat Survey  
Existing / Proposed Plans + Elevations  
Cover Letter  
CIL Form

### **CONSULTATIONS**

None

## **REPRESENTATIONS**

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

A call in request for approval was received from Cllr Longden. In summary:

*Having visited the site of the above application, viewed the architects drawings and seen almost identical home improvements in the immediate area (see attached photo of dormer, 3 floor extension a few houses down) I am formally notifying you that I am 'calling in' this application to the Planning Committee.*

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The proposal is for extension / alteration works to an existing residential property, within a predominantly residential area which are generally considered acceptable in principle, subject to addressing certain material considerations. The primary material considerations in this application are the design and appearance of the development, its impact on residential amenity, and the level of parking provision. Policy L7 is up to date in NPPF terms and the tilted balance is not engaged.

### **DESIGN AND APPEARANCE**

2. On design paragraph 126 of the NPPF states that:  
*"The creation of high quality, beautiful and sustainable 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."*
3. *And in paragraph 130 states that:*  
*"Planning policies and decisions should ensure that developments are.....visually attractive as a result of good architecture, layout and appropriate and effective landscaping.....and are sympathetic to local character and history, including the surrounding built environment and landscape setting."*
4. Further to this the NPPF advises in paragraph 134:  
*"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes."*

5. Policy L7: Design from the Core Strategy states that:  
L7.1 *“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”.*
6. *In regards to dormer extensions SPD4 states that,*
- “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.”* Continuing that, *“Excessively large or too many dormer windows can appear incongruous, top heavy and visually harmful. As such a dormer window should be small scale and modest in size and their number should be restricted so as to not appear over dominant in the roof of the property. Dormers should not project above the ridge of the roof. Any dormer level with or higher than ridge of the existing dwelling will not normally be considered acceptable. Space should be retained between the edges of a dormer and the top and side of the roof and its eaves.*
7. The existing property, the adjoining semi – detached property and the vast majority of other properties on Walton Road feature hipped main roof forms. This strongly contributes towards their shared character and uniformity which forms an established part of the streetscene. Pairs of bay windows and hipped roofs provide a distinctive rhythm to the street scene.
8. The hip to gable roof conversion is considered to cause a significant, detrimental unbalancing with the adjoining semi – detached property (no. 208) and appear overly prominent and out of character within the wider streetscene context. The roofs of properties are the key elements which are most visible face on and from longer range views. The current hipped roof forms make an important contribution towards the sense of space between the properties at this level, which would be harmed by the proposal.
9. The large flat roof rear dormer fills much of the roofscape and would, due to its massing appear top heavy and overly dominant within the roof space. Whilst

being located to the rear, the side elevation of the dormer would still be partially visible from Walton Road and the dormer at this height above ground level would still be very prominent and visually intrusive from neighbouring gardens and the general locality.

10. In addition the dormer combined with the two hipped roofs of the two storey rear extension would provide a cluttered and incongruous appearance to the roofscape, which is considered to be detrimental to the character of the property.
11. In isolation, the two storey side and part single, part two storey rear extension would be considered appropriate. A similar scheme has already been granted planning permission. There would be a 3.50m set back from the front elevation of the main property and the set down of the roofs would appear subservient. There would also be a 1m separation provided to the west side boundary line in accordance with the minimum requirement from SPD4 which retains sufficient space between the properties. The small front porch would be proportionate in scale and well sited.
12. Materials would provide a similar appearance to the existing property which would be appropriate.
13. Whilst the side and rear extensions and front porch are considered appropriate in isolation, the harm caused to the appearance of the property and character of the area by the hip-to-gable roof conversion and large flat roof rear dormer would mean that overall the application fails to comply with Policy L7 Design and SPD4.
14. Whilst reference has been made to roof alterations to other properties in the surrounding area, which include hip-to-gable and dormer extensions, it is acknowledged that works to the roof can in some cases be carried out under permitted development, without the need for formal planning permission. However as part of this development the proposed changes do not constitute permitted development and as such the proposal must be considered against adopted policy and guidance.
15. In summary for these reasons the proposal is considered to be inappropriate in its context and would fail to provide a satisfactory design and appearance, against the requirements of Policy L7 Design and SPD4.

## **RESIDENTIAL AMENITY**

16. This section considers the potential amenity impact of the proposal upon adjacent residential properties.

17. Policy L7; Design also states that:

18. 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”.*

19. SPD4 within section 3.4 stipulates a 3m projection limit for single storey rear extensions to semi-detached properties sited on a boundary line and 1.50m for two storey rear extensions. The projection can be increased by an amount equal to that which it is set in from the boundary line. This figure also refers to the maximum distance typically permitted past the elevation of a neighbouring property.

*Impact upon no. 208 Walton Road (neighbour to side to east)*

20. This property features an existing single storey rear extension with a projection of 2.50m. In this regard the proposed single storey rear extension would only project 1.50m past the rear elevation of this property.

21. The first section of the two storey rear extension would project 1.50m on the east boundary line. The second section of the two storey rear extension would project 4m and be sited 2.90m in from the east boundary line.

22. The above projections all comply with SPD4 and in this regard the proposal is considered to avoid an unreasonable amenity impact upon the rear elevation / garden of no. 208 from visual intrusion, overbearing impact or loss of light / overshadowing.

23. The new second floor rear dormer would allow slightly greater overlooking to the rear garden of no. 208. However because it is rear facing in the same direction as first floor windows below, there is not considered to be a significant level of overlooking / loss of privacy that would justify refusal on this basis.

*Impact upon no. 212 Walton Road (neighbour to side to west)*

24. The two storey side extension would be set in from the west boundary line by 1m, which limits amenity impact upon side elevation windows of no. 212 in accordance with section 3.1.2 from SPD4.
25. This property features an existing single storey rear extension which projects approximately 2m. The two storey rear extension would project 2m past the rear elevation of no. 212 and be sited 1m from the side boundary line. This arrangement also complies with SPD4.
26. The new second floor rear dormer would allow slightly greater overlooking to the rear garden of no. 212. However because it is rear facing in the same direction as first floor windows below, there is not considered to be a significant level of overlooking / loss of privacy that would justify refusal on this basis.
27. Two first floor west side windows are proposed. If the application were considered acceptable, it would be reasonable to impose a condition requesting these to be obscure glazed to avoid lateral overlooking.

Impact upon nos. 41 + 43 (neighbours to rear to north)

28. The two storey rear extension would provide a minimum 19m facing distance to the rear garden boundary, whilst the second storey rear dormer would provide a 24m facing distance. This exceeds the 10.50m (first floor) and 13.50m (second floor) general minimum requirements from SPD4. The scale and siting of the extensions means there is not considered to be any specific amenity impact upon nos. 41 + 43.

Impact upon nos. 185 to 191 Walton Road (neighbouring properties to front to south)

29. The proposed hip to gable roof alterations are considered inappropriate from a design and appearance perspective with adverse visual appearance on the character of the street scene. However they are not considered to have any specific amenity impact upon these properties that would justify a reason for refusal by way of overbearing impact, excessive visual intrusion, loss of light or privacy. This is due to the facing distance of 25m across Walton Road and general separation also provided by front boundary treatments.

## **ECOLOGY**

30. As the proposal would involve extensive roof alterations with a loft conversion, a preliminary bat roost assessment has been undertaken. This purpose of this

survey was to assess the potential for bats being present within the property which are a protected species.

31. Results of the survey show a negligible roost potential with no indication of use by bats present either internally or externally. No further survey work is required.

32. As such the application is considered acceptable with regard to protecting biodiversity in accordance with Policy R2 – Natural Environment. However a precautionary approach to construction as an informative is recommended

## **PARKING**

33. The proposal would increase the number of bedrooms within the property from 3no. to 4no. There would be sufficient space remaining on the existing driveway for 2no. cars. There are no on street parking restrictions on Walton Road and it is considered that a third car could comfortably park on the highway.

34. Taking this into account and the fact that parking standards in SPD3 are a maximum, alongside the requirements of paragraph 111 of the NPPF, the proposal is considered acceptable on highways grounds.

## **DEVELOPER CONTRIBUTIONS**

35. The total additional floor space proposed is approximately 77sqm, which at less than 100sqm is not subject to the Community Infrastructure Levy (CIL).

## **PLANNING BALANCE AND CONCLUSION**

36. In isolation, the proposed front porch, two storey side extension and part single, part two storey rear extension would be considered appropriate. However overall the proposed development due to the hip-to-gable roof conversion and large flat roof rear dormer is considered to provide a poor design, appearing overly dominant and incongruous. There would be harm caused to the character of the property itself, to the pair of semi-detached properties by unbalancing the pair and harm to the character of the wider area by disrupting the existing rhythm and spacious appearance of the street scene. The application therefore fails to comply with the development plan, specifically Policy L7 of the Core Strategy SPD4 and the provisions of the NPPF and is therefore recommended for refusal.

## **RECOMMENDATION: REFUSE**

### **Reason:**

1. The proposed alterations to the existing roof, including the hip-to-gable conversion and large flat roof dormer would, by reason of their scale, form and massing appear overly dominant, resulting in an incongruous roof form and a cluttered rear roofscape. It would also significantly disrupt the rhythm and spaciousness of the street. This would be detrimental to the appearance of the existing property, the form of the semi-detached properties of which it forms one of a pair, and to the street scene more widely. The proposals are therefore contrary to the development plan (Policy L7 – Trafford Core Strategy), Trafford's Supplementary Planning Guidance Note 4: A Guide to Designing House Extensions and Alterations and the NPPF.
- 

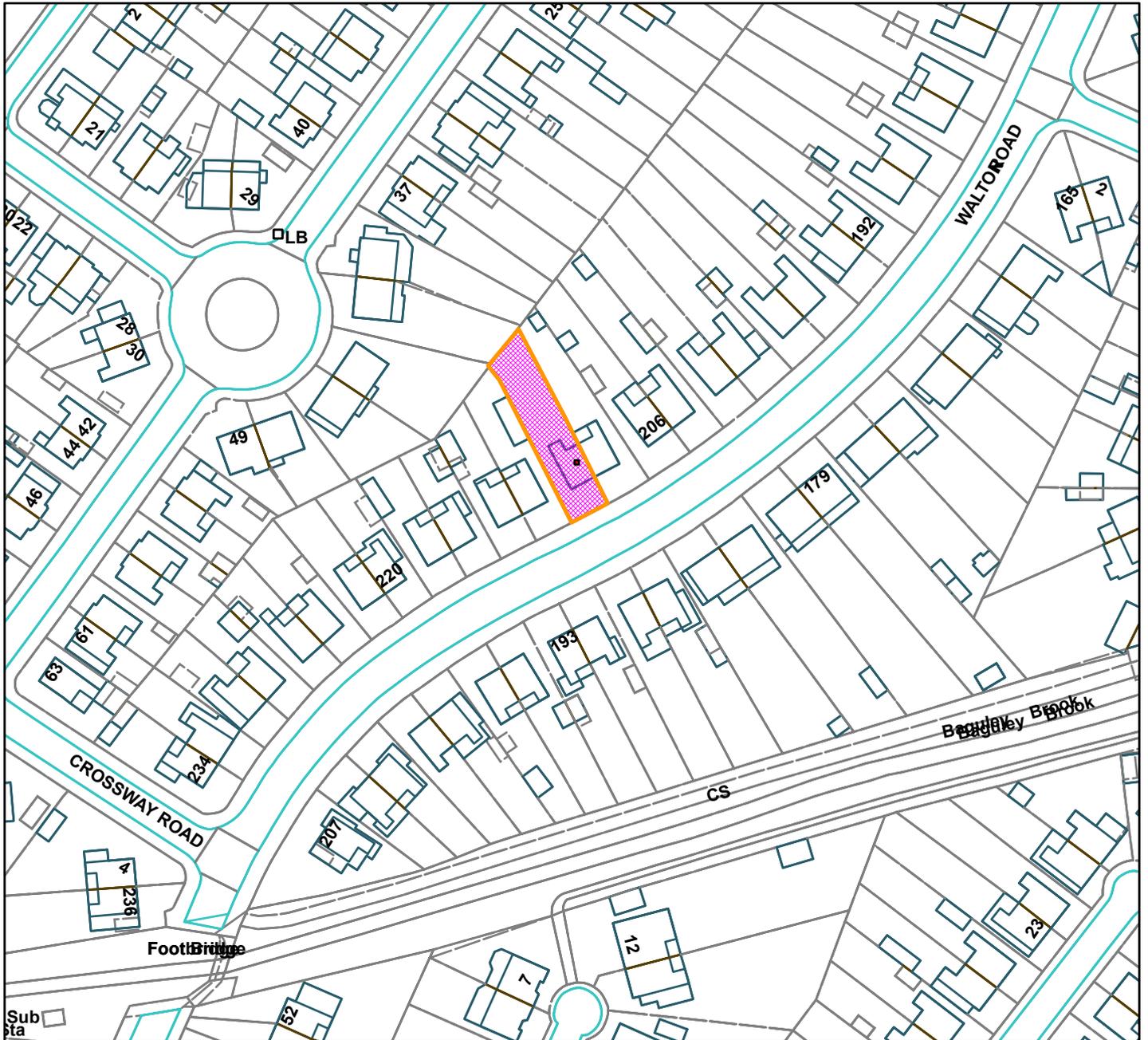
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# 105150/HHA/21



## TRAFFORD COUNCIL

210 Walton Road, Sale (site hatched on plan)



**Scale:** 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** St Marys

**105221/FUL/21**

**DEPARTURE: NO**

**Expansion of the school including standalone nursery, studio extension to the dining hall, new 2 storey classroom block to the south west corner of the existing building and formation of new car park to Firs Road frontage.**

Firs Primary School, Firs Road, Sale, M33 5EL

**APPLICANT:** Ms Claire Fisher, Trafford Council

**AGENT:** Mr Andrew Thompson, Bowker Sadler Architecture

**RECOMMENDATION: GRANT**

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**The application is reported to the Planning and Development Management Committee as it has received six objections and the applicant is Trafford Council.**

### **SITE**

This application relates to Firs Primary School which occupies a site of approximately 1.7 ha in area to the south east of Firs Road, Sale. The school buildings consist of a range of primarily single storey structures. Vehicular access is taken from approximately the centre of the site's frontage to Firs Road with car parking provided adjacent to the entrance. Pedestrian access is taken from three entrances spread along the Firs Road frontage. To the rear, south east, of the school buildings is a large area of playing fields which is designated as protected open space. A yard which is laid out as a sports pitch is provided towards the west of the site. The surrounding area is residential in character.

### **PROPOSAL**

Planning permission is sought for the expansion of the school from two form entry to three form entry. The proposed works comprise the erection of a standalone nursery block, a studio extension to the existing dining hall, an attached two storey classroom block to the south west of the existing building and the formation of an additional car park along the Firs Road frontage.

The proposed nursery block would have a footprint of 15m x 10m. It would have a flat roof with a height of 3.2m. Its external walls would be faced in a grey cladding and hung slate.

The studio extension would be a single storey flat-roofed extension to the west side of the existing dining room. It would have a footprint of 5m x 12m and a height of 3.6m.

The proposed two storey classroom block would be positioned to the south west of the existing school buildings. It would have a roughly rectangular shape with a projection of 20m and a maximum width of 33m. It would have a flat roof with a height of approximately 8m. Each side elevation would be slightly staggered. External materials would comprise buff brickwork, hung slate, timber boarding and large areas of glazing.

An existing covered walkway would be enclosed to connect the classroom block to the school's existing corridors.

The proposed car park would have a length of approximately 41m and a width of 11m. It would contain 16 car parking spaces.

## **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

R5 – Open Space, Sport and Recreation

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD3 – Parking Standards and Design

## **POLICIES MAP NOTATION**

None

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

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not

yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

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

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. 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**

104793/FUL/21- Installation of two single storey temporary classroom blocks providing a total of three classrooms. Approved with Conditions- 12.07.2021

99423/FUL/19- Permanent retention of double modular classroom with associated ramp and steps. Approved with Conditions- 06.03.2020.

86779/FUL/15- Erection of a timber gazebo. Approved with Conditions- 18.12.2015.

There are a number of further planning permissions for extensions to the school since 1993.

### **APPLICANT'S SUBMISSION**

Design and Access Statement  
Transport Statement  
Travel Plan  
Arboricultural Method Statement

### **CONSULTATIONS**

**Greater Manchester Ecology Unit** – No objection subject to a condition requiring bat and bird boxes be installed.

**Local Highway Authority** – No objections subject to conditions in relation to cycle parking, an updated Travel Plan and a Construction Method Statement.

**Lead Local Flood Authority** – No objection subject to conditions.

**Arboriculturist** – No objection. It is recommended that the low to moderate value trees that are to be removed be replaced as part of a landscaping scheme.

**GM Police Design for Security** – No objection subject to the Crime Impact Statement recommendations being implemented.

**Cadent Gas** – Low or intermediate pressure gas infrastructure has been identified in the vicinity of the site. An Informative should be added to the decision notice in relation to this.

**Sport England** – No objection.

**Environmental Health (Nuisance)** – No objection subject to a condition requiring a Construction Method Statement.

## **REPRESENTATIONS**

Letters of objection have been received from six separate addresses. The following concerns have been raised:

- An invitation for residents to comment on the proposals was cancelled by the Council.
- The existing parking situation is described as chaotic with near misses involving children and vehicles.
- There has been abusive and threatening behaviour towards residents when residents complain about parking across driveways or in front of houses.
- Previous complaints have fallen on deaf ears.
- The proposed work has already started before residents could have their say.
- Parking problems will only get worse with an increase in pupil numbers.
- Other areas of Trafford without the same problems have parking restrictions- what is the difference?
- Painting double yellow lines has not worked as it is not enforced.
- Camera controlled parking and prosecutions should be used.
- The school already caters for the maximum number of pupils that the site and surrounding roads can accommodate.
- Residents are unable to access their homes at busy times of the day.
- The traffic survey should be carried out on a wet and cold winter's day.
- Cars park with engines running which is bad for the environment.
- Children from West Timperley are unlikely to get the bus to school. It is more likely that they will travel by car.
- The proposed materials are welcomed as long as they are not later changed.
- The extended hard play area is too close to residential properties and will cause noise and loss of privacy to residents.
- Additional parking spaces won't alleviate on-street parking problems.
- Pupil intake has already increased 30% in the last six years.
- Shrubs and hedging along Firs Road provides a natural view which should be maintained.
- A two storey classroom block erected close to residential properties will result in loss of privacy to gardens and bedrooms- particularly in winter.

- Parents would not feel comfortable sending children to a school which is overlooked by residential properties.
- Now that the school use has returned to normal, traffic problems are as bad, if not worse, than ever.

*It is understood that an in-person pre-application consultation event was to be carried out with local residents. This was replaced with an online consultation event as a result of national restrictions associated with the Covid-19 pandemic. This event was separate to the Planning Authority's publication of the current planning application which was carried out in accordance with the Development Management Procedure Order 2010 and the Council's Statement of Community Involvement.*

*It is also understood that comments relating to works at the site already being underway refer to the implementation of recent planning permission 104793/FUL/21 which approved two temporary classroom blocks at the site.*

## **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'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 2021 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 design, parking and highway safety impacts and impacts on sports and recreation facilities are considered most important in determining this application. These are policies L4, L7 and R5 of the Trafford Core Strategy. This is because they relate to the likely impacts of the proposed development on the surrounding area and on existing sports provision. Policies L4, L7 and R5 of the Core Strategy are consistent with the NPPF and therefore considered to be up-to-date. The "tilted balance" referred to in NPPF paragraph 11 is therefore not engaged.
5. Paragraph 95 of the NPPF states: "It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.”

6. There are no Core Strategy policies that would presume against the principle of expanding the school. The principle of the development is therefore acceptable, subject to consideration of design, residential amenity, impact on protected open space and sports provision, and highways and parking impacts.

#### IMPACT ON SPORTS PROVISION

7. Paragraph 99 of the NPPF states that “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
8. Policy R5 of the Core Strategy states that “Development which results in an unacceptable loss of quantity of open space, sport or recreation facilities, or does not preserve the quality of such facilities will not be permitted”.
9. Sport England’s Playing Fields Policy advises that “Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:
  - all or any part of a playing field, or
  - land which has been used as a playing field and remains undeveloped, or
  - land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’
10. Exception E3 of Sport England’s Playing Fields Policy states ‘The proposed development affects only land incapable of forming part of a playing pitch and does not:
  - reduce the size of any playing pitch;
  - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);

- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
  - result in the loss of other sporting provision or ancillary facilities on the site; or
  - prejudice the use of any remaining areas of playing field on the site.
11. The proposed two storey classroom block would be situated entirely within an area of Protected Open Space. It would in part replace an existing double classroom block however it is recognised that the existing block is temporary whereas the current scheme is for a permanent structure. The proposal therefore results in the loss of part of an area of Protected Open Space.
  12. The proposed external area plan illustrates that approximately 0.45 ha of outdoor playing fields would be retained at the site. This is in addition to further areas of 'Soft Informal Area' and 'Habitat Area' within the Protected Open Space designation. The proposed classroom block would have an area of approximately 580 sq. m or 0.06 ha and therefore represents a small proportion of the whole area.
  13. It is considered that the area of open space which the proposed two storey classroom block would occupy is surplus to requirements given the large amount of outdoor space that is retained at the school. It would not represent an unacceptable loss of quantity or quality of open space as a result.
  14. The proposed double storey classroom block occupies an area which previously formed part of a playing field or its run off area. Sport England raise no objection to the proposal on the grounds that the development broadly meets exception E3 of their Playing Fields Policy. This is with regard to the nature of the playing field and its ability to accommodate a range of pitches.
  15. The proposal would therefore not represent an unacceptable loss of Protected Open Space or a playing field with regard to Policy R5 of the Core Strategy, NPPF guidance or Sport England's Playing Fields Policy.

## DESIGN

16. Paragraph 126 of the NPPF states that "The creation of high quality, beautiful and sustainable 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 134 states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design..."
17. In relation to matters of design, Policy L7 of the Core Strategy states development must:
  - Be appropriate in its context;
  - Make best use of opportunities to improve the character and quality of an area;

- Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
18. The proposed nursery block would be situated within what is currently an area of open space between the main school buildings and the north east boundary of the site. A gap of approximately 5m would be retained to the north east boundary and 14m to the existing reception block to the south west. This remains in keeping with the spacious character of the area and so would not be expected to introduce visual harm in this regard.
  19. The overall scale and massing of the nursery block would be low relative to the adjacent residential property at no. 121 and the main school building. This is in part due to the use of a flat roof rather than a pitched roof. Its primary facing material would be hung slate whereas the predominant material in the street scene is red brick. Nevertheless, the nursery block is a standalone building which, due to its scale and massing, would not appear unduly prominent. It is not considered that the nursery block would harm the visual amenity of the area.
  20. The proposed studio extension is positioned towards the centre of the school where it would have limited visibility from outside of the site. Its scale and massing would appear proportionate to the main school building. The use of a grey cladding rather than a traditional red brick reflects the more modern form of the flat-roofed structure which is considered visually acceptable; particularly given the reduced prominence of this element.
  21. The two storey classroom block would be positioned approximately 60m from Firs Road. It would be positioned 13m from the closest site boundary. Although it would be approximately 2.5m taller than the adjacent section of the existing school, at 8.2m in height, this set back from Firs Road and from the site boundary would ensure that it does not appear overly prominent or detract from the spacious character of the area. The block has been designed in a contemporary manner making use of relatively large amounts of glazing as well as buff brickwork and hung slates. The indicated material palette is considered to be high quality however it is recommended that a condition is added requiring submission of the specific materials to ensure a satisfactory external appearance.
  22. The creation of a 16-space car park along the Firs Road frontage would result in the loss of a grassed area along this frontage. Nevertheless, a landscaped strip would be retained and it is considered that sufficient open space and greenery would be retained at the site to ensure no adverse visual impact in this regard.
  23. It is considered that the proposed works are acceptable in visual amenity terms with regard to Policy L7 of the Core Strategy and relevant NPPF guidance.

## AMENITY

24. 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”.

25. A separation distance of approximately 13m would be retained between the two storey extension and the site boundary. The distance to habitable rooms at the nearest residential properties would be at least 29m; although this would be at an acute angle. There are also a number of mature trees along the site boundary although it is recognised that these are broadleaf trees which would provide reduced screening through the winter months. Nevertheless, the separation distances are considered sufficient to ensure no harm would be introduced to the residential amenity of the nearest properties, 31 and 32 Truro Drive, by way of overlooking, visual intrusion or loss of light.
26. The proposed nursery block would be a single storey structure positioned approximately 5m away from the boundary with 121 Firs Road. It would project approximately 8m beyond the rear elevation of no. 121. The separation distance is considered sufficient to ensure that excess visual intrusion or loss of light would not be introduced. A single window is proposed facing no. 121 which is positioned at a point where it would face the side elevation of no. 121's garage and rear extension. There are therefore no privacy concerns.
27. The proposed studio extension is positioned towards the centre of the site and is a single storey structure. There are no residential amenity concerns in this regard.
28. There are no amenity concerns with the area of car parking due to it being situated within the existing school site approximately 20m away from the closest residential property.
29. It is noted that the application involves an increase in pupil and staff numbers at the site which could lead to an increase in disturbance to neighbouring residents. Nevertheless, the proposal is consistent with the existing use of the site as a school premises. The scale of the increase in pupil and staff numbers would not be expected to introduce undue additional impacts by way of noise or other disturbance to residents. Environmental Health have confirmed that there are no objections in this regard.
30. There are no further amenity concerns with the proposal which complies with Policy L7 of the Core Strategy and relevant national guidance.

#### PARKING AND HIGHWAY SAFETY

31. Paragraph 111 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.”

32. It is proposed to retain existing points of access from Firs Road, with no proposed changes seen for either the location or alignments of the accesses. It is noted that the school is intending to continue operating staggered start and finish times, and it is not considered that any intensification of use as a result of the school expansion would have a severe and unacceptable impact on the adopted highway as defined by Paragraph 111 of the NPPF.
33. The submitted transport statement states that there are approximately 23 parking spaces provided on site including two accessibility spaces and it is stated within the travel plan that the number of spaces is insufficient to accommodate the parking demand created by the existing 74 full and part time staff. It is proposed to increase the number of full and part time staff to 100. The application includes a proposed parking area at the front of the site, providing an additional 16 spaces. The applicant has submitted a parking survey which demonstrates that there is existing capacity within the adopted highway at this location to accommodate an increased demand for on-street parking. Given the travel survey results and the lack of on-site parking for existing staff, the LHA has stated that it would not wish to see a reliance on on-street parking and a robust approach to reducing car travel would be expected.
34. The applicant has submitted an updated Travel Plan which includes a number of objectives and targets and includes a number of initiatives to address these, including the promotion of the school's Cycle2Work workplace scheme (commenced September 2021), cycle focused events and learning, and a proposal to further increase the number of cycle and scooter parking spaces available to pupils and staff by September 2022.
35. The SPD3 standard for accessible car parking spaces at a primary school is determined on a case-by-case basis. It is understood that two accessible spaces are currently provided and that these will be retained. In addition, a further accessible space is proposed within the new area of parking at the front of the site. On this basis, it is considered that the proposal is acceptable in terms of SPD3 and Policy L4 in relation to accessible parking.
36. The minimum cycle parking standards as detailed within SPD3 state one cycle parking space is required per five members of staff plus one space per three students which, for long stay parking, should be provided in a secure and covered arrangement. The applicant has explained that younger pupils are more likely to use scooters whereas older pupils are more likely to use bicycles and has advised that additional cycle and scooter parking will be provided. The LHA states that canopies / shelters should be provided to ensure that cycles / scooters are adequately covered and that it is currently unclear whether the number of cycle racks will be increased for use by staff and school visitors. The LHA concludes that the cycle parking arrangements can be controlled by condition. It is noted that there is sufficient space at the site to provide an appropriate level of cycle parking. It is therefore recommended that a cycle parking scheme is required by way of condition.
37. The LHA has therefore raised no objections to the proposals subject to appropriate conditions in relation to the updated Travel Plan, cycle parking and

a Construction Method Statement. On this basis, the proposal is therefore considered acceptable in parking and highway safety terms with regard to Policy L7 of the Core Strategy, SPD3 and relevant national guidance.

## EQUALITIES

38. 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.
39. 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 to planning applications.
40. In respect of those with a disability, SPD3 states that accessible parking spaces to schools should be determined on a case-by-case basis. Two spaces are currently provided and these are to be retained. In addition, a further accessible space is proposed within the new area of parking at the front of the site. On this basis, it is considered that the proposal is acceptable in terms of SPD3 and Policy L4.
41. No particular benefits or dis-benefits of the scheme have been identified in relation to any of the other protected characteristics in the Equality Act.
42. As such, it is considered that the proposed development is acceptable with regard to Policy L7 of the Core Strategy.

## DEVELOPER CONTRIBUTIONS

43. Public/institutional facilities, including those for education, are subject to a CIL charge of £0 per sqm.
44. The development would not attract any other developer contributions.

## CONCLUSION

45. The proposed development is considered acceptable in design terms and would not result in any unacceptable impact on the residential amenity of neighbouring

properties. The expansion of the school would not result in unacceptable loss of public open space or cause undue harm to a playing field. Subject to conditions relating to an updated Travel Plan and cycle parking, the proposal is also considered to be acceptable in terms of parking and highway safety impacts. The application is therefore in accordance with Policies L4, L7 and R5 of the Core Strategy, SPD3 and relevant national guidance.

46. Great weight is given to the need for the school to expand in accordance with paragraph 95 of the NPPF.
47. The application is therefore considered to be in accordance with the development plan when taken as a whole and relevant NPPF guidance and it is recommended that planning permission should be granted, subject to conditions.

### **RECOMMENDATION:**

**GRANT** subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:
  - 1004 Rev. E (Proposed New Block Ground & First Floor Plans),
  - 1005 Rev. G (Proposed Site Plan),
  - 1011 Rev. B (Proposed External Area),
  - 1013 Rev. A (Proposed Elevations),
  - 1014 Rev. A (Existing and Proposed Studio Elevations & Plan),
  - 1104 Rev. A (Proposed and Existing Streetscene Elevations),
  - 1110 Rev. A (Proposed Nursery Elevations),
  - 2004 Rev. E (Proposed Landscape Plan).

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

3. Notwithstanding any description of materials in the application no works involving the use of any materials to be used externally on the buildings listed below shall take place until samples and / or full specifications of all such materials 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.

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

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

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

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

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

6. The development hereby permitted shall not be occupied unless and until biodiversity enhancement measures have been provided on site in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity, having regard to Policy R2 of the Trafford Core Strategy and guidance in the National Planning Policy Framework.

7. The development hereby permitted shall only be carried out in accordance with the approved Drainage Letter (25th Aug 2021 / ALM Consult) and Drainage Strategy (6th August 2021/ GSM) which includes the Drainage Strategy Plan, Dwg No: 2021-114-C02 B.

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

8. The development hereby permitted shall not be brought into use unless and until a drainage management and maintenance plan for the lifetime of the development has been submitted to and approved by the Local Planning Authority. The management and maintenance plan shall include arrangements by an appropriate public body or statutory undertaker, management / maintenance company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The management and maintenance plan 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 Policy L5 of the Trafford Core Strategy on guidance in the NPPF

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

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

10. The classrooms hereby approved shall not be brought into use unless and until a scheme for secure cycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

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

11. On or before the date when the classrooms hereby permitted are first brought into use, the updated Travel Plan received by the local planning authority on 15<sup>th</sup> September 2021 shall be implemented and thereafter shall continue to be implemented throughout a period of ten years commencing on the date of first use of the classrooms hereby permitted.

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.

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

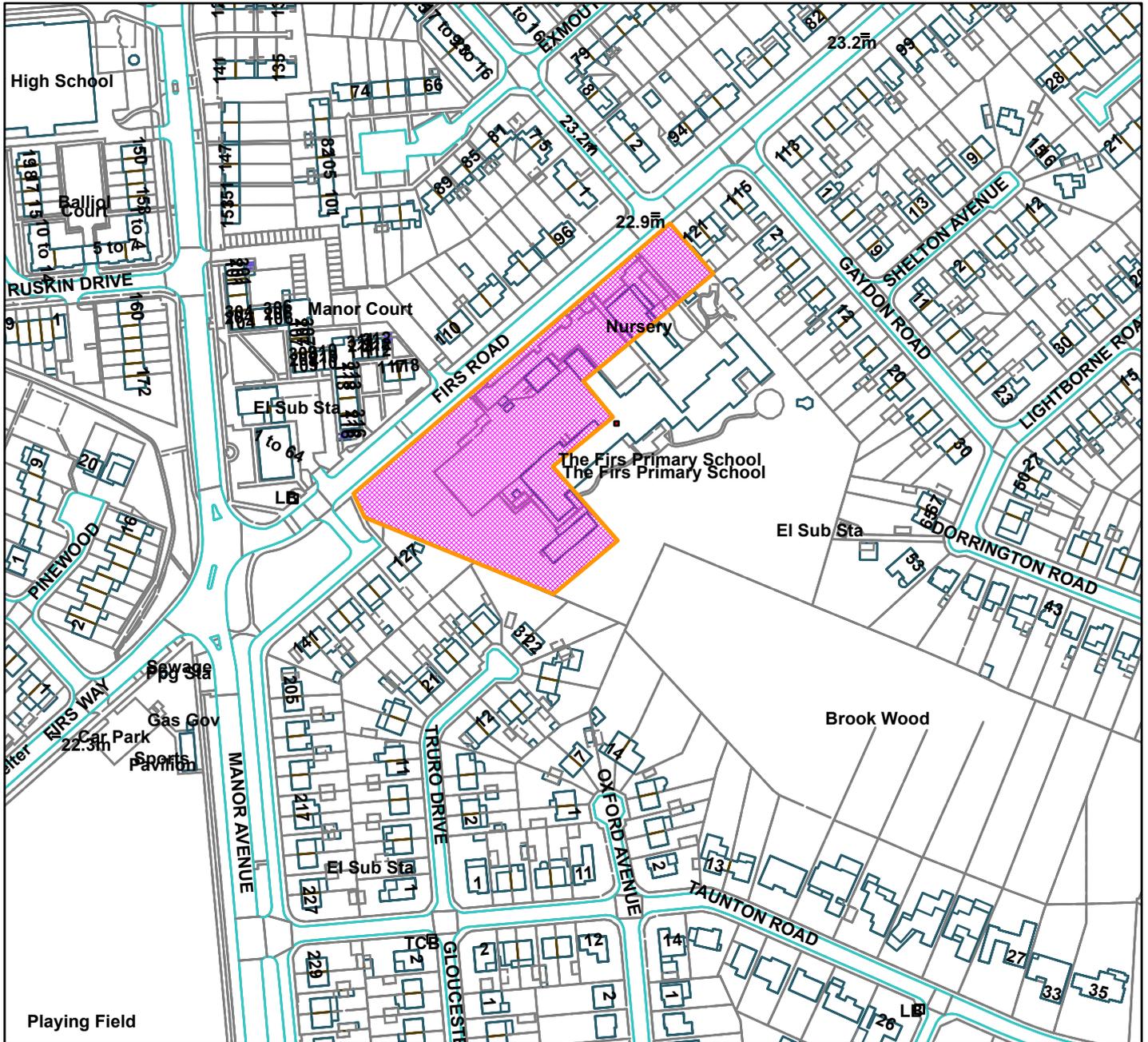
Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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JW



Firs Primary School, Firs Road, Sale (site hatched on plan)



**Scale:** 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** Ashton On Mersey    **105473/HHA/21**

**DEPARTURE:** No

## **Erection of a part single/part two storey front/side and rear extension.**

**ADDRESS:** 14 Bowness Drive, Sale, M33 6WH

**APPLICANT:** Mr and Mrs Peter Broadbent

**AGENT:** PHD Design

**RECOMMENDATION: APPROVE**

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**The application is being reported to the Planning and Development Management Committee because an officer of the Council has an interest in the application.**

### **SITE**

The application site relates to a two storey semi-detached dwellinghouse located at the south end of Bowness Drive – a cul-de-sac within Sale. The dwelling has a hipped roof, an existing part single/part two storey side extension, a rear conservatory and front bay windows. The dwelling has a splayed common boundary with No.12 Bowness Drive, adjacent to which there is a detached garage and driveway with space for at least three vehicles.

### **PROPOSAL**

Planning permission is sought for the erection of a part single/part two storey side and a single storey rear extension. The existing two storey side extension would be extended forwards and to the side (above the existing single storey side extension), and increased in height (albeit it would still lower than the original roof of the dwelling). The resultant roof of the dwelling would have two hipped roof elements extending to the side of the original roof, consecutively of lower height.

A single storey extension with lean to roof is proposed in front of the existing and proposed two storey side extension, and a single storey extension with lean to roof, which would continue to form a canopy above a patio, is proposed at the rear. The proposal would create an open-plan kitchen, utility room, cloak room and snug at ground floor, whilst the fourth bedroom would be enlarged and an en-suite created at first floor.

### **DEVELOPMENT PLAN**

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

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

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

L4 – Parking;  
L7 – Design.

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

### **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards and Design;  
SPD4 – A Guide for Designing House Extensions & Alterations

### **PROPOSALS MAP NOTATION**

None

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

None

### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the National Planning Policy Framework (NPPF) on 20 July 2021. 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 1<sup>st</sup> October 2019. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

H/59316 - 14 Bowness Drive - Erection of a conservatory to the rear of the property. Approved with conditions 16.06.2004

H42559 - 14 Bowness Drive – Erection of a single storey and part first floor side extension to form living accommodation and erection of a detached garage in rear garden. Approved with conditions 05.08.1996

### **APPLICANT'S SUBMISSION**

None

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

None

### **OBSERVATIONS**

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. Therefore, the proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy and SPD 4.

### **DESIGN AND VISUAL AMENITY**

2. Policy L7 requires that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
3. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance in order that proposals can successfully do this.

4. The proposed first floor side extension would project 2.5m from the existing first floor side elevation of the two storey side extension, to meet flush with the existing side elevation of the single storey side extension – this would represent a projection of 5.8m from the original side elevation of the dwelling. A gap of 1.8m would be retained to the common boundary with No.12 Bowness Drive.
5. The proposed two storey side extension would be set forward of the existing two storey side extension and project 3.3m from the original side elevation of the dwelling – a gap of 2.3m would be retained to the common boundary with No.12 and the extension would be set back 1.7m from the original front elevation of the dwelling.
6. The single storey side extension would also project 3.3m from the original side elevation of the dwelling, and would be set back 0.3m from the original front elevation of the dwelling. The single storey rear extension would largely replace the existing conservatory and project 3m from the original rear elevation of the dwelling.
7. Given that the roof ridges of the two storey side extension would step down in height, that both elements would be set back from the preceding front elevations, and that an adequate gap would be retained to the common boundary with No.12, the proposal is considered to retain an acceptable sense of spaciousness and not appear overly dominant within the street-scene. The proposal would not ‘close-off’ the corner of the cul-de-sac. Whilst the overall width of the proposed development would be approximately twice the width of the original dwellinghouse, it is considered that the layout of the plot means the width is acceptable, given the set-backs and decreasing roof heights.
8. The proposed front and rear elevation windows would broadly align, and the overall appearance of the proposal is not considered to unduly impact on the street-scene or introduce visual harm upon the surrounding area.
9. Proposed brickwork, concrete roof tiles and white upvc windows/doors would match the appearance of the existing materials of the property.
10. As such, it is considered that the proposal would be acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and the NPPF in this respect.

## RESIDENTIAL AMENITY

11. Guidance contained within SPD4 states it is important that extensions or alterations do not impact adversely upon neighbour amenity.
12. The proposed development is not considered to cause an unacceptable overbearing or overshadowing impact upon No.12 – No.12 does not have any main windows to habitable rooms in the side elevation, whilst an outbuilding exists adjacent the

shared boundary that would be most impacted, rather than private amenity space. It is also noted that there is a current planning application at No.12 (105138/HHA/21) which would create a two storey side extension, and that the impact on the resultant property following the implementation of that proposal would still be acceptable.

13. There would be no first floor side elevation windows as a result of the proposal that would overlook No.12, and the views from the proposed ground floor side elevation windows would be largely screened by the existing garage. It is considered that there could be some views into the amenity space of No. 12 from the proposed first floor front elevation bedroom window, particularly if the garage at that property is removed in connection with the proposed extension at No. 12. As the proposed bedroom has windows in both the front and rear elevations, it is considered that the front window can be conditioned to be obscure glazed and non-opening up to 1.7m above floor level.
14. The proposed rear elevation windows would not overlook any private amenity space of The Homestead (apartments), located to the rear of the host property, which have garages and parking areas adjacent to the boundary, and over 21m would be retained to any neighbouring windows in these properties. There is not considered to be an unacceptable overlooking impact of the proposal on these properties.
15. The proposed single storey rear extension would comply with SPD4 guidelines and is not considered to result in any unacceptable overbearing, overshadowing or overlooking impacts upon neighbouring amenity.
16. As such, the proposal would not have any unacceptable impact on the residential amenity of any neighbouring dwellings and would comply with Policy L7 of the Core Strategy and guidance in the NPPF.

## PARKING

17. The Council's [maximum] parking standards suggest that three off-street parking spaces should be provided for four bed houses. This application does not propose to increase the number of bedrooms provided, though the proposal would result in the loss of use of the garage as a parking space. However, it is recognised that currently the gap between the existing side extension and boundary wall is 1.7m wide, so it would be difficult to use the garage as a parking space at present. Space will remain for two vehicles on the driveway of the property, and unrestricted parking exists on Bowness Drive. It is therefore considered that the proposed development is acceptable in terms of its parking impacts.

## DEVELOPER CONTRIBUTIONS

18. The proposed development will increase the internal floor space of the dwelling by less than 100m<sup>2</sup> and therefore will be below the threshold for charging. No other planning obligations are required.

## **PLANNING BALANCE AND CONCLUSION**

19. The proposed development is not considered to cause harm to the character or visual appearance of the street scene or the surrounding area by reason of its design, scale and materials, and therefore it is considered acceptable within its context. In addition, the proposed development would not have any unacceptable impacts on the residential amenity of any neighbouring properties. It is therefore considered that the proposal would meet the aims of SPD4, the Core Strategy and the NPPF and it is recommended that planning permission should be granted, subject to conditions.

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings "202113/OS1", "202113/OS2", "202113/ES1" and "202113/SkC1", received by Trafford Planning Authority on 04 August 2021.

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the window in the first floor on the front elevation facing 12 Bowness Drive shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

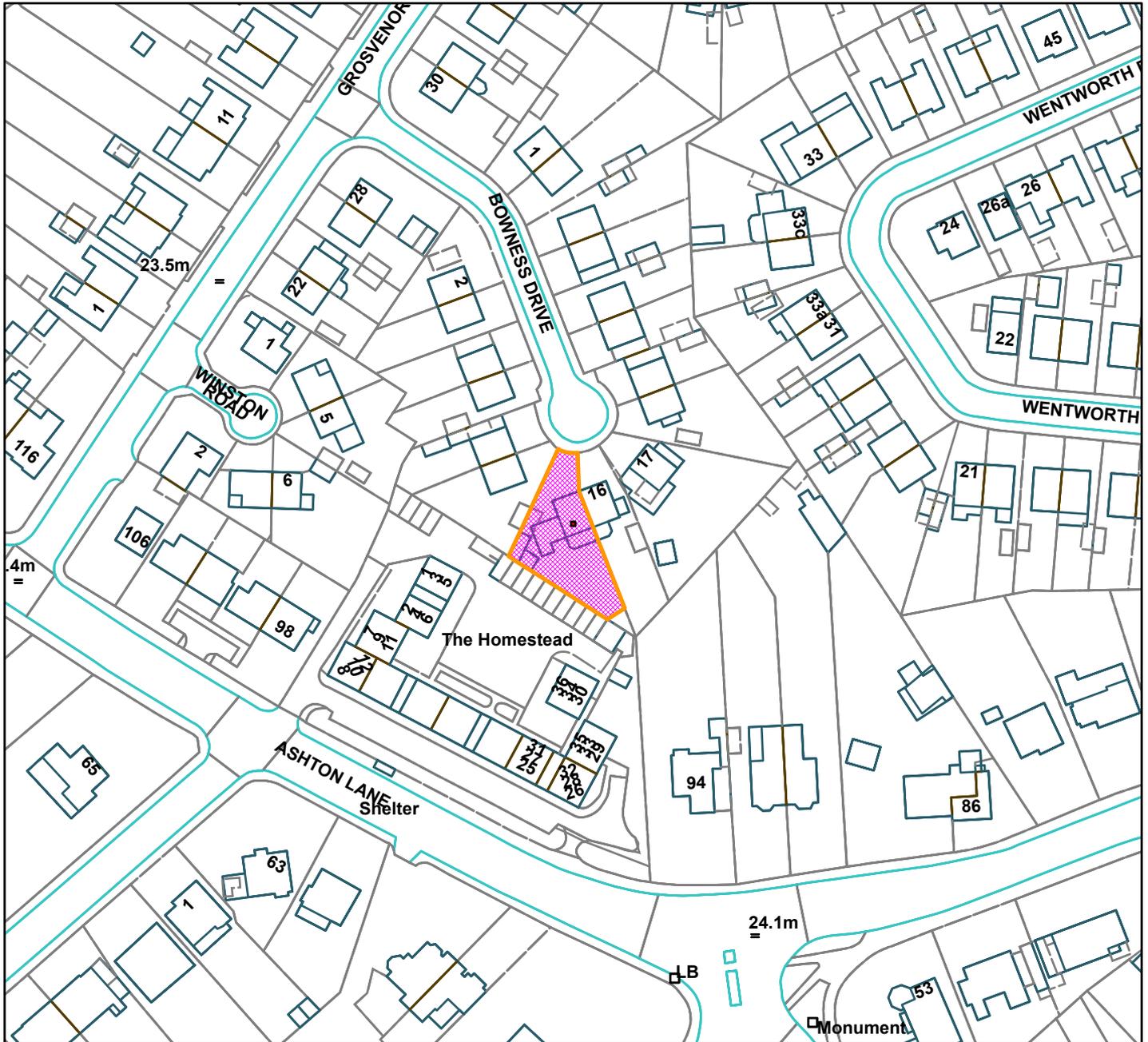
Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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CH



14 Bowness Drive, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)

**WARD:** Davyhulme West

**105488/HHA/21**

**DEPARTURE:** No

## **Retrospective application for erection of single storey rear detached outbuilding**

**ADDRESS:** 119 Davyhulme Road, Davyhulme, Manchester, M41 8BX

**APPLICANT:** Mr Doherty

**AGENT:** Mr Walker

**RECOMMENDATION: APPROVE**

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The application is being reported to the Planning and Development Management Committee as it has been called in by Councillor Thomas on the grounds that the building is residential rather than an office and will overshadow the neighbouring garden.

### **SITE**

The application site relates to a two storey semi-detached dwellinghouse situated on the south side of Davyhulme Road – a predominantly residential road within Davyhulme. The dwelling has a hipped roof and existing single storey lean-to rear extension, together with front and rear gardens.

There is a driveway running adjacent the east boundary of the property with space for three vehicles, whilst a detached outbuilding exists in the rear garden.

### **PROPOSAL**

Retrospective planning permission is sought for the erection of a single storey rear outbuilding with flat roof. The outbuilding comprises a main building subdivided into an office with kitchenette, another office and a WC, and a store attached at the rear. The structure measures 11m long, 3.4m wide (reducing to 3m wide for the store), and 2.7m in height (measured from ground level at the front/nearest the main dwelling).

The increase in internal floor space of the proposed development would be 29.6m<sup>2</sup>.

### **DEVELOPMENT PLAN**

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

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

the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

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

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

L4 – Parking;

L7 – Design.

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

### **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards and Design;

SPD4 – A Guide for Designing House Extensions & Alterations

### **PROPOSALS MAP NOTATION**

None

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

None

### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

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

The MHCLG published the National Planning Policy Framework (NPPF) on 20 July 2021. 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 1<sup>st</sup> October 2019. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

99307/HHA/19 - 119 Davyhulme Road - Erection of new front porch, single storey side and rear extension. Approved with conditions 11.03.2020

H22579 - 119 Davyhulme Road – Demolition of kitchen and erection of a single storey rear extension to lounge and kitchen. Approved with conditions 24.12.1985

### **APPLICANT'S SUBMISSION**

None

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

One objection received, raising concerns relating to: -

- the use of the outbuilding/incorrect labelling of rooms on the floor plan;
- the scale of the proposal and incorrect measurements/siting being shown on the plans;
- the potential overbearing and overshadowing impact of the outbuilding,
- noise/odour pollution;
- safety concerns;
- outbuilding and pipework preventing maintenance access;
- proximity of building to boundary preventing erection of boundary fencing; and
- the future use of the outbuilding.

The objector states that the property has been marketed for sale with a layout plan showing “a fully contained annex which comprises of lounge, kitchen, shower room and bedroom” and states that any permission should restrict the outbuilding to use incidental to the main house and prohibit use as living accommodation, require the relocation of the W.C. and associated pipework away from the boundary, the building should be inspected by Building Control in relation to safety, sound insulation and drainage and permitted development rights should be removed to prevent further erosion of the residential character of the gardens.

*Issues relating to Building Regulations (structural safety of building, drainage etc.), access for maintenance and fencing, position of pipework etc. are not material planning considerations.*

## **OBSERVATIONS**

1. The proposal is for an outbuilding at an existing residential property, within a predominantly residential area. Therefore, the proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy and SPD 4.

### **Design and Visual Amenity**

2. Policy L7 requires that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
3. SPD 4: A Guide for Designing House Extensions and Alterations, paragraph 3.9.3, states that the residential character of rear gardens can be gradually eroded by the erection of garden structures that are large scale in bulk and footprint and that it is important that the materials, design and proportions of a detached garden structure should relate to the residential character of the setting, not be excessive in size or bulk and use characteristic materials.
4. The outbuilding has replaced a garage (which is shown on the existing plans for planning application 99307/HHA/19). Given that the built structure is 11m in length, it is recognised that it would occupy a significant proportion of the rear garden of the host property, which measures 22m long.
5. When measured from the neighbouring rear garden of No.117, the height of the flat roof of the outbuilding was 2.85m at the front and 2.6m further back, before dropping to 2.4m above ground level for the roof of the store.
6. Most of the properties on this side of Davyhulme Road have garages / outbuildings within their rear gardens and, although the outbuilding at the application site would be longer than the majority of these, it is considered that, within this context, the development is of a scale that does not unacceptably erode the spaciousness of the area nor constitute an overdevelopment of the host plot. The outbuilding is therefore considered to be of an acceptable scale.
7. The outbuilding has a pair of centrally opening doors in its west-facing elevation and a window opening either side of the doors. The store has an access door and a larger window opening, also in the west-facing elevation. Each of these doorways and window openings are of an acceptable size and appearance.
8. The windows and doors are comprised of white UPVC frames. The outbuilding and front of the store is finished in brickwork, whilst the side and rear elevations of the store are finished in blockwork, the rear elevation of the store is partly hidden by a boundary fence, although there is no fencing adjacent to the brick built part of the

outbuilding. The development is not considered to introduce visual harm upon the surrounding area and, given that the area of blockwork is very limited in scale, the materials are considered to be acceptable. It is also noted that a 2.5m high outbuilding could be constructed directly adjacent to the boundary under permitted development rights with no controls over materials and that the application building would not be significantly higher than this

9. As such, it is considered that the proposal would be acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and the NPPF in this respect.

### **Residential Amenity**

10. Guidance contained within SPD4 states it is important that extensions or alterations do not impact adversely upon neighbour amenity. Paragraph 3.9.4 states that the height and bulk of garden structures should be minimised and they should not be positioned so close to neighbouring boundaries as to adversely affect neighbouring properties.
11. The development is 2.85m tall at the front (measured from the neighbour's garden), where it is largely screened by the existing garage at No.117. The height of the flat roof of the outbuilding then reduces to 2.6m above the ground level of the rear garden of No.117 at the rear. A 0.25m gap is retained to the neighbour's outbuilding, as measured on site by the planning officer.
12. Given the siting of the application building and the position of the neighbour's outbuilding, adjacent to the front section of this, it is considered that the development does not have any undue overbearing or overshadowing impact in relation to windows in the rear elevation of No. 117.
13. The rear elevation of the store is partly hidden by a boundary fence and is not significantly higher than the fence. However, it is recognised that the fence only screens a small section of the overall building and that likewise the neighbour's outbuilding only sits adjacent to a relatively small section of the building at the front. Therefore, for the remainder of its length, the rear wall of the application building effectively forms the boundary with the adjacent property with no fencing in between. Notwithstanding this, the development is not considered to introduce an unacceptable overbearing or visually intrusive impact upon the rear garden area of No.117 given its relatively modest height. Neither is there considered to be an unacceptable overshadowing impact for the same reason. It is noted that a 2.5m high outbuilding could be constructed directly adjacent to the boundary under permitted development rights with no control over materials and that the application building would not be significantly higher than this. Whilst it is recognised that there is a slight difference in ground levels (approximately 200mm) with the ground level on the neighbour's side of the boundary being slightly lower than that within the application property, it is relevant that the height of a permitted development

outbuilding would be taken from the highest ground level adjacent to the building (i.e. from the highest ground level on the application site rather than the neighbouring ground level).

14. No windows face towards No. 117 and therefore there would be no undue overlooking impact in relation to that property. Whilst the windows of the outbuilding face the common boundary with No.121 Davyhulme Road, the outlook to the private rear amenity space of No.121 is largely screened by an approx. 1.7m tall boundary fence. There is therefore not considered to be an unacceptable loss of privacy or overlooking impact on this neighbouring property as a result of the outbuilding.
15. It is recognised that concerns have been raised about the use of the building and that the house has been advertised for sale with the annex shown as living accommodation. The applicant states that the proposed use would be as an office (ancillary to the existing dwelling) although it is recognised that there is a kitchen area and a w.c. within the building. Should planning permission be granted for the outbuilding, it is also recognised that a further permission would not be required to use it as living accommodation subject to this being ancillary to the existing dwelling as this would not represent a material change of use. Furthermore, whilst the building would be physically capable of forming self-contained living accommodation (which would require a further planning permission and would have an unacceptable relationship to the main application property), it is considered that it is of a scale that would normally be considered acceptable as an annex to the existing property. It is therefore considered that, subject to a condition that the building is only used for purposes ancillary to the existing dwellinghouse, the use of the building for either ancillary office use or ancillary living accommodation would not have an unacceptable impact on the residential amenity of either neighbouring properties or the application property.
16. It is noted that concerns have also been raised in relation to potential noise and odour impacts related specifically to the siting of the w.c. and associated pipework adjacent to the boundary. However, this element of the building faces the rear of the neighbour's outbuilding and a building of 2.5m in height with a w.c. and pipework in the same position could have been constructed under permitted development rights. It is therefore considered that any potential related noise and odour impacts would not be such as to justify the refusal of the application.
17. As such, it is considered that the proposal would be acceptable in terms of impact on the residential amenity of neighbouring properties and would comply with Policy L7 of the Core Strategy and guidance in the NPPF.

## **Parking**

18. Whilst the development has taken place following the demolition of the previous garage, parking space for at least two vehicles remains on the plot, and unrestricted

parking exists on Davyhulme Road. It is therefore considered that the development is acceptable in terms of its parking impacts.

## **DEVELOPER CONTRIBUTIONS**

19. The proposed development will increase the internal floor space of the dwelling by less than 100m<sup>2</sup> and therefore will be below the threshold for charging. No other planning obligations are required.

## **PLANNING BALANCE AND CONCLUSION**

20. The outbuilding is not considered to cause harm to the character or visual appearance of the street-scene or the surrounding area by reason of its design, scale and materials, and therefore it is considered acceptable within its context. In addition, the development does not have any unacceptable impacts on the residential amenity of any neighbouring properties. It is therefore considered that the development meets the aims of SPD4, the Core Strategy and the NPPF and it is recommended that planning permission should be granted, subject to conditions.

## **RECOMMENDATION: APPROVE**

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 relates only to the details of development shown on the submitted drawing, "001 A", received by the Local Planning Authority on 05 August 2021.

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

3. The building hereby permitted shall not be used or occupied at any time other than for purposes ancillary to the use as a single dwellinghouse of the dwelling known as 119 Davyhulme Road, Davyhulme, M41 8BX.

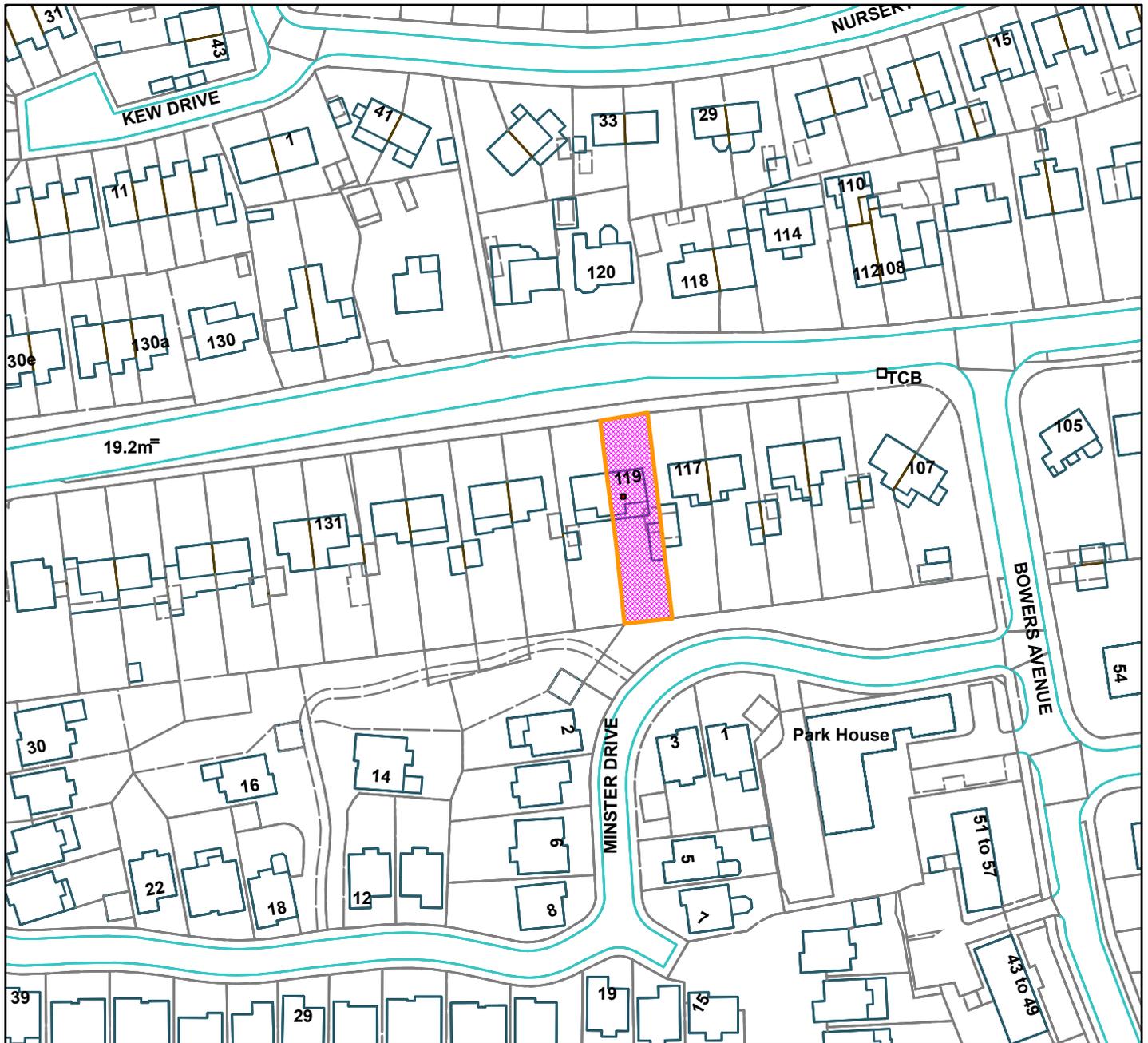
Reason: In order to prevent the additional accommodation being used as a separate dwelling or for a separate use which would have unsatisfactory facilities for prospective occupants, or would have an unsatisfactory relationship with existing dwellings, and in the interests of highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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CH



119 Davyhulme Road, Davyhulme (site hatched on plan)



**Scale:** 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date -14/10/2021
Date	27/09/2021
MSA Number	100023172 (2012)