

**WARD:** Gorse Hill and  
Cornbrook

**110695/FUL/23**

**DEPARTURE:** No

**Reconfiguration of existing hotel (eastern warehouse) to provide 200 rooms and external alterations; erection of roof extension to eastern warehouse to create roof terrace area; erection of 7 storey multi storey car park (181 spaces) and associated site alterations. Reconfiguration of western warehouse to facilitate change of use of 2nd and 3rd floors for corporate event space including glazed extension to roof, new glazed entrance, external lifts, and other internal and external alterations (including demolition of canopy structure). Erection of new roof to existing event space building (central warehouse). Installation of solar photovoltaic (PV) panels and glazed PV panels to roofs and southern elevations of western warehouse, central warehouse and multi-storey car park, and the provision of high-level footbridges.**

Victoria Warehouse, Trafford Wharf Road, Trafford Park, M17 1AG

**APPLICANT:** Adam Geoffrey Management Limited

**AGENT:** Drinkwater Architects Ltd

**RECOMMENDATION: APPROVE**

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**The application is reported to the Planning and Development Management Committee since six or more representations have been received which are contrary to the officers' recommendation.**

#### **EXECUTIVE SUMMARY**

The site relates to Victoria Warehouse, an existing corporate events and music venue with hotel accommodation. Sited in the north of the borough towards MediaCity/The Quays, the site comprises a group of old warehouse buildings which has been recognised as a non-designated heritage asset. The site is within the Strategic Location of Trafford Wharfside, as identified by the Core Strategy. This full application is similar in its content to an extant planning permission granted in 2020 but which has not been implemented. This current proposal similarly involves the erection of a new multi-storey car park, an increase in hotel bedrooms (within the eastern warehouse) and changes to the central warehouse/arena building (including a new roof). However, for the western warehouse, the new proposed development comprises more widespread use of the building for conferences and events including the provision of a roof-top glazed extension, glazed external goods lift and glazed entrance.

The application has been assessed against the relevant provisions of the statutory development plan (chiefly the Core Strategy and the new Places for Everyone), along with the National Planning Policy Framework and relevant local and national planning

guidance. The decision-taking structure that has been applied is the standard planning balance. Some representations in opposition to the application have been received, most commonly in relation to the residential amenity impacts. Heritage harm has been identified by virtue of the visual impact of the alterations and the loss of some historic fabric (mainly to the western warehouse). Conversely, it has been recognised that there would be a range of public benefits, including in heritage terms in further sustaining the historic environment, and in the scheme contributing to the economic viability and regeneration potential of the Wharfside area. The application is also underpinned by a desire to achieve carbon neutrality and with a list of positive-energy technology incorporated. Other harms have been very limited, although with an extensive suite of conditions recommended in order to secure the necessary level of quality in the development and to mitigate any adverse effects (including on the topic of residential amenity).

It has been concluded that the proposal is compliant with relevant policies of the statutory development plan, as well as national policy in the NPPF and also other relevant guidance. Approval is recommended, subject to conditions.

## **SITE**

The subject site comprises the full extent of the destination known as Victoria Warehouse. The site, which extends to some 0.99 hectares, is broadly rectangular and elongated. It is an island site and has long frontages to the Bridgewater Canal to the south and Trafford Wharf Road to the north. The site's eastern and western boundaries are key nodal points on the highway network (associated with the A5081 Wharfside Way, which leads to Trafford Park, and the A5063 Trafford Road leading to/from Salford). The site is accessed off Trafford Wharf Road. The Victoria Warehouse complex comprises two large, detached warehouse buildings at four and six storeys in height (known as the eastern and western warehouses) and a central two-storey arena building (which is attached to the western warehouse). There are also some ancillary structures together with a yard area which separates the arena and the eastern warehouse. It is understood that the three main buildings on site were built in four phases between 1899 and 1932. The site was subject to bomb damage during the Manchester Blitz (in the early 1940s) and parts of the site had to be rebuilt/repaired, including the arena building which may originally have been a taller structure.

The eastern warehouse now operates as a hotel (and also includes function/events accommodation), and the western warehouse and the arena is used as a conference centre and music venue. The site has operated in these terms following the grant of full planning permission on 8<sup>th</sup> February 2012 (ref. 76241/FULL/2010). It is now a significant music, leisure and conference destination of national importance. That being the case, parts of the site are under-utilised and the full capacity of the 2012 permission has not been achieved (for example, the number of hotel bedrooms within the eastern warehouse is considerably lower, at 42, and only the ground and first floors of the western warehouse are in active use).

Adjacent uses to the site include Hotel Football (which is a 10 storey development which opened in 2015), Manchester United's Old Trafford football stadium and areas of surface-level car parking, a new apartment development (No. 1 Old Trafford) which comprises two towers of 15 and 18 storeys, detached modern office buildings, and the new Wharfside Metrolink tramstop. Further afield – on the opposite side of the Manchester Ship Canal - is Salford Quays, and out-of-centre retail warehouse parks on the opposite side of the A56 Chester Road/main railway lines (including White City).

## **PROPOSAL**

Further to the establishment of the site as a leisure destination over a decade ago, in December 2020 planning permission was granted for an expansion of the use of the site in these terms (ref. 99872/FUL/20). The key components of this permission comprise:

- Eastern warehouse:
  - The reconfiguration of the existing building to provide 200 hotel rooms including the occupation of the second and third and fourth floor, the full occupation of the first floor, and the provision of a new function room at fifth floor level;
  - A roof-top extension with an adjacent roof terrace;
  - The installation of a footbridge link at fifth floor level across to a proposed new multi-storey car park;
  - New glazing to the loading bay doors and repair work to the windows; and
  - Internal alterations, including the reconfiguration of staircases and the provision of internal lifts.
- Western warehouse:
  - The use of the second and third floors (presently vacant) for office purposes (Use Class B1);
  - The erection of a glazed entrance to the northern elevation;
  - The provision of a running track and clubhouse at roof-top level;
  - Internal alterations including the provision of internal lifts;
  - The installation of external lifts and an external staircase; and
  - New glazing to the loading bay doors and repair work to the windows.
- The arena building (central warehouse):
  - The provision of a replacement concrete roof (to be clad in a corten mesh panels); and
  - Brickwork infilling and remedial work.
- New car park:
  - A new multi-storey car park building provided over seven floors and creating 183 car parking spaces;
  - To be sited in the existing yard area between the arena and the eastern warehouse; and
  - The building would have a concrete frame and would be clad in corten mesh panels (with some brickwork to the entrance).

A full description of the development approved is cited below (see 'Planning History'). Some pre-commencement conditions have been discharged and, whilst there may have been some commencement of the works, meaningful implementation of the development has not occurred.

The current application has been described by the applicant as a variation to this existing permission (ref. 99872/FUL/20). For the avoidance of doubt, however, it is submitted as a full application and has been assessed as such. The difference between the two proposals chiefly relates to the treatment of the western warehouse, and the changes relate to the end use proposed and the nature and extent of the physical alterations to the building. Other parts of the proposal (affecting the eastern warehouse, the arena building/central warehouse, and the new car park) remain largely unchanged. However, there are some exceptions, and the key changes can be described as follows:

- The provision of solar photovoltaic (PV) panels to the roofs and to parts of the southern elevations of the new car park and the arena building/central warehouse; and
- The provision of two high-level footbridges between the western warehouse and the arena building/central warehouse (which is required for means of escape purposes).

There has also been some minor adjustment in the location of accessibility spaces within the car park, the number of overall spaces within the car park has reduced (from 183 to 181), and the number of electric vehicles charging points has increased.

It has been explained by the applicant that the previous scheme's viability was impacted upon by the Covid-19 pandemic and other global factors, and that the amended vision for Victoria Warehouse as a whole now offers much greater certainty for delivery. In the consented scheme, the second and third floors of the western warehouse were to accommodate a new office use (providing 5,888 square metres of Class B1 floor space) and with a new sports facility with clubhouse to the roof (uses not presently available at Victoria Warehouse). The amended proposal for the western warehouse now comprises the use of the second and third floors as further corporate event/function space (5,888 square metres of floorspace). The new use would extend into the roof space which would be enlarged through a new glazed extension (an additional 2,944 square metres). The application submission explains that two events operators have licences for staging large scale events at the site: Academy Music Group and VW Group. Academy Music Group host events within the arena building and the ground and first floor of the western warehouse. These typically take the form of either live music events or club night events. VW Group stage events in the eastern warehouse (those parts of the building not in hotel use), normally taking the form of corporate social events, weddings and conferences. The newly proposed conference use of the second and third floor (and roof top) of the western warehouse would operate in a similar manner to the existing events use within the eastern warehouse albeit on a greater scale. Indeed, the submission describes how the venue already attracts many high profile exhibitors and global corporate users (including HM Government European

Development Fund, KPMG, Barclays, HSBC, BUPA, Astra Zeneca, Facebook, Pandora, Jaguar Land Rover and BMW. The revised proposal for Victoria Warehouse seeks to capitalise on the venue's successful track record as a unique and distinctive location to host commercial events, and to benefit from the increased demand for large-scale corporate activities, including by high-profile uses. The enlarged hotel use at the complex would continue to be complementary to this conference and leisure use.

The proposed roof-top extension to the western warehouse utilises a timber construction system which would deliver an open plan arrangement (spanning 35 metres) and an internal height of 8 metres. This height is maximised through the provision of an additional structure atop the most central parts of the roof-top extension. Externally the materials comprise large glass facades, corten to the roof and to the main mullions, perforated corten panelling, and bronze curtain wall panelling and to a series of secondary mullions. The additional, highest-most structure would not be glazed and would be faced in corten. The glazed façade of the main extension would then lead out onto a south-facing terrace area. Other features of the revised proposal for the western warehouse include: a tall external goods lift to the north-eastern corner which would replace an existing modern bronze canopy structure and which would be largely glazed with a corten steel frame; a glazed entrance to the ground floor of the north-facing elevation (to Trafford Wharf Road) and which is larger than that previously approved under permission ref. 99872/FUL/20; the introduction of a series of projecting balconies (formed by black metal railings) to the southern façade to the canal; the installation of a row of glazed, vertical, photo-voltaic panels to the upper elements of the roof-top extension on the southern elevation; and the provision of photo-voltaic panels to the roof (to be contained within the footprint of the highest-most structure).

With reference to the current use classes system which has been in place since September 2020, the proposed hotel is a Class C1 use (Hotels), venues for live music performance are classed as *sui generis* uses, public halls and exhibition halls fall within subsection (e) of Class F1 (Learning and non-residential institutions), whilst subsection (c, iii) of Class E (Commercial, Business and Service) covers 'other appropriate services in a commercial, business or service locality.'

## **Value Added**

The scheme for the western warehouse has undergone an extensive design development process, involving the input of planning and heritage officers, over a twelve month period. Negotiations have sought to explore the opportunities available to balance the new use proposed for this building whilst minimising heritage harm. In acknowledging the applicant's economic case for the scale of the roof-top extension, discussions have focussed on the form and silhouette of the structure, its external appearance and finish, and the quality and suitability of the proposed materials. The final design that has been arrived at, as described within this committee report, is the outcome of a thorough and robust iterative process.

In addition to these successful design amendments, other revisions have been made to the proposal – and further evidence has been provided - in seeking to address issues raised by consultees. This has covered highways matters, noise, air quality, crime prevention, with all developed further within this report. In addition, the extent of solar PV panels to be delivered across the development has increased during the course of the application’s consideration in order to improve the site’s sustainability performance. However, this prompted further design discussions – focussing on the new car park structure and the arena building/central warehouse – in order to ensure that the photovoltaic panel provision would not compromise visual amenity.

## **DEVELOPMENT PLAN**

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

- **Place for Everyone Joint Development Plan Document (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.
- **The Trafford Core Strategy**, adopted 25<sup>th</sup> January 2012; the Trafford Core Strategy partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy;
- **The Revised Trafford Unitary Development Plan (UDP)**, adopted 19<sup>th</sup> June 2006; A number 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 the new Trafford Local Plan.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

SL2 – Trafford Wharfside Strategic Location  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
W1 – Economy  
W2 – Town Centres and Retail  
R1 – Historic Environment  
R3 – Green Infrastructure  
R6 – Culture and Tourism

## **PROPOSALS MAP NOTATION**

Strategic Location

Strategic Development Site  
Main Industrial Area

### **PRINCIPAL RELEVANT PFE POLICIES**

JP-Strat1: Core Growth Area  
JP-Strat3: The Quays  
JP-Strat5: Inner Area Regeneration  
JP-Strat14: Sustainable and Integrated Transport  
JP-S1: Sustainable Development  
JP-S2: Carbon and Energy  
JP-S3: Heat and Energy Networks  
JP-S4: Flood Risk and the Water Environment  
JP-S5: Clean Air  
JP-J1: Supporting Long-Term Economic Growth  
JP-G8: A Net Enhancement of Biodiversity and Geodiversity  
JP-P1 Sustainable Places  
JP-P2: Heritage  
JP-P3: Cultural Facilities  
Policy JP-C5: Streets for All  
Policy JP-C6: Walking and Cycling  
Policy JP-C8: Transport Requirements of New Development

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

S11 – Development outside Established Centres  
ENV10 – Wildlife Corridors

### **SUPPLEMENTARY PLANNING GUIDANCE**

Revised SPD1 – Planning Obligations  
SPD3 – Parking Standards and Design  
SPG24 – Crime and Security  
The Trafford Design Code (Consultation Draft)  
Trafford Wharfside Masterplan and Development Framework (emerging)

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

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20 December 2023. 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 November 2023. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

104838/CND/21 - Application for approval of details reserved by conditions of grant of planning permission 99872/FUL/20. Condition numbers: 5 (Disabled Parking Provision), 14 (Clubhouse/track management plan), 15 (EV Charging Points), 17 (CEMP), 18 (Watching Brief - partial discharge), 19 (Travel Plan), 20 (Drainage Scheme), 21 (Bats), 22 (Bat Box Scheme), 23 (Bird Nesting Season), 28 (Event Traffic Management Plan) and 30 (Off-site parking provision).

105638/CND/21 - Application for approval of details reserved by conditions of grant of planning permission 99872/FUL/20. Condition number 25 - (Boundary Wall - Demolition Method Statement).

99872/FUL/20 – Reconfiguration of existing hotel (eastern warehouse) to provide 200 rooms and external alterations; erection of roof extension to eastern warehouse to create roof terrace area; erection of 7 storey multi storey car park (183 spaces) and associated site alterations. Reconfiguration of western warehouse to facilitate change of use of 2nd and 3rd floors to offices and associated internal alterations; erection of single storey extension to northern elevation; installation of two external lifts and staircase; provision of a running track and clubhouse to roof. Erection of new roof to existing event space building (central warehouse).  
Approved with conditions, 15.12.20

76241/FULL/2010 – Change of use of existing buildings to accommodate a hotel (775 bedrooms) and associated facilities in Use Class D1 (conference and display uses), D2 (assembly and leisure including indoor sport, fitness, dance hall, concert hall) and Sui Generis (nightclub). Erection of a single storey extension to form entrance and reception area, associated external treatments, car parking, demolition of existing loading bay and other works.  
Approved with conditions, 08.02.12

## **APPLICANT'S SUBMISSION**

The following documents have been provided to supplement the submission (in addition to plans and drawings).

Air Quality Assessment  
Carbon Budget Statement  
Community Engagement Statement  
Construction Method Statement  
Contaminated Land Position Statement  
Crime Impact Statement  
Design Façade Study  
Design and Access Statement (including separate design statements for the arena, car park and western warehouse)  
Ecology Statement  
Equality Statement  
Heritage Statement



Light Assessment  
Noise Assessment  
Planning Statement  
Sustainability Statement  
Town Centre Uses Statement  
Transport Assessment  
Event Traffic Management Plan  
Waste Management Strategy  
Benefits Statement

Updates to some documents have been provided during the course of the application

## **CONSULTATIONS**

**Bridgewater Canal Company** – No response received

**Cadent Gas** - No objection, subject to informative (to advise of infrastructure in the locality)

**Electricity North West** – No objection, subject to informative (to advise of infrastructure in the locality)

**Environment Agency** – No objection, subject to condition/informative (to control the use of piling methods, to ensure that any identified contamination is dealt with, and to include some advisory notes for the applicant)

**Greater Manchester Archaeological Advisory Service** – No objection

**Greater Manchester Ecology Unit** – No objection, subject to condition/informative (to ensure the provision of biodiversity enhancement measures, and to restrict works outside of the bird nesting season)

**Greater Manchester Police** – No objection, subject to condition (to ensure that the submitted Crime Impact Statement is adhered to, and to require the undertaking of a Vehicle Dynamic Assessment and the provision of new Hostile Vehicle Infrastructure)

**Manchester City Council** - No response received

**Metrolink** – No objection

**Peak and Northern Footpath Society** – No response received

**Salford City Council** – No objection

**Trafford Council: Heritage Development and Urban Design Manager** – Harm to the significance of a non-designated heritage asset has been identified (as covered in the report). A series of conditions have been suggested in the event that planning

permission is granted (to provide full external material details including samples, to request further design details of specific features, to request details of new windows and external doors, to secure final details of PV panels, and to require the submission of a Demolition Method Statement)

**Trafford Council: Air Quality** – No objection, subject to condition (to ensure the implementation of the Construction Method Statement)

**Trafford Council: Contaminated Land** – No objection, subject to condition (to ensure compliance with the submitted contaminated land watching brief, and to request a verification report)

**Trafford Council: Lead Local Flood Authority** – No objection, subject to condition (to ensure adherence to the submitted drainage strategy)

**Trafford Council: Local Highway Authority** – No objection, subject to condition (to request an updated Travel Plan, to request full details of cycle/motorcycle parking, to ensure the provision of the car park, to obtain an updated Events Management Plan, and to ensure the implementation of the Construction Method Statement)

**Trafford Council: Nuisance** – No objection, subject to condition (to restrict the use of the hotel (eastern warehouse) roof terrace, to request specification details of the roof to the hotel function room and a subsequent verification report, to request details of the existing arena roof and to restrict events within the arena until the replacement roof has been provided, to request specification details of the new roof enclosure to the western warehouse and a subsequent verification report, to secure a Nuisance Management Plan for the operation of the new western warehouse event space, to control the provision of fixed plant, to request a light impact assessment, and to ensure the implementation of the Construction Method Statement)

**Trafford Council: Sustainability and Climate Change officer** – No objection, subject to condition (to ensure the implementation of the development in accordance with the submitted Carbon Budget/Sustainability Statements)

**Trafford Council: Waste Management** – No objection

**Transport for Greater Manchester** – No objection, subject to condition (to secure a Travel Plan, an Events Management Plan, and the implementation of the Construction Method Statement) and with some further observations made (as covered in the report)

**United Utilities** – No objection, subject to condition/informative (to request drainage details and to include some advisory notes for the applicant)

## **REPRESENTATIONS**

Two rounds of public consultation have been undertaken: one upon submission of the application and secondly upon the addition of solar photovoltaic panels to the proposal

and new footbridges which resulted in a revised description of development.

### First consultation exercise

4 letters of representation, objecting to the proposed development, were received. The points raised can be summarised as follows:

- The proposed development would have adverse impacts for the residents of No1 Old Trafford in terms of noise, light and air pollution;
- The noise impacts from this proposal on the residents of No 1 Old Trafford need to be taken into account, especially from the roof-top bar and terrace area;
- Noise elimination and soundproofing materials should be used;
- Existing events at the venue cause high and low frequency noise for No1 Old Trafford residents which affects the ability to live and sleep. All events should be stopped after 11pm;
- In addition to supporting this ambitious event facility, the Council also has a duty to protect the residents who live nearby;
- The proposed development would cause huge disruption during the construction period (including traffic congestion, road damage, vibration, drain blockage, noise, air and light pollution, and pedestrian safety concerns) which would be harmful to the residents of No 1 Old Trafford;
- A third party should be employed to manage pollution issues arising at the site during the construction phase. It should not be the responsibility of the appointed contractor;
- Trafford Wharf Road is already congested with vehicles travelling to Victoria Warehouse with customers being dropped off and/or collected. The proposal should allocate space within the site for a drop-off/pick-up zone;
- Crowd management staff should be employed to manage the entrances and exits and to give guidance to visitors;
- There are already too many cars parking on the double yellow lines, at the bus stop and on the pavement, and which block entry to No 1 Old Trafford;
- It is hoped that the new multi storey car park may remove the current illegal parking in the area;
- The provision of a multi-storey car park in this location, next to the tram and bus connections, would be unacceptable. This part of the site should accommodate much-needed homes, or office space or a larger hotel;
- This is a dreadful, offensive proposal which would undermine the Council's ambitions for the wider Trafford Wharfside; and
- The development proposed would ruin the setting of a listed building;

In addition, two letters of representation, neither objecting to or supporting the application, have been received. The points raised can be summarised as follows:

- The proposal generates a number of queries, as follows:
  - When would the reconfiguration commence if the planning application were to be approved?

- What would be the timeframe for completing the construction works?
- Would there be a set period for construction works to take place during the day?
- Would the proposal affect parking on Trafford Wharf Road?
- Noise mitigation measures must be used to reduce the impacts of crowd noise, heavy metal and disco music, and other audio nuisance;
- Space for visitors to be dropped off and collected within the site should be provided, and crowd management staff should be employed at events; and
- The proposed car park should also be open to the public to use (for a reasonable fee). This would remove the existing random parking outside the premises and No 1 Old Trafford. Residents living nearby should be given priority to use the car park.

### Second consultation exercise

One letter of representation, treated as an objection, was received. The points raised can be summarised as:

- The impacts of the construction process would be very harmful to neighbouring residents (on issues such as traffic congestion, roads damaged by heavy vehicles, pedestrian safety, air pollution, drains being blocked by materials and construction noise);
- An independent third party should be put in place to monitor the construction process; it should not be the site manager appointed by the developer; and
- Existing noise events at Victoria Warehouse already affect residents' ability to sleep. The design and construction must incorporate sound absorption materials.

## **OBSERVATIONS**

### The Decision-taking Framework

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF 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-taking process.
2. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11c explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for

determining the application are out-of-date, paragraph 11d advises that planning permission should be granted unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
3. Where a planning application conflicts with an up-to-date development plan, planning permission should not normally be granted, paragraph 12 of the NPPF explains.
  4. The Council's Core Strategy was adopted in January 2012, two months prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly consistent with much of the policy in the new 2023 NPPF, particularly where that policy is not substantially changed from the 2012 version. PfE represents a highly up-to-date development plan, having been adopted less than a month ago. However, it has been explained that - in view of the strategic nature of PfE – its content has served to replace (or partially replace) some but not all Core Strategy policies, and therefore many Core Strategy (and Revised Trafford UDP) policies remain in force (as explained in the relevant sections of this report).
  5. When having regard to the nature of this proposal and its key considerations, Core Strategy and PfE policies on the topics of design and residential amenity (Policy L7 and Policy JP-P1), heritage (Policy R1 and Policy JP-P2), highways impact (Policy L4), the Trafford Wharfside Strategic Location (Policy SL2), the Core Growth Area (Policy JP Strat-1), the Quays (Policy JP Strat-3) and main centre uses (Policy W2) have been most central to its assessment. These policies are considered to be up to date and should be given full weight, notwithstanding the fact that there is some inconsistency in the remaining wording of Core Strategy Policies L4 and R1. The tilted balance (as set out in paragraph 11d of the NPPF) is therefore not engaged, and paragraph 11c and paragraph 12 provide the decision-taking framework for this application.

### The Principle of the Development Proposed

6. With reference to the Composite Policies Map accompanying the statutory development plan, the site is located within the Trafford Wharfside Strategic Location (which also includes Mediacity and Old Trafford football stadium and its environs). The adopted Core Strategy identifies five such strategic locations; each offering potential for major economic and residential development to enable the growth of the borough. The relevant policy for Trafford Wharfside is Policy SL2 which envisages the development of a major mixed-use area of regional and

international significance. It continues that the focus of new investment should be on opportunities for economic (particularly in the digital and media industries), leisure (hotels and visitor attractions) and residential development. Following on from this, the policy identifies a specific vision for Victoria Warehouse which it describes as ‘a prominent long-standing and underused site located at the Trafford Wharfside eastern gateway.’ A high quality, high density, multi-storey, mixed-use redevelopment is referred to, and a range of possible uses are cited (including residential apartments, commercial office accommodation, a hotel, and ancillary leisure and retail uses). Policies JP-Strat1 (Core Growth Area) and JP-Strat3 (The Quays) of PfE - which both encompass the geographical extent of Trafford Wharfside and which replace a small section of the content of Policy SL2 - are fully complementary to the Core Strategy policy. They also recognise the huge scale and diversity of economic and residential opportunity across the Core Growth Area (which includes north Trafford), and promote the continued development of the Quays and its environs as an economic location of national significance. In addition, as of February 2024, the Council’s Executive has approved the production of a new masterplan for Trafford Wharfside. In building upon the Core Strategy and PfE objectives, the masterplan offers a vision for the further regeneration of the area over the next 15 years. First stage consultation on the Trafford Wharfside Masterplan and an accompanying Development Framework commenced in March 2024.

7. The supporting justification to Policy SL2 refers to the redevelopment and reuse of Victoria Warehouse as having the potential to act as a catalyst for wider regeneration across Trafford Wharfside. Indeed, it is evident that some of these policy ambitions for Victoria Warehouse have already been secured (by virtue of the original permission granted in 2012 (ref. 76241/FULL/2010). However, parts of the complex remain under-utilised and wholesale re-use and restoration has not taken place. When considering the last application, which sought a more intensive use of the site, it was concluded that the proposed development would – in principle – support the objectives of Policy SL2 by encouraging new business and leisure job opportunities and boosting the local economy. The particular mix of uses proposed – which included the introduction of office and recreational uses to the western warehouse – was also regarded as being in conformity with the policy’s ambitions. In turning to the current proposal, similarly, this would serve to maximise the use of the site and its scope to create a vibrant location. The site’s use for conferences and events is already established, and an expansion of these uses would take place alongside an enlarged hotel and existing entertainment facilities. Whilst Policy SL2 does not specifically identify a new car park within the list of appropriate uses, akin to the last application, it is accepted that this is an ancillary facility which would support the wider use of the site. The justification for the loss of prospective office space is accepted when recognising the difficulties in founding a new office location at a time of uncertain tenant interest and – in contrast – the desirability of the venue as a leisure destination and for less frequent, more ‘one-off’ visits. In essence, the proposal would deliver a more conference and events based-focus for

Victoria Warehouse, which it is where the site has experienced the most market success. Overall, it is concluded that the proposal and the revised combination of uses is wholly consistent with the objectives of Policy SL2 in its desire to achieve a mixed use redevelopment of the site and for this to reinforce Trafford Wharfside's visitor attraction role. Similar positive conclusions can be drawn when the proposal is assessed against the aspiration of policies JP-Strat1 and JP-Strat3.

### Main Town Centre Uses

8. Notwithstanding the above discussion which concludes in favour of the proposal under the terms of policies SL2, JP-Strat1 and JP-Strat3, there is a further matter which warrants analysis ahead of concluding that the proposal is fully acceptable in principle. The different uses proposed for the application site fall within the description of 'main town centre uses' in the NPPF (covering 'Retail development (including warehouse clubs and factory outlet centres); leisure entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).') The NPPF sets out a 'town centre first' approach in the location of such uses. This is in order to ensure the continued vitality and viability of town centres and to support the role they play at the heart of local communities. A similar structure is also reflected within the Core Strategy by means of Policy W2 (which remains in force in full following the PfE adoption). This policy defines a network and hierarchy of centres across Trafford, including town, district and local centres. Notwithstanding the site's location within the Trafford Wharfside Strategic Location and the policy support that is afforded to the provision of a range of main town centre uses specifically at Victoria Warehouse, the site is not within a designated centre (for example, the town centres of Altrincham, Sale, Stretford or Urmston, or one of Trafford's many lower order district or local centres). It is thus 'out of centre' for the purposes of applying Policy W2 and national policy. In this respect, paragraph 91 of the NPPF is clear that the sequential test should be applied in relation to proposals for main town centres uses which are neither in an existing centre nor in accordance with an up-to-date development plan. This means that they should locate in town centres, then in edge of centre locations, and only if suitable sites are not available should out of centre sites be considered. In addition, the impact of proposals for retail and leisure development (of over 2,500 square metres of floorspace) should also be assessed when that is proposed outside town centres (and when not in accordance with an up-to-date development plan), as set out in the NPPF at paragraph 94.
9. Of course, it is acknowledged that in this case, aside from the Policy SL2 support, Victoria Warehouse has operated as a venue which accommodates main town centre uses since 2012 (ref. 76241/FULL/2010). In fact, the

permission granted at that time involved the provision of a more significant scale of main town centre uses than has actually taken place to date (including a 775 bedroom hotel). More recently, the site's acceptability for the siting of main town centre uses was confirmed via the 2020 permission (ref. 99872/FUL/20), and with there being no change in the relevant policy position in the interim. Notwithstanding this, it is considered that a review of the current proposal under the remit of the 'town centre first' policy approach is warranted, particularly given the overall scale of the conference space now sought (which includes 2,944 square metres of new floorspace contained within the roof extension).

10. The application upon its submission included a Town Centre Statement. In response to officer queries regarding the scope of the original document, this was later supplemented by a technical note. In the interests of clarity, it is concluded that the validation that Policy SL2 provides for the uses now proposed does not in itself circumvent the need for the sequential and impact tests to be applied in the same way that – for instance – a site allocation for a specific scale and use in an up-to-date development plan may afford.
11. To reiterate, the sequential test is intended to ensure that developments for main town centre uses do not automatically end up in a location that would draw trade away from a town centre. If an application fails to satisfy the sequential test, paragraph 95 of the NPPF is clear that it should be refused. The NPPG provides further advice regarding the use of the test when decision-making. It confirms that there is a requirement, in assessing the suitability of more central sites, to demonstrate flexibility with respect to format and scale. The issue of the potential for 'disaggregation' when undertaking the sequential test (i.e. whether constituent parts of a proposal could be sub-divided to be accommodated on separate sites) is not covered by the NPPF or NPPG. However, the matter has been debated at length in appeal/Secretary of State decisions and with these indicating that there is no general policy requirement which necessitates the disaggregation of a proposal in all circumstances. Whilst it has been concluded that, in some circumstances, there may be a need to consider disaggregation as part of the sequential test, it is accepted in this case (in accordance with the technical note) that the default position would support the sequential test being applied to Victoria Warehouse venue in its entirety (i.e. no separating out of the hotel from the event space, for instance).
12. The size of the Victoria Warehouse site – at approaching 1 hectare – has already been documented. With this in mind, it can be acknowledged from the outset that there are very limited alternative opportunities – which are both suitable and available *and* in a more central location – to accommodate the scale of the development proposed. Whilst the applicant's technical note identifies three Trafford-based sites which may be of a scale - in theoretical terms - to accommodate the development proposed (comprising Lancashire Cricket Ground, Manchester United Football Ground, and Event City), these are also in



out-of-centre locations and are thus not sequentially superior. These are also all unavailable in any event.

13. The technical note also highlights other potential sites outwith Trafford and within the jurisdiction of Salford and Manchester city councils (including Manchester Central Convention Complex, Manchester AO Arena and the Audacious Church, Salford). This is when recognising the proximity of the application site, particularly to the Salford boundary, and also the national profile and expansive catchment of Victoria Warehouse which is of an order suited to a city centre location. Whilst the five sites referred to are indeed more centrally located (contained within the combined city centre boundary for Manchester/Salford), the technical note identifies that they are either not suitable and/or not available for the development that is proposed for Victoria Warehouse (even when accounting for a degree of flexibility). This is chiefly as a consequence of their existing active use and the lack of ability to expand due to the constrained, urban nature of their premises. Both adjoining authorities have been consulted on the application; no concerns have been raised, and there is no reason to dispute the applicant's assessment. It is therefore concluded that the sequential test is passed on the basis that there are no sites in sequentially preferable locations (both within Trafford and beyond) that are available and suitable for meeting the broad type of development that is proposed. This is consistent with previous conclusions and the site's existing operation, and it is to be reiterated that Policy SL2 – whilst not affording town centre status to the site - is supportive of the uses proposed.
14. In turning to the test of impact, there are two strands to the test as identified by paragraph 94 of the NPPF, as follows:
  - The impact of a proposal on existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal; and
  - The impact of a proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider catchment.
15. Where an application is likely to have a significant adverse impact on one of more of these considerations, paragraph 95 of the NPPF advises that it should be refused.
16. Further guidance on how the impact test should be applied is set out in the NPPG. It states that: 'As a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out-of-centre DIY store with small scale town centre stores as they would normally not compete directly).'
17. In this respect, and with reference to the first strand of the impact test, there is no existing, committed or planned investment in Trafford's existing centres which is

comparable to the application proposal. The mix of town centre uses proposed in the application scheme comprises hotel and corporate event space in reflecting the niche (and established) characteristics of Victoria Warehouse as a location. It is acknowledged that some new town centre uses – including new leisure uses – are planned in some of the borough’s town centres. This includes, for example, a new bowling alley within the approved reconfiguration of part of the Stamford Quarter in Altrincham (see planning permission ref. 106198/FUL/21) and a proposed cinema as part of the redevelopment of Stanley Square in Sale (which is subject of a ‘resolution to grant planning permission’, ref. 94986/FUL/18). However, it is evident that these would serve a substantially different leisure market and would meet a much more localised need which principally arises within the respective settlements of Altrincham and Sale rather than across Greater Manchester and beyond (akin to the application proposal). The same applies with reference to the major overhaul that is presently ongoing at The Mall in Stretford town centre (see planning permission refs 103844/HYB/21 and 107558/FUL/22). This work is focussed on delivering a vastly improved town centre environment for Stretford residents with upgraded units for new retailers, restaurants and bars, and a new public square for community events. There is clearly no overlap in the nature and type of this investment relative to the application scheme. Furthermore, there are no examples of forthcoming hotel or conference developments in Trafford’s centres which may otherwise be undermined by a competing facility at Victoria Warehouse. Of course, as the applicant’s technical note identifies, the application site is a longstanding destination for main town centre uses, and with a more intensive use of the site for such purposes already permitted and/or extant. This other investment in town centre locations has already proceeded in the knowledge of the existing and potential function of Victoria Warehouse. As a result, it is concluded that the application proposal is not likely to have a significant prejudicial impact on the implementation of other developments in Trafford’s designated centres. In addition, there is no evidence of the proposed development threatening the delivery of comparable investments in centres outwith the borough.

18. In turning to impact on town centre vitality and viability, this strand of the impact test is typically based around a quantitative, technical exercise. However, it is accepted that the impacts arising from leisure, hotel and conference developments are often not quantified with reference to a monetary diversion. This is because there is generally no reliable base information available in respect of their trading performance (unlike the position with retail stores). The technical note identifies that the application proposal would compete on a like-for-like basis with existing conference and events spaces and other hotels. Such uses could be accommodated in one location (for example, within a large hotel with ancillary function rooms) or could operate independently (the Manchester Central Convention Complex, for instance, and a smaller boutique hotel offering accommodation only). Accordingly, as outlined in the technical note, it is accepted that the application proposal would compete for revenue and trade from

a range of locations across its broad catchment, some of which could similarly be sited in an out-of-centre location (the Hilton Garden Inn at Lancashire Cricket Ground, for example). Its trading impact is thus likely to be dispersed and would not fall on one destination which could otherwise be put at risk. If there were evidence of such a situation, this would only be of a concern under the remit of paragraph 95 of the NPPF if that existing business was in-centre (or situated in a well-connected edge of centre location) and its continued successful performance was pivotal to the health of the centre as a whole. There are no such situations affecting the centres of Trafford (which are not underpinned by uses equivalent to the application proposal) and it is very clear that a city centre of the scale, influence and diversity of Manchester is sustained by a multitude of services, destinations and attractions and it is not exposed by reliance on a limited number of facilities. Following on from this, it is resolved that no defined centre would be the subject of any material adverse impact in terms of its vitality and viability. Again, it is reiterated that there is no evidence to date that the existing operation of Victoria Warehouse has led to an unacceptable level of trade diversion to the detriment of a town centre's health, and nor in respect of the prospective uses approved via the 2020 permission (ref. 99872/FUL/20).

19. As such, it is considered that the impact test is also passed since the application would not give rise to a significant adverse impact under paragraph 95 of the NPPF. Furthermore, the proposal is also consistent with Core Strategy Policy W2 insofar as it relates to both the sequential and impact tests. Accordingly, it can be concluded that the proposal – in principle – is wholly acceptable.

### Design and Visual Amenity

20. The NPPF, since its introduction in 2012, has referred to the Government attaching great importance to the design of the built environment. However, in recent years – as the Government has sought to introduce reforms to the planning system – there has been a re-focussing on design quality. In October 2019 the Government launched a National Design Guide (NDG), and in July 2021 it published a revised NPPF which, through text amendments, gave a clear indication of the Government's drive towards 'beauty' and improved design. Maintained in the most recent update to the NPPF (in December 2023), this NPPF also provides strengthened wording to enable local planning authorities to reject poorly-designed developments (see paragraph 139). The Government's wish for reform reflects wider concerns about the overall standard of design in new developments.
21. Consistent with the Government's agenda, high quality design has become paramount to planning decision-taking and plan-making in Trafford. It has been recognised that designing well creates better economic outcomes (as well as social and environmental) and that it should not be perceived as a barrier to investment. Both the NPPF and the NDG encourage local planning authorities to produce design codes, which are defined by the NDG as a set of illustrated design requirements that provide specific, detailed parameters for the physical

development of a site or area. In 2022, this Council embarked upon the production of its own design code, following a successful application to the Government's Design Code Pathfinder Programme for a share of £3m funding. Since that date the preparation of the Trafford Design Code has been fast-tracked. It has been largely produced in-house under the supervision of the Department for Levelling Up, Housing and Communities, and it has undergone several rounds of widespread public consultation including with residents, developers and architects. Final engagement sessions concluded in September 2023, remaining representations have been reviewed and addressed where possible, and adoption of the Trafford Design Code as supplementary planning guidance is expected in Spring/Summer 2024.

22. It was against this backdrop of the rising importance of design, and when having regard to the heritage value of the existing buildings on site, that the earlier application (ref. 99872/FUL/20) was considered. Officers were satisfied at that stage that the proposal – including the new car park building which represented the most significant area of change – had been designed to be sufficiently sympathetic to the characteristics of the development site. In the intervening period, the prominence of the design agenda has further increased, the Trafford Design Code has been prepared, and the expectations regarding what constitutes a well-designed development – as held by both officers and Members – has become more finely-tuned. Furthermore, when compared with the last application, the physical intervention to the existing built fabric (namely the western warehouse) that this current proposal entails is considerably more appreciable. It follows that very close scrutiny has been paid to the current proposal, and the level of supporting design-based information that has been requested to demonstrate the appointed architect's design philosophy has far surpassed that which accompanied the earlier application. The final solution that has been arrived at for the proposed roof-top extension (and other alterations) to the western warehouse is the outcome of a thorough and robust iterative design process. That being the case, officers remain contented with previous conclusions regarding the proposals for the eastern warehouse, the new multi-storey car park, and the central warehouse/arena building. It has therefore not been considered necessary to comprehensively revisit the design merits of these elements of the proposal, other than with reference to the revisions that have been incorporated since the earlier approval (chiefly in respect of the new photovoltaic panels to the car park and central warehouse/arena building, particularly to the rear facades, plus the new footbridges). This conclusion regarding the design acceptability of those components of the scheme which remain unchanged has been made in the knowledge of the changes to design policy and to guidance which have taken place in the intervening period, most notably the advancement of the Trafford Design Code but also PfE and its policies on design. Both are discussed further below, although the commentary covers firstly the relevant policies of the existing development plan.

23. The Core Strategy (which officers were fully cognizant of at the time of the last application's assessment) ascribes due importance to the design and quality of the borough's built environment. The text supporting Policy L7 (Design) advises that high quality design is a key factor in improving the quality of places and in delivering environmentally sustainable developments. Design solutions must: be appropriate to their context; and enhance the street scene by appropriately addressing scale, density, height, massing, layout, elevational treatment, materials, hard and soft landscaping, and boundary treatments, the policy is clear. Besides this, the policy for Trafford Wharfside (Policy SL2) contains a design requirement specific to Victoria Warehouse. Whilst promoting the re-use and redevelopment of the complex in supporting efforts to further the growth of Trafford Wharfside, the policy identifies as a prerequisite the need for any design for the Victoria Warehouse site to be 'high quality'.
24. The design policy of PfE, which replaced a significant portion of Policy L7 on its adoption, is Policy JP-P1 (Sustainable Places). This catalogues the expected attributes of new development in the interests of creating beautiful, healthy and varied places. It includes a requirement for proposals to be distinctive (and to respect the character and identity of the locality in terms of design, siting, size, scale and materials used, whilst also conserving the historic environment, local history and culture), and to be visually stimulating (creating visually stimulating and imaginative environments).
25. In turning to the Trafford Design Code, the purpose of the document is to establish a new design standard for the borough which is to be achieved via a landscape-led and place-based approach. In dividing the borough into separate area-types, the document acknowledges the environs of the application site as a location where high-rise/high-density development could be accommodated. The document is comprised of a series of separate design sub-codes covering different topic areas. Each design code contains information stating how a scheme should be designed to comply with that code (with numerical requirements often cited). It is explained that, at application stage, developers will be required to demonstrate how a proposed design confirms with the objective established by each design code. There is also the option to justify why an alternative response was taken that would result in a better design outcome (which would then be assessed on its merits).
26. Even ahead of its adoption, the Trafford Design Code is being used to positively influence the design of development proposals. In time its use will become established, and developers, architects and the community will be aware of the quality of new development that is expected in Trafford. Whilst the code does not currently apply to extensions to existing buildings - the current application, which with the exception of the car park, largely involves the adaption and extension of existing built form - the general content of the document is, however, highly pertinent. This includes, for example, a Strategic Objective entitled 'Responding to Place.' This explains that applicants must demonstrate how the

context of a site has influenced the design and appearance of a proposal. This includes allowing for the positive re-use and integration of heritage assets, which the Trafford Design Code describes as 'an irreplaceable resource'.

27. The Victoria Warehouse complex in its entirety occupies a highly prominent siting as a series of major transport routes converge at the White City gyratory (including roads leading to the city centre, across the canal to Salford Quays, and to the wider motorway network (comprising both the M60 and M602 motorways)). It is a well-trafficked and well-trodden location given the range of nationally significant destinations in the area, including Manchester United's Old Trafford football ground and Salford Quays, as well as other more local attractions (such as White City Retail Park). The existing warehouse buildings comprise substantial and imposing structures which are observable from a number of different aspects given their scale, their proximity to the highway network and canal, and given the openness of the wider area and the relative lack of competing, higher built form. This is recognised by Policy SL2 which, when introducing design principles for proposals affecting Victoria Warehouse, refers to the site's... 'strategic position at a gateway to the Quays and to the Trafford borough.' It continues by outlining that any new tall buildings at the site should be 'well-designed and iconic.'
28. It has been explained that the current proposals for the western warehouse are more significant than what was previously approved by means of the last application. The roof-top extension in particular, in view of its scale, location and appearance, would have an almost transformational effect on the appearance of this building and could further elevate its landmark status. The extent of physical alterations would be exacerbated by other new elements of the scheme, including the enlarged glazed entrance, the adjacent high-rising goods lift, and the high-level roof terrace. Of course, Policy SL2 as cited above contemplates allowing for something quite striking and commanding for Victoria Warehouse - as well as being elevated/high-rise - in recognising the development potential of the location. The need to positively use the site's distinctive history and unique identity to help achieve a prosperous future for Victoria Warehouse and to assist with the revitalisation of the wider area has been at the forefront of design discussions but whilst also applying important heritage and design principles of protection and enhancement.
29. At the opening of discussions regarding the western warehouse with the applicant's design team, commencing at pre-application stage, it was made clear to officers that certain design parameters had already been set with the purpose of meeting end-user requirements for the events and conference space. Most notably this included the height of the roof-top extension - in order to provide the necessary 8 metre internal clearance and to deliver an open plan arrangement - and the need to provide a new external goods lift. Whilst there was certainly much scope to influence their articulation, form and wider appearance, these base features and their general dimensions were fixed, it was explained. The

proposal relies heavily on the use of glazing, to the roof-top extension, the lift and the customer entrance. When having regard to the pre-determined specifications referred to above, the use of this material is intended to impart a lightweight and contemporary appearance, particularly for the high-level extension, and one which provides a notable transition between the historic and the new built fabric. For the lift and entrance extensions, it would also allow for some continued appreciation of the original features of the red brick warehouse building beyond. In relation to the roof-top extension, the glazing is proposed to be punctuated by wide columns (composed of corten and including some perforated corten panelling in central sections) and then an intermittent, vertical system of narrower mullions (in bronze aluminium). As conveyed within accompanying, extensive design documentation prepared by the architect, the rhythm established by the existing arrangement of lift doors and windows in the elevations of western warehouse would be extended upwards and replicated at the new upper level formed by the extension through the mullion arrangement which would serve to provide some visual harmony. The extension would, however, be set back from the existing roof edge which would preserve the stepped, decorative pediment to the north-facing elevation of the warehouse (as well as the wider cornice feature affecting the remaining elevations) and would allow the existing building to remain dominant in terms of massing and position.

30. It is re-iterated that the detailed proposal for the western warehouse that is presented for consideration and determination within this report is the product of a practical and collaborative design process. A range of issues and considerations have been debated and successfully navigated in the interests of carefully and sensitively managing change at the site. At each stage the applicant's team has been asked to explore alternative design options, and the evolutionary course of the proposal has been documented within the submission information (most specifically in a 'Façade Study for the Western Warehouse'). Particular areas of change and exploration include: the width, arrangement and hierarchy of mullions to the glazing; the width, shape and overhang of the upper roof verge; the choice and specification of materials; the treatment of the additional structure atop the most central parts of the roof-top extension; the appearance of the balconies; and the retention versus the removal of an existing canopy structure surrounding the proposed glazed lift. In relation to materials, grey steel and a black frame to the columns and glazing bars for the extension were both considered as options. However, it was concluded that corten steel – which has already been accepted as an external facing material for the new car park building via the approval of the last application – would better complement the existing industrial brickwork evident throughout the site, especially given corten's natural weathering over time. The tonal qualities of corten would also harmonise with the newly introduced bronze panelling and frames - it was concluded - and with both materials offering a good match with the dominant glazing product in providing an appropriate, overall materials palette.

31. The careful design review and assessment process that has been undertaken has also had to consider the changes that have been incorporated beyond the western warehouse. The provision of two new footbridges between the central warehouse/arena building and the car park are regarded as reasonable additions given their purpose in contributing to the wider 'means of escape' strategy for the venue. The provision of an elevated covered walkway connecting two buildings is not an uncharacteristic feature within an industrial and urban setting such as the application site, and the principle of a high-level footbridge as part of the earlier proposal has already been accepted (between the car park and the eastern hotel). The two new footbridges are shown as having a corten finish as a continuation of the wider materials theme. The bridges would be set inwards from the elevations of both the central warehouse/arena building and car park, and would be of limited length and overall scale in relation to the dimensions of the buildings that they would serve to connect.
32. In respect of the new roof-mounted photovoltaic panels, a precedent image has been supplied which indicates that the type of product to be utilised at Victoria Warehouse would involve the installation of a supporting frame or canopy which each panel would sit on. With this in mind and on account of the submitted plans which illustrate that the equipment would be well-concealed behind building parapets (and with some raising of the parapet for the central arena/warehouse building to ensure this), no concerns have been expressed regarding their introduction. Much closer analysis has been necessary, however, in relation to the planned placing of photovoltaic panels across much of the southern elevation of the car park building and part of the southern elevation of the central warehouse/arena building. In this location the new photovoltaic panels would be widely visible and would potentially have a considerable impact on the character and appearance of the affected buildings. The central warehouse/arena forms part of the original historic building grouping and the car park – whilst a new development – would sit in between the non-designated heritage asset and have a very close relationship. As a result, further details regarding the selected fascia-based system were requested, including the means of installation, the colour of the equipment, the size of the photovoltaic panels as well as their reflectance and finish, and the treatment of the joints between panels. In addition, amendments were secured in order to allow for the photovoltaic panels – black in colour and with a mat finish - to be arranged on both buildings on a standard grid formation but with intermittent gaps provided. Within each recess, corten strips would be placed so as to provide some visual interest and articulation, as well as unity with other aspects of the proposal through the further use of corten and to complement the verticality of the mullion arrangement to the adjacent roof-top extension. The need to support renewable energy technologies is fully understood, and the sustainability benefits of the application proposal are covered in full elsewhere in this report. In this respect, it is recognised that the technology surrounding renewable energy is advancing rapidly. The careful selection and design of the colour, contrast, spread, framing and arrangement of the photovoltaic panels to be used in this instance - in line with the additional and



amended information secured - has served to reduce their visual impact, officers have concluded. There may be advantages, however, in design terms in introducing more corten. However, the knock-on effects of further reducing the quantity of panels would downgrade the scheme's sustainability performance, which the applicant is keen to maintain. There is recognition that the rate of technological change is such that the currently predicted energy losses could be recouped at the time of installation through the use of a more efficient photovoltaic product than on the market. Accordingly, a condition is recommended which would postpone the final configuration of panels versus corten to a point closer to their installation with the intention of allowing for more visual mitigation subject to the desired sustainability achievement being maintained. Such a condition would also secure full details – including a physical sample – of the photovoltaic product to be installed including all associated equipment and fixings together with the proposed location and design of all plant and storage units.

33. The current proposals for the western warehouse would have a very pronounced impact on the character and appearance of this existing building, and the wider and cumulative effects across the site and broader townscape arising from the proposal would also be appreciable. The widespread visibility of the site has already been documented. In these circumstances, the applicant was asked to commission a suite of Accurate Visual Representations (AVR) with the purpose of illustrating what the proposed development (and the roof extension in particular) would look like in a three-dimensional form and within its intended surroundings. Consultation took place with officers to agree the selection of viewpoints on which the AVRs would be based. As part of this process, a Zone of Theoretical Visibility (ZTV) for the development was identified, and with this calculating a potential visual influence for the proposal of over 5 kilometres. It also confirmed comprehensive visibility in every direction, and with a particularly wide viewing range to the site's west. Accordingly, the selected viewpoints (of which there are eight in total) include: to the west of the site in two locations on Wharfside Way: to the north on approach from the Wharfside tramstop and further afield from Salford Quays; to the south from White City Retail Park, outside of the football ground, and at closer range from the Bridgewater Canal; and to the east from Trafford Road. In all cases, accurate (or 'verified') views of the proposal have been provided in a fully rendered form, thus capturing not only the outline of the buildings (their height, size and positioning, for instance) but also their detailed architectural form including building materials. The alternative options that have been explored, as discussed above, have also been modelled. The final eight verified views are also supported by four other useful visualisations which are based on more of an artistic interpretation of the development proposed and which show, for example, an aerial/elevated view of the Victoria Warehouse site including the new roof-scape. These also show how the development would look under different lighting and weather conditions.

34. The AVRs and accompanying visuals confirm that the proposed roof-top extension is of a considerable scale relative to the original warehouse building and that it has the potential – in view of its scale – to be a visually dominant feature. This information also confirms how readily visible the development – and some of the wider proposals - would be. The extension in particular would be highly conspicuous when approaching the site from the west, along Wharfside Way. From other directions, such as from the south in the environs of White City Retail Park, it would be less noticeable, however. Moreover, the extent of visual change that some parts of the site would undergo (the eastern warehouse, for instance) would be far less appreciable, and of course many of the proposals that are encompassed in this application have already been consented and are already capable of being delivered. This proposal has been approached on a practical level in the interests of finding the best way to ensure the continued use and appropriate preservation of the iconic buildings at the Victoria Warehouse site and of realising the ambitions for the Trafford Wharfside Strategic Location. It is acknowledged that the roof-top extension, in view of its height and scale, may conflict with some traditional design principles intended to secure a more subordinate size. A smaller scale extension may have been preferable in the interests of reducing its visual impact. This was not an available option, as has been explained, and therefore the focus has been on the scope for mitigation. Tracking the evolution of the proposal through the AVRs and the visuals demonstrates the effectiveness of the receptive and flexible design process that has been undertaken. Whilst the extension is indeed of a respectable size, it has been designed in its final iteration to be suitably sympathetic within its historic context, including in its use of materials, its form and its siting. The bulk of the extension has been minimised, especially through the revisions to the roof verge, which has served to reduce the overall perception of mass. Surface articulation has been applied, through the positioning of the mullions relative to the glazing, which would further assist with softening the way the development would be perceived. Interference with the existing historic fabric has been kept to a minimum. From this position and on account of the revisions made, it is concluded that the proposal would not unacceptably upset the visual balance of the western warehouse and that an impression of appropriate scale and proportions has been achieved through good design mitigation.

35. The level of design detail that has been sought to assist in the assessment of the western warehouse proposal and to provide comfort regarding its acceptability has been extensive. In addition to the proposed visuals and site-wide/contextual elevations which have encapsulated the development as a whole, it has covered much smaller-scale details of precise elements of the scheme. Detailed elevational and sectional drawings of the main architectural features have been provided, for example, along with information which has focussed on the junctions between areas of new work and the existing fabric; details regarding methods of construction; material samples and specifications; and sections of interfacing materials including to illustrate the extent of glazing reveals. Whilst little has been left unstudied, there remains the opportunity to prudently use

planning conditions to request some further details and in seeking to protect the design quality of the final negotiated scheme upon its implementation and construction.

36. Good quality design is an integral part of sustainable development. The NPPF recognises that design quality matters and that the planning process should be used to drive up standards across all forms of development; this approach has been fully embraced at Trafford. Pre-application and application discussions commenced in this context, but also in recognition of the development approved via the last application as well as the set design parameters and the opportunity presented to further the successful and active functioning of the historic Victoria Warehouse site. The proposals that have been previously approved, comprising modifications to the central warehouse/arena building and the eastern warehouse along with the new multi-storey car park, continue to be regarded as acceptable, factoring in the escalation of the design agenda and the development of new design policies and guidance. In addition, the scheme revisions contained within this application to these areas of the site (the new photovoltaic panels and footbridge links) – and where necessary attention to detail has been paid – have been found (following modifications) to also reflect the requirements of relevant design policy with regard to matters of siting, scale, materials and appearance. The current proposals for the western warehouse are considerably more ambitious than the preceding development. The glazed roof-top extension, glazed entrance, exterior lift, roof terrace and all ancillary work would – in totality – have a quite consequential impact on the appreciation of the western warehouse building (in view of their scale, siting and conspicuousness). However, a consultative design approach has been applied which, it is considered, has effectively reconciled the applicant's requirements with the need to respect the site's unique character and identity. Despite its scale, the extension has been designed to be sympathetic in its detailed form and in its architecture, materials, and decoration, and it is considered that it would in fact deliver some visual enhancement to the site through its high-quality design. On balance it is concluded that the proposal is in compliance with Policy L7 and new Policy JP-P1 on account of it protecting the visual amenity of the site and its surroundings. It is also consistent with the NPPF on design matters as well as the NDG.

#### Impact on Heritage Assets (Built Environment)

37. Conserving and enhancing the historic environment is an important component of the NPPF. The document introduces the term 'heritage assets' which are defined as: 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions'. Such heritage assets can be 'designated' or 'non-designated'. It is the conservation of heritage assets in a manner appropriate to their 'significance' which is the focus of the NPPF, and with this significance defined as: 'the value of a heritage asset to this and future generations because of its heritage interest.

Significance derives not only from a heritage asset's physical presence but also from its setting'.

38. In determining planning applications, paragraph 203 of the NPPF advises local planning authorities to take account of: 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.'
39. Elements of Policy R1 have been superseded by Policy JP-P2 (Heritage) of PpE. Policy JP-P2 defers to individual authorities' local plans to inform the positive management and integration of that area's heritage. Significantly, it also refers to development proposals affecting designated and non-designated heritage assets being considered in line with national policy. It thus subsumes the tests of paragraphs 207, 208 and most notably 209 of the NPPF which – as with the last application – falls to be applied here.
40. The application site of Victoria Warehouse comprises a group of late 19th/early 20th century cotton warehouses built by the Liverpool Warehousing Company Ltd within Trafford Park (which is widely recognised to be the first industrial estate in Britain). These buildings (as a complex) have been recognised by the Council as comprising a non-designated heritage asset (therefore having a degree of significance meriting consideration in planning decisions). The western warehouse (1925), in accordance with its original construction, comprises four storeys and is built in red brick. The principal elevation faces northwards (to Trafford Wharf Road), and placed in its centre is a pediment containing the inscription 'The Liverpool Warehouse Co. Ltd.' This elevation is largely intact and comprises 16 bays with six full height narrow loading bays. The eastern warehouse is composed of two different elements. The western-most structure (1927) comprises six storeys with a basement, and again is brick built. It has an angled western elevation which includes a narrow full-height loading bay, and the north-western angled corner carries an inscription on a narrow pediment. The eastern-most range is a brick structure with a basement and six storeys above. The northern elevation facing onto Trafford Wharf Road is dated 1932 and bears the pedimented inscription '1932 Liverpool Warehousing Co Ltd.' The eastern elevation is currently used for advertising purposes. In relation to the central warehouse/arena building, initially comprising six storeys and a basement, this has been substantially rebuilt since it opened in 1900. In its present form, the building is an extensive single-storey structure with a corrugated, pitched roof.
41. When determining applications, paragraph 200 of the NPPF advises local planning authorities to require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. In

response, the application is supported by a Heritage Statement. In order to determine the significance of a heritage asset the sum of its architectural, historic, artistic or archaeological interest needs to be disaggregated and determined, the statement explains. In terms of historical significance, the statement notes that the building group is a good, surviving remnant of the world's first industrial estate and that it stands as an important reminder of Manchester's industrial past. On this basis the warehouse group yields some high historic interest at a local level, the statement concludes. In terms of architectural/artistic interest, the statement identifies that the original architects for each warehouse has not been identifiable and that the buildings appear to have been of standardised construction, designed for function rather than architectural flair. Despite this, it is acknowledged that the building group emulates the distinctive quality of warehouse design which was characterised in the Trafford Park estate. Moreover, the eastern and western warehouse retain most of their original fabric. As a collective, the group is concluded to have medium-to-low architectural and artistic interest. In concluding on the matter of significance, the statement outlines that 'the building group is an impressive and prominent feature of the canalside and this part of Trafford'. In terms of their setting, the statement considers that the warehouses are experienced within a largely compromised setting which is now characterised by heavily trafficked roads. Nonetheless, the statement accepts that the warehouse group should be categorised as a 'heritage asset' (non-designated) in accordance with the NPPF definition, and that the impact of the proposed development should be considered in this context.

42. The emphasis within the Heritage Statement is on the heritage assets within the application site which would be directly affected. However, as advised by the Council's Heritage Development and Urban Design Manager, there are other heritage assets in the site's vicinity which are also worth noting. These comprise:

- Designated:
  - Trafford Road Bridge (Grade II Listed); and
  - Entrance Portal and Lodges to the former White City Greyhound Track (Grade II Listed)
- Non-designated:
  - The Bridgewater Canal;
  - The Manchester Ship Canal;
  - The former Telephone Exchange; and
  - The two Skyhooks (Brian Fell & Son sculptures)

43. When considering the last application, it was concluded by officers – in consultation with the Heritage Development and Urban Design Manager - that the works then proposed (to the eastern warehouse, western warehouse and central warehouse/arena building, together with the new car park structure), would have a 'minor impact' on the historical and architectural/artistic significance of the warehouse group as a whole. Subject to careful selection of external

materials, a neutral impact on the setting of the Grade II listed Trafford Road Bridge was derived, whilst – in relation to the other designated and non-designated assets listed above – their settings would not have been affected, it was found. Whilst useful background information when given the degree of overlap between this current proposal and the approved development, it has of course been well-documented that the latest proposal involves a much greater scale of development and modification – chiefly for the western warehouse – than the preceding scheme.

44. The submitted Heritage Statement, in accordance with NPPF requirements, proceeds with identifying the impact of the development proposed on the significance of affected heritage assets. It explains that it considers both the direct (physical) impact as well as the indirect (visual) impact, and with the focus being on the external changes to the buildings only. The impact assessment process that has been carried out, it is described, has been based on three key heritage views from which the site is best and most frequently appreciated. When having regard to the visual changes that would occur in these representative locations, the statement records one instance of a minor adverse impact (from Trafford Wharf Road); one instance of a negligible beneficial impact (further east along Trafford Wharf Road), and one instance of a neutral impact (from Wharfside Way). The document also refers to the ability of the proposal to deliver some localised, direct enhancements to the western warehouse, for example through the taking down of the existing entrance canopy, which it regards as an insensitive addition, and the removal of an area of existing breezeblock infill. A more recent update to the Heritage Statement, which factors in the introduction of photovoltaic panels to southern elevations, does acknowledge however that this component would introduce an additional degree of minor adverse harm to the building group as a whole (when viewed from Wharfside Way). Nonetheless, the overall tone of the Heritage Statement is largely positive in noting that the proposal would retain the fundamental character and appearance of the warehouses; it regards any adverse impact as a 'selective instance' within these wider favourable conditions, and it has confidence in the quality of the design to minimise the harm.
45. The opinions of the Council's Heritage Development and Urban Design Manager on the matter of impact are somewhat contrasting, however. From her position a greater degree of harm would be inflicted on the non-designated heritage asset as a whole. The consultation responses refers to the various appreciable interventions that this proposal encompasses, particularly to the western warehouse. The new roof-top extension is described as a 'significant and disproportionate addition', and other works referred to include the new glazed entrance (which would remove some historic doors), the new external good lift, the balconies and the roof-mounted photovoltaic panels. In addition, some new works to the central warehouse/arena building have also been singled out, such as the installation of the footbridges and the provision of fascia-based photovoltaics, along with the introduction to the Trafford Wharf Road frontage of

further storage units. The consultation response does acknowledge that the applicant and the design team has carefully considered the design of these elements in seeking to mitigate harm, with adjustments made to materials and to increase articulation and provide appropriate architectural detailing. The prospect of some localised enhancements to the western warehouse have also been cited (through the removal of the intrusive existing canopy and unsightly concrete block infill). However, in totality, when having regard to the visual impact of the additional alterations and some loss of historic fabric, it is concluded that the harm to significance that would be incurred would rise to 'major/moderate.' For the avoidance of doubt, it is concluded that the settings of the other off-site heritage assets – as identified above – would not be affected in any material way, similar to the last application (in noting, for example, that the western warehouse where the more considerable works would take place is at a point furthest away from the listed Trafford Road Bridge which sits to the site's east).

46. On the basis of the conclusions of the Heritage Development and Urban Design Manager, the test at paragraph 209 (as inferred by Policy JP-P2) is applicable. This states: 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required when having regard to the scale of any harm or loss and the significance of the heritage asset.' The NPPG explains that 'public benefits' may follow from many developments and could be anything that delivers economic, social or environmental objectives as described by the NPPF. The submission also includes a Benefits Statement which sets out the applicant's analysis of the scheme benefits. It is considered reasonable to conclude in this case that – alongside heritage harm – there would also be heritage benefit. This is associated with the ability of the proposal to offer the further re-purposing of the Victoria Warehouse complex and to give parts of the site, which are in some states of disrepair, new life. In building on the premise of the original 2012 planning permission, the proposal would further introduce contemporary, dynamic uses and provide some modern built form whilst at the same time allowing for the original structures to be retained and appreciated. It would also allow for the replacement of some detrimental features (such as the canopy and breezeblock infill) and would restore and upgrade areas of the site.
47. Further to this are the economic benefits, which can be afforded significant weight. Whilst already a national venue, in bolstering the events space the applicant has explained the aim of the project is to ensure that Victoria Warehouse improves upon its position in an increasingly competitive sector. The roof-top extension has been specifically designed to allow the building to host a wide range of events with the intention of attracting an international client base. The proposal would serve to upgrade the facilities available at Victoria Warehouse, and with the extended hotel accommodation and new car park, would provide a full complement of facilities in one location which would enhance its attraction to prospective tenants, users and visitors. In doing so, the proposal

– which comprises a very significant investment on the part of the applicant and owner – would support the economic plan and wider ambitions for Trafford Wharfside location, as sought by the Core Strategy, PfE and the emerging masterplan. The proposal offers the conditions to boost the role of Victoria Warehouse and to allow the Trafford Wharfside location to make further national and international connections alongside Old Trafford football ground and The Quays. This could act as a catalyst for further significant development in this highly accessible, brownfield location. Another important element of the economic case is the job creation that would occur. The Benefit Statements estimates that the new events space alone (in the western warehouse) would generate over 290 new job roles which would translate to over 700 full time equivalents. The proposal would also support further employment in the construction sector, albeit on a temporary basis (and there has been no attempt to quantify this).

48. In terms of social benefits, visitors to the site, which are expected to be considerable in number, would have the opportunity to experience the site's heritage value and to appreciate the uniqueness of the vast internal spaces. More broadly, the proposal would strengthen the cultural and leisure offer that is available in the Wharfside area, which would add to the general vibrancy of the location and contribute to community well-being.

49. The environmental – and particularly the sustainability – benefits of the proposal should also be documented. At the most basic level, the proposal involves the reuse of existing buildings which would in itself attain some environmental sustainability. Beyond this, as explained in the Benefits Statement, sustainability is a key driver for the project in providing the venue with a competitive advantage as it is marketed as 'the first ever, large-scale, whole life carbon neutral commercial facility.' With reference to the accompanying Sustainability Statement and Carbon Budget Statement, the intention is for this to be achieved through the use of sustainable materials and via the incorporation of sustainable energy systems. For instance, the structural frame of the roof-top extension would utilise mass timber as opposed to steel which would otherwise take up significant amounts of raw materials and energy and generate high carbon emissions. In addition, roofs and parts of the southern elevations would accommodate photovoltaic panels which are expected to cover much of the site's energy demands. Other, latest technology has been explored, including air source or water source heat pumps, energy recovery systems, water efficiency devices, energy efficient lighting and electric vehicle charging infrastructure. This would be in addition to utilising the embodied energy and quality of the original solid buildings and the use of passive design. In adopting such a positive and forward-looking approach, the proposal would respond to Trafford Council's climate emergency declaration of 2018 and would contribute to the vision of PfE for Greater Manchester to be at the forefront of action on climate change.



50. Other environmental benefits, which are far more modest and to which less weight can be ascribed, include the potential to deliver some (unquantified) gains in site biodiversity through enhancement measures and also to secure some uplift in tree cover. The new roof over the central warehouse/arena building may also improve the surrounding noise climate, and there is the opportunity to support more active lifestyles through the incorporation of cycle parking.
51. The exercise of balancing harm to heritage assets against public benefits is a matter of planning judgement. From the summary above, it is evident that there is a wide collection of benefits that would arise and which would be welcomed, particularly those associated with an increased economic output for the site as a tourism and leisure asset and the potential to support the wider regeneration of Trafford Wharfside (as well as the heritage-led gains). On the reverse side, there would be major/moderate harm to significance as identified by the Heritage Development and Urban Design Manager. It is recognised (in accordance with paragraph 205 of the NPPF), however, that these are non-designated assets and thus they are not at the upper end of importance where great weight should be afforded to their conservation. The physical changes that would result are, in many ways, necessary to sustain the buildings in the longer term for future generations. Moreover, the extent of harm that would result has been reduced through mitigation and good design. Whilst the scale of harm has increased from the last application, it is considered reasonable to conclude that the suite of public benefits has simultaneously increased. From this position, and when applying the necessary judgement to the circumstances of this proposal, it is considered that the combined harm to the significance of the non-designated heritage assets would be offset by the benefits arising.
52. Necessary weight has been afforded to the heritage harm that would arise. However, it is concluded that the policy test at paragraph 209 of the NPPF has been fulfilled and that the heritage harm would be outweighed. The proposal is thus in accordance with Policy JP-P2 and R1.

#### Impact on Heritage Assets - Archaeology

53. The reference to heritage assets as referred within the NPPF also includes those with an archaeological interest, and policies R1 and JP-P2 similarly refer to sites of archaeological significance. Whilst no specialist archaeological assessment was submitted with the application (on account of the nature of the proposals and consistent with the last application), the Heritage Statement does include some commentary regarding the site's archaeological interest. This had been forwarded to the Greater Manchester Archaeological Advisory Service. The consultation response, which also accounts for a review of GMAAS' own evidence regarding archaeological resources in the locality, identifies that the delivery of the proposals – including the new build car park – would not damage any known or suspected archaeological remains. Thereby, GMAAS is satisfied that no further consideration of archaeological impact is necessary and the

proposal is considered to accord with Policy R1, Policy JP-P2 and the NPPF on the issue of archaeology.

### Highways Matters

54. The NPPF (paragraph 108) explains that transport issues should be considered from the earliest stages of plan-making and of development proposals. Significant development should be focussed on locations which are or which can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, paragraph 109 continues. However, development should only be prevented or refused on transport grounds if there would be an 'unacceptable impact on highway safety', or 'the residual cumulative impacts on the road network would be severe', it advises (paragraph 115). Whilst parts of Policy L4 have been replaced by a number of its transport-related policies of PfE (including policies JP-Strat 14 (Sustainable and Integrated Transport), JP-C6 (Walking and Cycling) and JP-C7 (Transport Requirements of New Development)), that component of Policy L4 which refers to traffic impact remains. Policy L4 is considered to be up to date albeit that some of the remaining wording is inconsistent with NPPF.
55. The application is accompanied by a Transport Assessment (TA) addendum report. This addendum, at the outset, refers to the conclusions reached on highway matters regarding the consented scheme (ref. 99872/FUL/20) wherein no objections were raised by the Local Highway Authority (LHA) including on the key matter of traffic impact. Subsequent to the grant of planning permission, the addendum also explains that a Travel Plan and an Events Management Plan were submitted to discharge relevant planning conditions. An update to both the Travel Plan and the Events Management Plan – to account for the development now proposed – is appended to the addendum. The new submission has been reviewed by the LHA and also by Transport for Greater Manchester (TfGM) in acting in an advisory capacity.
56. The main vehicular access to the site is presently provided from a central point on Trafford Wharf Road which leads to a small car park (with 52 spaces) and service area. The entrance is gated. There are two other vehicular accesses (also to/from Trafford Wharf Road); both used only for restricted servicing purposes. As with the consented scheme (ref. 99872/FUL/20), the addendum report confirms that vehicular access to the site would continue to be based on the existing arrangements from Trafford Wharf Road. The new multi-storey car park would be positioned close to the main vehicular entrance. This would provide 181 spaces, including 12 disabled spaces, and with over 13 per cent of the spaces constructed to accommodate electric vehicles, it is explained. 16 secure motorcycle spaces and 68 secure cycle parking spaces would also be provided (largely repeating the consented position, although with an overall reduction in two spaces from the previous 183 but with a greater proportion of spaces offering electric vehicle charging points). The removal of a proposed

office use from the site would free-up some capacity in the car park, it is explained. Whilst the car park would principally be available for hotel guests, some limited parking would also be available for people attending events at Victoria Warehouse. However, this would be subject to pre-booking via the event organiser, the addendum report continues (and with the procedure for this identified within the appended, updated Events Management Plan). In addition, it is explained that there is an ongoing relationship with the adjacent landowner for surface-level Car Park E3 (directly to the west of the western warehouse) to be formally used in connection with Victoria Warehouse events when it is available (for example, on non-match days).

57. In accordance with previous conclusions, no concerns have been raised by the LHA on the issues of access and parking. The Council's adopted SPD3: Parking Standards and Design sets out maximum standards for parking provision across a broad range of uses. The use of maximum, rather than minimum, standards is intended to discourage excessive parking provision which could otherwise promote car use. In applying these standards to the development proposed, the hotel element alone would require the provision of more than 200 spaces, and with the corporate event space dictating a comparable figure. Thus the proposal (at 181 spaces) – as with permission ref. 99872/FUL/20 which in fact offered 183 spaces – comprises a significant shortfall in provision. However, the position of the LHA is influenced in part by the site's accessibility by non-car modes of travel. Following the construction and opening of the Trafford Park Metrolink line in 2020, there is a tram stop (Wharfside) within 200 metres of Victoria Warehouse. In addition, the Exchange Quay tram stop (which is served by the Eccles Line) and the Trafford Bar tram stop (which covers the Altrincham, Manchester Airport and Didsbury lines) are within 550 and 800 metres respectively of the site. Trafford Wharf Road is also a bus route with bus stops located outside of the site in both directions. There are footways on Trafford Wharf Road which provide good walking links for pedestrians from the wider area and to/from public transport locations. Consistent with the present position, and notwithstanding that the proposal (as with the existing permission ref. 99872/FUL/20) involves a new multi-storey car park, there is an acceptance that the majority of visitors to the development proposed would arrive by sustainable modes of travel. Indeed, many of the new transport-related policies of PfE, which it has been explained have part-replaced Policy L7, are geared towards directing new development towards locations that can take advantage of Greater Manchester's public transport connections and opportunities to walk and cycle (and with Policy JP-Strat14 committing to an ambitious programme of investment in these areas). The submitted updated Travel Plan (appended to the TA addendum report) sets out the package of actions devised by the applicant in order to maximise the locational advantages of the site. Including amongst the suite of measures to encourage sustainable travel options (by both staff and visitors) is the dissemination of travel information (including bus/tram maps and timetables, cycle and walking routes, and journey planning apps and links), and the promotion of car sharing and cycle hiring schemes. The document also

identifies a Travel Plan coordinator with responsibility for implementing the plan's measures. Reference is also given to a process of monitoring and review. The LHA consultation response confirms that it welcomes the general approach and commitment of the submitted Travel Plan. However, the document remains 'interim' in its status, and the discharge of a 'full' Travel Plan connected to the existing planning permission ref. 99872/FUL/20 has never been achieved. The consultation response of the LHA reiterates the need for a condition to be imposed on any new grant of planning permission to request a further, more developed Travel Plan once the development is operational and an initial period of monitoring has been undertaken. However, subject to this Travel Plan, no issue is taken by the LHA regarding the quantity of car parking, and similarly in respect of the incorporation and level of accessible spaces and parking for motorcycles and cycles within the multi-storey car park and elsewhere within the site. A condition is requested to secure full details of the cycle/motorcycle parking and to ensure that all approved parking facilities are provided and retained.

58. At this stage it is considered appropriate to comment on a wider parking matter in the vicinity of the site, which it is noted has been raised in some representations. In explanation, there has been an issue associated with the new development of No1 Old Trafford in which – in the absence of legal restrictions - unauthorised and indiscriminate car parking has been taking place on the footways and areas of public realm surrounding Trafford Wharf Road (directly opposite the application site). The extent, nature and longevity of the parking has been causing significant residential amenity and accessibility problems, as well as a highway risk. At the time of the application's submission, there were some concerns that an increase in parking demand at Victoria Warehouse, if not adequately catered for on site, could encourage further, overspill parking. Aware of the problems being caused irrespective of this application, in October 2023 the Council approved an Experimental Traffic Regulation Order (TRO) to introduce the necessary parking and waiting restrictions to Trafford Wharf Road, and with this being part of a wider package of works involving the provision of new allocated on-street public parking and an electric vehicle charging station on approach to Wharfside tramstop. The implementation of the TRO has been subject to some timetable slippage brought about by the emergence of the new Trafford Wharfside Masterplan, which has resulted in a need to check that the TRO in its entirety would conform with the masterplan's vision. Whilst this process is presently ongoing which may result in some parts of the TRO being revised, the parking restrictions component will not change, the LHA has advised. Thus the dangerous and obstructive parking – as referred to in representations – is being addressed independent of this application and will hopefully be eradicated.

59. On the matter of the additional traffic generated by the development, the addendum TA upon its submission relied heavily on the previous position of acceptance arising from the consented scheme. As with the car parking case, it

sought to suggest that the previous office use would in fact support a greater number of users (and thus would have led to more vehicular trips across the week) in contrast to the proposed event space. It also advised that – in relation to the present proposal – major events at the western warehouse in all likelihood would be scheduled to avoid any overlap between the use of the ground floor (as existing) and the new upper floors. In the absence of an acceptance on the applicant's part of operational restrictions to guarantee such scheduling, the LHA requested additional evidence regarding predicted traffic impacts in the event of two large events being staged within the western warehouse in parallel. Accordingly, and when having regard to the findings of an extra highways technical note, the LHA has subsequently confirmed its satisfaction that the traffic generated by this application proposal – even in a worst case - could be safely and comfortably by the existing highway network.

60. In turning to the Events Management Plan (EMP), its purpose is to cover the safety (including highway safety) and organisational aspects of planned events at Victoria Warehouse. To reiterate, the requirement for an EMP was identified by the LHA during the consideration of the consented scheme (ref. 99872/FUL/20). The EMP now submitted is an amendment to an earlier EMP which was approved in full as part of a condition discharge application. The submitted EMP, as with the previous EMP, has been drafted to respond to specific criteria identified by the LHA (for example, car parking arrangements (including pre-booking systems and the requirement for any overflow parking), traffic management arrangements, procedures for coach and taxi drop off, the management of pedestrian access, and required mitigation during match day events at Old Trafford football ground). Again, the new EMP explains that the maximum visitor capacity at the site would reduce in relation to the new proposal when compared with the consented position (a reduction of some 100 people from the western warehouse, it is stated). Further revisions have been made to the EMP during the application process, including to account for discussions with the Greater Manchester Police (Counterterrorism Unit) in seeking to reduce threats to visitors queuing outside and also to remove reference to a new Traffic Regulation Order affecting the layby to the north of the western warehouse. The EMP, by its own admission, is intended as a working document that would be subject to review and development. Whilst no overriding concerns have been raised by the LHA in respect of the final EMP in the context of the current proposal, it is nonetheless recommended that a condition is imposed to allow for the document's further updating and submission. This should also allow for the findings and recommendations of a future Vehicle Dynamic Assessment (as explained in the subsequent section of this report) to be incorporated in due course.
61. Finally, the consultation response of the LHA – upon review of a submitted Construction Method Statement (a document previously approved under the terms of the consented development, ref. 99872/FUL/20) - requests the imposition of a final condition to ensure the document's implementation. This is

in order to minimise disruption to the highway network during the construction process.

62. In turning to the comments of TfGM, many of the observations made dovetail with the position of the LHA, for example, regarding the importance of securing a Travel Plan, a Construction Method Statement, and an Events Management Plan. It is placed on record that the comments sought assurance from the LHA on the matter of traffic impact, and with the LHA reiterating its acceptance of the applicant's methodology and findings in this regard (subject to the position demonstrated via the extra highways technical note). In addition, whilst TfGM's response encouraged the undertaking of a review – on the applicant's part – of parking restrictions in the locality in order to discourage pavement parking, it has been explained this matter is since being addressed via another means following direct action by the Council. In responding to a final point, the LHA is satisfied that the pedestrian routes which connect the site to the wider environment, including to public transport links, are suitably safe, convenient and attractive with no requirement for further enhancement.

63. Overall, as informed by the position of the LHA and allowing for the imposition of conditions, it is concluded that the proposal has made appropriate provision for access and parking. Furthermore, it would not create severe impacts on the road network, and no highway safety risks are foreseen. Accordingly, the proposal is considered to be compliant with Policy L4 of the Core Strategy and the NPPF (and with particular regard to the test at paragraph 115). It is also in line with relevant policies of PfE (including policies which encourage higher density development in locations with good access to sustainable methods of transport and travel, see Policy JP-Strat14 and Policy JP-C7, and policies which encourage developments to incorporate, and take advantage of, walking and cycling infrastructure, see Policy JP-C6).

### Residential Amenity

64. In addition to ensuring that developments are designed to be visually attractive, the NPPF (paragraph 135) also advises that planning decisions should create places that provide a high standard of amenity for existing and future users. Policy L7 of the Core Strategy contains a similar requirement, and with it made clear that new development must not prejudice the amenity of future occupiers of the development (where relevant) and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise/disturbance, odour or in any other way. When taking into account the nature of the development proposed (chiefly a non-residential use, notwithstanding some accommodation function of the hotel element, although with temporary overnight stays not afforded the same level of protection), it has been the issue of the effects arising from the development proposed and how they would be experienced by surrounding residents where efforts have been focussed. A further Core Strategy policy is thereby relevant; Policy L5 is clear

that development that has the potential to cause adverse noise or vibration (or other pollution, including light) will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place. Neither policy - in relation to these particular components – have been affected by the adoption of PfE. Therefore, the Core Strategy (policies L5 and L7) remains the main policy reference on the matter of residential amenity.

65. In general terms, the environs of the application site are commercial-dominated, in reflecting the historic industrial function of the Trafford Wharfside area. The application buildings themselves were industrial premises. However, in recent years there has been a policy ambition (see Policy SL2 of the Core Strategy) to expand and diversify the offer of Trafford Wharfside in order to maximise its regeneration potential. The mix of uses that are sought by the strategic policy includes residential (and specifically high-rise/high density), and the emerging Trafford Wharfside Masterplan is intended to be even more ambitious in terms of the quantum of new residential development that the location could accommodate. The adjacent development of No1 Old Trafford – which is situated directly to the north of the application site - is an example of such a scheme. Given planning approval in 2018 (ref. 90738/FUL/17), this comprises two residential towers of 15 and 18 storeys which provides a total of 354 units. The development was completed in 2021. At its closest, the apartment block is some 20 metres from the application site. Without exception, all those who have submitted representations to the application reside in No1 Old Trafford.
66. However, Victoria Warehouse as an existing entertainment venue predates the adjacent residential scheme, having been given planning consent to operate back in 2012. Whilst a condition was imposed to provide some restriction to the hours of operation and opening, it was necessarily lenient in appreciation of the fundamental characteristics of the use applied for. This was regarded, at that point in time, as a reasonable imposition when considering the site's environs. During the consideration of the planning application for No1 Old Trafford, the potential for conflict between this proposed residential development and the adjacent, existing entertainment premises was the subject of much focus and attention. Detailed discussions and negotiations took place, involving the Council's Environmental Health (Pollution) team, both landowners, and acoustic specialists acting for all parties, in seeking to ascertain the scope for both uses to agreeably co-exist. Such consultation was approached when having regard to the notion of the 'agent of change'. Referenced in the NPPF (see paragraph 193), this places the responsibility for mitigating impacts from existing noise-generating uses on the proposed new noise-sensitive development in recognition that commercial/industrial activities should not have unreasonable expectations placed upon them as a result of new residential development being introduced after they were established. It moves away from the attitude that whoever is making a nuisance is always responsible for that nuisance, and it is intended to reduce the risks for existing businesses of being forced to close due to noise and other complaints from the occupiers of new developments. Equally, however, the

importance of finding a suitable compromise was recognised when allowing for Policy SL2's aspirations to regenerate Trafford Wharfside through redevelopment including new residential uses. The outcome for the No1 Old Trafford proposal – as secured via the planning process - was a detailed mitigation scheme to be provided by the residential developer. A key focus of the solution was a bespoke façade design which took into account the properties and performance of the materials of construction, as well as primary and secondary glazing and ventilation solutions, particularly on the elevations facing Victoria Warehouse. This had been precisely engineered and was subject to laboratory testing and independent scrutiny in order to ensure that the ingress of noise (chiefly from late night music events) would be virtually inaudible to the residents. With such systems in place, in accordance with planning conditions imposed on the No1 Old Trafford permission (ref. 90738/FUL/17), the new residential development and Victoria Warehouse have suitably functioned side-by-side.

67. The last application for Victoria Warehouse was considered against the backdrop of a consented and emerging No1 Old Trafford, and the Council's Environmental Health (Nuisance) team was consulted. No overriding objections on the matter of noise and disturbance were raised by the consultee to the new uses and developments proposed (including the new car park, extended hotel use, new office use, and works to the central warehouse/arena building), although a series of conditions were requested (and subsequently imposed) to manage and minimise any adverse effects for the forthcoming neighbouring residents.

68. It has been recognised, however, that the revised proposal for the western warehouse, in seeking to extend the use of the premises for corporate events and entertainment, has the potential to pose more difficulties on the matter of noise and disturbance. In contrast to the previously approved office use, there is a prospect that the proposed activities could continue into the evening and late at night. Noise is likely to be generated within the premises during those time periods, as well as externally as visitors arrive and leave. The input of expert advice and opinion from the Council's Environmental Health (Nuisance) team has again been crucial in trying to understand resultant noise exposure levels and whether they could unacceptably interfere with residential and community amenity or whether they are capable of being managed. As part of this process, a submitted Noise Assessment has been examined (as well as a subsequent technical note) and various discussions and meetings have taken place with the applicant's acoustic/noise consultant in seeking further clarification. The final consultation response is described below which, in summary, confirms that there are no objections to the proposal proceeding subject to a framework of conditions being applied in order to protect adjacent residents from potential harmful noise (and other) effects. The conditions are focussed on delivering good acoustic design and on achieving exemplary noise and nuisance management, which is considered a reasonable and robust approach and which isn't overly reliant on operational restrictions and modifications.



69. The consultation response reiterates a requirement for some noise-related conditions placed on the last application. For the hotel (eastern warehouse), this includes a condition to control the use of the proposed roof terrace, and conditions to secure good acoustic performance of the new function room roof. For the site as a whole, a condition is requested once more which would serve to limit the noise from fixed plant. For the central warehouse/arena building (where a new roof is proposed to be installed over the existing roof), the need for two related conditions to prevent any increase in noise breakout as a consequence of the new roof is repeated. However, it is explained that the interplay between the central warehouse/arena building and the proposed western warehouse roof extension was initially a cause for concern on the part of the Council's Environmental Health (Nuisance) team. The addition of the large enclosure atop the western warehouse – mainly constructed in timber and glazing – may serve to change the way that sound would emanate from the adjoining central warehouse/arena building when the latter was in use for events, it is explained. Such concerns – in addition to the potential for an unacceptable level of combined noise breakout from both buildings should events be taking place simultaneously - led to a request for further evidence from the applicant's acoustic consultant. A submitted technical note provided more in depth and sensitive noise modelling, with a particular focus being on the potential (or otherwise) for overall event noise to increase due to reflections from the proposed roof-top extension. However, the comments referenced the fact that these concerns only related to a scenario in which the western warehouse extension was constructed whilst the central warehouse/arena building remained with its existing roof. When having regard to the further acoustic modelling undertaken, together with the applicant's explanation regarding the intended phasing of the construction works (which would make the particular scenario highly unlikely and/or short lived in any event since full implementation of the development would be required in order to deliver the necessary evacuation strategy), the consultation response is able to satisfactorily conclude on the matter. It identifies that the presence of the glazed extension and its simultaneous use should not affect the propagation of noise from the central warehouse/arena building in any significantly adverse way. Moreover, once the replacement roof is in place, it is expected that overall noise emissions from the central event arena would considerably reduce, so that any additional reflected noise would be of no consequence, it is continued. A series of noise-related conditions – particular to the western warehouse and its proposed new use and modification - are requested, however. This includes two related conditions – similar to those sought for the eastern western - to ensure the incorporation of good acoustic design measures within the construction and fabric of the building, and for their installation to be demonstrated via a verification report. A further condition is recommended which would call for the submission of a Nuisance Event Management Plan (NEMP) for the new western warehouse event space, its roof extension and also its adjacent roof terrace. With reference to the outdoor usable space in particular, the justification refers to that fact the absence of any upper-level containment of noise would render the use of this area

inappropriate for noisy events, especially at night time (although, it is to be noted that this external space, as with the new balconies to the western warehouse, would be positioned on the opposite side of the building from No1 Old Trafford). In addition, due to the relatively lightweight construction and substantial glazing to the roof enclosure itself, particular music events – especially those involving high-powered amplification systems - would also not be appropriate. Certain displays of lights with strobes and other rapidly changing effects, which could be viewed through the extension's glazing from the adjacent residential development, would also be undesirable. However, a NEMP could be used to satisfactorily address these concerns, it is explained, with the intention that the document would identify the responsibilities for the control of noise and other nuisance impacts and would set out a range of measures to reduce such impacts, whilst also allowing for a system of monitoring, review and adaptation.

70. In moving away from the impacts associated with the new proposals for the western warehouse, the consultation response acknowledges that - whilst a Preliminary Lighting Impact Assessment has been submitted - more detailed external lighting proposals covering any functional or feature lighting installation are not available. Full details, covering the development in full, should therefore be sought in order to minimise the effects of any potential obtrusive light which could otherwise be experienced by adjacent residents. Finally, the Environmental Health (Nuisance) team reiterates the need for a condition to ensure that the construction and pre-construction phases of the development proposed take place in accordance with the updated Construction Method Statement.

71. The comments from the Environmental Health (Nuisance) team have been invaluable in drawing conclusions on the key matter of noise and wider nuisance-related disturbances in seeking to ensure that decent living standards for residents living in close proximity to this commercial and leisure establishment could be maintained. When having regard to the content of Policy L7, however, other development effects have also required assessment to ensure no wider unacceptable impacts on residential amenity. It is most notable that, in relation to the last application, no significant adverse effects were anticipated on the topics of overlooking, overshadowing or visual intrusion, or on account of the development being too overbearing (in relation to the works to the eastern warehouse, central warehouse/arena building and the new car park, as well as from the previous proposals for the western warehouse). This was when having regard to decent separation distances, the relatively modest height of the new car park structure, and the siting and orientation of the opposing buildings. There is no justification or need for arriving at a different conclusion for those aspects of the proposal which are replicated in the current application. With reference to the ancillary revisions that have been incorporated to this new proposal beyond the western warehouse (namely the new footbridges and PV panels to the car park and central warehouse/arena building), no adverse impacts are foreseen. The footbridges, whilst not fully enclosed, would not provide any viewing opportunities

for users and - for the residents – they would be observed as a small component within the grouping of buildings. It has been confirmed that the roof-mounted PV panels would not be visible, and it is only the southern elevations of the car park and central warehouse/arena building where the new façade-based installations are proposed (and which face away from the No1 Old Trafford development).

72. When turning to the current proposals for the western warehouse, the implications of the new, large, glazed roof-top structure have been carefully examined. To reiterate, this would extend the height of the building by a maximum of 11 metres in parts (when including the additional structure atop the glazed element) and would provide some additional 2,944 of event floorspace (some of which would be provided within an upper-level mezzanine). The physical relationship between the western warehouse and No1 Old Trafford (its westerly block, the lower of the two) is established and cannot be changed. The western warehouse itself is positioned in the most western part of the Victoria Warehouse site, which serves to increase the extent of separation. It is the central warehouse/arena building and the site of the proposed new car park which are in closest proximity to No1 Old Trafford, directly across the Trafford Wharf Road carriageway. The minimum separation distance between the western warehouse and the western block of No1 Old Trafford is some 35 metres. No1 Old Trafford has been designed such that the principal elevations of the two building blocks face east and west, not south. The incidences of windows (particularly those serving a main habitable rooms) to the units in the southern elevation fronting Trafford Wharf Road are much more limited when compared with the east and west elevations. Nonetheless, oblique views of the western warehouse and its new extension would be available from units in the west-facing elevation. The proposed roof-top enclosure would certainly not breach the existing separation distance referred to above. Whilst a new glazed lift would be provided towards the north-eastern corner of the western warehouse, this would replace an existing canopy structure and it would be set further back from the front elevation. The roof-top extension itself would provide a greater degree of separation than presently exists (albeit marginal) as a consequence of its inwards siting relative to the existing roof edge (by more than 1 metre). The additional structure atop the extension would be positioned even further into the core of the building (by a further 7.5 metres). Again, it has been confirmed by the applicant that the roof-mounted photovoltaic panels would not be visible. With this in mind, and when having regard to the position already established by virtue of the presence of the longstanding four-storey development of the western warehouse, it is concluded that the provision of additional built form at a greater height would not have undue adverse effects with regard to matters of overshadowing, visual intrusion or physical dominance/overbearingness. In noting the glazed nature of the development, the satisfactory conclusion regarding intrusiveness also accounts for the conditions that have been recommended from the Environmental Health (Nuisance) team which would reduce the effects of both internal and external light installations.

73. Finally, the potential for residents' privacy to be undermined, again in view of the predominantly glazed form of the development, has been investigated. Once more it can be confirmed that the existing separation distance would not be infringed, which in any case is notably wider than the gap which exists between the east and west facing elevations of the two residential blocks which comprise No1 Old Trafford. That being the case, the intensive, commercial, and late-night use of the western warehouse associated with the current proposal is acknowledged, and likewise the proliferation of glazing when compared with the existing, much more modest window openings which punctuate the north-facing elevation of the western warehouse. Any use of the glazed lift would be transitory, such that no significant overlooking would occur. In relation to the use of the extension, sectional drawings of the western warehouse illustrate that the main floor level of the proposed extension would align with the existing external flat roof. The building's stepped pediment, which is an integral feature of the building and which is tall in parts, would be retained and this would in fact serve to conceal some internal activity. The extent of mezzanine floorspace to be provided within the roof-top extension, and which would indeed benefit from an elevated view above the decorative parapet, is minimal. Overall, when considering the extent of separation between the two developments, the circumstances already established, the absence of a direct, face-to-face relationship between affected buildings, and the internal floor levels within the extension, it is also concluded that unacceptable overlooking would not take place and that the privacy of neighbouring residents would be suitably protected.

74. In conclusion, therefore, it is evident that Victoria Warehouse and No1 Old Trafford command a close relationship; this has been recognised in previous proposals affecting both sites and both developments have been designed carefully and effectively in order to maximise compatibility. When having regard to the range of considerations applicable to the development proposed, officers are again satisfied that the application scheme would not generate harmful effects which would have a significant impact on the amenities of neighbouring occupiers. Of course, this is dependent on a scheme of conditions, including to secure mitigation measures and to control the management of the development. On account of this, it is concluded that the proposal is compliant with Core Strategy Policy L7 and the NPPF on the matter of residential amenity, and also with Policy L5 which seeks to prevent adverse noise and light pollution.

### Flood Risk and Drainage

75. The issue of flood risk is required to be considered as part of the planning application process. Paragraph 165 of the NPPF is clear that inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. The NPPF, at paragraph 175, also advises that major developments should incorporate sustainable drainage systems to manage surface water run-off, unless there is clear evidence that this would be inappropriate. At the development plan level, issues relating to flood

risk and drainage are covered by Policy L5 (Climate Change). The policy 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. It continues that developers will be required to reduce surface water run-off through the use of Sustainable Drainage Systems (SuDS) as appropriate. However, elements of Policy L5 on the matter of flooding have been superseded upon adoption of PfE. Policy JP-S4 (Flood Risk and the Water Environment) of the joint development plan document is the leading policy on flood risk and drainage. It similarly encourages new development to be designed and located in order to minimise the impacts of current and future flood risk, and it expects development proposals to manage surface water run-off through SuDS.

76. The application is accompanied by a Drainage Strategy Report. This confirms that the site is located in Flood Zone 1, and as such is deemed to have the lowest annual probability in terms of river or sea flooding. The site is, however, located within a Critical Drainage Area, as identified by the Council's Strategic Flood Risk Assessment (2011) and which has been declared due to the existence of surface-water drainage issues. The drainage report explains how existing surface-water run-off is managed at the site: the northern part (comprising roof areas and external yards) drains to an existing combined sewer in Trafford Wharf Road, whilst the site's southern part site drains to the adjacent Bridgewater Canal (which is the subject of a licence agreement with the Bridgewater Canal Company). The report continues by outlining the drainage strategy that was proposed for the consented scheme (ref. 99872/FUL/20). This was based, in general terms, on a continuation of the existing arrangement. As part of this it was agreed that the new car park building would also drain into the canal and that this additional run-off would be restricted to greenfield rates. This approach was subsequently agreed, including in detail via a discharge of the relevant planning condition, by the Lead Local Flood Authority (LLFA). The report sets out the intention to repeat these agreed drainage methods for this new proposal. The document includes a drainage plan which also shows an underground attenuation tank in the area of the car park building to store excess surface water run-off. Other forms of SuDS have again been dismissed as unsuitable (chiefly as a consequence of the lack of external space on site).
77. The LLFA's comments have been sought. The consultation response confirms that the applicant has, again, devised an appropriate means of draining the site from surface water which should eliminate any flood risk (including in the context of the elevated risk associated with the Critical Drainage Area location). A condition is requested to ensure compliance with the submitted report and drainage plan. United Utilities (UU), as water authority, has also provided feedback on the application. Whilst its recommended condition suggests the provision of drainage details afresh, this is a generic response, and precedence is given to the position of the LLFA as statutory consultee on surface water drainage matters. Overall, it is concluded that the proposal is compliant with

Policy L5 and Policy JP-S4, and with NPPF in so far as it relates to flooding and drainage.

### Contaminated Land

78. The NPPF advises, at paragraph 189, that planning decisions should ensure that a site is suitable for its proposed use when taking account of ground conditions and any risks arising from contamination. Within the Core Strategy, Policy L5 is clear that development that has the potential to cause adverse pollution (including water and ground pollution) will not be permitted unless adequate mitigation measures have been demonstrated and can be put in place. Whilst this content of Policy L5 has not been affected by the adoption of PfE, new PfE Policy JP-S4 also acknowledges the importance of securing appropriate remediation of any contaminated land in order to minimise the potential for any diffuse pollution.
79. The application submission includes a Contaminated Land Position Statement, which presents a synopsis of the evaluations undertaken to date (in association with the approved application ref. 99872/FUL/20) regarding contaminated land risks at the site. A Phase One Contaminated Land Assessment was provided with the earlier application, it is explained. Upon review of the submitted information by the Council's Environmental Health (Contaminated Land) team, no fundamental concerns were raised. However, in noting that the proposal involved some excavation by piling for the new car park building, and when having regard to historic uses at the site, a condition was recommended to secure a watching brief for the duration of these groundworks. Its purpose would be to ensure that any contamination identified at that stage would be appropriately dealt with, and with a subsequent verification report confirming that the remedial works were undertaken. The requested watching brief was then submitted in seeking to discharge the relevant condition, and the Contaminated Land team gave its approval, it is reported (although not the verification report since the works did not commence). The position statement explains that this approach remains wholly relevant to the new application.
80. Consultation with the Contaminated Land team has again taken place. The comments confirm acceptance with the strategy outlined. A condition is recommended to ensure that the approved watching brief is implemented and to request a post-completion verification report.
81. The views of the Environment Agency on contamination matters have also been sought, in the interests of minimising any risks to water quality. No concerns have been raised, subject to conditions which would require further demonstration that the use of piling methods would not harm groundwater resources, and to ensure that any - as yet - unidentified contamination would be suitably addressed.

82. With the support of conditions it is concluded that any risks from contamination could be successfully mitigated, and thus the proposal is compliant with Policy L5, Policy JP-S4 and the NPPF on this topic.

### Air Quality

83. The NPPF advises (at paragraph 192) that decisions on planning applications should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Within the Trafford Core Strategy, Policy L5 seeks to ensure that new development would not give rise to significant adverse impacts on resident health, including from air pollution. However, only a small section of Policy L5 on the issue of clean air remain in force since it has largely been replaced by Policy JP-S5 of PfE. This policy outlines a series of steps that should be taken, when determining planning applications, in order to support improvements in air quality. This includes locating development in order to reduce reliance on forms of transport that generate air pollution, and only approving developments that would generate adverse impacts on air quality where suitable mitigation can be provided.
84. The application upon its submission was accompanied by an Air Quality Assessment. This confirmed, consistent with conclusions reached regarding permission ref. 99872/FUL/20 and with a focus on the implications of new traffic to be generated, that the proposed development would not have a significant impact on local air quality. Upon its review by the Council's Environmental Health (Air Quality) team, some revisions to the assessment were requested in order to ensure that the modelled scenarios would draw upon more up-to-date baseline data regarding known air pollutants (nitrogen dioxide and particle matter) and also to account for the recent development of No1 Old Trafford as a new residential receptor. The final consultation response based upon the revised assessment confirms its satisfaction that the vehicle movements associated with the new proposal would not lead to a material change in levels of air quality. A condition is recommended, however, with the purpose of ensuring compliance with the submitted Construction Method Statement in order to minimise any adverse air quality effects during the construction phase.
85. The NPPF (by virtue of paragraph 111) recognises the environmental benefits of electric and other ultra-low emission vehicles, and it urges local planning authorities to ensure that adequate provision is made within new developments for the required infrastructure, including allocated parking spaces and charging facilities. In addition, the PfE policy referred to above (Policy JP-S5) supports a significant expansion of the network of electric vehicle charging points, and with their provision within new developments regarded as a major tool for achieving this. Accordingly, the submitted plans for the multi-storey car park illustrate the installation of 25 spaces dedicated to electric vehicles and fitted with charging

facilities, which is an uplift of 10 spaces relative to the earlier permission ref. 99872/FUL/20 and which is thus welcomed. A condition is recommended in order to ensure their provision and to secure specification details. With such conditions in place, the proposal is considered compliant with the NPPF's air quality objectives, as well as Policy L5 and Policy JP-S5 on this topic.

### Sustainability and Climate Change

86. The NPPF is clear, at paragraph 7, that the overriding purpose of the planning system is to contribute to the achievement of sustainable development. In pursuing the environmental role of achieving sustainable development, the need for plan-making and decision-taking to work positively to mitigate and adapt to the effects of climate change is identified as a key objective (see paragraph 8).
87. The serious impacts of climate change have already been recognised by this Council. On 28th November 2018, the Council declared a Climate Emergency, thus committing to tackling climate change and working towards carbon neutrality for Trafford by 2038. A Carbon Neutral Action Plan (CNAP) for Trafford was subsequently approved in December 2020. This contains a series of measures intended to reduce the borough's carbon footprint, and it aligns with the Greater Manchester 5 Year Environmental Plan (2019 – 2024). A new Climate Change and Sustainability team has recently been established in order to evaluate and advise on the wide-ranging climate and sustainability issues that Trafford is facing and to drive forward and promote the ambitions of the CNAP.
88. Whilst the Core Strategy also acknowledges the challenges posed by climate change, covered most notably in Policy L5 (Climate Change), relevant targets that it reflects have changed quite significantly in the period since its adoption as the climate change agenda has increased in priority. PfE, in contrast, has recognised the need to be ambitious in supporting the Government's achievement of UK-wide decarbonisation targets by 2050. The new joint development plan incorporates positive policy change on the matter of climate change and sustainability, covering issues relating to the location of development, protecting key environmental resources, following the waste hierarchy and reducing waste generation, using sustainable construction techniques, reducing carbon emissions, and focussing on renewables and clean forms of energy. Accordingly, much (but not all) of the content of Policy L5 on climate change has been superseded by relevant PfE policies following its adoption, and with this including Policy JP-S2. This policy includes an expectation (unless it can be demonstrated that it is not practicable or financially viable) for new development to be 'net zero carbon' in its operation. This means that the amount of carbon emissions associated with the energy used to sustain a development on an annual basis amounts to zero. The policy explains that this should be demonstrated through some form of energy statement which would focus on efforts to minimise energy demand, maximise energy efficiency, use renewable and low carbon energy, and utilise other energy sources. The policy



also requires development to be net zero carbon in its construction (the amount of carbon emitted during the making of the development is also zero), although this criteria does not come into play until 2028.

89. The application submission includes both a Carbon Budget Statement and a Sustainability Statement, the contents of which heavily dovetail. Both documents acknowledge that the built environment sector is responsible for a significant proportion (up to 40%) of global energy-related carbon emissions, and with this figure excluding the energy demands associated with the extraction of materials. The importance of the construction industry playing its part in efforts to combat the climate crisis has been recognised, and with new guidance and legislation having been rolled out nationally to support the sector's necessary transition towards decarbonisation (for example, updates to Part L of the Building Regulations 2010), it is continued. That being the case, whilst good progress has been made for the residential construction sector, it is explained that the development of viable sustainable solutions to secure carbon reduction within commercial spaces has been less successful, especially where the requirement stems from the need to retro-fit. Indeed, whilst this development project has the sustainability virtue of utilising existing, enduring built form, the scope of what can realistically be achieved without relying on reconstruction can often be limited. This is especially the case where the affected buildings are historic and have conservation value, as in this case for this proposal, the submission records.
90. The buildings at the Victoria Warehouse site are fixed in their siting (and thus their orientation) and also in their overall structure, appearance and design. Any modifications to these heritage assets, particularly those which affect the exterior, should be kept to a minimum and be sensitive to the buildings' distinctiveness, it is set out. In spite of this - it is explained - the application project has been viewed as an opportunity to create a new, model case study in carbon reduction and to demonstrate what is achievable when challenged with historic and valued built form. The incorporation of a number of newly developed technologies – including associated with energy production, energy use and energy demand, improved energy efficiency, and sustainable construction methods - have been explored and could be successfully implemented, it is explained. The submitted Sustainability Statement asserts that, '...this project will demonstrate truly outstanding and innovative sustainability principles.' It should be noted that the development subject of the approved application (ref. 99872/FUL/20) whilst showing some commitment to carbon reduction, could not make the same claims regarding the extent of the scheme's progressive nature and performance.
91. A key component of the new strategy, which was not a feature of the last proposal, is the widespread provision of solar photovoltaic (PV) panels. These are to be installed across the roofs of three buildings (the western warehouse, the central warehouse/arena building, and the new car park), and would be supplemented by glazed integral PV panels to the upper reaches of the roof-top extension (on the south-facing elevation of the western warehouse), and then

with vertical PV panels provided to the southern facades of the central warehouse/arena building and the car park). The Sustainability Statement predicts the energy generating potential of such an extensive array (of some 2,000 individual panels): in the region of 730 MWh/a (megawatt) over an annual period it is cited. The Sustainability Statement also refers to other energy-based measures that have been assessed for feasibility and which could be incorporated. This includes some form of centralised heat pump to provide a hot water and heating system. Whether the heat pump selected would comprise an air source or a water source model remains under consideration, it is explained, but even an air source heat pump would reduce on-site water demand by at least a third, the document sets out (and with a water based system, which would pump water from the adjacent canal, offering even greater efficiency and reliability). Using leading technologies, the heat pump could be further enhanced through system integration with the site's renewable energy technology which would serve to cool the panels and in turn provide a further uplift in energy generation, the submission reports. Also referenced are the passive design considerations which have been applied to the new build elements of the scheme. This is observed most notably in the glazed roof-top enclosure which has been designed to maximise the free energy potential. Nonetheless, this aspect of the project has also been assessed in order to prevent overheating and to minimise the demand for active cooling. This has focussed on potential shading solutions within the new glazed element (for example, the glazed PV panels would also function as a shading device), on providing maximum reveal depths for the new glazing units, and on utilising the buildings' natural thermal mass to maintain steady temperatures. The use of a Mechanical Ventilation with Heat Recovery system, which would recover heat that would ordinarily be wasted and which would deliver additional energy savings, is also discussed. Wider sustainability technologies are also referred to, such as the incorporation of water efficiency systems to all taps and toilets, the provision of electric vehicle charging infrastructure within the car park, and the use of energy efficient lighting solutions. Finally, in opting for a timber frame for the extension – as opposed to a more standard steel or concrete construction – the proposal is also underpinned by a desire to deliver carbon reduction in its construction as well as in its operation, it is made clear.

92. Whilst the Carbon Budget Statement and Sustainability Statement acknowledge that some of these systems and practices remain at the feasibility stage, equally much of the technologies referred to have been investigated and approved, and are reflective of the applicant's desire to showcase this project as a positive case study in devising a carbon neutral solution for existing, historic built form. Accordingly, notwithstanding that some matters of detail remain to be confirmed, the submission makes the claim that the development in its entirety would experience a reduction in carbon emissions of up to 59% when compared with the site's existing, baseline energy usage, that the carbon reduction targets enshrined within the current Building Regulations would be surpassed by 15%,

and a net zero outcome – in operational terms – for the development (as sought by Policy JP-S2 of PfE) has the potential to be achieved.

93. The submission has been reviewed by the new Climate Change and Sustainability team. The content and pledges of the Carbon Budget Statement and the Sustainability Statement are plainly welcomed. Whilst it cannot be unreservedly guaranteed at this stage that the development would achieve net zero in operational energy terms, it is very evident that a net zero model has been aspired to and that a development that is - as a minimum – very close to being in balance in terms of operational carbon would be delivered. Moreover, as explained in the preceding section of this report regarding the design of the PV panels, the technology surrounding clean energy is improving at a rapid pace, and there is a real prospect of further performance enhancements by virtue of more cutting-edge systems being available at the time of investment and instalment. Furthermore, it is evident from the wider submission that the applicant is passionate about delivering a scheme that is quite ground-breaking in its carbon neutrality (in both operation and construction) and that this forms a unique selling point of a reconfigured Victoria Warehouse in providing it with a competitive advantage.
94. Accordingly, there is certainly no evidence of an outright conflict with Policy JP-S2 (which only relates to operational carbon in any event). Thereby, it is suggested that a condition is imposed with the purpose of ensuring that the findings of the Carbon Budget Statement and Sustainability Statement are taken forward and that the optimal low/zero carbon position that the development can viably and feasibly support (when also accounting for technological advancements) is implemented. With that in mind, it is concluded the proposal is capable of being fully in accordance with Policy JP-S2 of PfE, and is very well-aligned with the NPPF on this matter whilst exceeding outdated Policy L5 requirements.

### Ecology

95. Planning policies and decisions should contribute to and enhance the natural and local environment, including by minimising impacts on - and providing net gains for – biodiversity, the NPPF is clear (paragraph 180). At the development plan level, Core Strategy Policy R2 similarly seeks to ensure that new development would not have an unacceptable ecological impact.
96. In considering the sensitivity of the application site to features of nature conservation interest, it is of note that the site contains a series of warehouse buildings, in different states of use and occupation, which could potentially harbour protected species. In addition, and with reference to the Composite Policies Map accompanying the statutory development plan, the Bridgewater Canal directly to the site's south is a designated Wildlife Corridor. Saved Policy ENV10 of the Revised Trafford Unitary Development Plan describes such

corridors as crucial links between wildlife sites. The policy is clear that development within or adjacent to such corridors should contribute to their effectiveness.

97. The earlier application was accompanied by a preliminary bat roost assessment, which had involved a series of surveys during 2019 to establish the presence or absence of roosting bats. A small day roost was found within the western warehouse and individual bats (common pipistrelle) were noted to be emerging from the building. All species of bats and their roosts are protected under UK and European legislation. Given the identification of bats in an existing building that – whilst not demolished – would be structurally affected by the development proposed, it was concluded in the assessment of the last application that a licence would be required from Natural England to derogate the terms of this legislation before any works could commence that may disturb bats. Before a licence could be granted, however, three tests would need to be satisfied. In consultation with the Greater Manchester Ecology Unit (GMEU), it was concluded that the tests were capable of being met. This was when having regard to the beneficial consequences of the proposed development as a whole, the lack of alternative options to achieve these benefits, and also that the favourable conservation status of the affected species could be maintained through the implementation of mitigation measures (which were secured by condition).
98. An Ecology Statement Update accompanies the current application. This explains that a European Protected Species Mitigation Licence was applied for and obtained from Natural England in October 2021; it remains valid until June 2026. It continues that the licence itself is subject to mitigation, including the provision of new bat boxes on an external wall of the western warehouse as an alternative to the existing roosts, and a pre-commencement building inspection at each stage of works.
99. Advice on the updated statement has again been sought from GMEU. The consultation response corroborates that the mitigation licence is still valid. It follows that, unlike the position on the last application, the response does not advise upon a condition to request a Method Statement to identify what steps would be taken to minimise the impact upon bats. This is because the methods have already been approved via the granting of the licence, and this licence must be adhered to under the Wildlife and Countryside Act 1981 (as amended). With that in place, the GMEU response does not raise any concerns on the matter of harm to ecological interests.
100. Another thread of ecology-related policy that is gaining increasing prominence is the concept of securing enhancements to biodiversity, as indicated in the previously cited extract from the NPPF. Whilst Policy R2 of the Core Strategy has not been replaced upon adoption of PfE, the joint development plan contains new requirements regarding biodiversity, by means of its Policy JP-G8,

which are relevant to this planning application. In reinforcing the concept of 'biodiversity net gain', which features in the NPPF, the policy advises that – via the planning system and other activities - a net enhancement of biodiversity resources will be sought. In providing further detail, it makes it known that new development will be expected to achieve 'a measurable net gain in biodiversity of no less than 10%.' As of 12<sup>th</sup> February 2024 and in line with the provisions of the Environment Act 2021, biodiversity net gain (BNG) for the majority of medium and large developments is now obligatory. In building upon the rhetoric in the NPPF, mandating BNG is regarded as providing a new opportunity to achieve substantial investment in nature and to restore green spaces in and around new development. Its purpose is to ensure that qualifying development leaves the natural environment in a measurably better state than before. It is a quantitative approach which measures the biodiversity value of a site pre and post development through the application of a standard metric. In circumstances where the calculations indicate that there would be net losses in biodiversity, then the expectation is that these would be resolved by design changes or compensated for on or off site to achieve a net gain result. Mandatory BNG applies to new applications as of the date of its introduction in February 2024. As an application submitted in 2023, this formal process does not apply to this proposal. Nonetheless, Policy JP-G8 – which had been drafted in anticipation of the introduction of BNG – and its requirement to achieve a measurable 10% net gain – is now an active policy which has to be afforded full weight. That being the case, it is to be expected that the means of demonstrating this need not be fully consistent with the new methodology that will be routinely applied going forward for applications submitted from February 2024 onwards.

101. Even during consideration of the last application, the concept of achieving an improvement in the site's biodiversity value was an important consideration, in building on the more general advice of the NPPF. In reflecting the advice of GMEU, a condition was imposed on the grant of planning permission to secure a scheme of biodiversity enhancement across the site, and with this focussed on the installation of bat and bird boxes within each of the main buildings. In revisiting the topic as part of this proposal, the applicant has confirmed its acceptance, in principle, to such an approach being used again. Accordingly, the consultation response of GMEU repeats its previous request for a condition to be used to request a programme of enhancement measures to be carried out across the site (as well as a further condition – as advised before – to restrict the timing of works to avoid the bird nesting season). Whilst accepting that the technical BNG process cannot be enforced on this proposal in view of the timings of the applications submission, it also has to be recognised that this more casual approach (which has been used successfully for some time), does not guarantee – before the point of application determination – that the 10% gain required by PfE will be achieved. The application submission as it has been presented to date has not confirmed that such a level of uplift could be achieved. Whilst it could occur through the customary condition mechanism referred to above (in noting the apparent scarcity of green spaces and natural features within the site,

thus establishing a low baseline at the outset), in the absence of evidence this is not a result that is certain at this stage. This therefore represents a shortcoming of the proposal when compared to the requirements of Policy JP-G8. Nonetheless, the condition can be used to good effect to certainly secure some positive impact on biodiversity compared to the site's present characteristics, and there is the option to strengthen the condition's wording to focus the applicant's efforts on striving for a 10% enhancement. This could involve a broader range of improvement measures such as the incorporation of new on-site planting (of native species), which - as covered subsequently – is expected to take place in any event. In summary, therefore, the proposal is considered compliant with local and national policy on the issue of minimising impacts on the site's ecological interests, and whilst some net gains in biodiversity would be provided for (in accordance with the spirit of PfE), the precise extent of gain remains presently unknown. That the application proposal cannot fully demonstrate compliance with the up-to-date Policy JP-G8 in respect of the achievement of a 10% uplift will be returned to as part of the planning balance. It is, however, compliant with the more standard 'enhancement' requirements of Policy R2, which remain in force, and the less prescriptive policy of the NPPF regarding the achievement of net gains.

### Green Infrastructure and Landscaping

102. The NPPF is clear that the creation of well-designed places is also dependent on the incorporation of appropriate and effective landscaping (paragraph 135). The importance of quality landscape treatment in all new development proposals is further acknowledged by Policy L7 of the Core Strategy. In addition, Policy JP-P1 of PfE, which has partially replaced Policy L7, outlines that new developments should include high quality landscaping in aspiring to deliver beautiful, healthy and varied places across Greater Manchester. Most pronouncedly, the emerging Trafford Design Code brings landscaping to the fore with its landscape-led approach. Heeding the guidance within the NDG, it seeks to improve the quantity and quality of landscape elements within development proposals in recognising the crucial role played in establishing a positive sense of place, as well as offering health benefits, supporting enhanced biodiversity, and improving water management.

103. The application site, in a highly urbanised area, is presently largely devoid of landscaping. Where it does exist it is confined to a row of trees on a section of the northern boundary. These are helpful in providing some green character – albeit limited – to the Trafford Wharf Road frontage and in screening some container storage beyond (together with electricity substations). When having regard to the proposed site layout plan, which indicates the continued use of this area for some outdoor storage (including a new refuse compound), the proposed retention of these trees (which has been confirmed) is welcomed. Beyond that, however, the site is dominated by hard surfaces with limited intervening space. As with the last application, the proposal involves the introduction of a more

intensive level of development, thus arguably further reducing the opportunities for planting.

104. Preceding the Trafford Design Code, there is in place existing policy and guidance which seeks the provision of 'green infrastructure.' This is set out in policies L8 and R3 of the Core Strategy which are complemented by Revised SPD1: Planning Obligations (and which, in the case of Policy L8, would not be materially affected by the adoption of PfE in terms of this policy content). In a similar manner to the design code, the requirements imposed by these policies and this guidance recognise the wide-ranging usefulness of new landscaping and green spaces within new developments beyond the visual benefits acknowledged by Policy L7. With reference to the SPD, 'Specific Green Infrastructure' is typically sought for all development proposals (in contrast to 'Spatial Green Infrastructure' which is more selectively requested), and with this taking the form of tree (or other) planting – on a scale proportionate to the development proposed – with the intention of mitigating a variety of potential impacts. This could cover the effects of urban heat, or impacts associated with biodiversity, air quality and surface water. There is no set formula to be applied when seeking the provision of Specific Green Infrastructure; rather it is a matter of officer judgement when having regard to the circumstances of the case.

105. In this regard, in the context of the last application, a flexible approach to the provision of Specific Green Infrastructure was taken. This was in the knowledge of the site's existing condition (very sparsely provided for in soft landscape terms) and its wider context, and with the proposed development – through the construction of a further building at the site – further reducing the scope for additional planting. This also recognised that the proposal was chiefly focussed on the re-use of existing buildings and that the amount of new build floorspace was limited, and moreover that there was no planting loss or tree felling arising from building works that would need to be compensated for. Accordingly, no significant expectations were placed on the developer regarding the provision of Specific Green Infrastructure (either on or off site), although a landscape condition was imposed with the purpose of encouraging some new planting where possible. Whilst these previous allowances have had some bearing on how much Specific Green Infrastructure can reasonably be insisted on this time around, equally it has been recognised that this development involves a significant quantum of additional new floorspace (2,944 square metres, in the form of the roof-top extension) that was not a feature of the previous scheme. On account of this, the framework approach of Revised SPD1 would infer an uplift in Specific Green Infrastructure provision as proportionate mitigation. Whilst the application upon its submission repeated the last arrangement in which nothing other than existing landscape retention could be expected, a revised site plan has since been submitted which provides valuable new planting. This is shown as taking the form of new tree planting (10 in number) towards the site's Trafford Wharf Road frontage (outside of the eastern warehouse). This would provide a more consistent landscape buffer along the

northern boundary, as well as creating a new (albeit modest) area of wildlife habitat and delivering some other green infrastructure benefits. A condition is recommended to request further details, including a planting schedule (to ensure the selection of species of native provenance to maximise the ecological worth) and the method of planting, and to commit the applicant to subsequent implementation and proper management and maintenance.

106. In summary, therefore, when taking into account the physical attributes of the site in terms of the dominance of hard built form, the absence of remaining space and the obvious paucity of landscaping – together with the benchmark established previously - it is concluded that sufficient retained and new planting has been allowed for. The new tree planting would serve to promote some green character within the Victoria Warehouse complex and would add variation to the environment, and it could help to achieve enhanced biodiversity. It is therefore considered that the application scheme satisfactorily meets the requirements of Policy L7, as well as the NPPF, and of Policy JP-P1 in relation to the new landscaping having additional visual amenity value. However, officers are mindful that a more strict interpretation of Revised SPD1 would yield a greater level of provision of Specific Green Infrastructure, and under these terms of reference it could be concluded that the proposal is deficient. In spite of that, it is not considered that the proposal is in conflict with related policies L8 and R3 of the Core Strategy since there is no evidence of an imbalance between the quantity of Specific Green Infrastructure allowed for and the adverse impacts arising from the scheme (including when having regard to the site's and the proposal's wider sustainability credentials). However, whilst the content of this supplementary guidance document is to be treated as a gauge to be applied to the circumstances of each individual case, nonetheless this disparity against Revised SPD1 is to be documented.

### Crime and Security

107. Paragraph 135 of the NPPF states that planning policies and decisions should ensure that development proposals create places that are safe, and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience. These objectives are supported by Policy L7 of the Core Strategy which requires applicants to demonstrate that a proposed development would help to create a safe environment and reduce the potential for crime. A supplementary planning document (SPG24: Crime and Security) further develops these principles. Policy JP-P1 of PfE, has part-replaced Policy L7, also covers this important topic. It explains that 'safe' developments should be delivered which have 'designed out' crime and terrorism and have reduced the opportunities for anti-social behaviour.
108. As with the consented scheme, the current planning application is supported by a bespoke Crime Impact Statement (CIS) which has been prepared in conjunction with the Greater Manchester Police (GMP). The submitted CIS



focuses on the western warehouse and the changes proposed relative to the consented scheme (ref. 99872/FUL/20), and it is made clear that it should be read in conjunction with the earlier CIS which is appended. The CIS identifies a number of positive features of the proposal, including its ability to enhance an existing leisure and events destination and to encourage additional visitor activity which will support informal policing and natural surveillance in the area. The applicant's existing use of, and commitment to, event management plans is also welcomed. Nonetheless, the CIS provides some further recommendations to be adapted as the design progresses. This covers the specifications of new doors, windows and glazing, the installation of alarm systems, the use of robust access control systems, and the incorporation of an effective CCTV network.

109. The GMP was also asked to comment on the CIS in its role as consultee. The response confirms that the findings of the CIS are agreed with and a condition is requested to ensure that the detailed design is developed in accordance with the CIS's recommendations.

110. However, the appraisal of the development by the GMP has not been confined to traditional crime prevention measures covered by the CIS. Paragraph 101 of the NPPF outlines that planning policies and decisions, in promoting public safety, should also take into account wider security and defence requirements (and with this also inferred by the relevant policy, JP-P1, of PfE). As further acknowledged by the accompanying NPPG, the UK continues to face a threat from terrorism. For all locations which will generate crowds in public places, the guidance explains that applicants should consider appropriate security measures in the design of new buildings and spaces. In this respect, it is acknowledged that the proposed function of Victoria Warehouse, in conjunction with existing operations, could lead to the gathering of large crowds, including on and near the public highways adjacent to the site. In approaching GMP for feedback, views were also sought specifically from GMP's Counterterrorism Unit with the purpose of minimising the development's vulnerability to a potential terrorist attack (including, but not limited to, the possibility of a 'vehicle as a weapon' attack).

111. In reviewing this aspect of the proposal, consideration was also given to the submitted Events Management Plan and particularly to its explanation regarding the management of visitor access to the site and the identified queuing locations for different events and different warehouses. Following an initial review by the Counterterrorism Unit, a revised Events Management Plan was submitted. This shows an altered queuing and building entry/egress strategy for the western warehouse in which visitors to the new upper floors would be segregated from those attending events at the lower levels. The revised EMP also commits the applicant to the installation of Hostile Vehicle Infrastructure outside the western warehouse towards the Trafford Wharf frontage. It is anticipated that these would take the form of a line of bollards with the purpose of resisting the effects of a vehicle ram attack. The final consultation response of

the Counterterrorism Unit confirms that it is satisfied that due attention has been given in the development of the proposal to reducing risks from terrorism. However, a further condition is recommended with the purpose of requesting the undertaking of a Vehicle Dynamic Assessment to be completed by a Hostile Vehicle Infrastructure specialist. The purpose of the assessment would be to further assess any particular threats and vulnerabilities around the site, and to review the effectiveness of some existing bollards – positioned further eastwards along Trafford Wharf Road and which are of a substandard security specification – and to make recommendations on suitably-rated replacements and their location.

112. Overall, and when having regard to the conclusions of the GMP, officers are satisfied that the proposal has been appropriately designed for both the safety of people and the security of property, including when recognising that terrorism is an increasing and legitimate concern. The proposal – with conditions - is therefore considered compliant with policies L7 and JP-P1 and SPG24, along with the NPPF and PfE.

### Accessibility

113. When assessing applications for development, it should be ensured – according to paragraph 114 of the NPPF – that safe and suitable access to a site can be achieved for all users. Whilst Policy L7 of the Core Strategy also referred to matters of accessibility (requiring new development to offer equal access and to provide good pedestrian connections within it and to/from it) this content has since been superseded by Policy JP-P1 of PfE. This emphasises the need for new development to respond to the needs of all parts of society, to incorporate inclusive design, and to offer ease of movement for all ability levels.

114. It has been explained as part of the submission that the proposal has been designed in accordance with Part M of the Building Regulations 2010 which covers ‘access to and the use of buildings (other than dwellings)’ and seeks to ensure that new public buildings and commercial developments have made reasonable provision to enable full access to be gained. The accomplishment of this standard would be confirmed in due course via the necessary application (covering, for example, the provision of level access and minimum widths for movement corridors). A review of the submitted plans confirms the incorporation of lifts within all buildings, of accessible toilets, of accessible bedrooms (within the hotel) and of accessible spaces within the new car park (and with an amended plan being provided which confirms that such spaces would be provided at ground floor level only). Accordingly, as with the consented scheme, the proposal is considered compliant with the requirements for inclusive pedestrian access as now set out in Policy JP-P1 of PfE and similarly with the NPPF.

### Equality Matters

115. Under the provisions of the Equality Act 2010 (specifically Section 149 of the Public Sector Equality Duty, PSED), all public bodies are required - when exercising their functions - to eliminate discrimination, advance equality of opportunity, and foster good relations. The PSED applies to local planning authorities when taking decisions on planning applications.
116. The submission includes an Equality Statement. This is chiefly focussed on demonstrating that the Victoria Warehouse Group Ltd – as an employer – utilises practices and procedures that are exemplary in terms of equality of opportunity. The communication of this progressive attitude to all private contractors operating at the site is also referenced.
117. It has already been confirmed in a preceding section of this report that the development has been designed to meet accessibility standards. This would ensure that the attractions and facilities now proposed at Victoria Warehouse would be available for use by all sections of the community.
118. All available evidence would therefore indicate that the proposal would not differentially or disproportionately impact upon groups with ‘protected characteristics’, as defined by the Equality Act (covering age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). However, the issue of whether due regard has been taken of the public sector equality duty is a matter for the decision-maker. For the avoidance of doubt, no concerns were raised on this issue in considering the last application.

### Other Planning Considerations

119. The submission includes a Waste Management Strategy. This confirms that, in general terms, the existing arrangements for the storage and collection of waste across the site would be continued. However, a new bin compound is proposed towards the site frontage given that the existing facility would be displaced by the new multi-storey car park. The document explains that waste collection would continue to be undertaken under a private contract but with its frequency increased to daily visits to account for the more intensive use of the site. With this in mind, the Council’s Waste Management team – who would have no role in the collection of waste from the site - has confirmed that it has no observations. To reiterate, the LHA is also satisfied with the highway implications of the proposed waste arrangements. Design details of the new compound, in order to ensure a satisfactory appearance and particularly given its increased prominence from Trafford Wharf Road, would be secured via condition.
120. In view of the significance of the Victoria Warehouse venue, and given the site’s relative proximity to the borough’s boundary with the Salford administrative

area, adjoining authorities have been consulted on the application. Salford City Council has confirmed that it has no objection, whilst no comments have been received from Manchester City Council. Both Cadent Gas and Electricity North West have identified that the proposal could impact upon their infrastructure, and thus some advisory notes are requested (to be imposed on any decision notice) in order to encourage further investigations on the applicant's part.

121. All matters raised in the submitted representations have been carefully considered and have been addressed in some detail within this report (often with the expertise of consultees – specialists in that field - referred to). Many of the conditions that are recommended, which are regarded as fair, reasonable and practicable, would respond to the concerns highlighted and would serve to mitigate adverse impacts. In circumstances where a matter raised has not been addressed in full, it has been duly considered but it is not regarded as determinative.

## **DEVELOPER CONTRIBUTIONS**

122. The position regarding on-site Specific Green Infrastructure has been explained. It is not considered that there is a reasonable case to request a financial contribution to support an off-site scheme in view of the benchmark established via the last application and the absence of harm that otherwise may justify additional Specific Green Infrastructure to provide necessary mitigation.
123. No other developer contributions are required. The proposal could be liable for a CIL (Community Infrastructure Levy) charge, however, based upon the provision of new hotel and leisure floorspace (at a rate of £10 per square metre). Its CIL-liability and the scale of any charge would be confirmed upon any grant of planning permission.

## **PLANNING BALANCE AND CONCLUSION**

124. The application relates to the site of Victoria Warehouse, located in the northern part of the borough in proximity to Old Trafford and Mediacity/Salford Quays. Comprised of a group of historic warehouse buildings which have been retained and re-purposed, Victoria Warehouse now operates as a successful events and music venue with hotel accommodation. With some of the buildings underutilised, planning permission was granted in 2020 for an expansion of the hotel function, the introduction of office floorspace, a roof-top running track, and the erection of a new multi-storey car park (ref. 99872/FUL/20). With this approved scheme not implemented due to market changes, the current application is presented as an alternative. It similarly proposes more hotel accommodation (the eastern warehouse), the new car park building, and physical changes to the existing 'arena building' (the central warehouse). However, a different use is now intended for the western warehouse to replace the previous

office and running track concept. An intensification of the site's leisure use is proposed involving the introduction of 5,888 square metres of additional corporate event/function floorspace, of which 2,944 square metres would be provided through a new glazed roof-top extension. Other elements of the new scheme include a new glazed entrance and external lift to the western warehouse, new high-level footbridge links, and widespread solar photovoltaic panel provision throughout the site.

125. The new mix of uses proposed for the Victoria Warehouse, which in totality represent a greater concentration of established uses together with a repeat of consented uses, has been found to be wholly acceptable in principle. This is when having regard to the site's positioning within the Trafford Wharfside Strategic Location. The proposal would further contribute to delivering the ambitions for Wharfside, as sought by Policy SL2 of the Core Strategy, which are reinforced by policies of PfE for Greater Manchester's 'Core Growth Area' (JP-Strat1) and 'The Quays' (JP-Strat3), it would also align with the emerging new masterplan for Wharfside, which seeks to capitalise on the opportunities that the location yields for new business, housing and leisure growth. In addition, no issue has been taken on the topic of 'town centre impact' (in noting that the proposal involves further provision of main town centre uses in a non-central location) following assessment against the relevant national policy tests.

126. In conjunction with the applicant's design team, officers' efforts have been focussed on ensuring that the appreciable physical changes that the application proposes – principally the roof-top extension but also the wider work to the western warehouse plus the new photovoltaic panel provision across the site – could be undertaken in a manner which would be suitably sympathetic to the site's existing visual, townscape and heritage value: the warehouse buildings have been recognised as non-designated heritage assets. As demonstrated within this report, officers have been mindful of the proposal's opportunity to make even better use of the site's unique heritage resource in the interests of the buildings future retention. In having to accept some development parameters, it has been demonstrated that the scheme has been capable of sufficient adjustment in seeking to minimise heritage harm and to maximise any visual enhancement. Nonetheless, it has been concluded that the proposal would still have a harmful impact on the significance of the non-designated heritage assets at the site. However, when having regard to the collection of public benefits that the proposal would deliver, it has been concluded that this 'major/moderate' harm would be sufficiently outweighed. The effect is that the test at paragraph 209 of the NPPF has been passed, despite the existence of heritage harm.

127. The decision-taking structure to be applied in the determination of this application is that set out at paragraph 11c and paragraph 12 of the NPPF since this is not a proposal in which policies of 'most importance' have been deemed 'out of date', (which would otherwise result in paragraph 11d of the NPPF being engaged). What remains, therefore, is the undertaking of the standard planning

balance which compares the benefits of the proposal with the harm - in its entirety – that it would cause. The harm to heritage assets has already been set out. Beyond this, the other, non-heritage harms have been found to be rather minimal, although some can be identified. Notwithstanding that the consultation response of the Council’s Environmental Health (Pollution) team concluded satisfactorily and that no conflict with Policy L7 on the matter of residential amenity has been found, it is considered that there is some limited prospect of a short term increase in event noise before the works subject of this application would be delivered in their entirety. In addition, it has been explained that the proposal offers negligible new Specific Green Infrastructure. Whilst this has been accounted for (consistent with the last application) and there is no evidence of disadvantage as a result (and thus no policy conflict), irrespective of this, the proposal is not in alignment with Revised SPD1 on this matter. Policy conflict has, however, been recognised in respect of biodiversity net gain. Whilst the proposal would result, to some degree, in a better quality natural environment than presently exists, it is not categorical that the scheme would deliver a 10% uplift as required by Policy JP-G8 of PfE. In a similar fashion, and whilst no corresponding policy conflict exists since the evidence suggests that the proposal would be very effective in this regard, it cannot be guaranteed at this stage that the development would be zero carbon in operational terms. However, this is partly a product of the shifting nature of the technology (which is likely to further improve before construction) and the newness of the policy and an emerging approach to its successful application.

128. The scheme benefits have already been set out in full as part of the earlier heritage balance exercise. In summary, the proposal would attract new audiences to the Victoria Warehouse venue and would facilitate an international level of investment and interest. It would bring new leisure, culture and tourism activity to the wider Wharfside location and would align with both local and Greater Manchester planning policies which seek to deliver high levels of growth in this sustainable, brownfield location. The proposal would lead to a very considerable number of full time, permanent jobs, as well as supporting some temporary employment during the construction phase. These economic benefits should be afforded significant weight. In addition, in enabling full occupation of the warehouse buildings, it would provide for the site’s positive use, management and maintenance in the longer term. The scheme would reinforce the site distinctive heritage character and identity, and would bring about some localised heritage enhancement through the removal of some existing intrusive features and the decluttering of parts of the site. Such heritage benefits attract considerable weight, it is considered. The development would benefit communities through creating vibrancy in the neighbourhood and would increase the public experience of both a heritage and cultural asset. The site’s proximity to public transport and its cycling parking facilities would support inclusive use in this regard. The new roof to the arena building/central warehouse would lead to some redressing of existing event noise. Finally, in turning to the environmental benefits, the application has been profiled as ‘leading the way’ in sustainable

terms, which has been backed up by the submitted Sustainability Statement and Carbon Budget Statement. The operation of the site would be supported by on-site renewable energy and a range of other energy-positive and energy-efficiency technology. Evidence indicates that the development would be operationally carbon neutral and that its construction would also contribute to carbon neutrality. Other, lower-order environmental benefits include an uplift in tree cover and some degree of biodiversity enhancement.

129. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration. Notwithstanding some degree of departure from policy (specifically Policy R1 and Policy JP-G8), when having regard to the multitude of benefits arising, it is not considered that such conflicts comprise appropriate reasons to withhold planning permission. Accordingly, it is concluded that the proposal is compliant with relevant policies of the statutory development plan when taken as a whole, as well as national policy in the NPPF and also other relevant guidance. Approval is recommended, 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 following submitted plans:

Site Wide:

Site location plan: 07495(00)00 P1

Proposed site plan: 07495(02)09 P2

Proposed basement and ground floor plans: 07495(02)10 P10

Proposed first and second floor plans: 07495(02)11 P4

Proposed third and fourth floor plans: 07495(02)12 P8

Proposed fifth floor and car park levels 5/6 plans: 07495(02)13 P4

Proposed sixth floor/roof plan: 07495(02)14 P3

Existing and proposed site elevations 1: 07495(02)20 P8

Existing and proposed site elevations 2: 07495(02)21 P6

Existing and proposed site sections 1: 07495(02)30 P4

Proposed ground floor demolition plan: 3208-CDA-00-GF-DR-07495(01)155 P1

Proposed first floor demolition plan: 3208-CDA-00-GF-DR-07495(01)156

Proposed second floor demolition plan: 3208-CDA-00-GF-DR-07495(01)157

Proposed third floor demolition plan: 3208-CDA-00-GF-DR-07495(01)158

Proposed context elevation - north: 3208-CDA-00-ZZ-DR-A-07495(02)177

#### Eastern Warehouse:

Proposed basement plan: 07495(02)100 P1  
Proposed ground floor plan: 07495(02)101 P3  
Proposed first floor plan: 07495(02)102 P2  
Proposed second floor plan: 07495(02)103 P3  
Proposed third floor plan: 07495(02)104 P2  
Proposed fourth floor plan: 07495(02)105 P2  
Proposed fifth floor plan: 07495(02)106 P2  
Proposed roof plan: 07495(02)107 P2  
Proposed section AA through hotel: 07495(02)108 P1  
Proposed north elevation: 07495(02)110 P1  
Proposed south elevation: 07495(02)111 P1  
Proposed east and west elevations: 07495(02)112 P2

#### Car Park/Arena Building:

Proposed car park plan L0: 07495(02)113 P4  
Proposed car park plan L1: 07495(02)114 P4  
Proposed car park plan L2: 07495(02)115 P5  
Proposed car park plan L3: 07495(02)116 P7  
Proposed car park plan L4: 07495(02)117 P5  
Proposed car park plan L5: 07495(02)118 P5  
Proposed car park plan L6: 07495(02)119 P4  
Proposed car park roof plan: 07495(02)120 P1  
Proposed section through arena: 07495(02)125 P6  
Proposed arena/car park elevation north: 07495(02)130 P8  
Proposed car park elevation east: 07495(02)131 P2  
Proposed arena/car park elevation south: 07495(02)132 P8  
Proposed car park elevation west: 07495(02)133 P4  
Proposed section through car park: 07495(02)126  
Proposed footbridge details: 07495(21)02 P2  
Roof steelwork plan: 10162 Drawing 1 A  
Base steelwork plan: 10162 Drawing 2 A  
Steelwork elevations: 10162 Drawing 3 A  
Truss elevations: 10162 Drawing 4: A  
Steelwork details: 10162 Drawing 5: A  
Masonry removal prior to steelwork installation: 10162 Drawing 6  
Infill masonry under new eaves steelwork: 10162 Drawing 7  
Raising masonry to underside of new roof: 10162 Drawing 8  
Solar panels details: 3208-CDA-00-XX-DR-A-07495(02)178 P1

#### Western Warehouse:



Proposed ground floor plan: 3208-CDA-00-GF-DR-A-07495(02)140 P9  
Proposed first floor plan: 3208-CDA-00-GF-DR-A-07495(02)141 P7  
Proposed second floor plan: 3208-CDA-00-GF-DR-A-07495(02)142 P14  
Proposed third floor plan: 3208-CDA-00-GF-DR-A-07495(02)143 P13  
Proposed fourth floor plan: 3208-CDA-00-GF-DR-A-07495(02)145 P13  
Proposed roof plan: 3208-CDA-00-GF-DR-A-07495(02)144 P13  
Proposed section AA through western warehouse: 3208-CDA-00-ZZ-DR-A-07495(02)150 P8  
Proposed north elevation: 3208-CDA-00-ZZ-DR-A-07495(02)160 P17  
Proposed east elevation: 3208-CDA-00-ZZ-DR-A-07495(02)161 P12  
Proposed south elevation: 3208-CDA-00-ZZ-DR-A-07495(02)162 P14  
Proposed west elevation: 3208-CDA-00-ZZ-DR-A-07495(02)163 P12  
Proposed balcony details: 3208-CDA-00-ZZ-DR-A-07495(02)172  
Proposed railing details: 3208-CDA-00-ZZ-DR-A-07495(02)174  
Proposed walkway details: 3208-CDA-00-ZZ-DR-A-07495(02)175  
Proposed façade details: 3208-CDA-00-ZZ-DR-A-07495(02)176 P2  
Glazed entrance details: 3208-CDA-00-XX-DR-A-07495(21)10 P3  
Glazed lift details: 3208-CDA-00-XX-DR-A-07495(21)11 P2  
Window details type 1: 07495(21)20 P2  
Window details type 2: 07495(21)21 P1  
Window details type 3: 07495(21)22 P2  
Western Warehouse Façade Study (prepared by Coda, dated January 2024)

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application, no development shall take place (excluding demolition) in relation to the respective four component buildings which comprise the approved development (1. The eastern warehouse, 2. the western warehouse, 3. the central warehouse/arena building, and 4. the multi-storey car park) unless and until samples and full specifications of all materials and surface finishes to be used externally on that component building 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, and details of all external fixings. For the western warehouse, the submitted details shall include a sample panel constructed on site which shall encompass the design details shown on page 11 of the Western Warehouse Façade Study (January 2024), and a sample panel of the steel frame with wrapped corten to the external lift structure. For the central warehouse/arena building, the submitted details shall include a sample panel which shall demonstrate how the individual corten panels would be adjoined and which shall also include the capping detail. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the

Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

4. No development shall take place in relation to the new external lift structure to the western warehouse unless and until full design and section details (at a scale of 1:10 or 1:20) of the following features have been submitted to and approved in writing by the local planning authority: the junction of the corten wrapped components; and the junction of the lift structure with the existing warehouse. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

5. No development shall take place in relation to the new glazed entrance to the western warehouse unless and until full design and section details (at a scale of 1:10 or 1:20) of the following features have been submitted to and approved in writing by the local planning authority: the relationship between the glazing and the glazing bars; the interface of the glazed entrance with the existing taking in doors and windows; and the junction of the glazed entrance with the existing warehouse. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

6. No development shall take place in relation to the new access lift to the eastern warehouse entrance canopy unless and until full design details (at a scale of 1:10 or 1:20) of the new access lift have been submitted to and approved in writing by the local planning authority. The submitted details shall include the specification of the lift, its appearance, materials and finish. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

7. No development shall take place in relation to the alterations to the roof of the eastern warehouse unless and until full design and section details (at a scale of 1:10 or 1:20) of the following features have been submitted to and approved in writing by the local planning authority: the new roof over the function room, the plant rooms, the roof terraces, and the perimeter balustrade. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

8. Notwithstanding the approved plans, no development shall take place in relation to the footbridge between the eastern warehouse and the multi-storey car park unless and until full design and section details (at a scale of 1:10 or 1:20) of the junction of the footbridge with the eastern warehouse have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

9. Notwithstanding the approved plans, no development shall take place in relation to the respective three components of solar photovoltaic (PV) provision (comprising: 1. Glazed PV panels to the southern elevation of the western warehouse; 2. Roof-mounted PV panels to the roofs of the western warehouse, central warehouse/arena building, and multi-storey car park; and 3. PV panels applied to the southern elevations of the central warehouse/arena building and multi-storey car park), unless and until full details of the technology to be installed as part of that component of PV provision have been submitted to and approved in writing by the local planning authority. The submitted details shall cover: the dimensions of the panels; the appearance, materials, colour and finish of the panels; full details of fixtures and fittings (including the appearance, materials, colour and finish); how the junctions of the panels would be treated; the appearance of any other associated equipment and installations; product specifications; proposed electricity distribution and storage systems; the methods of installation; and procedures for maintenance and management. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

10. Notwithstanding the approved plans, no development shall take place associated with the provision of corten panels to the new roof structure to the central warehouse/arena building unless and until full design and section details (at a scale of 1:10 or 1:20) which shall show the interface between the panels and the existing brickwork to the building have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

11. Notwithstanding the approved plans for the central warehouse/arena building and the multi-storey car park and which show solar photovoltaic (PV) panels applied to the buildings' southern elevations (see plan ref.3208-CDA-00-XX-DR-A-07495(02)178 P1), revised details confirming the arrangement and distribution of PV panels relative to the intervening recessed corten panels to the buildings shall be submitted to and approved in writing by the local planning authority prior to the installation of any façade-based PV panels to either the central warehouse/arena building and the multi-storey car park. The submitted details shall seek to maximise the use of corten in a manner appropriate to the buildings' character and appearance whilst maintaining a high energy generating capacity for the PV system overall. The submitted details shall describe the corresponding energy capacity in accordance with the PV technology that has been selected. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, whilst also seeking to maximise the use of renewable energy technologies, having regard to Policy L7, Policy R1 and Policy L5 of the Trafford Core Strategy, Policy JP-P1, Policy JP-P2 and Policy JP-S1 of Places for Everyone, and the National Planning Policy Framework.

12. Notwithstanding the approved plans, no development associated with the provision of replacement and/or new windows and external doors to the eastern warehouse, western warehouse and/or central warehouse/arena building shall take place unless and until full design details of all replacement and/or new windows and external doors to that respective building have been submitted to and approved in writing by the local planning authority. The submitted details shall include sectional drawings (at a scale of 1:10 or 1:20) and shall illustrate a recess to all replacement and/or new windows and doors. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

13. No works to either the central warehouse/arena building, the western warehouse and the eastern warehouse respectively shall commence unless and until a method statement relating to the affected building where the works are scheduled to commence has been submitted to and approved in writing by the local planning authority. The submitted method statement shall describe the proposed method of demolition (where relevant) and shall demonstrate how the existing building fabric, including internal and

external features, will be suitably protected and supported during the course of all demolition, construction and conversion works. Development shall be carried out in full accordance with the approved details.

Reason: In the interests of protecting the structural and architectural integrity of the buildings and the heritage value of the site, having regard to Policy R1 of the Trafford Core Strategy, Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

14. Notwithstanding any description of materials in the application, no development associated with the provision of new hard landscape works shall take place unless and until samples and/or full specifications of all new hard landscaping to be used throughout the development have been submitted to and approved in writing by the local planning authority. The details shall include: materials for vehicle and pedestrian routes; all other hard surfacing materials; means of enclosure and boundary treatments; waste compound, cycle and other stores and containers; and street furniture (including any free-standing cycle/motorcycle parking facilities). The submitted details shall include product dimensions, full details regarding appearance, materials and finishes, and it shall indicate the location of their provision within the site. Development shall be carried out in full accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and the heritage value of the site, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework.

15. No above-ground construction works shall take place unless and until full details of all new soft landscaping to be provided within the site have been submitted to and approved in writing by the local planning authority. The details, which shall be based on approved plan ref. 07495(02)10 P10 which shows the planting of ten new trees to the Trafford Wharf frontage, shall include planting plans, schedules of plants (noting species (which shall include native species), plant sizes and proposed numbers), existing landscaping to be retained, planting specifications, a planting implementation programme, and landscape maintenance. The soft landscaping works shall be carried out in full accordance with the approved details and implementation programme, and shall thereafter be maintained.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and the need to enhance site biodiversity, having regard to Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy, Policy JP-G8 and Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

16. Any trees or shrubs planted in accordance with the approved landscaping works are removed, die, become diseased or seriously damaged then replacement trees or shrubs shall be planted in the next planting season with others of similar size and species.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and the need to enhance site biodiversity, having regard to Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy, Policy JP-G8 and Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

17. The hotel (eastern warehouse) roof terrace hereby approved shall not be used for the purposes of entertainment or for the playing of amplified music outside the hours of 0700 and 2300 on any day. Between the hours of 2300 and 0700 on any day the roof terrace (eastern warehouse) may only be used by guests of the hotel and attendees of events in the function room for the purposes of a smoking area.

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

18. Prior to any works commencing to the eastern warehouse associated with the provision of the hotel function room, full design details of the function room roof shall be submitted to and approved in writing by the local planning authority. The submitted details shall include calculations to demonstrate the predicted acoustic performance of the roof and the predicted maximum internal music noise level which must achieve the following external music noise limits at a distance of 1m from the façade of the nearest noise sensitive receptor:

- The external music noise level (LAeq,15min) shall not exceed the representative lowest background sound level (LA90,15min) for the periods of operation; and
- The external music noise level (L10,15min) shall not exceed the representative lowest background sound level (L90,15min) in both the 63Hz and 125 Hz octave bands for the periods of operation.

Thereafter, the roof shall be built in accordance with the approved design details.

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

19. The use of the hotel function room (within the eastern warehouse) shall not commence unless and until a verification report has been submitted to and approved in writing by the local planning authority. The submitted report shall confirm the as-built acoustic performance of the roof to the hotel function room and it shall identify the as-built predicted maximum music noise level inside the hotel function room that will achieve the external music noise level criteria set out in condition 18 above. Thereafter the function room roof shall be retained and maintained in accordance with its approved acoustic performance.

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

20. Prior to any works commencing to the central warehouse/arena building, an assessment to determine the sound reduction specification of the existing roof to the central warehouse/arena building shall be submitted to and approved in writing by the

local planning authority. The assessment shall have regard to applicable national standards and guidelines.

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

21. Upon commencement of works to the central warehouse/arena building associated with the provision of a new roof, no music events shall take place within the central warehouse/arena building until the new roof works have been completed and a verification report has been submitted to and approved in writing by the local planning authority. The submitted report shall confirm that the acoustic performance of the new roof to the central warehouse/arena building is not less than the approved sound reduction specification for the former roof as confirmed by condition 20 above. Thereafter the roof to the central warehouse/arena building shall be retained and maintained in accordance with its approved acoustic performance.

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

22. Prior to any works commencing to the western warehouse associated with the provision of the roof-top extension, full design details of the new roof enclosure shall be submitted to and approved in writing by the local planning authority. The submitted details shall include calculations to demonstrate the predicted acoustic performance of the new roof enclosure and the predicted maximum internal music level which must achieve the following external music noise limits at a distance of 1m from the façade of any noise sensitive receptor:

- The external music noise level (LAeq,15min) shall not exceed the representative lowest background sound level (LA90,15min) for the periods of operation; and
- The external music noise level (L10,15min) shall not exceed the representative lowest background sound level (L90,15min) in both the 63Hz and 125 Hz octave bands for the periods of operation.

Thereafter, the roof shall be built in accordance with the approved design details.

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

23. The use of the roof-top extension to the western warehouse shall not commence unless and until a verification report has been submitted to and approved in writing by the local planning authority. The submitted report shall confirm the as-built acoustic performance of the roof enclosure and it shall identify the as-built predicted maximum music noise level inside the roof-top extension that will achieve the external music noise level criteria set out in condition 22 above. Thereafter the roof enclosure to the western warehouse shall be retained and maintained in accordance with its approved acoustic performance.

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

24. Prior to the use of the western warehouse commencing in accordance with the details of this approval (involving the use of the second and third floors, the roof extension and the roof terrace, whichever is the sooner), a Nuisance Management Plan (NMP) shall be submitted to and approved in writing by the local planning authority. The submitted NMP shall set out the organisational responsibilities for noise and nuisance control throughout all areas of the western warehouse and shall detail the range of measures, restrictions and controls to be applied in ensuring that the operation of all event space within the western warehouse (including the roof terrace and roof extension) does not cause a nuisance to nearby residential receptors due to noise or light pollution. The submitted NMP shall also allow for a review of its success and for subsequent updates to the NMP to be made to improve its effectiveness where necessary. The approved, latest NMP shall be implemented upon its approval and for the lifetime of the development.

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

25. Prior to the first installation of any new or replacement fixed plant in association with the development hereby approved a report shall be submitted to and approved in writing by the local planning authority which shall illustrate its external appearance and demonstrate that the rating level (LAeq,T) from all fixed plant and machinery on site, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time, when measured at the nearest residential receptor. Noise measurements and assessments shall be compliant with 'BS 4142:2014 Rating industrial noise affecting mixed residential and industrial areas'. Thereafter the fixed plant and machinery shall be installed in accordance with the approved details and noise from fixed plant and machinery shall not exceed the background noise level (LA90,T) at any time, when measured at the nearest residential receptor.

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

26. No exterior lighting shall be installed at the site unless and until an Exterior Light Impact Assessment for any proposed exterior lighting has been submitted to and approved in writing by the local planning authority. The submitted assessment shall be undertaken in accordance with the Institution of Lighting Professionals (ILP) Guidance Note 01/21 and it shall demonstrate that the proposed exterior lighting scheme on which the assessment is based has been designed in order to minimise the effects of obtrusive light on nearby residential receptors. No exterior lighting shall be installed other than that which has been assessed and approved.

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



27. The development hereby approved shall be constructed in full accordance with the recommendations contained within sections 3, 4 and 5 of the submitted Crime Impact Statement dated 17/03/2023, reference 2005/1451/CIS/03. Thereafter, the development shall be operated in accordance with the submitted statement for its lifetime.

Reason: In the interests of crime and terrorist prevention and the enhancement of community safety, having regard to Policy JP-P1 of Places for Everyone and the National Planning Policy Framework.

28. Prior to the development being first brought into use in accordance with the details of this approval (which shall include the eastern warehouse, the western warehouse or the multi-storey car park, whichever is the sooner), a Vehicle Dynamic Assessment shall be undertaken (to be completed by a RSES (Register of Security Engineers and Specialists) approved Hostile Vehicle Mitigation specialist) and submitted to and approved in writing by the local planning authority. The submitted assessment shall assess the threats and vulnerabilities at potential access and entry points around the site and shall seek to minimise the risks associated with vehicle-borne threats, and as part of this it shall review the effectiveness of existing bollards to the north of the site on Trafford Wharf Road. Should the assessment reveal the need for new, replacement and/or additional mitigation to reduce such risks, then full details of the measures to be implemented shall be submitted to and approved in writing by the local planning authority, and the approved mitigation shall be implemented prior to the development being first brought into use. Thereafter, the mitigation measures shall be retained and the development shall be operated in full accordance with the submitted assessment.

Reason: In the interests of crime and terrorist prevention and the enhancement of community safety, having regard to Policy JP-P1 of Places for Everyone and the National Planning Policy Framework.

29. Notwithstanding the submitted Events Management Plan (ref. 230728/SK21942/EMP01(-06)), when having regard to the findings of the Vehicle Dynamic Assessment referred to in condition 28 above, prior to the development hereby approved being first brought into use (which shall include the eastern warehouse, the western warehouse or the multi-storey car park, whichever is the sooner), a revised Events Management Plan shall be submitted to and approved in writing by the local planning authority. The revised Events Management Plan, which shall be consistent with the Vehicle Dynamic Assessment including any identified subsequent mitigation, shall also cover (although be restricted to) the following matters:

- Temporary arrangements during construction works on site;
- The limited provision of off-site overflow car parking and clear communication of this through the promotion of and incentives for public transport use;
- Pre-booking of car parking spaces;
- Traffic management arrangements (including temporary Traffic Regulation Orders); - Coach and taxi drop off arrangements;

- Management of pedestrian access (including queuing arrangements and use of barriers);
- Mitigation for match day events at Old Trafford football ground; -
- The use of the on-site multi storey car park;
- Record keeping to allow for the review of the success of the Events Management Plan; and
- An annual review mechanism allowing for updates to be made to the Events Management Plan and with any such updated Events Management Plan submitted to the local planning authority for approval in writing in accordance with the review mechanism timetable.

Thereafter events at the development site shall only take place in accordance with the most up-to-date approved Events Management Plan.

Reason: In the interests of highway and of public safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

30. Notwithstanding the submitted interim Travel Plan (ref. 230317/SK21942/TP01(-04)), within 6 months of the development hereby approved being first brought into use (which shall include the eastern warehouse, the western warehouse or the multi-storey car park, whichever is the sooner), a full Travel Plan shall be submitted to and approved in writing by the local planning authority. Building on the contents of the interim Travel Plan, the submitted full Travel Plan shall include: updated baseline travel surveys; effective objectives and incentives to reduce car travel and increase the use of non-car modes of travel for employees, visitors and hotel guests; updated and quantifiable targets against which the success of the Travel Plan can be monitored over time; a monitoring and review schedule; and a commitment to future employee and visitor/hotel guest travel surveys. The submitted full Travel Plan shall be implemented upon its approval and shall continue to be implemented (subject to monitoring and future updates) for a period of 10 years from the development being fully operational.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policy L4 of the Trafford Core Strategy, Policy JP-Strat14, Policy JP-C5 and Policy JP-C6 of Places for Everyone, and the National Planning Policy Framework.

31. Notwithstanding the approved plans, prior to the development hereby approved being first brought into use, a scheme for the provision of cycle parking and motorcycle parking to serve the development shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall be based upon the provision of parking facilities to cater for a minimum of 68 cycles and 19 motorcycles, it shall illustrate the location, type and specification of such facilities, and it shall demonstrate that such facilities would be secured and, where possible, sheltered in order to maximise their use. The approved details shall be implemented prior to the development being first brought into use and shall thereafter be retained.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policy L4 of the Trafford Core Strategy, Policy JP-Strat14, Policy JP-C5 and Policy JP-C6 of Places for Everyone, and the National Planning Policy Framework.

32. Prior to the first use of the reconfigured hotel and/or the reconfigured western warehouse (whichever is the sooner), a scheme for the provision of car parking spaces within the multi-storey car park hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision for 181 parking spaces, detail how the spaces will be allocated and appropriately managed, including the provision and management of 12 disabled parking spaces. The approved scheme shall be implemented prior to the first use of the reconfigured hotel and/or the reconfigured western warehouse (whichever is the sooner), and thereafter be retained.

Reason: In order to ensure that parking demand is adequately catered for in the interests of highway safety, having regard to Policy L4 of the Trafford Core Strategy, Policy JP-C8 of Places for Everyone, and the National Planning Policy Framework.

33. The development hereby approved shall be implemented in full accordance with the submitted Construction Method Statement (prepared by VW Project Team, dated 20th March 2023) throughout the period of demolition and construction activity.

Reason: In the interests of highway safety, and to minimise disturbance and nuisance to nearby residential occupiers, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-P1 and Policy JP-C8 of Places for Everyone, and the National Planning Policy Framework.

34. The development hereby approved shall be implemented in full accordance with the submitted Contaminated Land Position Statement (dated April 2023) and the Watching Brief Report contained at its Appendix 1 (prepared by Worms Eye Ltd and dated 5<sup>th</sup> February 2021). Upon completion of the groundworks associated with the construction of the new multi-storey car park, a verification report shall be submitted to and approved in writing by the local planning authority. The submitted verification report shall demonstrate that the remedial encapsulation works have been completed and that all site remediation criteria have been met. It shall also include any plan, where required, for longer-term monitoring of pollution linkages, any maintenance and arrangements for contingency action. Any such 'longer term monitoring and maintenance plan' shall be fully adhered to.

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 site users, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework.

35. No piling shall take place as part of the development hereby approved unless and until a piling method statement has been submitted to and approved in writing by the

local planning authority. The submitted statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise any pollution risks to groundwater. Any piling activity shall be undertaken in strict accordance with the approved piling method statement.

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 site users, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework.

36. The development hereby approved shall be carried out in full accordance with the submitted Drainage Strategy Report (prepared by Brennan Consult, dated 31<sup>st</sup> March 2023, ref. 2628 rev. A).

Reason: To secure a satisfactory system of drainage and to prevent any flood risk, having regard to Policy L5 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework.

37. The development hereby approved shall be progressed and constructed in order to meet the objectives for achieving carbon minimisation contained within the submitted Carbon Budget Statement (prepared by Ecospheric and dated February 2024) and the submitted Sustainability Statement (prepared by Ecospheric and dated February 2024). Prior to the development being first brought into use in accordance with the details of this approval (which shall include the eastern warehouse, the western warehouse or the multi-storey car park, whichever is the sooner), a verification report shall be submitted to and approved in writing by the Local Planning Authority which shall confirm the package of technologies, infrastructure and measures implemented within the development to achieve the objectives. Thereafter the technologies, infrastructure and measures shall be retained and maintained.

Reason: In the interests of reducing carbon emissions and in combating and adapting to climate change, having regard to Policy L5 of the Trafford Core Strategy, Policy JP-S1 and Policy JP-S2 of Places for Everyone, and the National Planning Policy Framework.

38. No development associated with the construction of the new multi-storey car park shall commence unless and until full details of proposed electric vehicle charging infrastructure to serve the development have been submitted to and approved in writing by the local planning authority. The submitted details, which shall be based on the provision of 25 dedicated spaces for electric vehicles, and passive infrastructure for all other spaces, shall include the technical specifications of the infrastructure to be installed. The approved details shall be implemented prior to the car park being brought into use and the infrastructure shall thereafter be retained and maintained.

Reason: In the interests of sustainability and reducing carbon emissions, having regard to Policy L5 of the Trafford Core Strategy, Policy JP-S1 and Policy JP-S5 of Places for Everyone, and the National Planning Policy Framework.

39. No above-ground development or works to roof spaces within existing buildings shall take place unless and until a scheme for the provision of biodiversity enhancement measures throughout the development has been submitted to and approved in writing by the local planning authority. The scheme shall include, but not be restricted to, the use of native species in the provision of new soft landscaping and the installation of bat and bird boxes within each of the buildings on site, and the submitted details shall demonstrate that a net gain in the site's biodiversity value would be achieved. The approved scheme shall be implemented prior to the development being first brought into use (which shall include the eastern warehouse, the western warehouse or the multi-storey car park, whichever is the sooner) and it shall thereafter be retained and maintained.

Reason: To safeguard and enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy, Policy JP-G8 of Places for Everyone, and the National Planning Policy Framework.

40. No clearance of trees and shrubs, demolition of buildings or structures, or works to roof spaces within existing buildings shall take place during the bird nesting season (March to August inclusive) unless and until a competent ecologist has undertaken a careful, detailed check of the vegetation/buildings/structures for active birds' nests immediately before the works commence. Should the check reveal the presence of any nesting birds, then no such works shall take place during the period specified above unless and until 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, Policy JP-G8 of Places for Everyone, and the National Planning Policy Framework.

41. Prior to the start of works on the proposed multi storey car park, the submitted Waste Management and Servicing Strategy, dated 23 March 2023, (and as amended by the approved proposed site plan: 07495(02)09 P2) shall be implemented. Thereafter, waste and recycling bins shall be stored and made available for collection and return in accordance with the approved Strategy.

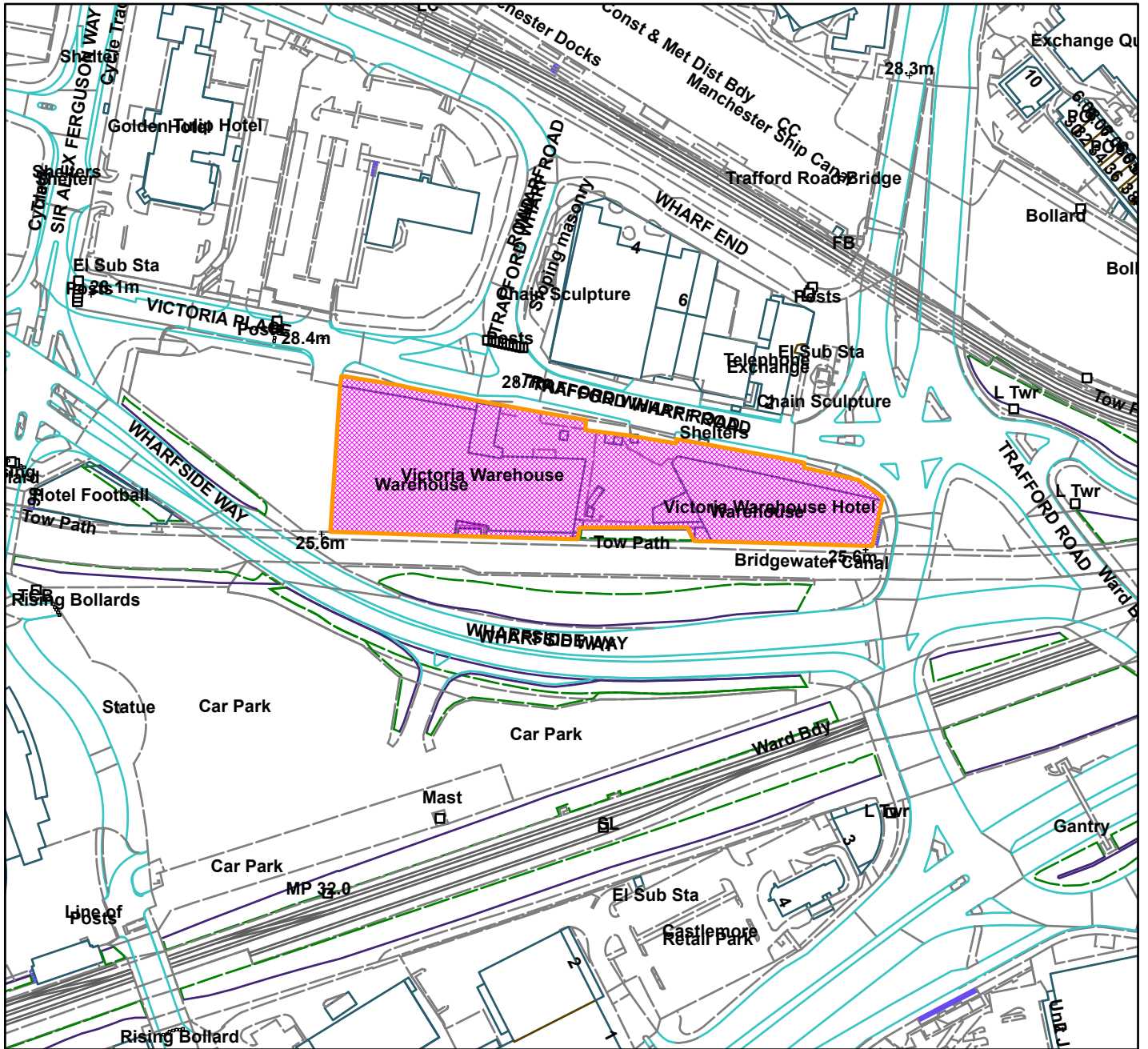
Reason: In the interests of highway safety and residential amenity and to ensure that satisfactory arrangements are in place for the disposal of refuse (including recyclables), having regard to Policy L7 of the Trafford Core Strategy, and the National Planning Policy Framework.

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BB



Victoria Warehouse, Trafford Wharf Road, Trafford Park (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/04/24
Date	28/03/2024
MSA Number	AC0000809316 (2022)

**WARD:** Hale Barns &  
Timperley South

**112536/FUL/23**

**DEPARTURE: No**

**Demolition of existing dwellinghouse and garage and erection of 1 no. 4 storey dwellinghouse with associated parking, access and landscaping.**

La Valette, 8 Broadway, Hale Barns, Altrincham, WA15 0PQ

**APPLICANT:** Mr Grieves

**AGENT:** Maison IOM Limited

**RECOMMENDATION: GRANT**

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

**EXECUTIVE SUMMARY**

The application relates to 8 Broadway, Hale Barns, The site is currently occupied by a detached bungalow. The site is not located within the South Hale Conservation Area, but it does bound it to the rear (west).

Planning permission is sought for the demolition of the existing dwelling and the erection of 1no four storey dwelling, inclusive of floorspace within the basement and roof space.

The proposal follows a previously approved application on the site, 110052/FUL/23, amendments are sought which reduce the accommodation within the basement and include a single storey rear projection instead.

The application has received nine letters of objection from adjacent addresses and from wider Hale area. The main concerns raised relate to the impact on residential amenity, overdevelopment of the site and drainage. All representations have been duly noted and considered as part of the application appraisal.

The proposal is considered to be in accordance with Core Strategy policies and relevant sections of the NPPF. In terms of NPPF paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission.

**SITE**

The application site comprises 1.5 storey bungalow of a traditional architectural style, constructed in facing brick. The site benefits from an 'in' and 'out' driveway. A moderately sized lawn extends to the rear with strong landscaping established along the boundaries. The area is characterised by large properties actively fronting Broadway with a relatively consistent building line.

The western rear boundary of the site abuts the South Hale Conservation Area. The site, however, is not contained within this designation.

## **PROPOSAL**

The proposal seeks permission to demolish the existing dwelling and erect a replacement dwelling with accommodation across 4 floors including to the basement and roof area.

The proposed dwelling similarly reflects a proposal previously approved application, 110052/FUL/23, with the main change being a reduction in the basement footprint and this floorspace being provided within a single storey pitched roof projection, to the north-west corner of the building. Other minor alterations include changes to the front and side elevation of the garage (addition of a blind window and reduction in number of garage door openings) and minor changes to the layout.

Changes to the site include the blocking of the southern entrance to the site and repositioning of the driveway to the north of the site, utilising the retained northern access. The removal of the existing garage to the south of the site and the addition of a rear terrace is also proposed.

The footprint of the building would be altered minimally, with exception to the additional rear projection. The architectural style materiality and height would be the same as the previous approval.

The total floorspace of the proposed new dwelling would be approx. 1181 m<sup>2</sup>.

### **Value Added**

The plans originally included accommodation within the roof of the single storey projection and an additional gable to the rear roof. These have since been removed to reduce the vertical massing of the structure as advised by officers.

## **DEVELOPMENT PLAN**

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the



Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.

- 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 PFE POLICIES**

JP-C8 – Transport Requirements of New Development

JP-G8 – A Net Enhancement of Biodiversity and Geodiversity

JP-P1 - Sustainable Places

JP-P2 – Heritage

JP-S1 - Sustainable Development

JP-S4 – Flood Risk and Water Environment

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

L2 – Meeting Housing Needs

L4.14 - L4.16 – Sustainable Transport and Accessibility

L7.3 (Amenity Only) and L7.2 – Design

L8.2 – Planning Obligations (CIL)

R1.1, R1.3-R1.7 – Historic Environment

#### **PROPOSALS MAP NOTATION**

Rear boundary is shared with South Hale Conservation Area

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

None

#### **SUPPLEMENTARY PLANNING DOCUMENTS AND GUIDANCE**

SPD3 – Parking Standards and Design

PG1 – New Residential Development

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

DLUHC published the latest version of the National Planning Policy Framework (NPPF) on 20 December 2023. The NPPF will be referred to as appropriate in the report.

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

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 20 November 2023. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

110052/FUL/23 - Demolition of existing dwellinghouse and garage and erection of 1 no. 4 storey dwellinghouse with associated parking, access and landscaping. – Approved with Conditions 14 April 2022

*This application is very similar to this approval.*

107381/FUL/22 - Erection of a proposed dwelling with associated parking, landscaping and gates/fencing following demolition of the existing dwelling and garage. – Refused 12 July 2022 for the following reason:

1. The proposed development by reason of its scale and architectural style would appear highly incongruous within its surrounding context. The massing of the building would exacerbate the buildings prominence within Broadway, creating a visibly dominant style of development that would fail to reflect the local built vernacular and which would undermine the built identity of this area. This would significantly harm the character and appearance of this area contrary to policy L7 of the Trafford Core Strategy (2012), the National Planning Policy Framework (2019), the National Design Guide (2019) and the Supplementary Planning Guidance titled PG1 (New Residential Development) (2004).

*Following the above refusal, the applicant engaged in pre-application discussions which resulted in the above approval.*

## **APPLICANT'S SUBMISSION**

Heritage Assessment  
Façade Design Analysis  
Construction Management Plan  
Surface Water Run off Plan  
Drainage Strategy  
SUDS Management and Maintenance Plan  
Arboriculture Impact Statement  
Arboriculture Method Statement  
Bat Survey  
Proposed Accommodation Schedule

## **CONSULTATIONS**

Local Highways Agency – No Objections subject to condition.

Greater Manchester Ecology Unit – No objections subject to conditions, informative advised.

Trafford Council Arborist – No objections subject to conditions.

Heritage Development Officer – No objections to amended plans

Local Lead Flood Authority – No objections subject to conditions

Contaminated Land – No Comments or Objections

## **REPRESENTATIONS**

A total of 9 objections have been received.

These include both adjacent properties (6 and 10 Broadway), the dwelling to the rear (9 Hill Top), two further dwellings on Hill Top (2 and 20) and three further properties within the wider local area (Hale/Hale Barns).

A further objection was also received from Cllr Butt.

Below is a summary of issues raised.

- Proposed building is excessive in size for the plot
- Loss of amenity to 6 Broadway, specifically due to 'leisure block'
- Loss of amenity to 9 Hill Top, specifically due to massing of rear projection
- Drainage/flooding issues
- Detrimental appearance in the street-scene
- Does not fit the suburban / village character of Hale / Hale Barns area

Nine letters of support have also been received.

## **OBSERVATIONS**

### The decision taking framework

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. The NPPF at paragraphs 2 and 47 reinforces this requirement.
2. The NPPF, at paragraph 11, explains how the “presumption in favour” should be applied in the decision-taking process. It means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting planning 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. The Places for Everyone Joint Development Plan was adopted on 21 March 2024. In accordance with Paragraph 76 of the NPPF, and for the first five years of the plan's adoption, Trafford is now no longer required to identify a five year housing land supply. In effect, for decision making purposes, it should be assumed that the Local Planning Authority has a five year supply of specific, deliverable housing sites. The Council's housing land supply position therefore no longer triggers the tilted balance.
4. However, Housing Delivery Test (HDT) presumption still applies. Paragraph 79 of the NPPF states that where the HDT falls under 75% then the presumption in favour of sustainable development applies. Trafford's HDT figure for 2023 is 65% i.e. the Council delivered an average of 65% of its housing requirement over the three years to March 2023. The tilted balance is therefore triggered by the HDT.
5. As development plan policies in Places for Everyone are very recently adopted they are up to date and should be given full weight in decision making. Although the tilted balance in the NPPF is a primary material consideration, the development plan remains the starting point for decision making.

### Housing Land Supply

6. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. Local planning authorities are required to support the Government's objectives of significantly boosting the supply of homes. With reference to paragraph 60 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
7. The site is currently occupied by a single dwelling and the application proposes the demolition of this dwelling and replacement with a new single dwelling and therefore has no net impact on the supply of land for new homes.
8. The proposal is therefore acceptable in housing policy terms and the main considerations in this application are the impact on residential amenity, design and impact on the character and appearance of the adjacent Conservation Area and street scene generally. Highways, ecology and other pertinent issues are also considered below.

## Heritage

9. The significance of the South Hale Conservation Area (SHCA) 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. Features such as prominent gables, the use of brick coupled with render and bay windows, are repeated across buildings dating from a variety of dates, adding both visual stimulation and harmony. 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. The historic value of the Conservation Area is linked to the late 19th and early 20th-century development and growth in Hale, and it is notable that the Conservation Area has retained its residential character, with houses designed by prominent architects including Edgar Wood and Henry Goldsmith.
10. It is considered that an appropriate amount of soft landscaping would be achieved to the rear boundary, and with 21m being retained between the main building and rear boundary with the SHCA. A reduced distance of circa 13m would be present between the single storey rear projection and the boundary with the SHCA. This would not lead to a cramped arrangement given it would still maintain a generous distance to the rear boundary. Views of the elevation of the proposed development would be limited given the distance, vegetation and siting of no. 9 Hill Top.
11. Given this assessment relies on the massing to the rear being in accordance with the submitted plans, any extensions to the rear elevations or roof could potentially cause harm to the setting of the designated heritage asset. Therefore, it is necessary to remove permitted development rights for extensions to the rear and roof to ensure any changes can be assessed through a future planning application.
12. With the imposition of the above condition it is considered that the proposal would not cause any harm to the setting or significance of the South Hale Conservation Area.
13. The proposal would accord with both policy JP-P2 of PfE and policy R1 of the Trafford Core Strategy and the NPPF. In NPPF Paragraph 11 terms the impact on heritage does not lead to a conclusion that 'provides a clear reason for refusing the development proposed'.

## DESIGN AND VISUAL AMENITY

14. NPPF, PPG, the National Design Guide (NDG) and the National Model Design Code (NDC) set out the Government's planning policies and guidance on matters of design. The NDG is considered to be a material consideration in the determination of planning applications should be attributed significant weight. The

current version of the NPPF (20 December 2023), highlights the increased importance given to the consideration of design by the Government. It is clear that a shortfall in housing land supply should not result in a 'development at any cost' approach to decision making.

15. Paragraph 131 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 139 expands on this and is clear that "Development that is not well designed should be refused, especially where it fails to reflect local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
  - a) Development which reflects 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; and/or
  - b) Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."
16. PfE Policy JP-P1 outlines an ambition to create a series of beautiful, healthy and varied places. Development should be distinctive, with a clear identity that respects and acknowledges the character and identity of the locality in terms of design, siting, scale and materials used.
17. The Council's Planning Guidelines within adopted "New Residential Development" paragraph 2.4, states that "Whilst the Council acknowledges that the development of smaller urban sites with small scale housing or flat developments makes a contribution towards the supply of new housing in the Borough, the way in which the new buildings relate to the existing will be of paramount importance. This type of development will not be accepted at the expense of the amenity of the surrounding properties or the character of the area. The resulting plot sizes and frontages should therefore be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene."
18. Great emphasis in the PPG and the NDG is placed on the importance of context and identity. This is of course set against the need to support development that makes efficient use of land taking into account inter alia the desirability of maintaining an area's prevailing character and setting.
19. The NDG repeatedly emphasises the importance of context and identity and at C1 and paragraphs 41-43 says that well-designed new development should

understand and relate well to the site, it's local and wider context, and respond well to the features of the site itself and the surrounding context beyond the site boundary.

20. The proposed design incorporates Arts and Crafts features such as steep roof pitches, an asymmetrical front elevation, varying heights across the roof form and the incorporation of 4no front gables of different scales and height.
21. There would be a clear window hierarchy, strong articulation and depth provided by bay windows and gable projections, traditional materiality, strong detailing such as decorative brick headers to windows, one entrance portico and crittal glass feature window. The overall architectural style, height and main roof form is considered to be of high quality and has previously been approved.
22. The main change resulting from this amended scheme would be the additional footprint of the building and resulting change in balance between built and open form.
23. The proposed footprint of the development would occupy circa 25% of the plot (526m<sup>2</sup> of 2104m<sup>2</sup>). This is generally consistent with other developments along Broadway. Including 21% of 6 Broadway to the North, 22% at 7 Broadway to the opposite side of the road, 19% at 10 Broadway to the South and 24% at 12 Broadway and 21% at 16 Broadway both of which are new developments.
24. It is recognised the site coverage is at the higher end of the range, however the additional footprint, compared to the previous scheme is single storey in height, set generously from boundaries (approx. 7m to the side and approx. 14m to the rear) and so limiting the impact on spaciousness. There would be a generous amount of green landscaping retained to the boundaries and to the site generally to ensure a high level of verdancy is retained.
25. Conditions are required to ensure the development expresses the high quality of design shown on the plans, such as the provision of material samples and conformity to the landscape plan.
26. Subject to conditions, the proposal would represent a development that is attractively designed, incorporating interesting design features and is considered to be appropriate in its context. It is therefore considered to be in accordance with the principles of the NPPF, the draft Trafford Design Code and Policy JP-P1 of PFE.

## RESIDENTIAL AMENITY

27. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of occupants of adjacent properties by reason of

overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

28. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. These are as follows:

- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys);
- 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys);
- 15m between a main elevation with habitable room windows and a facing blank elevation;
- 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys).

29. Consideration is given to the impact of the proposed development on neighbouring residential properties as well as the amenity for future occupiers of the development.

#### *Impact on Adjacent Properties*

30. The proposed development achieves the following minimum distances from the elevations to the respective site boundaries and neighbouring properties:

- 21m to rear site boundary for 1<sup>st</sup> floor and above, 13m at ground floor level
- 34m to rear habitable room windows of no.9 Hill Top
- 25.0m to no. 6 Broadway
- 7m to side boundary with no. 6
- 11m to no. 10 Broadway (no habitable room windows within side elevation).
- 48m to opposing front elevation of 7 Broadway

31. The above measurements accord with the numerical guidance set out in PG1 and it is not considered that the proposed development would significantly prejudice the privacy of neighbouring properties nor would it significantly dominate or overshadow these properties.

32. The development would be visible from neighbouring gardens, in particular a patio to the southern elevation of no. 6 Broadway and hardstanding/driveway at the rear of no.9 Hill Top.

33. The main outdoor amenity space to 9 Hill Top extends to the western side (front) of the property and due to the layout and siting of the property the open area adjacent to the common boundaries (rear) is a driveway / entrance area and windows facing to the proposal in the east elevation are sited generously from the proposal, 40m, which is sufficient to mitigate an undue loss of amenity.



34. In regards to no. 6 Broadway, their amenity area extends significantly to the west and so is not reliant on the area adjacent to the boundary. Coupled with the large separation distances set out above, it is not considered that the development would appear significantly overbearing to neighbouring gardens or result in harmful levels of overshadowing or loss of light.
35. Finished floor levels and levels to the garden are shown on the elevation/cross section plan which indicate the height of the building and finished floor levels with reference to offsite data points (sea level) and do not show an increase in height to the garden area. There are considered to be appropriate and not result in an undue loss of amenity due to the site being artificially raised during the course of the demolition, excavation or demolition works.
36. A condition would be required to ensure that the windows on the side elevations at 1st and 2nd floor level are obscure glazed and non-opening below 1.7m. This is necessary in the interests of protecting the privacy of both nos. 6 and 10 Broadway. The windows subject to this condition would be either secondary windows or non-habitable room windows and would therefore be reasonable.
37. Subject to the above conditions, the development is considered to accord with policy L7 of the Trafford Core Strategy in respect of residential amenity, PG1 and the NPPF.

#### *Amenity of Occupiers*

38. Internally the property would provide a generous amount of living accommodation including 7no double bedrooms which all meet the national minimum space standards with windows that provide sufficient daylight and outlook. Further to this, a sufficient garden is provided which is considered proportional and adequate for use by a family and proportional to the internal space provided.

#### Highways, Car Parking, Servicing and Access

39. The proposal would remove one entrance to the site, the remaining entrance is considered adequate in size and position for the functioning of the dwelling. External circulation between the front and rear of the site is possible down both sides, benefitting maintenance and movement on site.
40. Adequate space would be provided for bin storage away from the main frontage, this is currently shown in the garage.
41. Adequate vehicular and cycle storage is also considered to be provided by the garage. Three vehicle spaces are shown to the garage with further parking available on the hardstanding to the front and side of the dwelling. The new parking provision and layout would also facilitate EV charging opportunities.

42. It is also noted that no objections have been raised by the LHA.

### Drainage

43. The applicant has submitted a foul and surface water drainage plan supported by a SuDS Management and Maintenance plan that reflect the proposed development. This includes the use of an attenuation facility which would be sited beneath the driveway and significant soft landscaping.

44. This information has been reviewed by the Local Lead Flood Authority and no objections have been raised, subject to compliance conditions.

### Trees

45. The property is covered by area A1 of TPO 085 Broad Lane/Broadway, Hale. The tree population is mostly confined to the boundaries with the most noticeable tree features being the line of pollarded lime trees on the front verge and then a row of mature cedar trees in the rear garden. The front garden has some ornamental planting either side of a driveway and the rear garden is mostly laid to lawn with some screening currently provided by hedging that is found on most of the boundaries.

46. The proposals involve the removal of one tree from Group G1. Group G1 comprises two small trees (1x Cherry, 1x Maple) with low value and the cherry having a *ganoderma* (fungal infection). The Arboriculturist has assessed the scheme and raises no objection to the loss of this tree given its limited life expectancy and low arboriculture value.

47. All other trees present on site are shown as being retained and protected during the construction process. A landscaping plan has also been submitted which includes a generous amount of soft landscaping which will be to the benefit of the South Hale Conservation Area, residential amenity, visual amenity, drainage and biodiversity.

48. Subject to conditions relating to the protection of retained trees and implementation of the landscape scheme. There are no objections to the proposal with reference to trees and landscaping.

### Protected Species

#### *Bats*

49. The existing buildings to be demolished were found to have negligible bat roosting potential and thus an informative reminding the applicant of their responsibilities under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 is considered proportionate.

### *Other protected species*

50. Evidence of movement of protected species within the site was found within ecological surveys. A condition will be included to ensure the construction is carried out in a manner which follows the recommendations within the submitted survey.

### *Nesting Birds*

51. The loss of trees/shrubs could involve harm to active bird nests. A condition will be added ensuring removal of trees/shrubs occurs outside of the bird nesting season unless written confirmation that no active bird nests are present within the vegetation is provided by a competent ecologist and submitted to the LPA.

### *Biodiversity Enhancement*

52. A scheme demonstrating the measures to be used which enhance biodiversity at the site will need to be submitted and approved in writing prior to commencement of the development.

### Equalities

53. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

54. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

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

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

56. The planning agent has confirmed the property would be constructed to M4(1) (Visitable Dwellings) which requires that reasonable provision should be made for people, including wheelchair users, to gain access to and use the dwelling and its facilities.

57. The proposal is for private housing and therefore it is considered that the proposal is acceptable in this respect. 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. As such, it is considered that the proposed development is acceptable with respect to its equality impacts.

### Other Considerations

#### *Construction*

58. Given the residential environment in which the site sits, it is reasonable and necessary to condition the scheme is built in accordance with the construction and environment management plan (CEMP) having regard to policies L4 and L7 of the Core Strategy.

### Developer Contributions

59. This proposal may be 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).

60. No other planning obligations are required.

### **PLANNING BALANCE AND CONCLUSION**

61. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

62. The proposed development is not considered to result in harm to the character or appearance or significance of the conservation area and would comply with the heritage policies of the NPPF and development plan. In terms of NPPF paragraph 11 d) i), there are no policies that provide a clear reason for refusal of permission and the tilted balance in NPPF paragraph 11 d) ii) is therefore engaged. The siting, design and massing of the proposal has evolved through the previous application process to better reflect the character of the area and is considered to be a high quality proposal for the streetscene. The amendments to the scheme following the previous approval are not considered to diminish the design quality of the proposal.

63. In terms of impact on residential amenity, whilst the proposal would significantly increase the massing on site, given the separation to the boundaries and context of the neighbouring sites it is considered there would not be any undue overbearing or overshadowing impact on these neighbouring properties nor any unacceptable impact on the residential amenity of any other neighbouring properties.

64. The proposed new dwelling has been assessed against the development plan and the NPPF and it is considered that the proposed development will result in an acceptable form of development with regard to the amenity of neighbouring and future residents, ecology, drainage, highways, access and parking, the visual impact on the streetscene, and impact on the character and appearance of the adjacent conservation area, subject to the inclusion of conditions.

65. The proposal is therefore considered to be in accordance with the development plan when taken as a whole and relevant sections of the NPPF. In terms of NPPF paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission. The application 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 amended plans, numbers:

- 237 PL 01
- 237 PL 02A
- 237 PL 03B
- 237 PL 04B
- 237 PL05
- 237 PL06
- 237 PL07
- 237 PL08

Reason: In order to ensure a satisfactory appearance in the interests of heritage and visual amenity and protecting the character of the area having regard to Policy JP-P1 and JP-P2 of Places for Everyone, Policy R1 of Trafford Core Strategy and the requirements of the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no works involving the use of any external materials shall take place until samples and / or full specification of materials to be used externally on the dwellings including external walls, roof, windows, door, rain water goods, soffit and fascia, and driveway retaining walls 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 JP-P1 of Places for Everyone 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 all windows above ground floor level, to the side elevations, facing North or 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 JP-P1 of Places for Everyone, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. All window and door openings shall be constructed with minimum 100mm deep external reveals.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy JP-P1 of Places for Everyone and the requirements of the National Planning Policy Framework

6. All development, including any works of demolition, excavation and construction shall be conducted in accordance with the Construction Phase Health and Safety Plan Revision 1.1 compiled by Guardian Construction Ltd as submitted to the council with the application.

Reason: In the interests of highway and of public safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

7. The hard/soft landscaping and boundary treatments shall be implemented in accordance with the Barnes Walker Landscape Layout Plan M3478-PA-01-V03 REV V3.

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 R2 and R3 of the Trafford Core Strategy, JP-P1 of Places for Everyone and the National Planning Policy Framework.

8. A scheme for the Biodiversity Enhancement Measures, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason: To secure biodiversity improvements, having regard to Policy R2 of the Trafford Core Strategy and guidance in the NPPF.

## 9. REDACTED

10. 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 the interests of the preservation of protected species, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

11. 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 extensions shall be carried out to the dwelling or its roof other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.
  - (ii) no windows or dormer windows shall be added to the dwelling other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

Reason: To protect the setting of the South Hale Conservation Area and residential and visual amenities of the area, having regard to Policy L7 of the Trafford Core Strategy and JP-P1 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

12. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies, R2 and R3 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone and the National Planning Policy Framework.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Foul and Surface Water Drainage Layout 23040-AJF-ZZ-ZZ-DR-D-001 R3 and the SuDS Management and Maintenance Plan 23040-AJF-ZZ-ZZ-RP-D-001.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment, having regard to Policies JP-1 and JP-S4 of Places for Everyone and guidance in the National Planning Policy Framework.

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

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 JP-C8 of Places for Everyone and the National Planning Policy Framework.

15. Notwithstanding the plans hereby approved, any areas of hard standing shall be constructed from permeable or porous material.

Reason: To prevent localised flooding having regard to Policies JP-1 and JP-S4 of Places for Everyone and guidance in the National Planning Policy Framework.

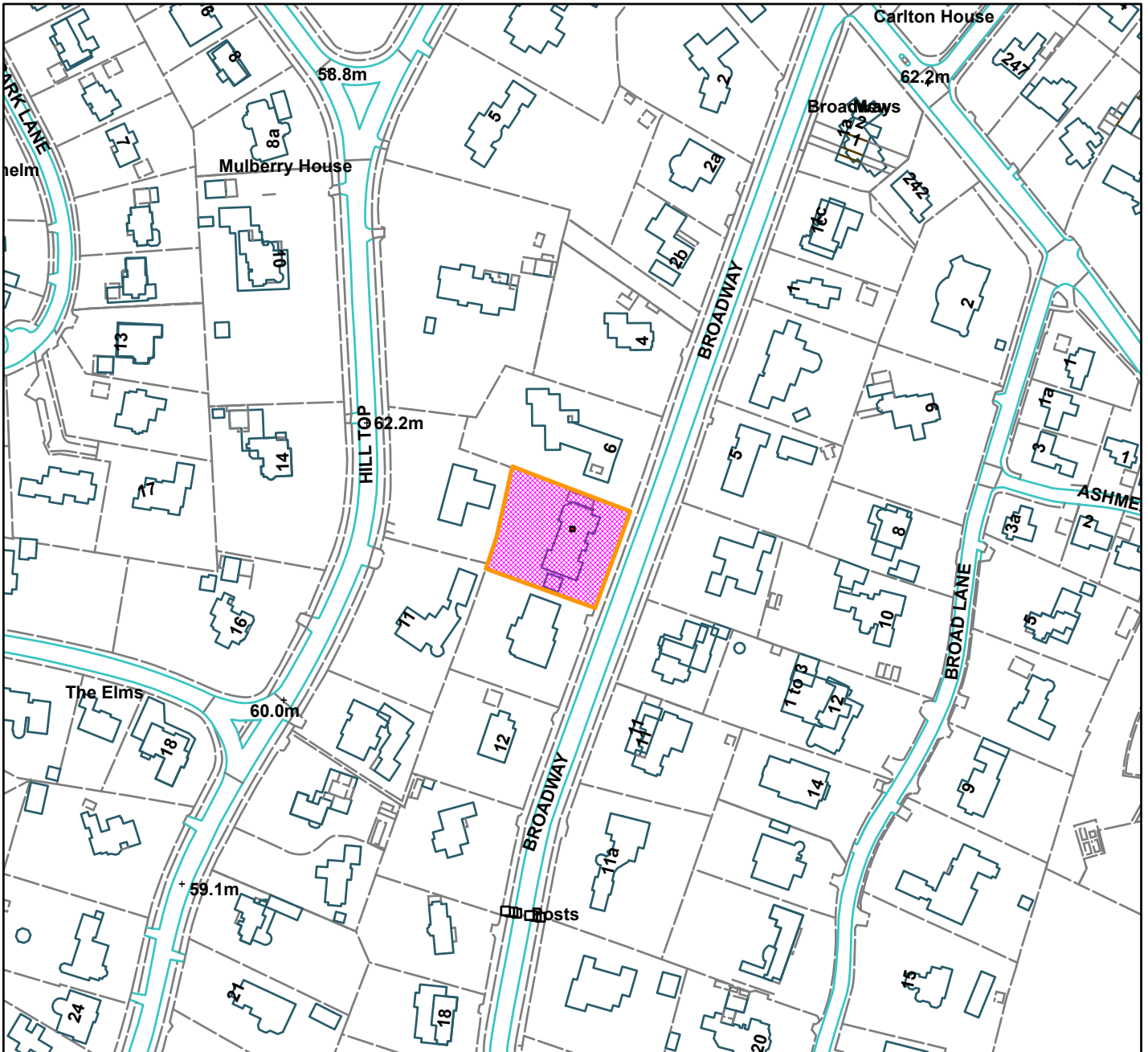
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NB





La Valette, 8 Broadway, Hale Barns (site hatched on plan)



**Scale:** 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/04/24
Date	28/03/2024
MSA Number	AC0000809316 (2022)

**WARD:** Sale Central

**112666/FUL/24**

**DEPARTURE: No**

**Conversion of first and second floors of the building into 5no. apartments. Erection of first and second floor rear extension, side gable extension, removal of render/paint to the front and side elevations, external alterations and installation of replacement windows. Proposed front and side dormers, side entrance lobby with internal lift access and bicycle storage and rear yard bin storage.**

Orchard House, Orchard Place, Sale M33 7YB

**APPLICANT:** Mr Z Ali

**AGENT:** BCAE Architects

**RECOMMENDATION: GRANT**

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**This application is being reported to the Planning and Development Management Committee as 6 representations contrary to officer recommendation have been received.**

### **SITE**

The application site is a 3 storey commercial building located on the north side of School Road, on the corner with Orchard Place in Sale town centre. The building is constructed of red/brown common brick walls to the side and rear, a part hipped, part gabled slate tiled roof and white upvc framed windows.

The front building elevation and part of the side elevation features render, with yellow smooth facing brick underneath. The side elevation is painted brickwork. To the rear is a flat roof rear extension and small yard area, surrounded by a brick wall, with access leading to Orchard Place.

The building contains a hot foot takeaway and charity shop to the ground floor and vacant office space to the upper floors which was last in use by a taxi company. The building has been identified as a non-designated heritage asset, due to its age, historical/evidential value and architectural style.

Neighbouring properties are in commercial use including a variety of cafés, shops, bars and offices. There are upper floor flats in neighbouring buildings to the front and side.

### **PROPOSAL**

This application seeks full planning permission for conversion of first and second floors of the building into 5no. apartments, alongside the erection of first and second floor rear extension, side gable extension, removal of render/paint to the front and side elevations, external alterations and installation of replacement windows. Proposed front and side

dormers, side entrance lobby with internal lift access and bicycle storage and rear yard bin storage.

The rear extension would project out 5.30m with a width of 6.20m and feature a gable end roof. A new side gable roof is proposed to the west elevation above the side entrance door. A small beam/pulley feature is proposed above the historical first floor side storage opening. Two cat slide dormers are proposed to the side roof slope and two to the front. The existing rear gable roof would be altered to match the ridge of the main roof, with a slightly lower east side eaves line. Two windows here would be enlarged and new openings created. A side ground floor would be changed to a window opening and a new first floor window created. Replacement windows with an improved external reveal are proposed throughout.

Internally there would be lift access to all floors. Bicycle storage is proposed in the ground floor lobby and bin storage in the rear yard.

The applicant has worked proactively with the planning department since the previous two withdrawn applications, to reach a significantly revised and improved scheme.

#### Value Added

Amended plans were submitted to improve bicycle storage, dormer design, roof edge detail, apartment layout and window arrangement. Accurate existing and proposed elevations were also submitted.

### **DEVELOPMENT PLAN**

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.
- The **Trafford Core Strategy**, adopted 25<sup>th</sup> January 2012; the Trafford Core Strategy partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19<sup>th</sup> June 2006; A number 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 the new Trafford Local Plan.

### **PRINCIPAL RELEVANT PLACES FOR EVERYONE POLICIES**

- JP-H1 – Scale, Distribution and Phasing of New Housing Development
- JP-H2 – Affordability of New Housing
- JP-H3 – Type, Size and Design of New Housing
- JP-H4 – Density of New Housing
- JP-C6 – Walking and Cycling
- JP-C8 - Transport Requirements of New Development
- JP-P1 – Sustainable Places
- JP-P2 – Heritage
- JP-J1 - Supporting Long-Term Economic Growth
- JP-J2 - Employment Sites and Premises
- JP-S1 – Sustainable Development
- JP-S2 – Carbon and Energy
- JP-S4 – Flood Risk and the Water Environment
- JP-G8 - A Net Enhancement of Biodiversity and Geodiversity

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

- L1 – Land for New Homes
- L2 – Meeting Housing Needs
- L4 – Sustainable transport and accessibility
- L5 – Climate Change
- L6 - Waste
- L7 – Design
- L8 – Planning Obligations
- W1 – Economy
- W2 – Town Centres and Retail
- R1 – Historic Environment
- R2 – Natural Environment
- R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

S5 – Development in Town and District Shopping Centres

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

S5 – Development in Town and District Shopping Centres

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

DLUHC published the National Planning Policy Framework (NPPF) in December 2023. The NPPF will be referred to as appropriate in the report.

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

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated in February 2024. The NPPG will be referred to as appropriate in the report.

## **OTHER PLANNING GUIDANCE DOCUMENTS**

SPD1 – Planning Obligations

SPD3 – Parking and Design

SPG1 – New Residential Development

Technical housing standards – nationally described space standard (2015)

## **RELEVANT PLANNING HISTORY**

110554/FUL/23 - Change of use of the existing taxi rank and offices into 6no apartments with a part two storey/part three storey rear extension, new second floor, internal and external alterations to include new shop frontage and windows  
Withdrawn 13.06.2023

108940/FUL/22 - Change of use of the existing taxi rank and offices into 7no apartments with a three storey rear extension, new third floor, internal and external alterations to include new shop frontage and windows and doors  
Withdrawn 16.11.2022

79769/VAR/2013 - Variation of Condition 2 of planning permission H/29395 (hours of operation) to allow first floor taxi office to be open 24 hours a day.  
Approved with conditions 11.03.2013

### Ground floor

104053/FUL/21 - Installation of ventilation equipment associated with restaurant use  
Approved with conditions 13.08.2021

101564/COU/20 - Change of use of Sandwich Shop (Use Class A1) to Restaurant (Use Class A3) Withdrawn 27.11.2020

## **CONSULTATIONS**

### Local Highways Authority

*No objection – subject to satisfactory bicycle storage and construction management plan*

### Environmental Health (Nuisance/Noise)

*No objection – subject to satisfactory odour and noise mitigation measures.*

### Waste Management

*Requirements given regarding bin storage for the apartments, which should be kept separate from commercial bins.*

### Heritage Officer

*Orchard House is significant for its historic and evidential values and is understood to be a mid-19<sup>th</sup> former grain store which was later extended to form two retail units. In accordance with Annex 2 of the NPPF it is considered to be a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing). The 'Good Practice Advice Note 2: Managing Significance in Decision-Taking' published by Historic England (2015) clarifies non-designated assets as those "...that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering the application."*

*I previously raised a number of concerns under application no. 110554/FUL/23 and note the proposed development has been reduced in height and scale. The current scheme still proposes the loss of an historic outrigger and the infilling of space between the adjacent outrigger and return onto Orchards Place which will result in the loss of some historic plan form. Nevertheless, the extension is set back and will allow the existing outrigger to remain the dominant feature to the rear. The application proposes a number of dormers to School Road and Orchards Place. In comparison with the previous scheme these have been amended and the catslide roof will help to mitigate their impact. There will be some harm due to the additions of the dormers to the historic roofscape. The application proposes the removal of existing render from the principal elevation and the paint from the Orchards Place elevation which will positively enhance the appearance of the NDHA. A test panel and methodology for the works should be conditioned to ensure this is undertaken sensitively and will protect the underlying brickwork.*

*The flue will result in a large visual intrusion adjacent to the existing gable and should be conditioned along with details of eaves, verges, cambered headers and all materials including the windows, cills, metal capping to parapet, fascia and rainwater goods. Traditional material should be agreed in order to enhance the appearance of the NDHA. It would be preferable if the windows were vertical sliding sashes to enhance the appearance of the building further. Elevations of bin & bike store are also required.*

### *Position*

*For the reasons above and subject to conditions, I confirm I do not object to the application on heritage grounds. The proposed development will result in moderate harm to this non designated heritage asset through the loss of existing historic features and the scale and siting of the extensions proposed. However, in weighing the*

*application, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset [NPPF; 209].*

## **REPRESENTATIONS**

Six objections received, summarised as follows:

- *Wish to object to number of apartments planned*
- *Agree to residential conversion, but three or four apartments would be better set with this structure*
- *Roof rainwater run-off should be contained within the site and not fall onto no. 78*
- *Encourage restoration of the building façade*
- *Do not object to residential use*
- *Object to two storey rear extension*
- *New apartments should be confined to existing structure, particularly given lack of on-site car parking*
- *The former high level gain store should be preserved as a historical feature*
- *Previous unauthorised chimney works have taken place*
- *Development will look out of place on the road*
- *5 units is too many and should be reduced*
- *Lack of privacy for neighbouring properties*
- *Car parking problems*
- *CGI plans are misleading showing yellow brick to frontage*
- *Dormer windows would look incongruous*
- *Rear of the premises would lose existing features*
- *Do not object to side dormers only*
- *Overbearing nature of the proposed building*
- *Unsure a rear extension would be structurally sound*
- *Concern regarding refuse access*
- *Pleasing to learn the application has been scaled back from last proposed design*

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

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. The NPPF at paragraphs 2 and 47 reinforces this requirement.
2. The NPPF, at paragraph 11, explains how the “presumption in favour” should be applied in the decision-taking process. It means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting planning 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. The Places for Everyone Joint Development Plan was adopted on 21 March 2024. In accordance with Paragraph 76 of the NPPF, and for the first five years of the plan's adoption, Trafford is now no longer required to identify a five year housing land supply. In effect, for decision making purposes, it should be assumed that the Local Planning Authority has a five year supply of specific, deliverable housing sites. The Council's housing land supply position therefore no longer triggers the tilted balance.
4. However, Housing Delivery Test (HDT) presumption still applies. Paragraph 79 of the NPPF states that where the HDT falls under 75% then the presumption in favour of sustainable development applies. Trafford's HDT figure for 2023 is 65% i.e. the Council delivered an average of 65% of its housing requirement over the three years to March 2023. The tilted balance is therefore triggered by the HDT.
5. As development plan policies in Places for Everyone are very recently adopted they are up to date and should be given full weight in decision making. Although the tilted balance in the NPPF is a primary material consideration, the development plan remains the starting point for decision making.
6. Policy JP-H2 states that: A key part of the overall strategy is to maximise the amount of development on brownfield sites in the most accessible locations and minimise the loss of greenfield and Green Belt land as far as possible. In order to deliver the necessary densities, an increasing proportion of new dwellings will be in the form of apartments and town houses, continuing recent trends.
7. Policy JP-H3 states: Development across the plan area should seek to incorporate a range of dwelling types and sizes including for self-build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence
8. Policy L2 of the Core Strategy is clear that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Policy L2.2 states that: All new development will be required to be:



- (a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents;*
- (b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure (schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development;*
- (c) Not harmful to the character or amenity of the immediately surrounding area; and*
- (d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.*

### Assessment

9. The application site is an urban site, being an existing terrace building, located within the established town centre location of Sale. The proposal would see the delivery of 5no. apartments, with the split being 4 x one beds and 1 x two bed. This is considered appropriate against JP-H3 of Places for Everyone and would widen the choice of accommodation in Sale, which largely comprises of family housing, and at an appropriate density, in accordance with Policy JP-H4.
10. The proposal would contribute to the Council's ability to meet its overall housing land target. It would contribute towards the supply of apartments in the area in a sustainable town centre location. The site has good access to public transport routes, schools, parks and other services / amenities. The NPPF supports the regeneration of town centres and paragraph 86 f) recognises that residential development often plays an important role in ensuring the vitality of centres, residential development encouraged on appropriate sites.
11. Additionally there is also likely to be a small economic benefit during the construction phase of the proposal, meeting policy W1.
12. In conclusion, whilst the proposal would result in a fairly limited contribution to housing supply, it is still considered that significant weight should be afforded in the determination of this planning application to the scheme's contribution to housing delivery and meeting the Government's objective of securing a better balance between housing demand and supply. The proposal meets Policy L2 of the Trafford Core Strategy, alongside Policy JP-H1, JP-H3 and JP-H4 of Places for Everyone.
13. The principle of residential development is therefore acceptable, subject to consideration of other material considerations reviewed below.
14. The proposal would fall under the threshold of 10 dwellings where affordable housing contributions are applicable.

## COMMERCIAL USE AND EMPLOYMENT

15. Paragraph 8 of the NPPF states that the economic objective of the planning system is to: *“help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”*
16. Paragraph 81 of the NPPF states that: *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential”*
17. Paragraph 122 states that: *“planning policies and decisions need to reflect changes in the demand for land”*.
18. Paragraph 123 states that *“LPAs should take a positive approach to applications for alternative uses of land which is currently developed but not allocated, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites, and be compatible with other policies in the Framework”*.

### Assessment

19. The proposal would provide less commercial floor space than the existing building due to conversion of the upper floors, which have recently been in use as a taxi office and storage. However it is noted the existing most usable, ground floors would be retained in commercial use.
20. The building would retain an active frontage and would be in keeping with the character of the area. The minor loss of commercial space to the upper floors is not considered to preclude approval. The proposal is considered to comply with Policy W1 and W2 of the Core Strategy and JP-J1 of Places for Everyone.

## HERITAGE POLICY AND SIGNIFICANCE

21. Policy JP-P2 of PfE states that: We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Development proposals affecting

designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy.

22. Para 195 of the NPPF states that *“Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”*.
23. Para 201 states that: *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”*
24. Para 203 states that: *“In determining applications, local planning authorities should take account of:*  
a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*  
b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*  
c) *the desirability of new development making a positive contribution to local character and distinctiveness”*
25. Para 209 states that: *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that 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”*.

### Significance

26. Orchard House is significant for its historic and evidential values and is understood to be a mid-19th former grain store which was later extended to form two retail units. The building is well proportioned and features a good quality brick construction with cambered brick window headers and stone cills, alongside a slate hipped and gabled roof. The age of the building is representative of the early development of Sale Town Centre and the scale of the building is similar to that of neighbours on the north side of School Road. A large upper level opening to the rear side is indicative of the building’s early use

as a grain store. The render, painting and upvc windows have diminished its appearance.

27. In accordance with Annex 2 of the NPPF, it “is considered to be a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)”. The ‘Good Practice Advice Note 2: Managing Significance in Decision-Taking’ published by Historic England (2015) clarifies non-designated assets as those “...that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering the application.”

#### Proposal and impact upon significance

28. The removal of the existing render and paint to the front/side elevations of the building would greatly improve the appearance and reveal the original brickwork underneath, whilst noting that brick is typical of buildings in the area. Similarly the style of replacement windows to the frontage in particular represents an improvement over the glazing bar style of existing windows. Top opening casements are considered satisfactory given these are present across the existing building. The new metal beam/pulley feature above the historic side storage opening would draw attention to this area and enliven the history of the building.
29. The two storey gabled rear extension would project half the depth of the main building, but would lose some of the historic L shape plan form, including demolition of a small recessed first floor rear outrigger which provides evidential value. However, it is noted that the extension would still be set back by 3m to 4.50m from the adjacent rear gables of the existing building and 5.50m back from the outrigger rear elevation of no. 78 to the east. This allows the extension to appear subservient and complementary. It is noted that window detailing and style would correspond with that of existing openings on the building.
30. The roof dormers would impact on the overall appearance of the building, representing new elements of focus within the roof space. The roof is currently of a fairly simple design, which allows more emphasis upon the ground and first floor elevations. However a traditional ‘cat slide’ design is shown for the dormers, which is not unusual on buildings of this age. The proposed new west side gable would be prominent, however it would be less visible from the main front corner view of the building, due to its set back siting. It would become a feature in its own right.
31. The minor alterations to the existing rear gable and windows would provide a corresponding appearance to the remainder of the building and would not materially impact on the overall character.

32. The rear flue is existing and no assessment is made of this. The bicycle store is internal and no elevational details are required of this, whilst the bin store would be located in an existing rear yard location and any elevation details are not considered necessary.
33. Overall the extensions and dormers whilst sympathetic in style are considered to cause moderate harm to the historic and evidential significance and form of the building. Nevertheless, the removal of render and paintwork alongside the side storage door works would have a positive impact to the overall appearance and significance. A condition is recommended, to require that these positive works take place first.
34. With reference to paragraph 201 and 203 of the NPPF, it is considered that the scheme has reasonably been designed in a way to minimise and mitigate heritage harm. Conditions would provide further control.
35. When making a balanced judgement against paragraph 209 of the NPPF, factoring in the significance of the heritage asset and the overall moderate level of harm to the NDHA, heritage impact is not considered to be a prohibitive factor to the development. This includes a recognition of the new housing and town centre regeneration benefits of the scheme, whilst making efficient use of an existing building. The proposal is considered to comply with the Policy JP-P2 from Places for Everyone.

## DESIGN

36. Paragraph 131 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process”.*
37. Policy JP-P1 of Places for Everyone contains extensive requirements for development, with 16 key design and sustainable places considerations outlined below. Namely, development should be: *Distinctive; Socially inclusive; Resilient; Adaptable; Durable; Resource efficient; Safe; Supported by critical infrastructure; Functional and convenient; Incorporate inclusive design; Legible; Easy to move around; Well-connected; Comfortable and inviting; Incorporate high quality and well managed green infrastructure/public realm; Well served by local shops, services, amenities and facilities*

## Assessment of Design

38. The design of replacement windows with a single transom bar represents a significant improvement to the existing front elevation windows. The top opening rather than sliding sash casement design is considered appropriate, particularly given that such style windows are present to the existing west elevation.
39. The removal of existing render and paint would improve the overall appearance of the building. The new beam/pulley feature above the historical side opening would complement the overall character of the building.
40. The rear gabled extension would correspond with the gabled roof form of the existing building and windows would match the style of existing. It would be set back from the existing rear elevation, which allows it to appear subservient in this already discreet rear location.
41. The new side gable and dormers would appear complementary within the roof space and are not considered to appear overly dominant. Dormers would be well sited within the roof space and the individual nature of the building (not forming part of a typical terrace) is considered to allow for their use. Suitable typical roof edge and dormer sections have been submitted, alongside a typical window reveal section. The altered existing rear gable would correspond with the remainder of the roof and the enlarged rear window would match existing openings present on the side. The new side window at ground and first floor would correspond with the shape of other existing windows and are appropriate.
42. Overall a suitable traditional appearance would be provided, whilst the altered and extended building would contribute positively to the character of the area. Further details regarding materials are considered necessary by way of a condition. Similarly further details of the paint and render removal are also required.
43. The external design of the scheme complies with Policy JP-P1 and the NPPF taking the above into account.

## RESIDENTIAL AMENITY

44. This section considers the potential amenity impact upon adjacent properties, alongside amenity standard of future occupiers of the development itself.
45. Policy L7; Design also states that:

### “Protecting Amenity

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”.

46. The Council’s adopted planning guidance for new residential development sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:

*-21m between facing habitable room windows across public highways  
(increased by 3m for three or more storeys)*

*-27m between facing habitable room windows across private gardens  
(increased by 3m for three or more storeys)*

*-15m between a main elevation with habitable room windows and a facing blank elevation*

*-10.5m between habitable room windows and garden boundaries  
(increased by 3m for three or more storeys)*

47. Part 15 of JP-P1 states that development should have the key attribute of being “comfortable and inviting, with indoor and outdoor environments, offering a high level of amenity that minimises exposure to pollution”.

#### Impact upon neighbours opposite on School Road

48. There are neighbouring apartments opposite to the south side of School Road. Outlook from the proposed apartments in the first floor front elevation of the building would be the same outlook as from existing windows. This is not considered to result in greater level of overlooking than the existing situation.

49. The new front dormers would have an elevated level of overlooking, however again the interface distance would be the same as existing. This is less than 21m, however this can typically be expected across an existing established high street and is considered appropriate.

#### Impact upon neighbours to west side on Orchard Place

50. The new first floor side window would overlook windows in the building to the east on Orchard Place. However this building is in commercial use at ground and first floor. The new side dormers would over sail this neighbour and are not expected to result in overlooking in this direction.

#### Impact upon neighbours to rear

The adjacent land use to the rear is a bar. The new rear extension windows would not overlook onto any residential windows.

### Impact upon no. 78a School Road (to east side)

51. The rear extension would be well set back from the existing rear outrigger elevation of this residential neighbour. There is not considered to be any specific amenity impact from visual intrusion, loss of light or overbearing impact. There may be minor additional overlooking possible to the residential rear yard of this property from the rear extension windows, but this is not expected to be at an unreasonable level.

### Amenity of future occupants of the apartments

52. Each apartment would feature a floor space which complies with the corresponding National Space Standard. Sufficient hallway and circulation space would be provided, alongside lift access.
53. Adequately sized windows are considered to be provided for all apartments, with sufficient natural light and outlook. It is noted that Apartment 5 only features dormer windows, however given that this apartment faces south/west, this would help ensure satisfactory light levels.
54. Taking the above into account, the proposal complies with Policy L7 of the Core Strategy with regard to protecting residential amenity.

### NOISE AND DISTURBANCE

55. Paragraph 193 of the NPPF states: *“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”*
56. Part 15 of JP-P1 states that development should have the key attribute of being “comfortable and inviting, with indoor and outdoor environments, offering a high level of amenity that minimises exposure to pollution”.
57. Given the mixed use nature of the scheme, the town centre location and proximity of adjacent commercial uses, a Noise Impact Assessment has been submitted. This includes an assessment of existing noise levels to the front and rear of the building and an assessment of the impact upon the residential apartments proposed to the upper floors.



58. The Noise Impact Assessment concludes that without adequate mitigation, noise would likely be at an excessive level for all apartments, especially those featuring north facing windows.
59. Ryan's Bar is located to the north of the site and has a closing time of 11pm each day, stipulated through planning permission H38976. The hot food takeaway within the ground floor of the application building is understood to have a closing time of 12am on weekdays and 2am on weekends.
60. Indicative details of the required window glazing and acoustic vents have been identified through the Noise Impact Assessment, alongside mention of mechanical ventilation. However it is considered that further specific proposed details are required, through submission of a separate document at the technical design stage. Further details of the separating ground floor ceiling construction of the building is also required. It is considered satisfactory for this factor to be controlled by way of a pre commencement condition, which the applicant has agreed to. Environmental Health are also satisfied with the application on this basis.
61. A post-construction validation report would also be necessary, to detail all mitigation measures installed in accordance with the submitted mitigation document.

## ODOUR

62. There is an existing rear flue for the takeaway, which would be sited 3 metres away from the closest facing apartment window in the rear elevation. This flue currently terminates above eaves line, but would benefit from having a jet type cowl installed to aid air dispersion.
63. Details are also required of the odour filtration system for this existing flue, which could possibly need to be upgraded, to avoid adverse impact on the apartments. Such details are to be required by way of a condition, prior to commencement of development, which shall be reviewed by Environmental Health when submitted.

## ECOLOGY

Bats are a UK protected species. A bat roost assessment of the building was carried out for the roof works which would take place across the building. It was concluded that the structure has negligible potential to support bats and no further survey work is required. It is recommended that works could proceed without harm to bats. The proposal would comply with Policy R2 and JP-G8 taking the above into account.

## LANDSCAPING

64. The size and constraints of the site does not allow for any space for soft external landscaping to be implemented on site. Given the proposal is a building conversion in a restricted town centre location, this is considered acceptable.

## SERVICING, ACCESS, HIGHWAYS AND PARKING

65. SPD3 contains a standard of 1 bicycle space per apartment and it is noted that 6no. secure Sheffield spaces are proposed in the ground floor entrance hall.
66. The site is located within a sustainable town centre location. There are on street parking restrictions throughout the locality, alongside controlled car parks to the rear.
67. The parking standards requirement from SPD3 is similar in terms of the current commercial use and proposed residential use. As such the lack of any dedicated car parking for the apartments is considered acceptable and no objection has been received from the LHA. Future occupants would be aware of the lack of car parking prior to moving in and as such are unlikely to have a car. The sustainable location of the site for residents would have benefits from minimising reliance of cars and associated emissions.
68. Adequate servicing of the development would be possible in the rear yard for both the commercial units and residential apartments. The site plan indicates the location of segregated bin storage within the site curtilage, which would be able to meet the requirements of the Waste Management Team. A construction management plan is requested by condition, given the town centre location.
69. Taking the above into account, the proposal complies with Policy L4 of the Core Strategy and Policy JP-C5 and JP-C7 of Places for Everyone.

## ACCESSIBILITY AND EQUALITY

70. Building Regulations 2010 in The Access to and Use of Buildings (2010) document, part M(4)1, 2, and 3 requires where possible, dwellings to be suitably accessible for all people, adaptable and wheelchair friendly.
71. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

72. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

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

73. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010. The applicant has confirmed that the dwellings will comply with the Building Regulations Part M 4(1) (Visitable dwellings) which requires that reasonable provision should be made for people, including wheelchair users, to gain access to and use the dwelling and its facilities.

74. Building Regulations 2010 in The Access to and Use of Buildings (2010) document, part M(4)1, 2, and 3 requires where possible, dwellings to be suitably accessible for all people, adaptable and wheelchair friendly.

### Assessment

75. The building would feature a lift to the first and second floors, for access to all apartments. Level access would also be provided at the entrance lobby of the apartments. This would provide access for wheelchair users or the less mobile.

76. There would be no on site car parking, including accessible parking. However this is balanced against the very sustainable town centre location of the site, which has good proximity to local facilities and amenities for residents who may be less mobile.

77. 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. As such, it is considered that the proposed development is acceptable with regard to Policy L4 and L7 of the Core Strategy.

### SUSTAINABILITY AND CLIMATE CHANGE

78. The application falls under the Council's threshold for requiring a specific energy statement. The application was also submitted prior to the adoption of Places for Everyone.

79. However the development would make best use of an existing partially vacant building in a sustainable urban location. The existing construction would predominantly be utilised which has inherent sustainability benefits, particularly compared to the previous applications which proposed large scale re-building.
80. Building regulations would cover the energy performance of the building in terms of building fabric, windows and overall insulation levels. The performance is expected to be upgraded upon existing due to the residential use, which has more stringent standards. No on-site energy generation is proposed, and it is considered solar panels would not be best suited to the street facing south/west elevations of the building. Several living rooms would feature windows on two aspects, allowing cross air flow and natural ventilation. Large predominantly south and west facing windows would reduce reliance on artificial lighting, whilst also allowing for solar gain.
81. In summary the scheme is considered to comply with Policy L5 of the Core Strategy and the aims of Policy JP-S1 and JP-S2 of Places for Everyone.

## DRAINAGE

82. There would be no change in overall hardstanding on the site. A condition is recommended, to require details of the roof guttering for the rear extension. This is to avoid water run-off onto the adjacent property to the east, given the proximity of the roofs.

## DEVELOPER CONTRIBUTIONS

83. The proposal would create over 100sqm of new residential floor space, however the use is for apartments rather than houses and would not be subject to the Community Infrastructure Levy (CIL).

## **PLANNING BALANCE AND CONCLUSION**

84. The proposal would provide 5no. new residential apartments, contributing towards housing supply within the area. The principle of residential development to the upper floors is considered acceptable in that the building is located in an established, sustainable urban location, whilst making a modest but important contribution towards housing supply in the borough. This meets Policy L2 of the Core Strategy and Policy JP-H1, JP-H2 and JP-H3 of Places for Everyone. The use of the upper floors as residential would make efficient use of the building.
85. There would be a loss of commercial floor space in the building, however this is considered acceptable particularly as it would not be in the form of typically publically accessible floor space. The active commercial frontage of the building would be maintained, with a usable and sizable ground floor retained.

86. The scale and design of the rear extension, side gable, dormers, other external alterations and internal layout is considered appropriate, complying with Policy L7 with regard to functionality and amenity, JP-P1 with regard to design and the NPPF. There is some moderate harm identified to the significance of the building as a non-designated heritage asset from these works, however it is noted that at the same time the external render/paint removal and replacement windows would improve the general appearance. The proposal is considered to comply with JP-P2 and Policy R1 overall.

87. Noise and odour impacts, including mitigation measures are recommended to be controlled by way of suitably worded conditions. There is not considered to be any adverse amenity impact upon neighbouring residential properties from the proposal. Ecology, parking and servicing considerations are found to be acceptable.

88. When taking into account paragraph 11d ii) of the NPPF, there are not considered to be any adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits. The scheme complies with the development plan as a whole and is considered to represent sustainable development. It 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:

E00 (location plan);  
P01C (proposed site plan);  
P02D (proposed ground/first floor plan);  
P03D (proposed second floor/roof plan);  
P04E (proposed elevations);  
P08E (elevation study 1);  
P09D (elevation study 2);  
P10D (elevation study 3);  
P12A (dormer elevation)

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy, JP-P1 of Places for Everyone 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:

[common bricks, window header bricks, roof slates and ridge tiles, fascias and copings, dormers, rooflights, windows including cills, doors, side beam/pulley and rainwater goods]

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 and R1 of the Trafford Core Strategy, JP-P1 and JP-P2 of Places for Everyone and the provisions of the NPPF.

4. All new dormers, new and replacement windows, and roof edges to the building shall be constructed as typically shown within drawing numbers:

P08E (elevation study 1);  
P09D (elevation study 2);  
P10D (elevation study 3);  
P12A (dormer elevation)

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 and R1 of the Trafford Core Strategy, JP-P1 and JP-P2 of Places for Everyone and the provisions of the NPPF.

5. Prior to first occupation of the development hereby approved, the bicycle stands and bin storage as shown on drawing numbers P02D and P01C shall be installed and made available thereafter for the lifetime of the development.

Reason: In the interests of servicing the site and parking, having regard to Policy L4 and L7 of the Trafford Core Strategy, Policy JP-C5 and JP-C7 of Places for Everyone and the provisions of the NPPF.

6. No development shall take place unless and until details of noise mitigation measures including window glazing specification and means of acoustic ventilation for the apartments have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed on site prior to first occupation and a post-construction verification report detailing all mitigation

measures installed shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

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

7. No development shall take place unless and until an odour impact assessment relating to the ground floor takeaway including mitigation measures for the apartments has been submitted to and approved in writing by the Local Planning Authority. The assessment and mitigation measures shall demonstrate compliance with the guidance note 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (EMAQ, July 2018). The mitigation measures shall be installed prior to first occupation of the residential use and a post-construction verification report detailing all mitigation measures installed shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

The rating level (LAeq,T) from all fixed plant and machinery associated with the ground floor takeaway, when operating simultaneously, shall be selected and/or acoustically treated to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location'. Noise measurements and assessments shall be carried out in accordance with the latest published edition of BS 4142 "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 provisions of the NPPF.

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

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of

the highway, having regard to Policy L7 of the Trafford Core Strategy and provisions of the NPPF.

9. No development shall take place unless and until a scheme for the removal of existing render and paintwork to the building alongside details of any re-pointing and cleaning of brickwork including 1sqm sample panels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 and R1 of the Trafford Core Strategy, JP-P1 and JP-P2 of Places for Everyone and the provisions of the NPPF.

10. The removal of the existing render/paintwork, installation of replacement windows and installation of the new side beam/pulley shall take place prior to construction of the roof dormers, side gable and rear extension to the building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 and R1 of the Trafford Core Strategy, JP-P1 and JP-P2 of Places for Everyone and the provisions of the NPPF.

11. All new and altered window openings to the elevations and extensions shall feature cambered window headers to match the style of the existing window headers and shall feature a minimum 100mm window frame set back from external brickwork.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 and R1 of the Trafford Core Strategy, JP-P1 and JP-P2 of Places for Everyone and the provisions of the NPPF.

12. No development shall take place unless and until details of the rear extension roof guttering system in order to avoid rainfall overflow to the adjacent property no. 78 School Road have been submitted to and approved in writing by the Local Planning Authority. The roof guttering shall be installed in accordance with the approved details and retained as such thereafter.

Reason: In the interests of amenity and water management, having regard to Policy L5 and L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone and the provisions of the NPPF.

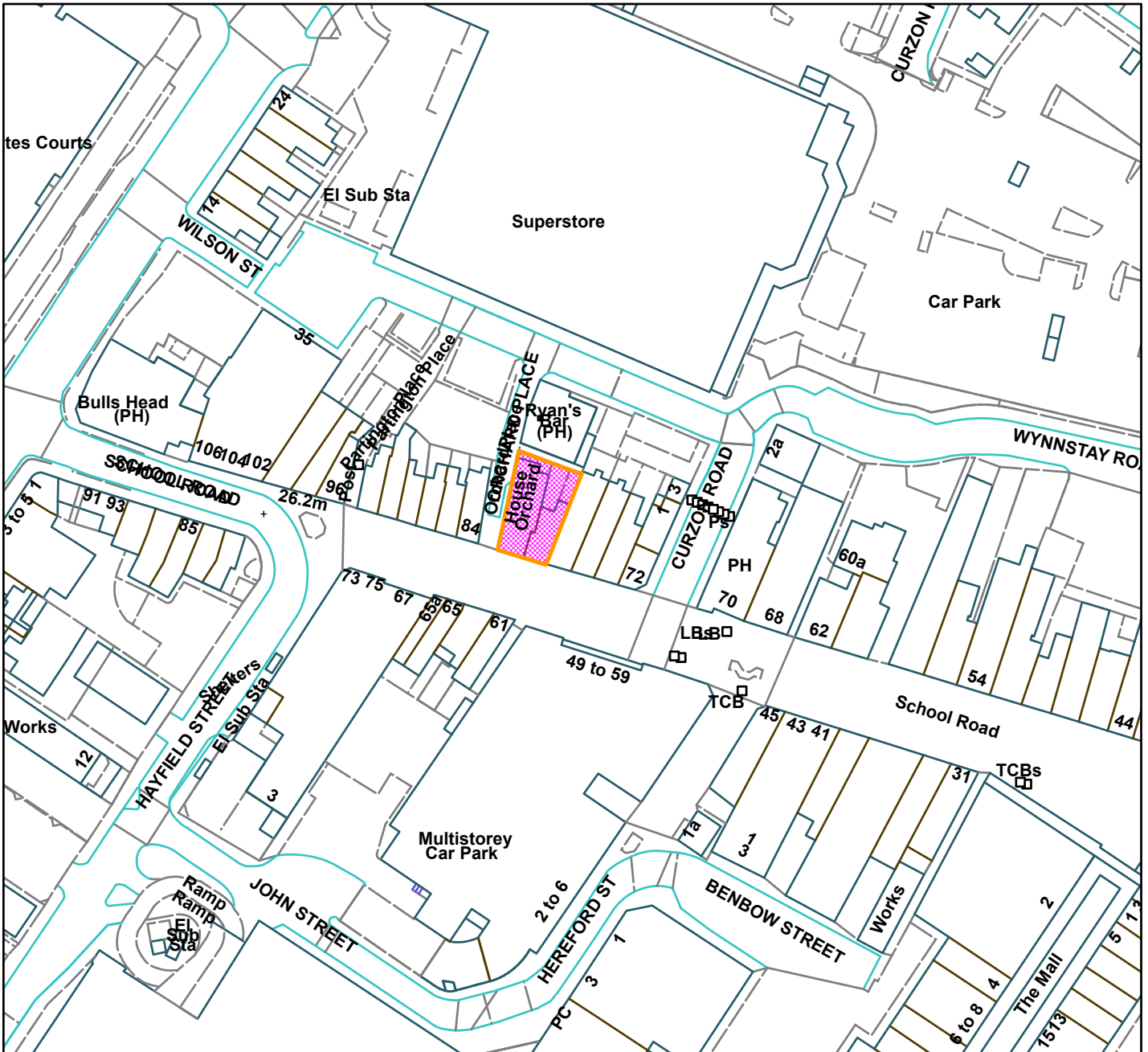
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GEN





Orchard House, Orchard Place, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/04/24
Date	28/03/2024
MSA Number	AC0000809316 (2022)

**WARD:** Gorse Hill &  
Cornbrook

**112687/FUL/24**

**DEPARTURE: No**

**Replacement of existing timber bin store with new metal bin store and installation of new auto arm car park barrier and erection of 2m high fence**

Town Hall, Talbot Road, Old Trafford, Manchester, M32 0TH

**APPLICANT:** Trafford Council

**AGENT:** Amey - One Trafford

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee as this is a Council application.**

**SITE**

The application site comprises Trafford Town Hall, Grade II listed, and associated sunken garden and two-storey car park.

The proposal relates specifically to the existing bin store to the northeast corner of the car park multi-storey car park and the southwest vehicular access to the car park. No alterations to the Grade II listed Town Hall are proposed but the proposed works are within its curtilage and affect the setting of the Listed Building.

**PROPOSAL**

The applicant is seeking planning permission for the replacement of the existing timber bin store with new metal bin store, installation of a new auto arm car park barrier and erection of 2m high fences.

The new bin store, sited to the northeast corner of the car park, would have a height of 3m, width of 5.6m and depth of 7.5m. It would be constructed of the same material as the walls of the existing car park, which is galvanised mesh panelling. Landscaping is proposed to the northwest elevation of the bin store.

The new auto arm barrier would be sited on the access road from Talbot Road, at the southwest corner of the car park. It would have a height of 2m and width of 7.4m. The materials of the barrier are metal and plastic and its colour will be black with the beams and high bar skirts having black with yellow stripes.

The 2 nos. new mesh fence adjacent the barrier would have a height of 2m. The one to the southwest would have a length of 6.8m and the other one would have a length of 2m. Landscaping is proposed to the fence.

For the avoidance of doubt, listed building consent is not required for this development, as the works would not be attached to Trafford Town Hall itself or any curtilage listed buildings or structures (e.g. the sunken gardens).

### Value Added

Amended plans were received on the 18<sup>th</sup> and 19<sup>th</sup> March 2024 to include landscaping and the use of darker colours on the proposed barrier.

### **DEVELOPMENT PLAN**

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

- The **Places for Everyone Plan (PfE)**, adopted 21st March 2024, is a Joint Development Plan of nine Greater Manchester authorities: Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. PfE partially replaces policies within the Trafford Core Strategy (and therefore the Revised Trafford Unitary Development Plan), see Appendix A of the Places for Everyone Plan for details on which policies have been replaced.
- The **Trafford Core Strategy**, adopted 25<sup>th</sup> January 2012; the Trafford Core Strategy partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19<sup>th</sup> June 2006; A number 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 the new Trafford Local Plan.

### **PRINCIPAL RELEVANT PfE POLICIES**

JP-P1 - Sustainable Places

JP-P2 – Heritage

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

L7 - Design

R1 - Heritage

### **OTHER LOCAL POLICIES**

SPD3 – Parking Standards and Design

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

None

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

The DLUHC published the latest version of 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)**

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 25<sup>th</sup> August 2022. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

77077/LB/2011: Variation of condition 3 (approved plans condition) of Listed Building consent ref 76273/LB/2011 (Demolition of existing 1980's Town Hall extension and erection of replacement two storey extension; refurbishment of 1930's listed Town Hall building and external walks) to include the addition of the fire doors within listed Town Hall building and minor amendments to the external facades of the new extension. Approve with Conditions, 05 Oct 2012.

78757/FULL/2012: External alterations and works including additional fire exit doors to the north elevation of the west wing and to the Warwick Road elevation of the Listed Building; new external ramps to the restaurant terrace, the courtyard and the Warwick Road elevation; refurbishment of selected windows in the Listed Building with double glazing; new external hoist within existing lightwell on the Warwick Road elevation of the Listed Building. Approve with Conditions, 29 Aug 2012.

78756/LB/2012: Application for Listed Building Consent for external and internal alterations including the removal of internal walls on the second floor; additional fire exit doors to the north elevation of the west wing and to the Warwick Road elevation; new external ramps to the restaurant terrace, the courtyard and the Warwick Road elevation; refurbishment of selected windows in the Listed Building with double glazing; new external hoist within existing lightwell on the Warwick Road elevation. Approve with Conditions, 17 Aug 2012.

78358/NMA/2012: Application for Non Material Amendment following grant of planning permission 77081/FULL/2011 for the insertion of a single louvred doorway on south western elevation of proposed Town Hall extension. Approve with Conditions, 20 Apr 2012.

77081/FULL/2011: Variation of condition 2 (approved plans condition) seeking minor amendments to external facade of proposed extension and removal of condition 31 (deletion of biomass flues) of full planning permission ref 76272/FULL/2011 (Demolition of existing 1980's Town Hall extension; and erection of replacement two storey

extension; refurbishment of 1930's listed Town Hall building and external works). Approve with Conditions, 22 Dec 2011.

76272/FULL/2011: Full planning application for demolition of existing 1980's Town Hall extension and erection of replacement two storey extension; refurbishment of 1930's listed Town Hall building to provide office space with associated public customer service facility, training and conference facilities, new restaurant and cafe (for office and community use). Erection of two level decked car park, alterations to surface level car park, provision of new vehicle access from Talbot Road, internal alterations to access road and associated landscaping works to include remodelling of sunken garden. Approve with Conditions, 06 Jun 2011.

76273/LB/2011: Listed Building Consent for the demolition of existing 1980's Town Hall extension and erection of replacement two storey extension; refurbishment of 1930's listed Town Hall building to provide office space with associated public customer service facility, training and conference facilities, new restaurant and cafe (for office and community use). External works to include alterations to windows; construction of disabled ramp to civic entrance steps; creation of opening in brickwork to north west elevation to provide first floor link to proposed extension; provision of terraces attached to south west elevation and courtyard elevation. Internal works to include partial demolition of corridor walls and doors on basement, ground, first and second floors; alterations to Council Debating Chamber. Partial demolition of boundary wall to create new vehicle access from Talbot Road, associated landscaping works to include remodelling of sunken garden and internal courtyard. Approve with Conditions, 06 Jun 2011.

### **APPLICANT'S SUBMISSION**

Design and Access Statement  
Heritage Statement  
Images of barrier and fencing examples

### **CONSULTATIONS**

#### **Council's Heritage & Urban Design Manager**

Comments received on the 21 February 2024, in summary:

No objections to the proposed replacement bin store in principle. The existing car park, in terms of its materiality, does not provide a positive contribution to the setting of the sunken garden. Additional landscaping should be provided to screen the north elevation of the bin store.

The proposed security barrier and associated fencing will cause some minor harm to the setting of the sunken garden and subsequently the Town Hall. A darker colour is advised such as grey, black or green for the barrier to help mitigate the visual impact.

Landscaping should also be provided on the sunken garden side of the fencing to help screen the structure in views from Talbot Road.

Amended plans were received on the 18 and 19 March 2024 to include landscaping and the use of darker colours on the proposed barrier.

The Heritage & Urban Design Manager was further consulted on this revised scheme. Comments received on the 26 March 2024 confirming that there are no objections on heritage grounds.

#### Local Highway Authority

The proposed works are located on private land, some distance away from the highway and it is not considered that there would be any impact. However, purely as an observation it will need to be ensured that access is maintained for all authorised users, and any fob/access code/pass key security measures provided for the proposed new gate will need to consider this.

#### Council's Waste Management Team

No objection.

#### Greater Manchester Police

No response

#### Cadent Gas

No objection

### **REPRESENTATIONS**

Letters were sent to nearby properties, however no representations have been received.

### **OBSERVATIONS**

#### **Principle of Development**

1. The proposal is acceptable in principle subject to them not having an undue impact on the character and significance of the listed building, the design of the existing property and street scene, amenity of neighbouring properties, highway safety and parking arrangement.

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

#### Legislation and Policy

2. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
3. Policy JP-P1 of the Places for Everyone Plan seeks to ensure that the heritage significance of a site is considered in accordance with national planning policy during the planning and design process. This is supported by Policy R1.6 of the Core Strategy.
4. Paragraph 200 of NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
5. Paragraph 201 of NPPF requires that local planning authorities take into account the particular significance of the heritage asset when considering the impact of a proposal to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.
6. Paragraph 203 indicates that when local planning authorities are determining planning applications, they should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
7. Paragraph 205 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”.
8. Paragraph 206 states that “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.”
9. Paragraph 208 of the NPPF advises that “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.”

## Heritage Significance

10. Trafford Town Hall was designed by Bradshaw, Gass and Hope and opened in 1933. A monumental Neo-classical public building, it possesses special architectural interest on account of its exterior; its planning and internal decoration; its intactness, and the quality of its sculptural embellishment. It is also of historic interest as an example of interwar municipal architecture, undertaken with Government assistance during the Depression, and of local municipal pride. The special interest is concentrated on the principal elevations and main public rooms: the later addition to the rear is not of heritage interest.
11. The 1930s sunken garden forms part of the curtilage of the listed building and is an integral part of the historic setting to the Town Hall. The existing car park, in terms of its materiality, does not provide a positive contribution to the setting of the sunken garden.

## Impact on Heritage Asset

12. The proposal includes the replacement of the existing timber bin store with a new metal bin store, installation of a new auto arm car park barrier and erection of 2m high fences. The submitted Heritage Statement states that the proposal aims to avoid unauthorised access to the car park and prevent public order offences. The proposed development would not directly attach to or make any alteration to the Grade II listed Town Hall.
13. The proposed auto arm barrier and mesh fences would be sited on the access road to the southwest corner of the existing two-storey car park. The proposed barrier would be 2m high in the form of horizontal bars and vertical railings. It is considered to be acceptable in scale and form given its siting far away from the Town Hall building and adjacent to the existing car park. However, in the original proposal, the barrier was proposed to be in white colour which is considered to highlight this utilitarian feature and its appearance would be at odds with the setting of the sunken garden. The applicant has agreed to change the colours of the barrier to be fully black, the beams and high bar skirts will be black with yellow stripes, in line with the recommendations by the Council's Heritage & Urban Design Manager. This helps the barrier better blend in with the surrounding area. However, no detailed specifications of the barrier and associated piers have been provided. A condition is included to request the submission of the specifications for approval prior to any works taking place. Given the appropriate condition, the proposed barrier is therefore not considered to cause harm to setting of the Town Hall and the sunken garden.
14. The 2m mesh fences are considered acceptable in height and scale. Climbers or hedging would be provided on the fences which could soften the stark appearance of the fences. The fences are therefore not considered to cause harm to setting of the Town Hall and the sunken garden.



15. The proposed 3m high bin store would replace the existing one. Whilst it is 1m taller and slightly larger than the existing, it is still considered to be subservient in scale and mass to the neighbouring multi-storey car park and adjacent Town Hall. The bin store including the access door would be built with the same material as the walls of the existing car park, which is galvanised mesh panelling. The existing planting to the northeast of the bin store would be retained, and climbers or hedging would be provided on to the northwest of the proposed bin store, which is could provide screening to and soften the appearance of the bin store. It is therefore not considered to cause harm to setting of the Town Hall and the sunken garden.
16. A condition will be included to ensure the proposed landscaping will be planted within in 3 months from the date when the proposed development is carried out. Any planting removed or which dies within 5 years of planting shall be replaced with same as proposed.
17. The Heritage & Urban Design Manager has been consulted on the revised scheme who confirmed no objections on heritage grounds.
18. With the imposition of appropriate conditions, the proposal is not considered to result in harm to the setting of the Town Hall and the sunken garden and would comply with the relevant policies in the NPPF, Policies JP-P1 and JP-P2 of Places for Everyone and R1 of Trafford Core Strategy. In making this assessment, great weight has been given to the desirability of preserving the special interest of the listed building and bearing in mind the statutory duty of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

### **Design and Impact on the Streetscene and Surrounding Area**

19. The proposed barrier and fences would be sited adjacent to the existing two storey car park. They are considered appropriate for this location, and their scale and height are acceptable. The barrier would allow views to the parking area which would not appear overly dominant. The colour of the barrier would be dark which would reduce its prominence within the surrounding area. The proposed landscaping on the fences would soften the appearance of the fences.
20. The proposed bin store would be attached to the existing car park. It is considered acceptable in scale and would not appear over-dominant in relation to the car park and surrounding area. The entire bin store would be built with galvanised mesh panelling which is the same as the car park. The existing planting to the northeast of the bin store would be retained and the proposed landscaping would soften its appearance.

21. The proposal is therefore considered to be in keeping with the character of area and would not cause a detrimental impact to the design of the application site, and is compliant with Policy JP-P1 of Places for Everyone.

### **Residential Amenity**

22. The proposed development is not sited in proximity to any dwellinghouse. The nearest dwelling would be No. 19 Barlow Road, which would be sited approx. 24m to the proposed bin store. Therefore the proposal is not considered to cause an impact in terms of residential amenity.

### **Highway Safety / Parking**

23. The Local Highway Authority have been consulted and have no objection to proposal. The proposed works would be located on private land, and not sited in proximity to highways. It is therefore considered to have no impact on highway safety and parking.

### **Waste**

24. The Council's Waste Management Team have been consulted and have no objection to proposal. The bin store would be sited at the same location as the existing, and the existing waste disposal arrangement would not be changed.

### **DEVELOPER CONTRIBUTIONS**

25. The proposal would create less than 100sqm of additional internal floor space and is not subject to the Community Infrastructure Levy (CIL).

### **PLANNING BALANCE AND CONCLUSION**

26. The proposed development, subject to the proposed conditions, is considered to be acceptable in principle and not to cause harm to the setting and special interest of the Grade II listed Trafford Town Hall and associated sunken garden, which is compliant with the heritage policies in the National Planning Policy Framework, Policies JP-P1 and JP-P2 of Places for Everyone Plan and Policy R1 of Trafford Core Strategy.
27. In addition, the proposed development will have no undue impact to residential amenity, highway safety, parking arrangements or waste management. It therefore complies with Policy JP-P1 of Places for Everyone.
28. All relevant planning issues have been considered in concluding that the proposal comprises an appropriate form of development for the site. The application complies with relevant policy in Places for Everyone Plan and the Trafford Core Strategy and complies with the development plan when taken as a whole. It also

complies with relevant policies in the National Planning Policy Framework. The application 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 amended plans, titled: Proposed Bin Store (Southwest Elevation) received on the 18<sup>th</sup> March 2024, Proposed Car Park, Proposed Bin Store (Northwest and Northeast Elevations) and Proposed Site Plan (Drawing No. 01) received on the 19<sup>th</sup> March 2024, and associated Location Plan L90 Rev. P01.1.

Reason: To clarify the permission, having regard to Policies JP-P1 and JP-P2 of Places for Everyone and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the approved plans no works shall take place until samples and / or full specification of all materials to be used on the exterior have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, size, 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 to protect the setting of the heritage asset having regard to Policies JP-P1 and JP-P2 of Places for Everyone, Policy R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. (a) The proposed landscaping shall be planted as detailed on the approved plans within 3 months from the dated when the development hereby permitted is carried out.  
(b) Any proposed landscaping in accordance with this condition which are removed, damaged, dead or seriously diseased within 5 years of planting shall be replaced by landscaping similar to the original.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to protect the setting of the heritage asset having regard to Policies JP-

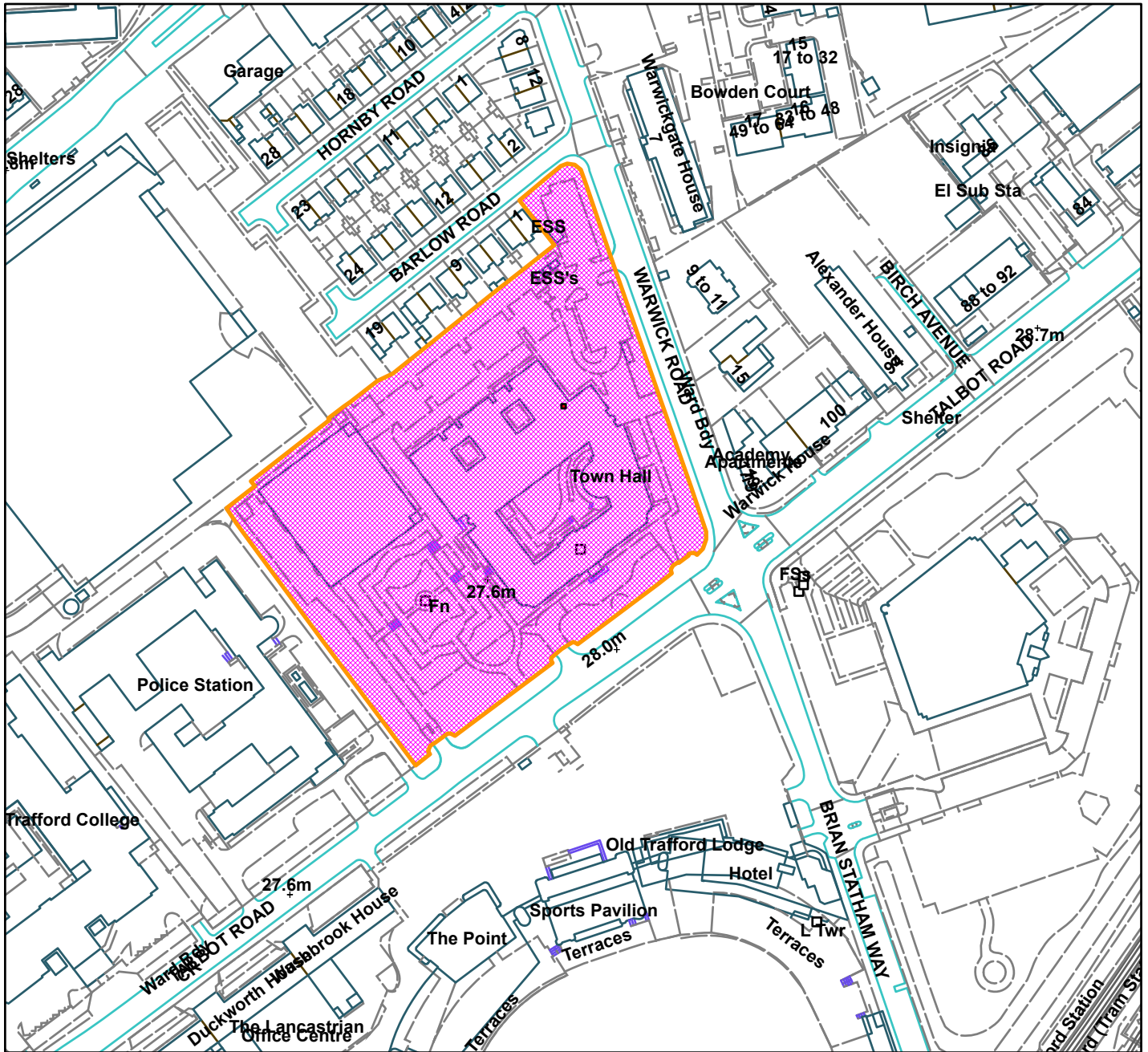
P1 and JP-P2 of Places for Everyone, Policy R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

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CC



Town Hall, Talbot Road, Old Trafford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
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