

**Conversion of existing care home into sixteen self-contained apartments with other associated works including demolition of single storey rear elements, installation of access ramps and repositioning of vehicle access.**

Serendipity Care Home, 22A Greenfield Avenue, Urmston, M41 0XN.

**APPLICANT:** Mr Qasim Shah.

**AGENT:** Mr Barry Tang, Tang Associates Ltd.

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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**This application is being reported to the Planning and Development Management Committee because it has received 16 letters of objection contrary to the Officer recommendation.**

### **Executive Summary**

This application relates to a vacant former care home located to the east of Urmston Town Centre. The plot is bound by residential properties apart from a conference/wedding venue to the east (rear). The central Victorian-era building and the adjoining single storey flat roofed 1930s element are considered to be non-designated heritage assets (NDHAs).

The applicant proposes to convert the site to accommodate 16 No. apartments. External works would include the demolition of three single storey rear elements, changes to several windows and doors, and a repositioning of the vehicle access.

In terms of heritage impacts it is considered that the proposal would result in a degree of harm due to the partial demolition of the rear of the flat roofed NDHA element and negligible harm due to the installation of an access ramp to the rear of the central NDHA element and level accesses to the flat roofed NDHA element. Applying the test set down in NPPF paragraph 209 it is considered that the identified harm would be outweighed by the public benefits of the development including bringing the building back into a viable use and the provision of 16 dwellings, eight of which could be used as family housing. The proposal would therefore comply with the heritage policies of the NPPF and Policy R1 of the Core Strategy, together with Policy JP-P2 – Heritage - of the Places for Everyone Plan. All other matters have been assessed, including the proposal's housing, design, amenity, highways and trees impacts.

Any permission would be subject to the payment of a financial contribution (commuted sum) for the off-site provision of affordable housing, which would be secured through a Section 106 Agreement.

Applying the tilted balance in NPPF paragraph 11 d) ii), it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the

benefits of granting planning permission. It is therefore recommended that Members resolve that they are Minded to Grant permission subject to a Section 106 Agreement and subject to conditions.

## **SITE**

The application site is a vacant 0.2ha plot occupied by the former Serendipity elderly care home to the east of Urmston Town Centre. The site comprises of a collection of single and two storey buildings and extensions of varied age and design set on a north-south axis to the east of Greenfield Avenue. Moving north to south the plot comprises an area of hardstanding and vehicle entrance; late 20<sup>th</sup> Century two storey/single storey extensions; the original part two storey part single storey Victorian 'cottage hospital'; and a 1930s-era single storey concrete faced element to the south. The latter structure is attached to the original Victorian element through a collection of mid to late 20<sup>th</sup> Century elements, the latter also projecting to the rear of the original building. The 1930s-era building also includes a mid-20<sup>th</sup> Century single storey extension at its front elevation. The rear of the plot also includes a small, enclosed courtyard.

Boundaries are marked by a brick wall topped by metal fencing along the Greenfield Avenue frontage, hedging to the north, and concrete panel fencing to the remainder. Mature trees are located along the plot's boundaries including several street trees. The plot is located within a residential area with two storey interwar semi-detached houses to the north, west and south, and Urmston Masonic Centre and a conference/wedding venue to the east.

The original Victorian and 1930s elements are considered to be non-designated heritage assets.

## **PROPOSAL**

The applicant proposes a change of use of this vacant plot to accommodate sixteen apartments, together with other works including the demolition of two single storey rear elements, the partial demolition of the rear of a further element, the repositioning of the vehicle access, external amendments to the retained buildings' doors and windows, and hard and soft landscaping, including an amended parking layout.

The apartments would comprise of the following:

Apartment 1: 3 bedroom 5 person (3b5p);

Apartment 2: 1b2p;

Apartment 3: 1b1p;

Apartment 4: 1b1p;

Apartment 5: 1b1p;

Apartment 6: 2b3p;

Apartment 7: 1b1p;

Apartment 8: 2b3p;

Apartment 9: 2b3p;

Apartment 10: 2b3p;

Apartment 11: 2b3p;

Apartment 12: 2b3p;

Apartment 13: 2b3p;

Apartment 14: 1b1p;

Apartment 15: 1b1p;  
Apartment 16: 1b1p.

Each apartment would have a kitchen-living-dining room, bedroom(s), bathroom and store room.

A store room and site management office would be installed to the central building's loft level. The basement would accommodate several rooms including plant and store rooms.

The apartments would be entered via multiple shared and individual access points, all of which would be level access with the proposal including the installation of an access ramp to the rear of the central NDHA element. The upper floors would be accessed via internal stairwells, with all first floor apartments apart from Nos. 12 and 13, also accessed via the retained lift.

The amended parking area at the northern end of the plot would be reconfigured to provide 16 parking spaces including two accessible parking spaces.

The current car park entrance would be partly infilled with a new vehicle access located to the south. This would result in the loss of an existing street tree, with two replacement street trees proposed.

Hard and soft landscaping works would include a brick surface to the car park, pavements, planting along the front boundary and communal and private garden areas to the rear. 1.8m high fencing would be installed along the south (side) and east (rear) boundary. The private gardens would be marked by fencing.

Bin and cycle stores would be installed both within the building and also within separate stores to the rear of the plot. A waste collection point would be positioned adjacent to the amended front boundary car park entrance.

Several windows would be removed, further windows added and a front facing window changed to a door. All windows would be replaced with 100mm recessed aluminium framed windows apart from those within the non-designated heritage asset element which would have 100mm recessed timber sliding sash windows.

### **Value Added**

Following advice from the LPA the applicant has amended their proposal through changes to the apartment layouts to comply with NDSS and M4(2) standards, demolition/partial demolition of rear single storey elements, inclusion of private gardens, installation of additional access ramps and level accesses, installation of a stairlift to the building's modern northern element, retention of the original lift and changes to hard and soft landscaping, including the installation of two accessible parking spaces.

### **DEVELOPMENT PLAN**

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

- The **Places for Everyone Plan (PfE)**, adopted 21 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 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 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**

L1 - Land for New Homes;  
 L2 - Meeting Housing Needs;  
 L4 - Sustainable Transport and Accessibility;  
 L5 - Climate Change;  
 L7 - Design;  
 L8 - Planning Obligations;  
 R1 -Historic Environment;  
 R2 - Natural Environment.

## **PRINCIPAL PfE 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-P1 - Sustainable Places;  
 JP-P2 - Heritage;  
 JP-C1 - An Integrated Network;  
 JP-C5 - Streets for All;  
 JP-C6 - Walking and Cycling;  
 JP-C8 - Transport Requirements of New Development;  
 JP-G8 - A Net Enhancement of Biodiversity and Geodiversity;  
 JP-S1 - Sustainable Development;  
 JP-S2 - Carbon and Energy;  
 JP-S4 - Flood Risk and the Water Environment;  
 JP-D2 - Developer Contributions.

## **OTHER LOCAL POLICY DOCUMENTS**

SPD1 - Planning Obligations;  
 SPD3 - Parking Standards and Design;  
 SPD 7: Trafford Design Code;  
 SPG24 - Crime and Security.

## **PROPOSALS MAP NOTATION**

Critical Drainage Area.

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

None.

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

The MHCLG published the revised National Planning Policy Framework (NPPF) in 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 August 2024. The NPPG will be referred to as appropriate in the report.

## **NATIONAL DESIGN GUIDE**

The National Design Guide was first published in 2019 and was updated in January 2021. This document set a national framework for the delivery of high quality design in new development across the country. The National Design Guide will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

107828/FUL/22: Conversion of existing care home into temporary accommodation for homeless families consisting of 17 apartments with other associated works. Withdrawn 20 September 2022.

105568/FUL/21: Conversion of existing care home into sixteen self-contained apartments with other associated works. Withdrawn 2 March 2022.

H/OUT/53291: Demolition of existing nursing home and erection of 16 dwellings. Finally disposed of 23 May 2013.

H/54640: Retention of extension to form link between existing kitchen and the main building. Approved 1 October 2002.

H/OUT/51624: Demolition of nursing home and erection of 32 apartments in three storey building over underground car park. Withdrawn 10 December 2001.

H/51623: Demolition of single storey extension and change of use from nursing home to 38 bedroom residential hotel. Formation of additional car park. Refused 11 October 2001.

H40147: Demolition of existing day centre & erection of single storey front extension, single storey rear extension & part single, part two storey side extension to form additional elderly persons accommodation, and the construction of a new parking area for 17 cars. Approved 29 March 1995.

H38162: Demolition of existing day centre and detached garages & erection of single-storey sheltered elderly persons accommodation associated with existing nursing home and construction of additional parking area. Approved 30 March 1994.

H31907: Additional use of existing detached recreational building as a day care centre for elderly persons. Approved 24 August 1990.

H21586: Erection of single storey extension to rest home and demolition of garage. Refused 12 September 1985.

H16348: Demolition of buildings and erection of two storey flats (16 units). Refused 9 September 1982.

H16581: Demolition of part and change of use from hospital to private residential hotel and alterations to existing vehicular access. Approved 12 August 1982.

H16165: Demolition of buildings and erection of 6 detached dwelling houses with integral garages. Approved 13 May 1982.

### **APPLICANT'S SUBMISSION**

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

### **CONSULTATIONS**

**Strategic Planning** - No objection.

**Housing Strategy** – Affordable housing contribution required.

**Trafford Education** – No contribution required.

**Servicing** - No objection.

**Heritage Development Officer** - No objection to the proposal on heritage grounds. The proposal would result in minor harm to the significance of the non-designated heritage asset.

**LHA** - No objection subject to condition.

**GMEU** - No comment.

**Land Contamination** - No comment.

**LLFA** - No comment.

**Nuisance** - No objection subject to conditions.

**Air Quality** - No objection subject to conditions.

**Sustainability** - No objection.

**GMPDS** - No objection.

**Director of All Age Commissioning (CCG)** - No objection.

**Electricity NW** - Comment provided.

**Street Trees** - No objection.

**Arboriculturist** - No objection.

## **REPRESENTATIONS**

Letters of objection have been received from 16 neighbouring occupants, which raise the following issues:

### Design

- The proposal would result in an overdevelopment of the plot with too many apartments proposed. This would result in poor quality housing.
- The bin store at the front of the plot would be unsightly and attract vermin.

### Amenity

- Most of the proposed apartments, including habitable rooms would be too small. They would not satisfy NDSS standards.
- The proposed layout would be too complicated.
- The apartments would have inadequate access to natural light.
- The proposal would result in an unacceptable noise and disturbance impact.

### Highways

- The development would have insufficient parking and would exacerbate the current issues with on-street parking in the local area.
- The submitted parking survey was carried out at the wrong time of the day.
- The proposed parking area is not large enough to accommodate the proposed 16 parking spaces. The plans should include full measurement for these.
- The proposed parking area would leave insufficient space for delivery, servicing and emergency vehicles. The proposed access would be too narrow.
- The applicant has not submitted a Highways Management Plan.

### Other

- The plans do not include any rooms marked as a kitchen.
- Several of the supporting documents are out of date.
- The proposal does not include a proposed landscaping plan.
- No biodiversity gain, highways or environmental information has been provided.

- The development has not been amended in response to recommendations from several of the supporting documents.
- Inconsistent plans have been submitted, for example two proposed parking layout plans.
- The site is currently in a poor state.
- The community consultation was poorly executed. The applicant should meet the residents again to discuss their concerns.
- Neighbour objections to the previous scheme have not been addressed through the current proposal.
- The Council must ensure the proposed apartments will be used as private market housing and not as multiple occupation or short-term accommodation through a planning conditions/s106 agreement/unilateral undertaking.
- A concern that the current proposal is simply a resubmission of the previously withdrawn scheme proposing supported housing for homeless people and people with drink/drug/mental health issues.
- The proposed apartments would be hard to sell on the open market, leading the applicant to revert to their original proposal for supported accommodation.
- The application has not been correctly advertised.
- The submitted viability appraisal is incorrect.
- The submitted plans show shared facilities – indicating the proposal is not for private market housing but rather short-term homeless accommodation as per the previously withdrawn application.
- The Council should ensure the apartments are sold on the open market and only if the proposal is built out to a high standard.
- The nursing home is still required. Trafford Council should buy the site to operate as a nursing home.
- The application should be decided by the monthly Planning Committee.
- The applicant has already commenced work on site.
- An objection to the proposed removal of the street tree. A further street tree in front of the main building would also no doubt come under pressure for removal to increase access to natural light.
- The proposal is clearly an attempt by the applicant to carry out a low standard redevelopment of the plot.
- What does 'associated works' in the development description mean?



- The plans should include full measurements for each room.
- The fact the two bedroom apartments will be en-suite shows they will possibly be used by multiple occupants.
- The inclusion of a separate office indicates this will be multi-occupancy apartments. If so this will result in anti-social behaviour.
- The proposed layout appears to be more like an HMO.
- The proposed EV charges are located in the wrong place.
- The proposed bin store to the front of the plot would be laid out in a way which would impede access to several of the bins. Several would have to be moved into the car park to access which would impede parking.
- No detail has been provided relating to the future management of the site. A concern that this would mean external/communal areas would be poorly managed.
- The development would require the installation of utilities infrastructure which would result in significant disruption.
- The proposal does not include the required biodiversity net gain.
- The local area lacks the required services infrastructure for 16 apartments.

## **OBSERVATIONS**

### **THE DECISION MAKING 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. 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.
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, 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. The Places for Everyone 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, the Housing Delivery Test (HDT) 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. The relevant surviving policies in the Core Strategy are also considered to be up to date for decision making purposes. There are no saved UDP policies relevant to this proposal. Although the tilted balance in the NPPF is a primary material consideration, the development plan remains the starting point for decision making.

## **PRINCIPLE OF DEVELOPMENT**

### **Housing Land**

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.
9. The proposal would result in some external changes including demolition to facilitate the conversion of the building into 16 dwellings to be used as private market housing. As such, the proposal would constitute brownfield development. The application site is also located within an established residential area, in a sustainable location, close to Urmston town centre and close to public transport links, local schools and other community facilities.
  10. The property is currently vacant, having previously been used as a nursing home. The CCG/Adult Social Care consultee has confirmed no objection to the proposed change of use of the site. The development would result in the provision of 16 additional dwellings, contributing to the Borough's housing supply. The proposal would also acceptably comply with the requirements of Core Strategy Policy L2 through the development being located on a sufficiently sized plot, appropriately located to access existing community facilities, not harmful to local area character or amenity, and more generally in accordance with Core Strategy Policy L7, as outlined in the design/amenity appraisals below, (L2.2). The development would also likely result in a small economic benefit during its construction phase. The submitted scheme would meet a range of housing needs and the two and three bedroom apartments could be used as family housing.
  11. NPPF Paragraph 65 states that affordable homes should be sought within all new residential proposals for major development (ten units or more). Policy JP-H2 (Affordability of New Housing) identifies increasing the delivery of affordable housing across the PfE plan-area as a high priority. Policy L2 of the Core Strategy states that, for all qualifying development, appropriate affordable provision should be made. As confirmed by Revised SPD1: Planning Obligations, the application site is located within a "moderate market location".
  12. The proposed development would be subject to a requirement for a financial contribution (commuted sum) for the off-site provision of affordable housing, which would be secured by a Section 106 legal agreement.
  13. In conclusion, whilst the proposal would result in a relatively modest contribution to housing supply, it is nevertheless considered that weight should be afforded in the determination of this planning application to the scheme's contribution to housing delivery (including the provision of affordable housing) and meeting the Government's objective of securing a better balance between housing demand and supply. The proposal would comply with Policy L2 of the Trafford Core Strategy, alongside Policy JP-H1, JP-H2 and JP-H3 of Places for Everyone.
  14. The principle of residential development is therefore acceptable, subject to consideration of other material considerations reviewed below.

## **HERITAGE IMPACT**

15. The original Victorian and 1930s elements of the buildings are considered to be a non-designated heritage asset (NDHA).
16. The Government has set out its planning policies for the historic environment and heritage assets in the NPPF and the accompanying Planning Practice Guidance.

Both the NPPF and the PPG are a material consideration relevant to this application and, as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

17. The NPPF states at paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives which includes an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment.
18. Of relevance to the determination of this application is paragraph 201: 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.
19. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF paragraph 209).
20. PfE Policy JP-P2 states: Development proposals affecting designated and non-designated heritage assets and/or their setting will be considered having regard to national planning policy.
21. Policy R1 states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness.

#### The Significance of the Non-Designated Heritage Asset

22. Significance (for heritage policy) is defined in the NPPF as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
23. The Heritage Development Officer has provided the following comment on the significance of the application site:

*Serendipity Care Home has been identified as a NDHA in accordance with Annex 2 of the NPPF and is significant for its architectural, historic & communal values. Built by Joseph Spark as the Cottage Memorial Hospital in 1899 and opened in 1900. It was used as a general hospital and later specialised as a maternity hospital from 1950 – 1977. Until 2020 it was used as a care home. That division closed in 1977. It is understood to have been built to commemorate Queen Victoria's Jubilee year of 1897 as a permanent memorial. The original building was sited in a large garden and allotment. This was extended in the 1930s and has been greatly altered. The former hospital holds great historic and communal significance as an example of a Cottage Hospital founded in the 19<sup>th</sup> century. It illustrates the growth of Urmston during this period and is also associated in 20<sup>th</sup> century with Trafford*

*General, the first NHS hospital in the country. There is some architectural interest to the former hospital particularly the principal elevation. It is in need of some enhancement through the replacement of unsympathetic uPVC windows.*

#### The Proposal and Impact on Significance

24. The applicant proposes to demolish two mid-late 20<sup>th</sup> Century extensions and partially demolish part of the rear of the 1930s element, install an access ramp to the rear of the central NDHA element, add level accesses to the flat roofed side NDHA element, as well as carry out internal and external amendments together with the repositioning of the vehicle access, external amendments to the retained buildings' doors and windows, and hard and soft landscaping, including an amended parking layout.
25. Bin and bicycle stores would be installed internally, as well as to the rear of the plot, with a bin presentation point installed adjacent to the amended vehicle entrance.
26. Heritage Development Officer comment on amended scheme and partial demolition of rear of 1930s single storey element:

*The application proposes the conversion of existing care home into sixteen self-contained apartments with other associated works. There is no objection in principle to the conversion of the building nor the roof extension. Improvements could be made through the replacement of existing windows with vertical sliding sash windows and flush casements either in uPVC or preferably painted timber. The site would also benefit from an increase in soft landscaping and hedging rather than additional fencing and hard landscaping. The original 'Urmston Cottage' sign should be revealed and marked on the proposed elevation. The two plaques commemorating Joseph Clegg the other Edwin Quail, both highly regarded medical experts, should be retained on the building and also marked on the proposed drawing. There are no objections to the proposed development on heritage grounds. The improvements as requested above would be welcomed.*

*I confirm that the 1930's element of the application site is part of the NDHA. The proposal involves a small amount of demolition to realise an improved scheme and I confirm this demolition is acceptable.*

27. The Heritage consultee has provided the following additional comment on the amended scheme:

*The proposed demolition to the rear of the site would result in minor harm to the NDHA. As previously noted, this small amount of demolition helps to realise an improved scheme and I confirm this demolition is acceptable.*

28. The Heritage consultee has also confirmed that the addition of an access ramp to the rear of the central NDHA element and the addition of level accesses to the single storey NDHA element would result in negligible harm.
29. It is considered that the sensitive renovation and productive reuse of this historic building would be a potential public benefit of the proposed development and a heritage benefit.
30. The proposal would include internal and external works, including changes to the current internal layout. Officers agree with the Heritage Development consultee that the proposed demolition of part of the 1930s single storey element to the rear of the site would cause minor harm to the significance of the NDHA with the proposed rear access ramp and level accesses resulting in negligible harm. The other proposed changes are relatively minor and would not result in any harm to the building. The proposal would also include the replacement of the current UPVC windows with recessed timber windows on the non-designated heritage asset element and with recessed aluminium windows on the remainder of the building, and a UPVC roof light with an aluminium framed roof light, which would be acceptable. The proposed elevation plans have been updated to show retention of the original signage to the front of the central original element.
31. It is noted that the demolished elements do not form part of the non-designated heritage assets, apart from part of the rear of the single storey 1930s element. Furthermore, the area to be demolished is relatively small and is located to the rear of the plot. The other area to be demolished relates to a subsequent constructed element attached to the rear of the 1930s element, with demolition resulting in a reinstatement of the NDHA at this point. In terms of public benefits, the proposed development would result in the productive reuse of a currently empty and relatively dilapidated building, resulting in the provision of 16 apartments in a sustainable edge of town centre location, several of which could be used as family housing, as well as a financial contribution towards the off-site provision of affordable housing. The proposal would furthermore result in some improvements to the current non-designated heritage assets for example through the removal of non-original elements and the installation of more appropriate window materials. It is noted that the Heritage consultee has confirmed no objection including with reference to the proposed demolition and the installation of the proposed access ramp and level accesses. Applying the test in NPPF paragraph 209, and having regard to these factors, it is therefore considered that the public benefits of the proposed development would outweigh the identified harm to the NDHA.
32. If approved, planning permission could be subject to several planning conditions to ensure an acceptable heritage finish.

33. Subject to appropriate conditions, the proposed development would therefore comply with the heritage policies of the NPPF, Policy JP-P2 of PfE and Policy R1 of the Trafford Core Strategy.

## **DESIGN**

34. Paragraph 131 of the NPPF states: 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.

35. NPPF paragraph 135 states: Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

36. Paragraph 139 states: Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

37. PFE Policy JP-P1 states: We aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be consistent with: 1. Distinctive, with a clear identity that: A. Responds to Conserves and enhances the natural environment, landscape features, historic environment and local history and culture; B. Enables a clear understanding of how the place has developed; and C. Respects and acknowledges the character and identity identify of the locality in terms of design, siting, size, scale and materials used.

### Siting and Footprint

38. The proposal would result in a reduction of footprint to the rear.

### Bulk, Scale, Massing and Height

39. The proposal would not impact the building's bulk, scale, massing and height apart from through the demolition of the rear elements.

### External Appearance/Materials

40. The proposed external amendments would be relatively minor, acceptably designed and would use appropriate materials.

## Landscaping

41. During the course of the application, the site layout plan has been amended to introduce additional soft landscaping at the front of the site and replacement tree planting in mitigation for the street tree that would need to be removed adjacent to the proposed vehicular access as well as changes to the proposed hard surfacing. It is recognised that there would be relatively limited planting within the proposed parking area, having regard to the good practice solutions for residential parking layouts set out in the Design Code. Code LNRP 1 states that *“Applicants must demonstrate that all residential development adopts a landscape-led approach to car parking provision in accordance with best practice set out within this chapter”*. However, it is noted that this area is currently laid out as a tarmacked car parking area with limited soft planting. Furthermore, the proposed development is a conversion of the existing building from another form of residential use rather than a complete redevelopment of the site and it is considered that the additional proposed planting on the front boundary together with the provision of brick paviours to the car parking spaces would represent an improvement in visual terms. It is therefore considered that the proposed development would be acceptable in this respect.
42. Planning permission would be subject to detailed design and materials conditions, a landscaping condition and a landscape maintenance condition.

## Design and Crime

43. The proposal would reuse the currently vacant plot which is currently detracting from its context. The development would help to reanimate the plot and would aid in passive surveillance.
44. The development would be acceptably designed with reference to Policy JP-P1 of the PfE Plan, the Trafford Design Code and the NPPF.

## **RESIDENTIAL AMENITY**

45. JP-P1 of the PfE plan states development should be: Comfortable and inviting, with indoor and outdoor environments: A. Offering a high level of amenity that minimises exposure to pollution; and B. Addressing microclimate issues such as sunlight, indoor air quality, overheating, shade, wind and shelter.
46. Furthermore, PfE Policy JP-H3 states that all new dwellings must comply with the nationally described space standards.
47. Policy L7 of the Core Strategy states: In matters of amenity protection, development must and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.

## Neighbour Privacy

48. The new apartments would use existing first and second floor front, side and rear facing windows, many of which were previously bedroom and other habitable room outlooks for the nursing home, with the exception of several rear facing windows



which include habitable room windows. The latter would face the rear boundary at a distance of 7.2-9.3m, which would be acceptable considering the overlooked plot is a non-sensitive use (events venue). Windows proposed in the first floor side elevations would be over 10.5m from the boundaries with neighbouring residential properties thus complying with the Design Code in this respect. It is therefore considered that the proposed development would not have any unacceptable impact on the residential amenity of neighbouring properties as a result of overbearing, overshadowing or overlooking and would comply with Policy L7 of the Core Strategy in relation to amenity.

#### Future Occupant Amenity

49. Future occupants of the apartments would have acceptable outlooks from all main habitable room windows. Whilst it is accepted that some of the window to window distances between new apartment habitable room windows, and window to facing wall distances within the development, would be less than the standard set by the Trafford Design Code, with Unit 1 having bedroom windows facing the adjacent property's two storey gable elevation to the south at a distance of approximately 4m, and Unit 7 and 10 having sole habitable room windows facing at a distance of 10m. These distances nevertheless be acceptable with reference to the fact they are reused windows, the tight context and considering the heritage and housing benefits of the scheme as noted above.
50. The dwellings would comply with the NDSS in terms of internal floor spaces and widths, as well as the total floor space for each apartment.
51. The apartments would provide an acceptable internal layout. Three of the apartments would have a private garden, whilst the remainder would have access to a communal amenity space. Occupants would also be close to two parks to the north of Urmston town centre.

#### Noise/Nuisance

52. The Nuisance consultee has confirmed no objection to the proposal subject to standard conditions.
53. It is therefore considered that the development would have an acceptable amenity/privacy impact on surrounding properties and provide an acceptable level of amenity for future occupants with reference to Core Strategy Policy L7, the Trafford Design Code and Policies JP-P1 and JP-H3 of the PfE Plan.

### **ACCESSIBILITY**

54. PfE Policy JP-H3 states that all new dwellings must be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impractical. Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible. The proposal has been amended to ensure all ground floor apartments have ramped/level accesses. The existing lift within the building would be retained to serve Units 14, 15 and 16 and a new stairlift installed to serve the proposed upper floor apartments 12 and 13. The applicant

has confirmed that all apartments would comply with M4(2). The proposed parking layout would also include two accessible parking spaces, which is considered to be acceptable having regard to the SPD3 parking standards which say that accessible spaces will be negotiated on a case by case basis in respect of new dwellings. It is recommended that a condition is attached requiring all apartments to be M4(2) compliant.

## **HIGHWAYS, PARKING AND SERVICING**

55. Core Strategy Policy L4 states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.
56. Core Strategy Policy L7 states: In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.
57. The Parking SPD's objectives include ensuring that planning applications accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.
58. The development would include 16 parking spaces including two accessible parking spaces. The proposal would also entail a repositioning of the current vehicle access. The LHA has confirmed no objection including with reference to the level of parking provision considering the site's highly sustainable town centre location with good access to public transport links and having regard to the submitted parking surveys which have demonstrated that there is some scope for on-street parking in the vicinity. The Waste consultee has confirmed no objection provided waste handling is via a private contractor.
59. Planning permission would be subject to standard cycle and bin store conditions.
60. It is therefore considered that the development would have an acceptable highway, parking and servicing impact with reference to Core Strategy Policies L4 and L7, Policies JP-C1, JP-C5, JP-C6 and JP-C8 of PfE, the Parking Standards and Design SPD and the NPPF.

## **ECOLOGY**

61. Paragraph 174 of the NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by (criterion d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 180 continues, when determining planning applications, local planning authorities should apply (criterion d) opportunities to improve biodiversity in and around developments should be integrated as part of their design.

62. Policy JP-G8 of PfE states that Development will be expected to: a. Follow the mitigation hierarchy of: i. Avoiding significant harm to biodiversity, particularly where it is irreplaceable, through consideration of alternative sites with less harmful impacts, then ii. Adequately mitigating any harm to biodiversity, then iii. Adequately compensating for any remaining harm to biodiversity.
63. Core Strategy policies R2 – Natural Environment, advises the protection and enhancement of the natural environment of the Borough, and R3 – Green Infrastructure advises on the provision of functional green infrastructure (GI).
64. The proposal would result in the redevelopment of the currently unoccupied building. The proposed development would be exempt from statutory Biodiversity Net Gain requirements, being an application for major development submitted before 12 February 2024. The GMEU consultee has confirmed no comment on the proposal and has not confirmed the proposal, if approved, should be subject to a biodiversity enhancement condition. However, it is recommended that a condition is attached requiring the submission and implementation of biodiversity enhancement measures to comply with PFE requirements.
65. The Arboriculturist consultee has confirmed no objection subject to a tree protection condition. The repositioned vehicle access would result in the removal of a single street tree with replacement planting proposed, which has been approved by the Street Trees consultee.
66. Subject to appropriate conditions, the development would be acceptable in terms of ecology impacts with reference to Policy JP-G8 of PfE, Core Strategy Policy R2 and the NPPF.

## **DRAINAGE**

67. Policy JP-S4 of PfE states that development will be expected to manage surface water runoff through sustainable drainage systems and as close to source as possible.
68. The LLFA has reviewed the application and is satisfied the proposed development is acceptable with regards to drainage.
69. The proposed development, subject to condition, is therefore considered acceptable in terms of drainage and in line with the NPPF, Policy L5 of the Core Strategy and Policy JP-S4 of Places for Everyone.

## **SUSTAINABILITY AND CLIMATE CHANGE**

70. Policy JP-S2 – Carbon and Energy – states that there is an expectation that new development will, unless it can be demonstrated that it is not practicable or financially viable, be net zero carbon in terms of regulated operational carbon emissions.
71. The application constitutes major development and a Carbon Budget Statement has been submitted.

72. The submitted Carbon Budget Statement says that the development will provide upgraded thermal insulation, efficient mechanical servicing and low energy lighting and concludes that the proposed scheme will be designed and specified following the principles of the energy hierarchy and improve upon the carbon dioxide (CO<sub>2</sub>) reduction targets and guidance set by Trafford Council and the Places for Everyone criteria.
73. Whilst it is accepted that the proposal would not result in zero carbon emissions this is nevertheless considered to be acceptable due to the fact that the proposal would result in a conversion of an existing building (thereby resulting in the retention of embodied carbon) and that the proposal would include measures to improve energy efficiency.
74. On this basis, it is therefore considered that the proposed development would comply with Policy JP-S2 of PfE.

## **EQUALITIES**

75. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
76. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and to foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
77. It is noted the building would retain one stepped access on the front elevation of the NDHA (which is considered important to retain to protect the heritage interest of the building) but would introduce / retain several level accesses elsewhere on the building, with the area accessed by a stepped access (the ground floor of the central NDHA element) also served by a new rear ramped access. The applicant has confirmed that all 16 apartments would comply with Part M4(2) of the Building Regulations. The central block would be served by a lift whilst the northern block would be served by a stairlift. The development would have two accessible parking spaces.
78. No other benefits or dis-benefits have been identified to persons with any other protected characteristic.
79. Overall taking into account the constraints of the site and the scale of the

development, it is considered that the measures proposed to provide a facility accessible to all (including those required through the Building Regulations application) would on balance provide an appropriate, practical and reasonable response to the equalities impacts of the scheme.

## **OTHER MATTERS**

80. Addressing the issues raised by the neighbour objection letters which have not been dealt with in the above assessment, Officers have the following comments:
81. The structure to the front of the plot adjacent to the repositioned vehicle entrance is not a bin store but instead is a bin mustering point where bins will be deposited during bin collection days. Bins will be housed within the internal bin store at other times.
82. The LHA has confirmed the parking survey was carried out at the correct time of the day.
83. Consultees have not raised concerns regarding any of the supporting documents being out of date.
84. The plans are scalable – the applicant is not obliged to provide measurements.
85. The amended plans include rooms open plan kitchen / living areas.
86. The applicant has provided all of the required documents in support of their proposal.
87. The proposal is supported by amended plans that are consistent.
88. It is accepted that the site is currently in a somewhat dilapidated state which is attracting anti-social behaviour.
89. Whilst applicants are encouraged to consult with local residents prior to submission of their planning application, they are not obliged to do so.
90. The planning application is being assessed on the basis it would provide individual apartments for sale or rent on the open market. This would not include permission for an HMO, sheltered or temporary accommodation which would require a separate grant of planning permission following submission of a new application.
91. The application has been correctly advertised.
92. Whilst the conclusions of the submitted viability appraisal have not been accepted by officers, the applicant has accepted the calculations provided by the LPA's viability consultee with a commuted sum for the offsite provision of affordable housing agreed based on the latter figures.
93. The proposal has been amended to removed shared facilities.
94. The relevant consultees have not objected to the loss of the nursing home.

95. The applicant's commencement of work on site prior to the grant of planning permission is at their own risk.
96. The reference to 'associated works' in the development description refers to relatively minor additional works which are not explicitly referenced in the description.
97. The amended proposed layout plans have removed apartments with each bedroom having an en-suite bathroom.
98. The applicant's amended Design and Access Statement has confirmed the second floor office would be used for site management. This in itself is not considered to be evidence that the proposed apartments would be multi-occupancy.
99. The provision of EV chargers would be considered under the required Building Regulations appraisal.
100. Planning permission would be subject to a landscape maintenance condition.
101. The applicant is not obliged to provide a Highways Management Plan. The LHA has not objected to the proposal.
102. The requirement for the installation of services infrastructure is not a valid ground for refusal.
103. Officers accept the development would result in a degree of disruption to local residents whilst it is built out, however this is unavoidable. Planning permission, if granted, would be subject to a construction management condition to ameliorate any such impacts as far as possible.

## **DEVELOPER CONTRIBUTIONS**

104. This proposal is subject to the Community Infrastructure Levy (CIL) at a rate of £0 per square metre for apartments in a 'moderate' charging area as per the Trafford Community Infrastructure Levy Charging Schedule (2014).
105. As per the Planning Obligations SPD the LPA would require the provision of an element of green infrastructure in the form of 16 trees net of clearance, however in this instance due to the relatively restricted free space within the site 10 trees net of clearance is considered to be an appropriate figure. This would be required through a landscaping condition.
106. Affordable housing is required for this major application, with officers considering that an off-site contribution as a commuted sum is most appropriate for this site given the relatively small scale of the scheme and that it is unlikely a Registered Provider would be willing to take up just four of the units. A sum of £268,000 has been agreed which represents policy compliance. The contribution would be secured by a s106 agreement.

## PLANNING BALANCE AND CONCLUSION

107. 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. That remains the starting point for decision making.
108. The “tilted balance” in NPPF paragraph 11 d) ii) is engaged due to the fact that the Council is not currently meeting the requirements of the Housing Delivery Test. This means that planning permission should be granted unless either NPPF paragraph 11d i) or NPPF paragraph 11d ii) applies.
76. In terms of paragraph 11 d) i), there are no areas or assets of particular importance that would provide a clear reason for refusing the proposed development.
77. In terms of benefits, the development would result in the provision of 16 additional dwellings on a brownfield site in a sustainable location close to Urmston town centre, contributing to the Borough’s housing supply, complying with the “accessible and adaptable” standard in Part M4(2) of the Building Regulations, and including the provision of dwellings capable of being occupied as family housing. The proposal would also result in a financial contribution towards the off-site provision of affordable housing. In addition, the proposal would result in a small amount of economic benefit resulting from the construction process.
78. In terms of harm, the proposed demolition of part of the single storey rear element of the original building would result in minor harm to the significance of the NDHA. However, applying the test in NPPF paragraph 209, it is considered that this would be outweighed by the public benefits of the proposal as set out above. As such, the proposed development would comply with the heritage policies of the NPPF, Policy JP-P2 of the PfE Plan and Policy R1 of the Trafford Core Strategy. No other harms of the development have been identified which cannot be mitigated by appropriate conditions.
79. All other detailed matters have been assessed, including the principle of residential development and the proposal’s design, visual amenity, residential amenity, highway safety and ecology impacts. The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition, and the proposal complies with the development plan and policies in the NPPF in relation to these matters.
80. Applying the tilted balance in NPPF paragraph 11 d) ii), it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission. The proposal complies with the development plan when taken as a whole.
81. Officers therefore recommend that planning permission should be granted, subject to conditions.

## **RECOMMENDATION**

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

(i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure a financial contribution of £268,000 for the provision of offsite affordable housing.

(ii) To carry out minor drafting amendments to any planning condition.

(iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.

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 [9614] 001 A, received by the Local Planning Authority 28 November 2022; 126 A and 127 A, received by the Local Planning Authority 2 February 2024; 125 F, received by the Local Planning Authority 28 February 2024; 121 H, 122 G, 123 H and 124 D, received by the Local Planning Authority 17 September 2024; 113Q, received by the Local Planning Authority 18 October 2024; and 002 Z, 110 H, 111 X and 112 S, received by the Local Planning Authority 24 October 2024.

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

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

Reason: In the interests of visual amenity and design quality, specifically to protect the original design intent of the architect and the quality of the proposed development, having regard to Policies JP-P1 and JP-P2 of PfE, the National Planning Policy Framework, and the Trafford Design Code SPD.

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples of all materials to be used externally on the building and the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Sample panels shall be constructed on



site, and retained for the duration of the build programme, illustrating all proposed brickwork, including decorative brickwork, the type of joint, the type of bonding and the colour of the mortar to be used. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policies JP-P1 and JP-P2 of PfE and the requirements of the National Planning Policy Framework.

5. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location of 10 additional trees net of any clearance, together with the formation of any banks, the proposed levels or contours, terraces or other earthworks, means of enclosure or boundary treatments, car parking layouts, other vehicle and pedestrian access and circulation areas, entrance gates, materials for all hard surfaced areas (including those to the access road and parking bays), minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) historic landscape features and proposals for restoration where relevant, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants/trees to be retained and a scheme for the timing/phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing/phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, having regard to Policies JP-P1 and JP-P2 of PfE, Policies R1 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policy JP-P1 of PfE, Policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No above ground works shall take place until drawings demonstrating the full details of the proposed cycle parking and bin store arrangements, including the appearance of the external cycle store and the external bin stores, have been submitted to and approved in writing by the Local Planning Authority. The

development hereby permitted shall not be occupied unless and until the approved internal cycle parking spaces and external cycle and bin stores have been made fully available. The internal and external cycle stores and the bin stores shall be retained thereafter for their intended purpose.

Reason: To secure sustainable transport options and appropriate provision for waste management and in the interest of visual amenity in accordance with Policy JP-P1 of PfE, Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

9. The development hereby permitted shall not be occupied unless and until biodiversity enhancement measures have been incorporated into the development in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved measures shall be retained thereafter.

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

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policy JP-P1 of PfE, Policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

11. The development hereby permitted shall not be brought into use unless and until the access, parking and turning areas shown on the approved plans have been provided and made available for those purposes. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any equivalent Order following the amendment, re-enactment or revocation thereof), no development shall take place on any of the areas so provided.

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

12. The development hereby permitted including each of the apartments shall be built to comply with the “accessible and adaptable” standard in Part M4(2) of the Building Regulations.

Reason: In the interests of amenity and to ensure that the development is accessible to all sections of the community, having regard to Policies JP-H3 and JP-P1 of Places for Everyone and policies in the NPPF.

13. No development shall take place unless and until a Construction Environmental Management Plan (CEMP) has been submitted and approved in writing by the Local Planning Authority, including details of the proposed measures to manage and mitigate the main environmental effects. The CEMP shall address, but not be limited to the following matters:

- a. Suitable hours of construction and pre-construction activity (see below);
- b. the parking of vehicles of site operatives and visitors,
- c. loading and unloading of plant and materials including times of access/egress;
- d. storage of plant and materials used in constructing the development;
- e. the erection and maintenance of security hoardings;
- f. measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions;
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);
- h. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity;
- i. information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors;
- j. information to be made available for members of the public.

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

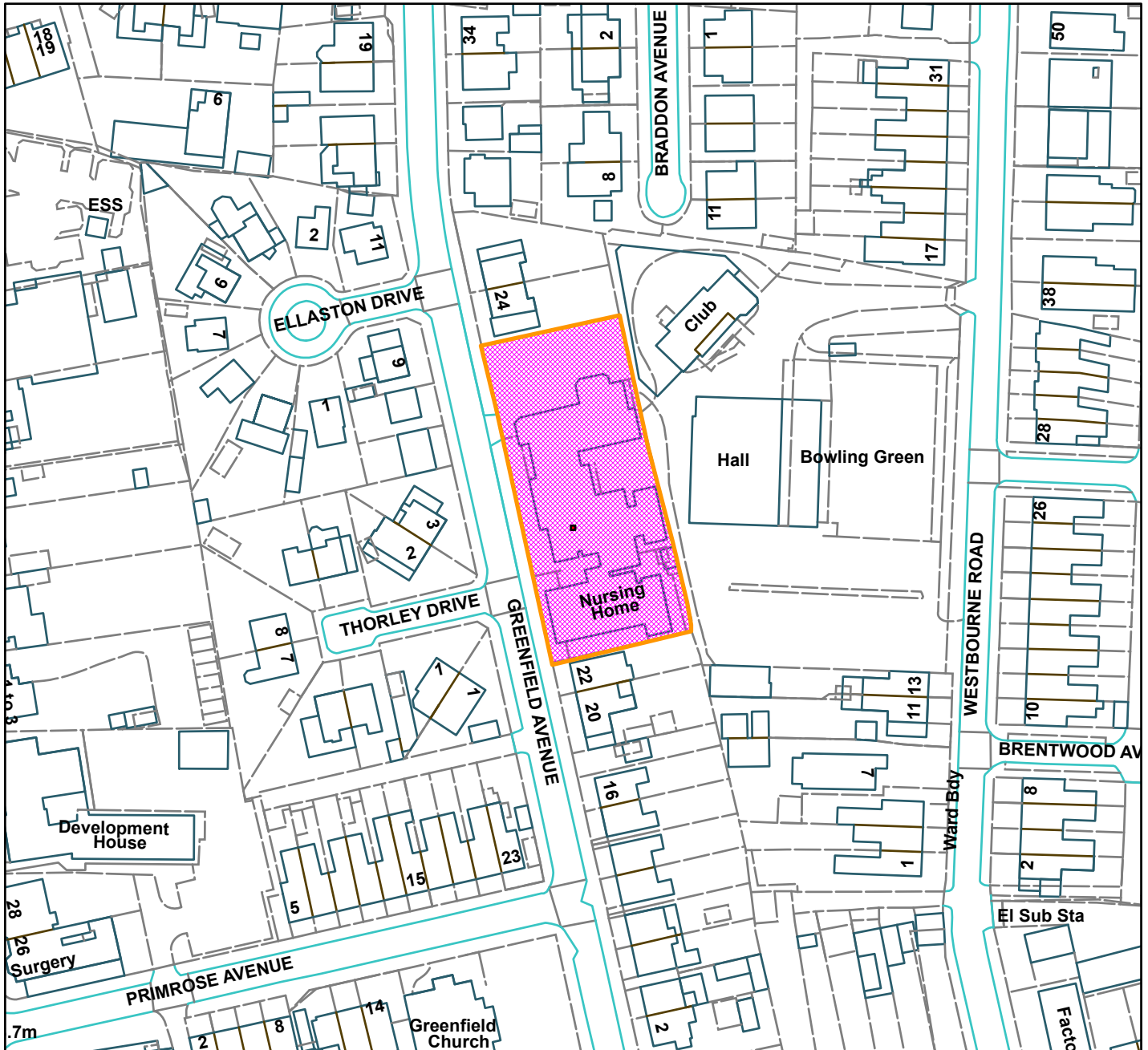
Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

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TP



Serendipity Care Home, 22A Greenfield Avenue, Urmston (site hatched on plan)



Scale: 1:1,250

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|--------------|-------------------------|
| Organisation | Trafford Council        |
| Department   | Planning Service        |
| Comments     | Committee date 07/11/24 |
| Date         | 28/10/2024              |
| MSA Number   | AC0000809316 (2022)     |

**WARD:** Gorse Hill &  
Cornbrook

**113108/FUL/24**

**DEPARTURE: No**

**Application for the erection of 7 no. dwellings with associated access, car parking, landscaping and gardens.**

Land to the front of Bowling Clubhouse, 49 Talbot Road, Old Trafford, M16 0PW

**APPLICANT:** Beck Homes (North West) Ltd

**AGENT:** Acer Town Planning

**RECOMMENDATION: GRANT**

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**This application is reported to the Planning and Development Management Committee as more than 6 representations have been received which are contrary to the recommendation to grant.**

**Executive Summary**

The application relates to the development of a parcel of land to the situated between Talbot Road and Old Trafford Bowling Club (Grade II listed), split either side in almost equal halves, to the access road to both the site and the bowling club to the rear. The site is currently in use as a privately operated surface level car park.

Planning permission is sought for the erection of 7 no. dwellings in 2 separate terraces, one positioned either side of the access road.

The application has received 7 letters of objection from different addresses. The objectors are connected to the adjacent Old Trafford Bowling Club and the impact on the club (from day to day operations, impact on the building structure itself, access and amenity) are set out as the main areas of concern alongside design and appropriateness of the development for this site.

The tilted balance in NPPF paragraph 11 d) ii) is engaged as a result of the Council's failure to meet the requirements of the Housing Delivery Test. Weight is given to the contribution of 7 no. new residential units to the Council's housing land supply.

In weighing the planning balance, considerable importance and weight has been given to the desirability of preserving the setting of the adjacent designated heritage asset and in accordance with NPPF paragraph 205, great weight is given to the asset's conservation. It is considered that the proposal would result in no harm.

Other benefits and harms have been taken into consideration as set out within the

Planning Balance section of this report.

It is considered that when applying the tilted balance, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission for the proposed scheme. The proposal is considered to comply with the development plan as a whole and is therefore recommended for approval subject to appropriately worded conditions.

## **SITE**

The application site relates to a parcel of land situated between Old Trafford Bowling Club and the south-eastern side of Talbot Road and is currently in use as a privately operated surface level car park. The land is separated by the access to the bowling club which runs almost centrally, north-west to south-east through the site.

Old Trafford Bowling Club is Grade II listed with a two storey Tudorbethan bowling pavilion/clubhouse sited on the western boundary overlooking the bowling green to the north east. The north western corner of the original bowling green has been replaced with an extended car park to serve the Bowling Club and abuts the application site to the west of the access road. The green extends to the site boundary on the opposite side of the access road.

The site sits within the boundary of the adopted Civic Quarter Area Action Plan (CQAAP), within the Eastern Neighbourhood.

## **PROPOSAL**

Permission is sought for the erection of 7 no. dwellings with associated access, car parking, landscaping and gardens. The dwellings are to be arranged in 2 separate blocks of terraces with 3 no. on one side of the access road and 4 no. on the other. A total of 8 no. parking spaces are proposed; 1 for each dwelling and 1 visitor space.

**Value Added:-** Amended plans have been received during the course of the application process which have changed the proposal dwellings to a more traditional design. Amendments have also been made to the site layout to improve pedestrian access to the properties and create more private space and areas of landscaping to the front of the dwellings.

## **DEVELOPMENT PLAN**

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

- The **Places for Everyone Joint Development Plan Document (PfE)**, adopted 21<sup>st</sup> 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.
- The **Civic Quarter Area Action Plan** (CQAAP) is an Area Action Plan which covers approximately 55 hectares of northern Trafford. Securing the successful regeneration of this area has been a long-standing priority for the Council. The purpose of the CQAAP is to guide development and positive change in this key growth location. The CQAAP was adopted on 25<sup>th</sup> January 2023 and not forms part of the statutory development plan for Trafford.

#### **PRINCIPLE RELEVANT PLACES FOR EVERYONE POLICIES**

JP-S1 – Sustainable Development

JP-H1 – Scale, Distribution and Phasing of New Housing Development

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

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

L1 – Land for New Homes

L2 – Meeting Housing Needs

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

#### **PRINCIPAL CIVIC QUARTER AREA ACTION PLAN POLICIES**

CQ1 – Civic Quarter Regeneration

CQ2 – Housing

CQ4 – Sustainability and Climate Change

CQ5 – Conservation and Heritage

CQ6 – High Quality Design

CQ7 – Public Realm Principles

CQ10 – Movement, Permeability and Parking

### **PROPOSALS MAP NOTATION**

Priority Areas for Regeneration  
Civic Quarter Area Action Plan

### **STRATEGIC OBJECTIVES**

SO1 – Meeting housing needs  
SO2 – Regenerate  
SO6 – Reduce the need to travel  
SO8 – Protect the historic environment

### **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD1 – Planning Obligations  
SPD3 – Parking and Design  
SPD7 – Trafford Design Code  
Technical Housing Standards – Nationally Described Space Standards (2015)

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

The MHCLG 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)**

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

### **OTHER RELEVANT LEGISLATION/POLICY**

Planning (Listed Buildings and Conservation Areas) Act 1990

### **RELEVANT PLANNING HISTORY**

77863/CLEUD/2011 – Application for Certificate of Lawful Existing Development for car park.  
Approved 17/02/2012

H/18527 – Demolition of existing houses and change of use of land to car park with tarmac hard surface, tubular steel barriers, formation of vehicle access and landscaping.  
Approved with conditions 08/03/1984



## **APPLICANT'S SUBMISSION**

The application is accompanied by the following supporting documents:

- Heritage Impact Assessment
- Accurate Visual Representations
- Noise Impact Assessment
- Preliminary Ecological Assessment
- Air Quality Assessment
- Planning Statement
- Arboricultural Survey
- Design and Access Statement
- Façade Design Analysis

## **CONSULTATIONS**

Trafford Council, Heritage and Urban Design Manager – The application site is in the setting of the Old Trafford Bowling Club, a Grade II listed building. It is also across the street from a series of non-designated heritage assets; a collection of Victorian villas, the former Ellis Llwyd Jones Hall and Trafford Hall Hotel.

The original submission is considered to be unacceptable on a number of grounds including design, materiality, door and fenestration design and objection is raised on heritage grounds.

A traditional approach is required for this site drawing from some of the architectural detailing and design of the nearby Victorian villas. Further architectural detailing is sought to add to the overall quality of design.

Lead Local Flood Authority – no objection subject to a condition requiring a confirmed drainage strategy being provided based on the SUDs hierarchy, with confirmation of ground conditions to justify or discount the use of infiltration. Where infiltration is discounted, the applicant shall provide hydraulic calculations to confirm drainage capacity, overland flow routes to manage the flow during blockage or exceedance events and management and maintenance plan for the proposed onsite drainage. Also, where ground reprofiling is considered, this should be designed such that any natural overland flows are managed with no offsite impacts.

United Utilities – Request a detailed drainage plan to be submitted with opportunity for review by UU prior to determination of the application. Alternatively, an appropriately worded condition is recommended.

Trafford Council Pollution (Contaminated Land) – The conclusion of the phase I report is that based upon the available information, there is a viable contamination and geotechnical risk and therefore further assessment is recommended.

To ensure that the additional site investigation is undertaken to assess risks to future site users and the wider environment and to develop appropriate remediation strategy conditions are recommended in relation to contamination, remediation and verification.

Trafford Council Pollution (Noise) – No objection subject to recommended conditions in relation to acoustic performance glazing, Mechanical Ventilation Heat Recovery (MVHR) system, fixed plant noise levels, installation of acoustic fence, Lighting Impact Assessment, Construction and Pre-Consultation Environmental Management Plan (CEMP).

Trafford Council Pollution (Air Quality) – An Air Quality Assessment has been submitted and is acceptable and demonstrates that the development should not have an unacceptable negative impact on local air quality. The air quality of the site itself should be suitable for residential use. The AQA recommends construction dust mitigation methods which can be addressed by a suitable CEMP condition.

Trafford Council Waste – No objection subject to condition to ensure the provision of appropriate bin storage and presentation.

Greater Manchester Police (Design for Security) – In summary, comments provided set out how the development should seek to encourage feelings of territoriality with enclosed and defined spaces and improving surveillance opportunities.

In order to reduce the opportunities for crime and the fear of crime, it is highly recommended that the dwellings are designed and constructed in line with the principles of the 'Secured by Design' (SBD) scheme.

## **REPRESENTATIONS**

Letters of objection have been received from 7 addresses of residents associated with Old Trafford Bowling Club, including the resident of the flat within the pavilion building. The main points raised are summarised below:

### **Inappropriate Development**

- Inadequate parking provision;
- Proposal would adversely impact the existing tranquil nature of the area in terms of noise and visual intrusion;
- Unfit for family dwellings and should remain as a much more needed car parking service;
- Would obscure the Grade II listed building;
- Detrimental impact on the Bowling Club and heritage environment along Talbot Road;
- Poor quality design;
- Modern dwellings are inappropriate within the context of the imposing clubhouse or the Victorian villas immediately opposite on Talbot Road;

- The layout of the road at the junction to the Club and White City Way has been subjected to a lot of work in respect of cycle lanes and pavements which make access and egress to the site complicated and very congested on football match days and at other times and this will be compounded by the proposal;
- No affordable housing is provided;
- Proposal fails to comply with NPPF, Development Plan policy and guidance;
- Fails to respect the scale, design and materials of other buildings in the surrounding area;
- Exacerbation of existing highway safety matters around the junction;
- Whilst each property will have their own spaces for refuse bins, it is proposed to have a central collection point, and this gives potential for One Trafford refuse collection vehicles blocking access/egress of the bowling club site;
- No explanation of access to existing amenities, schools, health or leisure;

#### Impact on and Relationship with Bowling Club

- Developers have not been in touch with Old Trafford Bowling Club;
- Concerned that the application relates to the refusal of the Bowling Club's application to extend their own car park;
- Concerns relating to disruption to the access to and running of the Bowling Club;
- Conflict between the Club's running and functions (including live music, birthday and family funeral gatherings) and the new neighbours;
- Proposal would intrude on the safety and security of the Bowling Club;
- Concerns relating to potential damage to the Bowling Club pavilion as there is an existing subsistence problem;
- Club and car park are used on a daily basis, providing much needed car parking spaces for local businesses alongside delivery vehicles such as dray wagons and refuse collection;
- The dwellings and Old Trafford Bowling Club are served by a driveway that provides access and egress. Various agreements have assigned unfettered rights of easement to the bowling club and for access to services, pipes and drains which are situated under the land upon which the proposed development exists. The developer has made no statement on how the Club's rights will be protected and will exacerbate and compound car parking issues;
- Application documents inaccurately depict the proposal within its setting and in relation to the Bowling Club;
- Proposals will cause problems on football, concert and bowls match days;
- No discussion with Old Trafford Bowling Club Ltd, who own the right of way from the traffic lights on Talbot Road;
- Would like assurances that the operating of the clubhouse will not be affected during the construction phase, or from complaints regarding existing business activities by future residents as any detrimental effect on the Bowling Club would also have the potential to result in a loss of residency;

## **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 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. 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.
5. As set out in more detail later within this report, there is no clear reason for refusing the development proposed when having regard to the application of NPPF policies which seek to protect areas or assets of particular importance and the tilted balance is therefore triggered by the HDT. Whilst not a phrase used in the NPPF, the "tilted balance" refers to the presumption in paragraph 11(d)(ii) of

the NPPF that, where the presumption applies, planning permission should be granted unless there are “adverse impacts which would significantly and demonstrably outweigh its benefits.”

6. As development plan policies in PfE are very recently adopted they are up to date and should be given full weight in decision making.
7. The Core Strategy, which was adopted (in January 2012) two months prior to the publication of the original NPPF, remains part of the statutory development plan. Some of its policies have been replaced or part-replaced by PfE whilst others remain in force. Prior to the adoption of PfE, some Core Strategy policies had been formally recognised as being out of kilter with current NPPF policy; policies R1 (Heritage) and L4 (Sustainable Transport and Accessibility) for instance. Whilst such inconsistency remains (and with the relevant policies not wholly superseded), PfE has introduced new policies on these topics which are consistent with national policy (see policies JP-P2 (Heritage) and JP-C8 (Transport Requirements for New Development)).
8. The Civic Quarter Area Action Plan (CQAAP) is an Area Action Plan which covers approximately 55 hectares of northern Trafford. Securing the successful regeneration of this area has been a long-standing priority for the Council. The purpose of the CQAAP is to guide development and positive change in this key growth location. The CQAAP was adopted on 25<sup>th</sup> January 2023 and now forms part of the statutory development plan for Trafford.
9. The Civic Quarter occupies a strategic position being in close proximity to Manchester city centre, MediaCityUK and Salford Quays. It is also highly accessible, including by public transport. The Civic Quarter includes the international sporting venue of Lancashire Cricket Club, and Manchester United Football Club is in very close proximity. It also contains several important civic functions and community facilities such as Trafford Town Hall, Trafford College and Stretford Leisure Centre, and there are a number of large, vacant redevelopment opportunities. There are, however, pockets of deprivation, and indeed parts of the Civic Quarter overlap with the identified Old Trafford Priority Regeneration Area (as covered by Core Strategy Policy L3: Regeneration and Reducing Inequalities). The Civic Quarter has been the subject of significant developer interest in recent years, particularly for residential development and at higher densities, and it has been recognised as having the potential for major residential-led transformation. The CQAAP sets out its own robust planning policy framework over the next 15 (plus years) to ensure that a sustainable and balanced community with its own identity is delivered.
10. The application proposes the erection of 7 no. new dwellings. When having regard to the nature of this proposal and its key considerations, Core Strategy policies of the topics of heritage (Policy R1 and JP-P2), design and residential amenity (Policy L7 and Policy JP-P1), and highways impact (Policy L4) are 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.

11. Although the tilted balance in the NPPF is a primary consideration, the development plan remains the starting point for decision making.

### Housing Development

12. 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.
13. 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.
14. 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;
  - (d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.
15. The CQAAP is an area-based plan that does not allocate site specific sites, but seeks to provide sufficient flexibility for the market to determine how the area will take shape.
16. The following content of the CQAAP is considered relevant to this application:
  - On the Land Use Parameter Plan (accompanying Policy CQ1: Civic Quarter Regeneration), the site forms part of an area identified for 'Predominantly Sport/Leisure' where the word 'predominantly' is used to

mean 'predominantly but not exclusively, subject to site-specific considerations';

- The CQAAP divides the Civic Quarter into five separate neighbourhoods. The application site is located within the Eastern Neighbourhood. Appendix 1 of the CQAAP contains more detailed guidance specific to each neighbourhood. The dominance of surface car parking is an identified challenge whilst the rationalisation of surface car parking, the enhancement of heritage assets and creation of defining and distinctive neighbourhoods are some of the strategic objectives. The value that the Old Trafford Bowling Club adds to 'pockets' of the townscape is acknowledged together with 'undervalued heritage assets.'

### Housing Land Supply and Delivery

17. 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 objective 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.
18. The Trafford Housing Needs Assessment (HNA) 2023 provides the latest available evidence to help to shape the future housing and relates strategies and policies of the area. It identifies that family sized homes are popular but there is a shortage of four-bedroom properties which the proposed development would contribute towards. The proposal is within a mixed use area, in a sustainable location sited close to public transport links, local schools and other community facilities.
19. The proposal would see the delivery of 7 no. family dwellings within a sustainable, mixed use location in accordance with JP-H3 of Places for Everyone. The proposal would make a modest contribution to the Borough's housing land supply.
20. It is noted that PfE Policy JP-H4 requires housing development to be at appropriate densities, although the policy does also state that lower densities may be acceptable where they can be clearly justified by site specific issues such as the design context. Applying PfE Policy JP-H4 the application site is within the 'all other locations' area which requires a minimum net residential density of 35 dwellings per hectare. The development exceeds this minimum density.
21. The proposal is for 7 no. units only and therefore falls below the trigger for any affordable housing contribution.

22. 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 and JP-H3.
23. The remaining issues to consider are heritage (the impact on the setting of the adjacent designated heritage asset), the impact of the proposed new development on the character and appearance of the site and the surrounding area, highway safety and convenience and residential amenity.

## HERITAGE

24. The importance of preserving the historic environment is reflected in NPPF and supporting NPPG. NPPF 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'.
25. Heritage assets in the Borough contribute to the unique character and quality of the historic built environment. These sites and buildings are an irreplaceable record of the Borough which can contribute to our learning and understanding of the past including its social and economic history, and are also a resource for the future. It is therefore essential that we seek to preserve, protect and where appropriate, enhance these special buildings and sites, in line with national and regional planning policy guidance.
26. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability or preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
27. Planning Practice Guidance (PPG) states that local planning authorities may identify non-designated heritage assets.
28. Paragraph 201 of the NPPF advises: *"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."*



29. Paragraph 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.”*
30. 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.”*
31. Paragraph 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.”*
32. Elements of Core Strategy Policy R1 have been superseded by Policy JP-P2 (Heritage) of PfE. 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.
33. 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.
34. The enhancement of heritage assets is one of the Strategic Objectives set out in the CQAAP. CQAAP 2.27 states that *“Whilst the Civic Quarter area has a rich history associated with sport, leisure, institutional and residential uses, the historic character has been eroded over time, thereby emphasising the importance of the surviving elements and their connection to the area’s past. Ensuring the promotion and enhancement of the rich history of the remaining assets and seeking to ensure positive opportunities to reinforce the area’s rich history is a key opportunity and challenge for the CQAAP to address.”*
35. A Heritage Assessment was prepared (Purcell, 2019) to inform the development of the CQAAP. The document provides a proportionate analysis and assessment of the built heritage of the Civic Quarter. It includes an audit of the designated

and non-designated heritage assets within the boundary and contains broad recommendations for positive and sensitive future management and change.

36. Policy CQ5: Conservation and Heritage of the CQAAP sets out that *“Proposals for new development should:*

- 1. Identify and positively respond to the distinctive character and significance of heritage assets and their settings;*
- 2. Maximise opportunities for integrating heritage assets including archaeology within new development, through high quality design, landscaping, public realm, the interpretation and reinforcement of lost historical and cultural landscapes relating to the area’s sporting, cultural and institutional heritage, and enhancing connectivity between the identified heritage assets and the historic townscape;*
- 3. Put heritage assets to viable uses consistent with their conservation, including through the adaptive re-use of vacant historic buildings, reinstating street frontages and historic urban grain, wherever possible; and*
- 4. Protect key views of the clock tower of Trafford Town Hall (Grade II listed). All applications for new development which have the potential to affect key views of heritage assets, including all remaining sporting, cultural and institutional heritage assets (such as Lancashire Cricket Club, Old Trafford Bowling Club and the entrance portal and gates to White City), will be required to be accompanied by a detailed views analysis.”*

#### Significance of the Designated and Non-Designated Heritage Assets

37. Significance is defined in the NPPF as ‘The value of a heritage to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’ Setting of a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’

38. The application site is in the setting of the Old Trafford Bowling Club, a Grade II listed building. It is also across the street from a series of non-designated heritage assets: a collection of Victorian villas, the former Ellis Llwyd Jones Hall and Trafford Hall Hotel. The descriptions of their significance within the heritage statement are thorough and complete.

39. The pavilion building at Trafford Bowling Club was listed on 31 May 2023. The reasons for designation set out:

“The Old Trafford Bowling Club pavilion, an amateur bowls club pavilion of 1877, is listed at Grade II for the following principal reasons:

*\*as a relatively rare example of a pre-1914 sports pavilion dating from the early period of amateur sport; \*for its architectural ambition and unusually large scale, with verandas on two storeys and ample fenestration to observe play on the bowling green, together with separate Ladies Room, Billiards Room and Cards Room; \*the pavilion survives in substantially intact form with much of its character remaining inside and out, including brick and half-timbered Tudor Revival exterior, and internal decorative timber and plasterwork, most notably in the Billiards room, which also retains fixed seating and scoreboards, and is also thought to retain its impressive hand-painted glass ceiling (concealed by a modern finish).*

Historic interest:

*\*it represents the pinnacle of bespoke buildings for amateur bowls clubs, epitomising the important role bowls played in the sporting and recreational life of many communities across the nation in the later C19, in particular the north-west heartland of Crown Green bowls.”*

40. The listing description reinforces the fact that its significance derives not only from the architectural and historic interest of the building, but also the pavilion and bowling green as one entity with the pavilion designed to “observe play on the bowling green.” The size, architectural distinction and stature of the pavilion reflects the extent of membership and the bowling square facility; the latter is a fitting and functional setting.
41. Furthermore, the listing references the significance of the club as part of Old Trafford’s sporting legacy, with the site occupying “a corner of what had been, from 1847-1857, the ground of Manchester Cricket Club (which merged with Lancashire Cricket Club in 1864 and established the current Old Trafford Cricket Ground)” and refers to Lancashire being at the forefront of crown-green bowls in the C19.”
42. As picked up within the CQAAP, the surrounding area has a rich and fascinating history in culture, events, health and wellbeing, with the area’s development being largely linked to the opening of the Royal Botanical Gardens in 1831. The Gardens played an integral part in two spectacular national exhibitions: the Art Treasure Exhibition, held in 1857, and some thirty years later, the Royal Jubilee Exhibition.
43. Today, the Grade II listed Entrance Portal and Lodges to the former White City Greyhound Track remain. They are isolated at the White City Retail Warehouse car park fronting Chester Road.
44. Around the time of the exhibitions, other sporting development was taking place with the development of Lancashire County Cricket Ground in 1857 and the Old

Trafford Bowling Club, which was founded in 1877 and was one of the area's most substantial clubhouses for amateur sport.

45. The Old Trafford Bowling Club is a vital connection to the leisure and sporting history of the area, as well as a site of considerable architectural and aesthetic interest. Its contribution to the heritage significance and historic character of the area is correspondingly high. The bowling green is a fundamental part of the site and makes a similarly high positive contribution. This site forms group value with the collection of other heritage assets noted on this eastern stretch of Talbot Road within the plan area.

### Impact on Significance

46. 'Setting' is defined in Annex 2 of the NPPF as *"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*
47. Guidance provided by Historic England advises that *"The setting itself is not designated. Every heritage asset, whether designated or not has a setting. Its importance, and therefore the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation."*
48. Historic maps identify that the site was previously occupied by two large villas, one positioned either side of the access road. It is therefore acknowledged that there is a history of buildings sitting in a similar position in relation to the adjacent listed building and its setting.
49. Comments from the Heritage Officer on the originally submitted scheme considered that the impact incurred by the proposal would result in a minor degree of less than substantial harm to the significance of the surrounding heritage assets and objection was raised on heritage grounds. Amendments were recommended in relation to the general design approach with a more traditional approach recommended that could draw from some of the architectural detailing and design of the nearby Victorian villas. More specifically, it was considered that there was a lack of hierarchy in the fenestration and the scale and proportion of the windows was considered to be disproportionate. The overall design was considered to be flat and lacking in articulation with projections and recesses. Further architectural detailing was sought to add to the overall quality of the proposal. Subject to conditioning details including materials, boundary treatment and door and window details, it is considered that the submitted amendments have addressed the original consultation comments.

50. At 2.5 storeys in height, the proposed building height is considered to be sympathetic to the relationship with the listed pavilion building to the rear, and certainly much lower than the building height parameters set out within the CQAAP for this part of the Civic Quarter.
51. Having regard to the scale, siting and layout of the proposed development, public views through to the bowling club pavilion building to the rear of the site would be retained. It is considered that the proposal would have a similar relationship to that with the villa buildings that once stood on the site, positioned either side of the access road.
52. As a result of the amended design and layout, it is considered that the proposal would not harm the setting and the significance of the Grade II listed building or the non-designated heritage assets on the opposite side of Talbot Road. Subject to appropriate conditions, the proposed development would therefore comply with the heritage policies of the NPPF, Policy JP-P2 of PfE and Policy R1 of the Trafford Core Strategy.

## DESIGN AND VISUAL AMENITY

53. In considering design more generally, NPPF, PPG, the National Design Guide (NDG) and the National Model Design Code (NMDC) 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 and 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. The Trafford Design Code (TDC) has now been adopted as Supplementary Planning Guidance and seeks to ensure that future development within the Borough continues to offer distinctive, innovative and high quality placemaking.
54. 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."*
55. NPPF paragraph 135 states that *"Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets,*

*spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.”*

56. 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 policies and government guidance on design, taking into account any 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 with the overall form and layout of their surroundings.”*

57. 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.

58. In relation to density, Policy JP-H4 states: New housing development should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design.

59. It has been recognised at the local level that systemic change is needed to ensure that design and beauty is a core part of the planning process within Trafford with increased emphasis on design and context. The Trafford Design Code (TDC) sets out design principles for new development across the Borough, when having regard to local distinctiveness and local vernacular. The Strategic Design Principles in the TDC include ‘Design with Character and Beauty’ and set out that an understanding of the character of a place is essential to producing a contextual, sympathetic and high quality design proposal.

60. The application site is located within the Eastern Neighbourhood within the CQAAP. The vision for this area as set out in the CQAAP is to *“Repair, reconnect and celebrate the rich fragmented historic fabric as the canvas for the identity of the area whilst unlocking the potential of the Trafford Bar Metrolink station area.”*

61. In relation to height and scale, the CQAAP specifies the requirement for:

- A sensitive height required throughout in order to respect heritage assets;
- A fine urban grain and a move away from large floorplate buildings to reflect the scale and footprint of heritage assets;

62. Code HEP1 ‘Surrounding context and rhythm’ of the TDC (SPD7) advises that

*“The elevations of new houses must respect the context, achieve appropriate width and height proportions and be coherent so they are aesthetically pleasing and can be easily understood when viewed. The design of houses must also respect the proportion and composition of elevations along a street to create rhythm.”*

63.Code HEP3 ‘Façade Design’ advises that *“Elevations must incorporate articulation and detail, using the local context as reference.”*

### Context

64.The context of the site is characterised by 2-3 storey, red brick Victorian villas on the opposite corner of the junction with Talbot Road and White City Way and south west along Talbot Road on the opposite side of the road to the application site. These buildings are currently in commercial use. Old Trafford Bowling Club, with its bowling green, associated car parking and listed 2 storey pavilion building are located to the rear of the site. There are many vacant development sites within close proximity to the application site.

### Siting and Layout, Scale, Form and Massing

65.The proposed dwellings would be 2.5 storeys in height, which includes accommodation provided within the roofspace. The proposal is therefore consistent with the Land Use Parameter Plan and Building Heights Parameter Plan of the CQAAP which confirms that development up to a maximum of 6 storeys may be appropriate in this location. Having regard to its siting in close proximity to the listed Bowling Club pavilion, it is considered that a greater height than the proposed 2.5 storeys would not be appropriate for this specific site.

66.The proposed development comprises the erection of 7 no. terraced dwellings, arranged in two separate blocks of 3 and 4 houses respectively. The domestic scale of the buildings broadly reflects the immediate context within which the application sits.

67.The submitted Design and Access Statement provides historic maps to demonstrate that the proposal would form a similar layout to the historic buildings on site. As mentioned in the earlier section in regard to heritage, space retained either side of the access road allows views through the site to the bowling club pavilion and green to the rear of the site.

68.The proposed development has successfully taken design cues from the neighbouring historical buildings in terms of scale, form, height, architectural detailing and materiality whilst avoiding a pastiche development. Overall it is considered that the proposal has responded positively to the various constraints of the site including the location of the access road that physically separates the site into two.

## Appearance and Materials

69. 'Appearance' is defined in the NPPG as the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
70. Design cues have been taken from the Victorian villas which sit opposite the application site, including symmetry and fenestration arrangement, gables, string courses, entrance and chimney details.
71. Proposed materials are also set out within the Design and Access Statement as matching the local residential vernacular, comprising red brick. Spanish slate roof tiles, artificial stone cills and headers for windows. Agate grey UPVC windows and doors are also proposed however black may be considered more appropriate in this development given its traditional design. Having regard to the siting of the proposed development adjacent to the listed building, further consideration needs to be given to the overall palette of materials to create a quality development and as such it is recommended that this matter is dealt with through a condition.
72. It is considered that overall, the level of attention given to architectural detailing and the wider character of the street scene creates a successful and well-designed scheme that is appropriate to its context.
73. The development addresses Talbot Road and would create an attractive street elevation. The existing stone wall is retained, creating an attractive frontage to the development. Where this has been broken through to create additional pedestrian accesses to the development, this is done in a sensitive manner in terms of siting and size of opening.
74. Sufficient space is retained to the front of the buildings to ensure that planting and landscaping softens the appearance of the development and creates an attractive setting for the proposal as well as the street scene and wider area more generally.
75. Given the context of the site, it is considered that permitted development rights should be removed by condition for the erection of extensions and outbuildings and boundary treatment to avoid the development appearing cramped and out of keeping with its setting.

## RESIDENTIAL AMENITY

76. 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.

77. 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. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.
78. The application is considered in relation to impact on the amenity of existing neighbouring properties as well as the level of amenity provided for the future occupiers of the proposed development.

### Neighbouring properties

79. Code HPL6 'Separation distances' of the TDC sets out that *"The layout of two storey dwellings must ensure that a minimum of 21 metres is provided between main habitable windows across private gardens, unless the existing urban grain dictates a lesser distance. For main habitable windows across a highway, separation distances must accord with the context of the street and the established building line. A minimum separation distance of 15 metres between blank gables and habitable room windows must be provided."* Code HPL7 'Rear garden separation distances' further sets out that *"A separation distance of 10.5 metres between main habitable windows and rear garden boundaries must be provided."*
80. Concern has been raised within the representations received regarding the impact on the tranquil nature of the bowling club. The proposal for 7 dwellings is considered to have less of an impact than the existing car park which is expected to generate more comings and goings throughout the day. It is not expected that the noise and disruption from 7 no. family dwellings would cause any unacceptable impact.
81. There is a flat at first floor level within the Bowling Club pavilion building. This property is in occupancy alongside the running of the club which is considered to have a much greater potential for noise and disturbance than the proposed development.
82. The dwellings themselves would be in excess of 27m from the pavilion building. As such there would be no undue overlooking or loss of privacy to the flat.

### Future occupiers

83. Paragraph 130 (f) of NPPF advises that decisions should ensure that developments *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."*

84. The proposed living conditions for the occupiers of the development are acceptable. The dwellings would provide an acceptable internal layout and ample living space is to be created with all bedrooms and main habitable rooms afforded an acceptable amount of daylight and outlook. All units are to be built to comply with Building Regulations M4(2) 'accessible and adaptable dwellings'. The rear gardens are of a suitable size for their purpose as private residential gardens.
85. The facing gable elevations to Plots 4 and 5 are sited approximately 29 metres apart and separated by parking and the access road. There would be no privacy or overlooking concerns relating to these dwellings.
86. Paragraph 193 of the NPPF advises that *"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."*
87. The Council's Environmental Health Officer is satisfied with the assessments carried out and the proposed mitigation measures which are recommended as conditions.

### Conclusion

88. The proposed development is considered to be acceptable in terms of residential amenity for both neighbouring occupants and future occupiers.

### **HIGHWAYS AND PARKING**

89. Core Strategy Policy L4 states that the Council will prioritise the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as part of a package of measures to promote sustainable transport choices.
90. Core Strategy Policy L7 states that in relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street and cycle parking, manoeuvring and operational space.
91. The Parking SPD's objectives include ensuring that planning applications accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.

92. Paragraph 115 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

93. The LHA has been consulted and their comments are incorporated within this section of the report.

### Access

94. It is not proposed to amend the existing access arrangements. The proposed development will retain and use the existing traffic light controlled vehicular access to the site for the new dwellings.

### Parking Arrangements

95. Strategic Objective CQ10 ‘Movement, Permeability and Parking’ of the CQAAP sets out that *“A key objective of the CQAAP is to improve permeability and accessibility throughout the Civic Quarter area by connecting different uses and encouraging sustainable modes of movement. Future improvements to pedestrian and cycling connections and public transport services will allow for a modal shift, reducing the reliance on the private car. Pedestrian and cyclist permeability and accessibility within the Civic Quarter is limited largely to Talbot Road, Warwick Road and Brian Statham Way which are car centric, and vehicle dominated. Consequently, patterns of movement for pedestrians and cyclists are constrained by the physical environment which is dominated by cars, roads, and car parking, leading to the area being used as a ‘cut through’ route to access surrounding areas and key existing sites. The Civic Quarter is, however, exceptionally well-located to take advantage to existing public transport infrastructure and to promote walking and cycling.*

96. *As detailed within the Plan, developments should meet their own car parking needs on-site via appropriately and high-quality designed parking provision including the use of podium parking with active frontages wherever possible in accordance with the relevant maximum car and minimum cycle parking standards set out under this policy. If proposed, applicants must demonstrate why car parking provision above these standards is necessary in light of the policy imperative to promote modal shift and the high levels of accessibility of the area.”*

97. The maximum car parking standards as set out within Policy CQ10 of the CQAAP provide for no more than 0.2 car parking spaces per dwelling which, for the proposed development, equates to just two parking spaces.

98. It is proposed to provide 8 parking spaces, one for each property and there is one visitor space to serve the development. The parking provision is above the

maximum standards. Whilst the LHA have advised that justification is sought for the over provision of parking, having regard to the nature of the development as family dwellings, the level of parking proposed is considered to be appropriate. There is no on street parking available near to the site and the development is sited near a busy junction. As family housing it is important that there is safe off-street parking available. The level of parking does not compromise the design or setting of the development.

99. Secure cycle parking is proposed as part of the proposal in line with the CQAAP requirement for 2 cycle spaces per 3+ bed dwellings. Two separate secure cycle storage and bin stores are provided within each of the parking courtyards.

100. The proposal is considered to be acceptable in relation to highways and parking.

## FLOODING AND CLIMATE

101. PfE Policy JP-S2 sets out “the aim of delivering a carbon neutral Greater Manchester no later than 2038, with a dramatic reduction in greenhouse gas emissions” which “will be supported through a range of measures including:

- Promoting the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable energy and low carbon energy, heating and cooling;
- Promoting the use of life cycle cost and carbon assessment tools to ensure the long-term impacts from development can be captured;
- Taking a positive approach to renewable and low carbon energy schemes, particularly schemes that are led by, or meet the needs of local communities;
- Increasing the range of nature-based solutions including carbon sequestration through the restoration of peat-based habitats, woodland management, tree-planting and natural flood management techniques;
- An expectation that new development will, unless it can be demonstrated that it is not practicable or financially viable;
  - i. Be net zero carbon which applies:
    - From adoption – to regulated operational carbon emissions;
    - From 2028 – to all emissions ‘in construction’.

102. The submitted Design and Access Statement sets out that the development will be built in accordance with Building Regulations Amendments to Approved Documents Part F (Ventilation), Part L (Conservation of fuel and power) the Approved Document for Overheating (Part O), and Infrastructure for charging electric vehicles (Part S). These are the most up-to-date standards (2022) and support the achievement of the PfE net-zero carbon targets. A condition is recommended to ensure that proposed energy measures are incorporated into the scheme. Whilst EVC charging now is a requirement of building regulations, to ensure appropriate siting and appearance information of these will be required within the landscape plan, to be conditioned.

103. Policy L5 of the Trafford Core Strategy states that “the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location.” At the national level, NPPF paragraph 173 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.
104. Having regard to consultation comments from the Lead Local Flood Authority, there are no drainage matters that need to be addressed other than those recommended to be dealt with by way of condition.

## ECOLOGY, BIODIVERSITY AND LANDSCAPING

105. As part of the planning system’s role in contributing to and enhancing the natural and local environment, the NPPF advises that this includes minimising the impacts on biodiversity. A number of principles for local planning authorities to adopt when decision-taking are put forward in the interests of conserving and enhancing levels of biodiversity. This includes refusing planning permission where significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, and encouraging the incorporation on biodiversity enhancement in and around new developments.
106. At the Development Plan level, this matter is covered by Policy R2 (Natural Environment) of the Trafford Core Strategy. This requires applicants for planning permission to demonstrate that their development proposals will protect and enhance the biodiversity value of a site and its surroundings. Greater Manchester Ecology Unit (GMEU) and the Council’s Arboricultural Officer have been consulted and their comments are incorporated into this section of the report.

## Trees

107. The site does not have any Tree Preservation Orders on it nor is it within a Conservation Area so none of the trees are currently protected. Notwithstanding this, for a car park sited on a busy dual carriageway A road, there are considered to be some high quality trees present. Most are growing along the boundaries of the site and have not received much management recently.
108. Features of particular merit include a Tree T3 and Tree T7 which are a mature birch and lime respectively. They are mature, in good condition and tree T3 is prominent along Talbot Road with Tree T7 set back on the rear boundary but within view of the entrance to the site. The remaining trees are of moderate and low value.
109. The applicant has submitted an Arboricultural Impact Assessment (AIA). Within this document, it sets out that the application proposal will remove mostly low quality, unmanaged trees and shrubs along the roadside boundary. The AIA

details the removal of two individual trees and two groups of trees to facilitate the development. The two trees to be removed are tree T3 (high value birch) and T5 (moderate value sycamore). The sycamore tree is causing displacement of adjacent walls; its removal and replacement is agreed. The birch is a high quality tree that cannot be accommodated within the proposed development. A landscaping proposal has been submitted which provides for the establishment of 12 no. new trees, 11 of which will be along the Talbot Road frontage and one to the rear of the site in the eastern corner. The loss of the birch tree is weighed in the planning balance.

### Protected Species

110. The development is unlikely to have any adverse effects on any protected species, given the nature of the site, primarily hard standing and the lack of any suitable habitats within the zone of influence of the development. No further information or measures are required.

### Nesting Birds

111. The trees and ornamental shrubs along the frontage provide potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. The standard bird nesting condition is recommended which prevents works to trees or shrubs during the bird nesting season unless a nesting bird survey method statement has been submitted to and agreed by the LPA.

### Other Wildlife

112. The ornamental shrubs theoretically provide suitable cover for species such as hedgehog. Risk is considered to be very low however given the extent of the habitat and can therefore be dealt with via a suitably worded informative.

### Cotoneaster spp

113. An unidentified Cotoneaster was recorded within the ornamental planting. Certain species of Cotoneaster are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to cause such species to grow in the wild. The only risk of an offence on this site would be excavation of the Cotoneaster and transfer of the spoil to another location that could be regarded as wild, this site is clearly not wild and is isolated from any genuinely wild locations. It is therefore considered that this matter could be adequately dealt with by a suitably worded informative.

### Biodiversity Net Gain

114. Given the time of submission, the application proposals are exempt from statutory Biodiversity Net Gain requirements under the transitional arrangements. Nevertheless, based on the proposed site layout, it is considered that a bio diversity net gain will be achieved, though not necessarily 10%. It is not considered therefore that a BNG assessment is required as 10% would not be mandatory for this application and the development would result in a net gain. Notwithstanding the above, biodiversity enhancement measures are still required with the provision of bird and bat boxes required as a minimum. A condition is recommended to this effect.

## EQUALITIES

115. 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.

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

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

117. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in this respect.

118. Policy JP-P1 of PfE states that development should be socially inclusive. Policy JP-H3 states that all new dwellings must be built to the "accessible and adaptable" standards in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developers create places that are safe, inclusive and accessible.

119. The applicant has confirmed that all dwellings will be built to the "accessible and adaptable" standards in Part M(4)2. A condition to this effect is therefore recommended. Detailed plans showing a level threshold will be provided.

120. 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 L7 of the Core Strategy.

## **DEVELOPER CONTRIBUTIONS**

121. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £20 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
122. No other planning obligations are required as the scheme falls below the threshold for infrastructure obligations under the CQAAP.

## **PLANNING BALANCE AND CONCLUSION**

123. 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.
124. The "tilted balance" in NPPF paragraph 11 d) is engaged due to the fact that the Council is not currently meeting the requirements of the Housing Delivery Test. This means that the application should be granted unless either NPPF paragraph 11d i) or NPPF paragraph 11 d ii) applies. These paragraphs are cited at paragraph 2 of this report.
125. In terms of paragraph 11d i), there are no areas or assets of particular importance that would provide a clear reason for refusing the proposed development.
126. In weighing the planning balance, the benefits of the proposal need to be weighed against the adverse impacts.

## **Scheme benefits**

127. There are considered to be economic, social and environmental benefits arising from the proposed development, aligning with the NPPF in terms of the three overarching objectives to achieve sustainable development. The amount of weight attributed to each benefit is set out in turn.
128. The provision of 7 family sized residential dwellings is a modest number but would nonetheless contribute in a meaningful and positive way to the Council's housing land supply and boost the supply of homes in line with NPPF paragraph 60. In view of the Council's current position of housing delivery in the Borough,



this carries substantial weight. The social benefits are further enhanced through the provision of attractive homes within a sustainable location.

129. Economic benefits would arise through the creation of construction jobs although these are moderate in number and temporary in nature.
130. Environmentally, the proposed development makes an efficient use of a brownfield site in accordance with Places for Everyone density policy, providing homes close to services, reducing the need to travel etc. Nevertheless, it is a basic policy requirement that development should be sustainably located and therefore neutral weight should be attached.

#### Scheme harms

131. The loss of a high value birch tree to facilitate the development is regrettable. Nevertheless, mitigation planting is proposed and this is subject to condition. Overall, this harm is given moderate weight.

#### Planning Balance Consideration

132. The proposal is considered to comply with the development plan as a whole.
133. In weighing the planning balance, considerable importance and weight has been given to the desirability of preserving the setting of the adjacent designated heritage asset. It is considered that the proposal would result in no harm.
134. The exercise under the tilted balance has been carried out, and it is considered that there are no adverse impacts arising from the proposed development that would significantly and demonstrably outweigh the benefits of granting planning permission when considered against the policies of the NPPF taken as a whole. There are no other material considerations which would suggest a decision should be made other than in accordance with the development plan.
135. The application is therefore recommended for approval subject to appropriately worded conditions.

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

##### 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:

- 24-102-P01 'Location Plan'
- 24-102-P02 Rev B 'Planning Layout'
- 24-102-P03 Rev C 'Plots 1-4 Floor Plans'
- 24-102-P03 Rev C 'Plots 1-4 Elevations'
- 24-102-P05 Rev C 'Plots 5-7 Floor Plans'
- 24-102-P06 Rev D 'Plots 5-7 Elevations'
- 24-102-P07 Rev A 'Site Section and Architectural Details'
- 24-102-P08 Rev B 'Street Scene'
- 24-102-P10 Rev A 'Enclosure Details'
- 7412.01 Rev B 'Landscape Proposal'
- 070723JC-01 'Site Survey'

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

3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and/or full specification of materials to be used externally on the buildings (including 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 Policies JP-P1 and JP-P2 of Places for Everyone, Policies L7 and R1 of the Trafford Core Strategy and relevant sections of the National Planning Policy Framework.

4. All windows and doors shall be constructed with minimum 90mm deep external reveals.

Reason: In order to ensure a satisfactory appearance to the development having regard to Policies JP-P1 and JP-P2 of Places for Everyone and L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

5. No development shall take place until details of the bin stores at scale 1:10 or 1:20 which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and made available for use prior to the first occupation of the dwellings and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities at the design stage of the development and that these have an acceptable appearance, having regard to Policies JP-P1 and JP-P2 of Places for Everyone, Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Notwithstanding the details hereby approved, no above ground works shall take place unless and until a detailed façade schedule for all elevations of the buildings has first been submitted to and approved in writing by the Local Planning Authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:
- All brickwork detailing, 1:10 or 1:20 sections or elevations detailing the depth of the gable ends to the main elevations; 1:10 or 1:20 sections or side elevations sections showing the projection of the plinth and first floor string course projecting brick details; 1:10 or 1:20 section showing the front alcove depth.
  - All fenestration details and reveals, including detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details of all external window and doors (including technical details (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour);
  - All entrances into the buildings;
  - The siting and design of any equipment on the roofs of the development, including photovoltaic panels which must be integral to the roof design;
  - Rainwater goods;
  - The siting of any external façade structures such as meter boxes;
  - The siting and design of any fixed plant including air conditioning units, ground and air source heat pumps;
  - Details of all ridging tiles to all roofs of the development;

Reason: To ensure a high quality standard of development in the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Policies JP-P1 and JP-P2 of Places for Everyone and L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

7. 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 dwellings;
  - (ii) No garages or carports shall be erected within the curtilages of the dwellings;
  - (iii) No buildings, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings

other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

Reason: To protect the residential and visual amenities of the area, having regard to Policies JP-P1 and JP-P2 of Places for Everyone and L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development shall take place until details of existing and finished site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policy JP-P1, Policy JP-G2 and Policy JP-G7 of Places for Everyone, Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy, and the National Planning Policy Framework.

10. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls (including details of the proposed acoustic screen and details of the proposed new openings to the front boundary wall) have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been

erected in accordance with the approved details. The structures shall thereafter be retained.

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

11. No above ground development shall take place unless and until a detailed scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details which shall be thereafter retained at all times.

Reason: In the interests of biodiversity enhancement, having regard to Policy R2 of the Trafford Core Strategy and relevant sections of the NPPF.

12. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Management Plan (CEMP) shall be submitted and approved in writing by the Local Planning Authority, including details of the proposed measures to manage and mitigate the main environmental effects. The development shall be implemented in accordance with the approved CEMP. The CEMP shall address, but not be limited to the following matters:

- a) Site working hours to be restricted to between 07:30-18:00 on Monday to Friday; 08:00 – 13:00 on Saturday, and no work permitted on a Sunday or a Bank Holiday;
- b) The parking of vehicles of site operatives and visitors;
- c) Loading and unloading of plant and materials (all within the site), including times of access/egress;
- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoardings;
- f) Wheel washing facilities;
- g) Measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions;
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);
- i) Measures to prevent undue impact of disturbance from noise and vibration in accordance with the principles of Best Practicable Means as described in BS 5228: 2009 (parts 1 and 2), including from piling activity and plant such as generators;
- j) Floodlighting and security lighting;
- k) Information to be made available for members of the public;

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-C8 of Places for Everyone, and the National Planning Policy Framework.

13. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

Reason: To ensure that satisfactory provision is retained within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policy JP-C8 of Places for Everyone, Policies L4 and Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3 – Parking Standards and Design, and the National Planning Policy Framework.

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

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies JP-C6 and Policy JP-C8 of Places for Everyone, Policy L4 and Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

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

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment having regard to Policy JP-S4 of Places for Everyone, Policy L5 and Policy L7 of the Trafford Core Strategy, and the National Planning Policy Framework.

16. No exterior lighting shall be installed before a Lighting Impact Assessment has been submitted to and approved by the Local Planning Authority. The assessment shall demonstrate that the lighting impacts from such installations onto any exterior glazing of habitable rooms to any dwellings would be within acceptable margins, following the Institution of Lighting Professionals' Guidance Note 01/21 Guidance notes for the reduction of obtrusive light. The approved details, including any mitigation measures, shall be retained in good order for the lifetime of the development.

Reason: In the interests 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.

17. Prior to above ground works commencing, details, including plans and elevations at an appropriate scale shall be submitted and approved in writing to the Local Planning Authority, showing compliance with the “accessible and adaptable” standards in Part M4(2) of the Building Regulations for each dwelling hereby approved. The development shall be built in accordance with the approved details.

Reason: To ensure that the development is inclusive and accessible and having regard to Places for Everyone Policy JP-H3 and relevant sections of the NPPF.

18. Any glazed exterior doors and windows to habitable rooms of the dwellings hereby permitted shall comply with the acoustic performance criteria referred to within Section 9 of the supporting Noise Impact Assessment Report (NIA) prepared by Hann Tucker (ref. HT: 31264/NIA1, 10 June 2024). Prior to any construction of the development above ground level, technical and acoustic details of the glazed doors and windows to be installed shall be provided and approved in writing by the Local Planning Authority. Prior to the first occupation of any of the dwellings, a verification report shall be provided and approved in writing by the Local Planning Authority, to demonstrate that the approved details have been installed according to the agreed specification and retained thereafter.

Reason: In the interests 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.

19. Ventilation to all habitable rooms of the dwellings hereby permitted shall be provided by a Mechanical Ventilation with Heat Recovery (MVHR) system with a manual summer boost function. The MVHR system shall (a) not produce self-noise exceeding 26dB(A) within bedrooms and 30dB(A) within living rooms and (b) comply with System 4 as defined in Approved Document F to the Building Regulations 2010. Prior to above ground works, a strategy to address ventilation and overheating mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the dwellings, a verification report shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate compliance with the approved strategy. The details of the approved strategy shall be retained thereafter in good order for the lifetime of the development.

Reason: In the interests 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.

20. Prior to the installation of any fixed exterior plant to serve the approved dwellings, a report containing sufficient technical information shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that the combined fixed plant noise level (when rated in accordance with BS 4142: 2014) will not exceed 48 dB LAR during the day time (0700-2300 hrs) and 36dB LAR during the night time (2300-0700 hrs) at the nearest noise sensitive residential windows of the development. The report shall also detail any mitigation measures required to ensure that the above limits can be met. Any approved mitigation measures should be implemented prior to the first occupation of the dwellings and retained in good order for the duration of the development.

Reason: In the interests 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.

21. Prior to above ground works details of energy efficient measures to demonstrate compliance with the Building Regulations Amendments to Approved Documents Part F (Ventilation), Part L (Conservation of fuel and power), Part O (Overheating) and Part S (Infrastructure for charging electric vehicles shall be submitted and approved in writing by the Local Planning Authority and the development shall not be occupied until all approved measures have been implemented in full and are operational.

Reason: In the interests of working towards achieving the target of meeting net-zero carbon emissions in accordance with Policy JP-S2 and the National Planning Policy Framework.

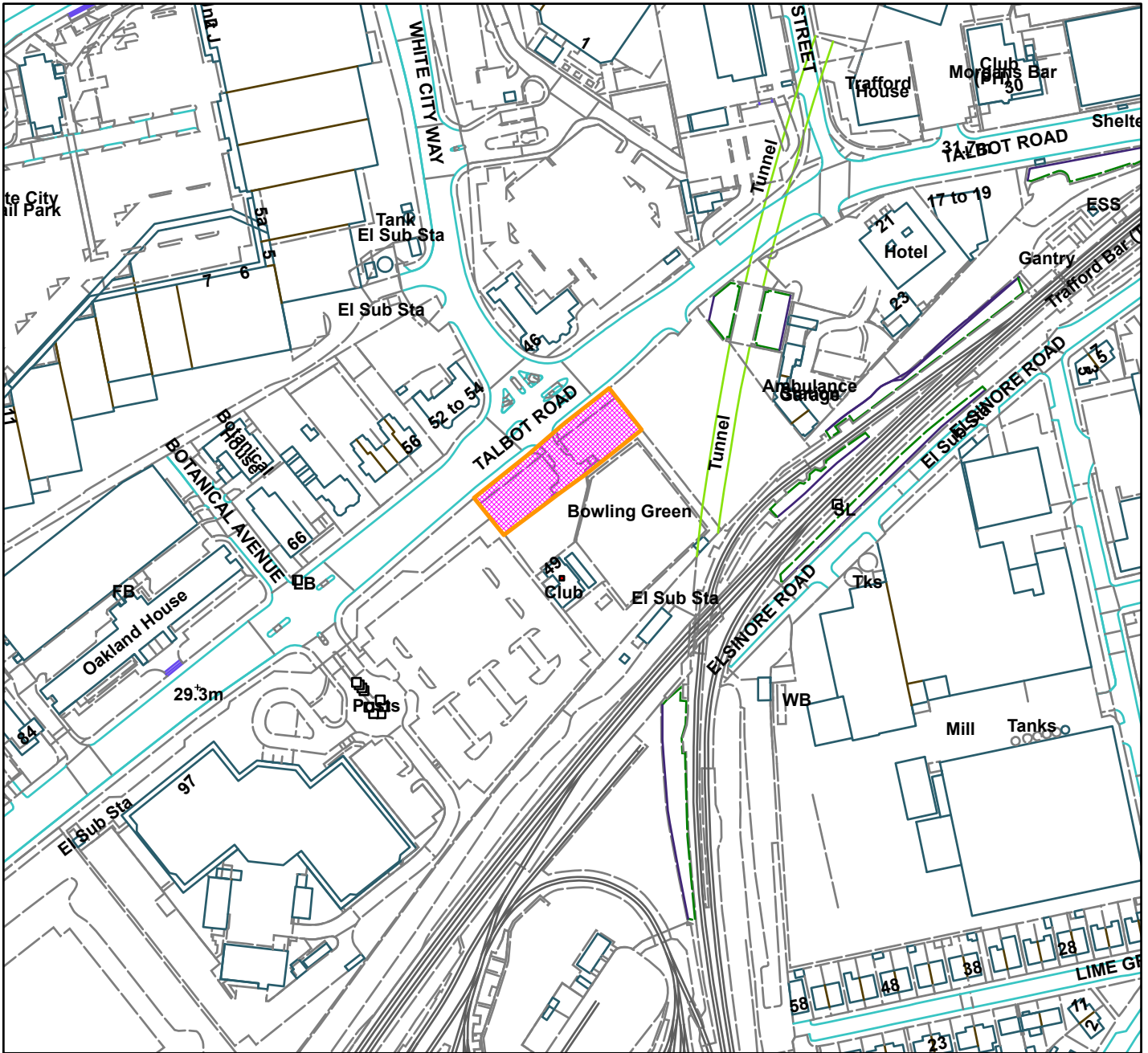
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JE





Land to the front of Bowling Clubhouse, 49 Talbot Road, Old Trafford (site hatched on plan)



Scale: 1:2,500

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|              |                           |
|--------------|---------------------------|
| Organisation | Trafford Council          |
| Department   | Planning Service          |
| Comments     | Committee date 07/11/2024 |
| Date         | 28/10/2024                |
| MSA Number   | AC0000809316 (2022)       |

**WARD(S):** Hale and Hale  
Barns & Timperley South

**113126/FUL/24**

**DEPARTURE: Yes**

**Erection of street furniture poles with filament connection (and arch) connections to create an Eruv.**

Various locations within an area encompassed by Hale Road and Grove Lane to the North, Shay Lane and Burnside to the East, Bankhall Lane and Rappax Road to the South and Ashley Road to the West, Hale

**APPLICANT:** Mr Katz

**AGENT:** Debtal Architecture LTD

**RECOMMENDATION: GRANT**

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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 proposed development relates to the erection of street poles at 26 individual sites (52 poles in total) to form an Eruv. An Eruv is a religious symbolic boundary which is formed in accordance with Jewish law and allows members of the orthodox Jewish community to carry/push outside the private domain on the Sabbath. The Eruv boundary is formed using natural and man made structures such as walls and fences and hedgerows. Where there is a gap in the boundary, normally at road junctions, the gap is closed by the erection of street poles at either side of the junction attached by a thin filament which allows the boundary of the Eruv to continue across the highway.

The Eruv is a notional or symbolic boundary only and does not itself require planning permission, it is only the poles and filament (physical structures) that require planning permission.

A number of the sites are located within the Green Belt boundary; South Hale Conservation Area; Hale Station Conservation Area and affecting the setting of listed buildings. A number of sites are also located at Public Rights of Way and within 'blanket' Tree Preservation Orders.

The application has been assessed against the relevant provisions of the statutory development plan (Places for Everyone, Trafford Core Strategy and Unitary Development Plan) along with the National Planning Policy Framework (NPPF); National Planning Policy Guidance (NPPG) and relevant local and national planning guidance.

A significant number of representations have been received detailing a number of concerns with regards the proposed development, representations of support have also been received.

With regards Green Belt assessment, the proposal would be considered as 'inappropriate' development within the Green Belt whereby the applicant must demonstrate 'very-special circumstances' that overcome the harm by reason of inappropriateness. These very special circumstances are considered to have been demonstrated. The proposal is considered to result in no harm to the significance of designated heritage assets.

The proposed development is considered to be acceptable with regards design, residential amenity, visual amenity and character and appearance of the streetscene, highways, ecology and equality.

Accordingly, the proposal is considered 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. The benefits of the proposals outweigh any harm arising. The application is therefore recommended for approval, subject to conditions.

## **PROPOSED DEVELOPMENT & SITE LOCATION**

The proposed development relates to the erection of street poles at 26 individual sites (52 poles in total) to form an Eruv. An Eruv is a religious symbolic boundary which is formed in accordance with Jewish Law and permits observant Orthodox members of the Jewish community to carry and push between public and private areas on the Jewish Sabbath (sunset on Friday until nightfall on Saturday).

The implications for the Orthodox Jewish community in the absence of an Eruv (as an example) is that many young and elderly members are restricted to their homes as the pushing of wheelchairs, prams, walking frames and carrying keys or medication falls within the restrictions observed on the Sabbath. The creation of an Eruv allows the Orthodox community to carry out these day to day activities whilst observing the requirements of the sabbath. An Eruv perimeter can be identified by existing features within the streetscape such as boundary treatments and normally follows established highway routes. Gaps within the Eruv such as highway junctions are considered to be 'gateways' and can be closed by way of a line/wire extending at a high level across the highway or whatever forms the gateway and normally attached to two high poles. It is these physical works which require the appropriate planning approvals and not the Eruv itself which, as stated is a symbolic boundary only.

The application submission details a total of twenty six gateway locations ("the sites") across the Hale Barns and Timperley South ward areas. Twenty two of these sites will involve the erection of galvanised steel poles (powder coated black) with a diameter of 89mm and height of 7m dependent on the location and would be located either side of

road junctions (at Site SIP01 one of the poles on the northern side of Hale Road will be 8m in height to accommodate for a change in land levels). The street poles would all be connected by an approximately 1.6mm diameter monofilament (single plastic fibre) attached to the top of the poles. One site (SIP02) is proposed to have 4m high poles connected with filament and a second site (SIP03) will have 5m high poles connected with filament. The remaining two sites will include pedestrian footpath arches which comprise of two galvanised steel posts 2.7m in height and 75mm in diameter and connected by a horizontal steel section. All the poles would have a concrete base which would be located between 600mm -1100mm below ground level dependant on the size of the poles above ground level. With regards the maintenance of the Eruv, weekly inspections will be undertaken prior to the Sabbath to ensure the safety and integrity of the Eruv infrastructure is not compromised. The inspections would be undertaken by a representative of the applicant that administers the Eruv. All associated costs of the Eruv which would include installation, weekly inspections, maintenance and indemnity insurance are borne by the applicant.

**Figure 1. Eruv Site Locations**



The proposed 26 locations detailed within the application submission to form the Eruv are referenced in the below:-

| Eruv Site Location No. | Address | Proposed site Details | Designations | Council Ward |
|------------------------|---------|-----------------------|--------------|--------------|
|------------------------|---------|-----------------------|--------------|--------------|

|       |  |  |   |                              |
|-------|--|--|---|------------------------------|
| SIP01 | Pavements outside 472 Hale Road and 1a Hasty Lane                  | 1x street pole at 7m high and 1x street pole 8m high (89mm diameter) – Connecting filament | Green Belt  | Hale Barns & Timperley South |
| SIP02 | At entrance to gated access to field beside 32 Burnside            | 2x street poles 4m high (89mm diameter) – connecting filament                              | None  | Hale Barns & Timperley South |
| SIP03 | Pavement between 8 & 10 Burnside                                   | 2x street poles 5m high (89mm diameter) – connecting filament                              | None  | Hale Barns & Timperley South |
| SIP04 | Pavement and grass verge beside 1 Ridge Avenue and 139 Chapel Lane | 2x street poles 7m high (89mm diameter) – connecting filament                              | None  | Hale Barns & Timperley South |
| SIP05 | Grass verge beside the Orchard and 17 The Paddock Rossmill Lane    | 2x street poles 7m high (89mm diameter) – connecting filament                              | Green Belt<br>Public Right of Way (PROW)<br>Hale 6  | Hale Barns & Timperley South |
| SIP06 | Grass verge beside Thornbank and Pemberton House, Barrow Lane      | 2x street poles 7m high (89mm diameter) – connecting filament                              | South Hale Conservation Area.<br>Blanket Tree Preservation Order (TPO 110)<br>PROW Hale 6 & | Hale Barns & Timperley South |

|       |   |  |  |                              |
|-------|---|--|--|------------------------------|
|       |   |  | 27   |                              |
| SIP07 | Grass verge beside the Priory Hospital and 1 Lynwood                              | 2x street poles 7m high (89mm diameter) – connecting filament  | South Hale Conservation Area.<br>Blanket Tree Preservation Order (TPO 75)<br>PROW(s) Hale 5 and Hale 6 | Hale Barns & Timperley South |
| SIP08 | Grass verge at footpath entrance beside 74-78 Bankhall Lane                       | 2x pedestrian footpath poles 2.7m in height (75mm in diameter) with connecting metal horizontal section. | Adjacent to South Hale Conservation Area.<br>PROW Hale 3   | Hale Barns & Timperley South |
| SIP09 | Pavements either side of Bankhall Lane railway bridge                             | 2x street poles 7m high (89mm diameter) – connecting filament  | None   | Hale                         |
| SIP10 | Pavement and grass verge at 279 Ashley Road and 1-6 Malrae apartments Ashley Road | 2x street poles 7m in height (89mm diameter) – connecting filament                                       | South Hale Conservation Area   | Hale                         |
| SIP11 | Pavements either side of Heather Road railway bridge                              | 2x street poles 7m high (89mm diameter) – connecting filament  | Adjacent to South Hale Conservation Area.  | Hale                         |



|       |   |   |   |      |
|-------|---|---|---|------|
| SIP12 | Pavements at 152 Ashley Road and 159 Ashley Road                  | 2x street poles 7m high (89mm diameter) – connecting filament | Hale Station Conservation Area  | Hale |
| SIP13 | Pavements between 45 & 47 Westgate (junction with Hazelwood Road) | 2x street poles 7m high (89mm diameter) – connecting filament | South Hale Conservation Area  | Hale |
| SIP14 | Pavements at Hale Prep School and 34 Broomfield Lane              | 2x street poles 7m high (89mm diameter) – connecting filament | Adjacent to South Hale Conservation Area.   | Hale |
| SIP15 | Pavements at 119 & 134 Hale Road                                  | 2x street poles 7m high (89mm diameter) – connecting filament | Near Grade II listed war memorial (Hale Road/Broomfield Lane junction) also close to the boundary of South Hale Conservation Area | Hale |
| SIP16 | Pavements at Stamford Park School (either side)                   | 2x street poles 7m high (89mm diameter) – connecting filament | Adjacent to boundary of Grade II listed school  | Hale |
| SIP17 | Pavements at 2 Acacia Avenue and 158 Stamford Park Road           | 2x street poles 7m high (89mm diameter) – connecting filament | None  | Hale |

|       |  |   |  |   |
|-------|--|---|--|---|
| SIP18 | Pavements at 142 Moss Lane and Altrincham FC | 2x street poles 7m high (89mm diameter) – connecting filament   | None   | Hale  |
| SIP19 | Footpath between 105 & 107 Grove Lane        | 2x pedestrian footpath poles 2.7m in height (75mm diameter) with connecting metal horizontal section. | None   | Hale  |
| SIP20 | Pavements at 30 and 47 Delahays Road         | 2x street poles 7m high (89mm diameter) – connecting filament   | None   | One pole in each ward (Hale and Hale Barns & Timperley South) |
| SIP21 | Pavements at 185a and 187 Meadow way         | 2x street poles 7m high (89mm diameter) – connecting filament   | None   | Hale Barns & Timperley South                                  |
| SIP22 | Pavement at 182 and 229 Grove Lane           | 2x street poles 7m high (89mm diameter) – connecting filament   | Adjacent to blanket Tree Preservation Order (TPO 26)<br>PROW Hale 25 | Hale Barns & Timperley South                                  |
| SIP23 | Pavement at 1 and 2 Tintern Drive            | 2x street poles 7m high (89mm diameter) – connecting filament   | None   | Hale Barns & Timperley South                                  |
| SIP24 | Pavements at                                 | 2x street poles   | None   | Hale Barns &  |



|       |  |   |            |                              |
|-------|--|---|------------|------------------------------|
|       | 72 and 74 Ash Lane   | 7m high (89mm diameter) – connecting filament                 |            | Timperley South              |
| SIP25 | Pavement at 35 Shay Lane and pavement opposite at bus stop | 2x street poles 7m high (89mm diameter) – connecting filament | Green Belt | Hale Barns & Timperley South |
| SIP26 | Pavement at Ringway Golf Club Shay Lane                    | 2x street poles 7m (89mm diameter) high – connecting filament | Green Belt | Hale Barns & Timperley South |

### **Amendments during application process**

Following consultation with the Local Highway Authority and consideration of the proposals the applicant has amended the 'highway poles' to achieve a height of 7m. The pedestrian poles are to be 2.7m in height and the decorative scroll design on the pedestrian arches has now been omitted.

In addition, two sites Site SIP02 and SIP03 will have poles at 4m and 5m in height respectively replacing the originally proposed pedestrian archways. The applicant has updated the plans for two sites SIP14 and SIP16 to omit the proposed removal of two existing street sign poles, these will now be retained alongside the proposed Eruv poles at these locations.

The applicant has provided updated plans and local residents and consultees have been reconsulted on the amendments.

### **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 (RUDP)**, 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**

L4 – Sustainable Transport & Accessibility

L7 – Design

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

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

JP-Strat9 – Southern Areas

JP-P1 – Sustainable Places

JP-P2 – Heritage

JP-G7 – Trees and Woodland

JP-G8 – A Net Enhancement of Biodiversity and Geodiversity

JP-G9 – The Green Belt

JP-C5 – Streets for All

JP-C6 – Walking and Cycling

### **PROPOSALS MAP NOTATION**

Hale Station Conservation Area

South Hale Conservation Area

Green Belt

Wildlife Corridors

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

ENV10 – Wildlife Corridor

ENV22 – Conservation Area Designation

### **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

Hale Station Conservation Area Appraisal

Hale Station Conservation Area Management Plan

South Hale Conservation Area Appraisal

South Hale Conservation Area Management Plan

Trafford Design Code

SPD1: Planning Obligations

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

The DLUHC published the latest version of the National Planning Policy Framework (NPPF) on 20<sup>th</sup> 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 August 2024. The NPPG will be referred to as appropriate in the report.

## **RELEVANT LEGISLATION**

Includes The Planning (Listed Building & Conservation Areas) Act 1990.

## **RELEVANT PLANNING HISTORY**

88955/FUL/16 - Erection of supporting poles and linking wires associated with the creation of an Eruv (a continuous boundary designated in accordance with Jewish Law) works to also include provision of circa.700 metres of replacement/new fencing, erection of new pedestrian gate and associated development thereto. Development across 50 separate sites around Hale and Altrincham – Withdrawn 13.09.2016.

## **APPLICANT'S SUBMISSION**

The applicant has submitted the following documents in support of the application which will be referred to where relevant within this report:-

- Planning Statement
- Heritage Statement
- Arboricultural Statement

## **CONSULTATIONS**

**Local Highway Authority** – No objections, comments detailed within report.

**Trafford Council Tree Officer** – No objections.

**Trafford Council Tree Unit** – No comments received at time of report preparation.

**Trafford Council Heritage Officer** – *The Heritage & Urban Design Team has undertaken a final review of the proposed development and for clarity confirm our position for each site as follows;*

- SIP 6     Barrow Lane  
In South Hale CA, TPO 110, PROW
- No NDHAs nearby

*No impact on South Hale Conservation Area.*

SIP 7 Rappax Road

*In South Hale CA, TPO 75, PROW*

- *Not near any ndha's*

*No impact on South Hale Conservation Area.*

SIP 8 Bankhall Lane

*Adj to South Hale CA, PROW*

- *Across from 67 Bankhall lane, NDHA known as Glenside*

*No impact on South Hale Conservation Area.*

SIP10 Ashley Road

*In South Hale CA*

- *Across from 279 Ashley road and 2 park road – NDHA*
- *Positive view along Ashley road and park road*

*No impact on South Hale Conservation Area.*

SIP 11 Heather Road

*Adj South Hale CA*

*No impact on the setting of South Hale Conservation Area.*

SIP12 Ashley Road

*In Hale Station CA*

- *Group of Grade II listed buildings forming Hale Station*
- *152-156 Ashley Road, NDHA*
- *159 Ashley Road, NDHA*
- *163-167 NDHA*
- *Key views along Ashley Road*

*The pole to the south side of Ashley Road will sit alongside the existing ginnel at no.150 Ashley Road and between no.159 Ashley Road & 2 Victoria Road. Due to the siting of the poles and intervening distance,*

*No impact on the setting of the LBs or Hale Station Conservation Area.*

SIP13 Hazelwood Road

*In South Hale CA*

- *41, 43, 62, 64, 66, 68 and 70 Westgate, NDHA*

*No impact on South Hale Conservation Area.*

SIP 14 Broomfield Lane

*Adj South Hale CA*

*No impact on the setting of South Hale Conservation Area.*

SIP15 Hale Road

*Adj South Hale CA,*

- *War memorial Grade II listed*
- *129-131 Hale Road, NDHA*

*The war memorial is Grade II listed and serves as a landmark on the junction for the area. It is considerably screened by existing vegetation. The park surrounding the memorial is an open space considerably screened by mature vegetation. The path design surrounding the War Memorial provides access from Hale Road through to Broomfield Lane and subsequently forms the key view of the Grade II listed structure. Whilst the view along Hale Road does take in the War Memorial, the structure is set back from the road and framed by vegetation, the view further along Hale Road does not form part of this setting nor contributes to the setting of the Grade II listed structure. It is noted the poles are not located outside the positive contributors and will not impact on views along Hale Road of the Conservation Area.*

*No impact on the setting of the Grade II listed War Memorial or South Hale Conservation Area.*

SIP16 Queens Road

- *Stamford Park School Grade II listed*

*Located on the west and east side of Queens Road, adjacent to listed school. On reviewing the proposed location of the pole closest to Stamford Park School it is noted that the pole will be sited close to the existing telegraph pole, is lower in height and will not read as an isolated structure. The pole on the east side of Queens Road will sit against existing vegetation and is sufficient distance from the Grade II listed building so as to not impact on views along Queens Road.*

*No impact on the setting of the Grade II listed building.*

**Greater Manchester Ecology Unit (GMEU)** – No objections, comments detailed within report.

**Greater Manchester Police Design for Security (GMP)** – No comments received at time of report preparation.

**Network Rail** - No objections, comments detailed within report.

**United Utilities** - No comments received at time of report preparation.

**Electricity North West** – No comments received at time of report preparation.

**Transport for Greater Manchester (TfGM Highways)** – No objections, comments detailed within report.

**BT (Openreach)** – No comments received at time of report preparation.

**Friends of Hale Station** – Concerned where additional street furniture has a visual impact on the station or detract from views from it. It is unclear from the plans exactly where Eruv runs from SIP12 to SIP13 or the exact sighting of SIP12.

**Hale Civic Society** – Do not believe a wide enough consultation has been undertaken and this should include local places of worship. They also wish to put on record that they did not receive a consultation and have highlighted a typo in the address relating to Hale Lane rather than Hale Road.

**Manchester Airport Group (MAG)** – No objections.

**Peak & Northern Footpath Society** – No comments received at time of report preparation.

**Greater Manchester & High Peak Ramblers** - No comments received at time of report preparation.

## **REPRESENTATIONS**

### **Objections**

#### **First Neighbour Consultation**

A total of 409 letters of objection have been received following the initial consultation raising the following areas of concern:-

#### **Religion & Community Cohesion**

- Do not wish to live within a neighbourhood delineated as a religious area.
- This is a mixed area without any cultural or religious nature and will threaten community cohesion.
- Object to having a religious identity forcibly imposed on the location.
- This would invoke separation and not inclusion in our community.
- Those observing these laws are in the minority.
- Application is made by some from the orthodox Jewish community, in the past they have not had the full support of the far larger reformed community.
- No consultation between the synagogue and wider community.
- This application would favour one religious group over other religions in the area.

- The area would enclose the Altrincham Muslim Association and possibly raise tensions between Muslims and those of the Jewish faith at a time of significant unrest in the middle east.
- Would result in anti-Semitism in the area, evidence that antisemitic incidents are much more common where an Eruv exists.
- This application is driven by a very fundamentalist religious view.
- The Council may be at risk of seeming to 'prioritise' certain religions.
- Simply serves to accommodate a minority whose fundamental religious beliefs condemn them to twenty fours of inconvenience, their attempts to alleviate this inconvenience by erecting unnecessary structures in a secular society will lead to division and intolerance.
- Altering the identity and usage of public spaces making some feel excluded.
- (as a member of the Jewish Community) it should be possible for the religious authorities to issue a dispensation to allow prams to be pushed to the synagogue on the sabbath.
- For those members of the Jewish community who are concerned about the lack of a physical Eruv the Rabbi can grant a dispensation to them on the matter and it is understood that is what has been happening until now, surely this should continue.
- There are a number of natural and existing features and structures which can be used to mark the boundary (the River Bollin, the M56 and Stockport to Chester railway line).
- If approved would cause great division and sow discord among Hale residents.
- In view of the global situation, the application could be seen as insensitive.
- For a small minority, many of whom do not live in the area.
- 2021 census the Jewish population in the area is approximately 8 percent (not significantly changed from the 2001 census), the Orthodox Jewish community makes up a tiny proportion of that.
- The Eruv area in North Manchester has a much larger Jewish population.
- Could lead to future problems with normal planning applications if this 'Jewish enclave' as a distinctive 'region' gains political clout in the area.
- The physical presence of a boundary symbolically important to Jews has no bearing upon the historical facts of Hale as constituency of the original Bucklow Hundred; the Jews have no distinct identity within this history any more than other residents.
- Very important and historic locations within the proposed boundary, such as Hale Cemetery which serves many peoples and should be separate from sectarian religious claims.
- Could make the area more strictly orthodox discourage more liberal Jewish people from living in the area.
- Concern that there could be terrorist attacks to areas in the Eruv.

- Polarise different community groups, a local community WhatsApp group has become very heated over the Gaza/Israeli conflict as families have varied ethnic and religious backgrounds.

### Design (Street Furniture)

- Posts and wires will be an eyesore.
- Detract from the aesthetics of the area.
- Eruv poles will contribute to visual street furniture clutter.
- Pavements in the area already uneven and would result in more unnecessary digging up.
- Poor maintenance will detract from appearance of the area.
- Object to poles in a Victorian village which is a Conservation Area.
- There are no telegraph poles in the area as all wiring is underground, the poles would ruin the look of our roads.
- Object to having poles outside my property.

### Environmental

- Potential for damage to trees and nature.
- The filament connection will pose a danger to birds.
- Use of poles and wires not sustainable use of resources, detract from Trafford Councils (not ambitious) target of being net zero by 2038.
- Trees and other foliage would be required to be cut back.

### General

- Concern over where the funds will come from.
- Who will be responsible for the upkeep of the Eruv and for public liability.
- Potential safety hazard, obstructing people with pushchairs and wheelchairs.
- May negatively impact property values.
- Installation will cause disturbances throughout the neighbourhood, including noise, road closures.
- The Eruv is only required for a short period of time but will be a permanent fixture.
- Object to the installation of any items on public street unless beneficial to all people (e.g. telephone poles, fibre cabinets).
- Positioning of poles will hinder the view of pedestrians and passing traffic when trying to leave my drive in the car.
- Inadequate public consultation.
- Where does it stop if other groups want specific things that only benefit them?
- Architect has not asked for permission for photographs of residents' properties in the plan packages.
- An application was rejected previously.



- The poles would allow people to climb them to access residents' properties.
- Object to weekly visits to maintain the Eruv, breaches Human rights as interfering with the rights of property owners.

### Second Neighbour Consultation

Following receipt of amended plans neighbours have been reconsulted, a further 367 letters of objection have been received raising the same concerns as reported above, and additional comments:-

- No land contamination ground survey undertaken
- Not enough details regarding the applicant
- A public meeting should have been arranged by the applicant

A petition against the proposed development has also been submitted which includes 160 signatures.

The applicant has served notice on four private landowners upon whose land it is proposed to erect an Eruv Pole. Two of the landowners have objected to their land being used and have advised they will not provide consent to the applicant to erect poles on their land. Note: The applicant has advised that they have noted the objection from the landowners and that they have advised that they will pursue further discussions with the individual landowners.

### **Support**

Following the initial consultation with neighbours a total of 57 letters of support have been received referencing the following:-

- Proposed locations have existing street furniture which does not affect quality of life.
- Would be a great benefit to some in our community (as a resident who would not benefit personally).
- Would especially benefit the elderly and those with young children.
- North Manchester Eruv blends in with other street furniture.
- As member of the Hale Synagogue, it would allow me to wheel my grandchildren to either the synagogue or friends or family's house on the Sabbath, it is particularly difficult in the summer months with longer days and children unable to walk.
- Would also benefit wheelchair users.
- Eruvs exist in many communities (Manchester and Stockport).
- The Eruv would not obstruct the day to day lives of the residents in the Eruv area.
- Enables one to comply with their personal Shabbat devotions without hindrance.

- This is purely a planning issue for street furniture and not a religious tolerance issue, we should all be tolerant of each others' beliefs.
- The eruv will consist of creating an area boundary with the use of existing walls and fences and barely noticeable wire will link the top of existing poles where there is a break such as a road.
- The poles are hardly visible amongst other street furniture.
- This will make a significant improvement to my life and will help many people observe the Sabbath.
- Supporting the erection of an Eruv is a step towards fostering inclusivity, respecting cultural diversity and enhancing the quality of life for the Jewish community.
- Allows for people with mobility issues and young relatives to join us for Sabbath meals at our home.
- As a young mother this will enable myself and children to take part in services and children's programmes. I grew up in an area with an Eruv and it had no impact on the wider community cohesion.
- This will allow Orthodox Jews to practice their religion as they wish, this is surely one of the basic human rights.
- The poles are few and spread out over the area.
- The Jewish community was established some 50 years ago and the potential to observe the Sabbath is limited and is not inclusive due to the lack of an Eruv.
- The poles would be erected in the upmost consideration to our neighbours and businesses.
- The Hale and Hale Barns area will duly benefit from a greater understanding of inter-faith relationships.
- Will benefit local businesses as Hale Barns will become an attractive place for Sabbath observers to visit.
- Just like another streetlamp or telephone pole .
- It is a basic principle within the Equality Act 2010 in which the relevant characteristic of Jewish religious law allows an Eruv to be erected.
- The war in the middle east can cause objections to what has been proposed.
- It is dispiriting to see the opposition to this particularly as the Eruv in Cheadle was passed without so much objection.
- The number of poles has been drastically reduced from the previous application.
- Manchester has the second largest Jewish community in the UK and the Altrincham/Hale/Hale Barns area is the only area in Manchester without an Eruv.
- Councillors are requested to meet the committee that have put forward the application to understand better the rationale.
- The success of the application will lead to a strengthening of community with positive social outcomes for the Jewish and wider community.

Following the reconsultation a further 5 letters of support have been received.

A letter of support has also been received from the Office of the Chief Rabbi.

## **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” of sustainable development should be applied in the decision-taking process, including the approval of development proposals that accord with an up-to-date development plan without delay (Paragraph (c)).
3. Paragraph 11(d) of the NPPF advises that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless, (i) the application of policies in this Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. The Places for Everyone Joint Development Plan was adopted on the 21<sup>st</sup> March 2024. The policies in this plan are recently adopted and up to date and should be given full weight in decision making. The surviving policies of the Trafford Core Strategy and the Unitary Development Plan are, so far as they are relevant to this application, considered to be ‘up to date’ in NPPF terms. There are some inconsistencies between these policies and the NPPF (for example in the way heritage assets are considered) but this is not so significant as to render them out of date in NPPF terms.
5. Nevertheless, it is considered prudent to consider the 11(d)(i) decision taking framework. Footnote 7 of Paragraph 11(d)(i) is clear that the application of policies in the Framework that protect areas or assets of particular importance includes land designated as Green Belt and designated heritage assets both of which are relevant in the consideration of the proposed development. The overall conclusion of this report is that ‘very special circumstances’ exist which would outweigh the identified harm to the Green Belt and any other harm and that no harm would arise to heritage assets (both designated and non-designated). There would therefore be no clear reason for refusing the development proposed under Paragraph 11(d)(i).

6. The basket of policies is considered to be 'up to date' and the tilted balance in Paragraph 11(d)(ii) is not engaged. The proposals should be considered against the development plan and in an unweighted planning balance.

## THE SOCIAL DIMENSION OF SUSTAINABILITY

7. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Chapter 2 of the NPPF identifies the purpose of the planning system is to contribute to the achievement of sustainable development. In order to achieve sustainable development, the planning system has three overarching objectives. One of these objectives is the social role that planning is expected to play. This social role supports strong vibrant and healthy communities with accessible services that reflect current and future needs and support communities' health, social and culture well-being.
8. Paragraph 97 of the NPPF details that for Local Planning Authorities to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments; and take into account and support the delivery of local strategies to improve health, social and cultural wellbeing for all sections of the community.
9. Policy JP-P1 of PfE details that all development, wherever appropriate, should be socially inclusive through responding to the needs of all parts of society; enabling everyone to participate equally and independently; providing opportunities for social contact and support; and promoting a sense of community.
10. The NPPF and PfE are both clear that planning decisions and policies should be reflective of requirements for all sections of the community. Certain members of the observant Jewish community are unable to participate fully on their sabbath for the reasons already outlined. The proposed Eruv will allow these members of the community to interact with family and members of their congregation and the wider community. The approval of the Eruv would therefore be a positive measure in improving the social and cultural well-being of the members of the Jewish community. It is recognised that many local residents (including individuals who have identified themselves as being Jewish) are concerned that the proposed Eruv will erode community cohesion contrary to the social role of planning of fostering sustainable communities. Planning decisions are routinely made that directly benefit particular groups within society. These can include sports clubs; community groups and educational and social organisations. Not every member of society directly benefits from these planning decisions. However, these developments have a direct positive impact on the particular group and which helps foster social contact and wellbeing and contributes towards promoting a sense of community.

11. The concern raised specifically with the Eruv is that the street poles required to form the boundary are within the public domain and therefore one section of the community is perceived to be 'marking out' their territory. The poles are non-descript they comprise of no overtly religious symbols and will appear as a utility poles. Throughout the wider area there are numerous buildings related to a variety of religions, these are visible in the streetscene to all members of the community and therefore one is fully aware that a certain religion is present in the locality. This does not however mean that a particular religion is attempting to demarcate an area. The Eruv is a symbolic boundary, its religious component is applicable only to those members of the community who are observant of the Jewish faith. It does not change how members of the wider public can use the public spaces to go about their daily activities.
12. To facilitate a section of the community to participate in practicing their religion is not considered a reason that would specifically result in erosion of community and social cohesion. Members of the Jewish community are not requesting, as a result of this proposal, that the wider public change their normal routine in any way to facilitate the Eruv; it does not stop other religions being present in the area, nor does it stop people practicing their own religion or require those with no religion to participate in any act of religious faith. The formation of the Eruv would not prevent integration of multiple ethnicities into the area as currently occurs.
13. Having regard to the above it is considered that the proposed Eruv accords with the requirements of the NPPF and PfE in that the Eruv will have tangible benefits to a minority section of the community with regards their social and cultural well-being and this would therefore help foster a sense of community amongst the Jewish community and within wider society.
14. The following sections of this report will assess the proposed development in relation to design and visual amenity within the streetscene; heritage considerations; green belt assessment; highway matters; trees and ecology and equality considerations.

## DESIGN & STREETSCENE

15. The design policy of PfE, which has replaced most of Core Strategy Policy L7 following its adoption, is Policy JP-P1 (Sustainable Places). This policy outlines an ambition to create a series of beautiful, healthy and varied places. Development should be distinctive with a clear identity and visually stimulating. All development, wherever appropriate, conserves and enhances the natural and historic environment and respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale, and materials used. Development should be socially inclusive, responding to the needs of all parts of society; enabling everyone to participate equally and independently, providing

opportunities for social contact and support; and promoting a sense of community.

16. 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 135 requires planning decisions to ensure that developments, inter alia, function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character and history; establish or maintain a strong sense of place; optimise the potential of the site; and create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.
17. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing. The Guide states at paragraphs 99 that, *“public spaces are streets, squares, and other spaces that are open to all...these include areas for different purposes such as movement or parking, hard and soft surfaces, street furniture, lighting, signage and public art”*, and goes on to state at paragraph 100 that, *“well designed places include well-located public spaces that support a wide variety of activities and encourage social interaction, to promote health, wellbeing, social and civic inclusion.”*
18. The adopted SPD7: Trafford Design Code seeks to establish a new design standard in the borough through a landscape and place-led approach. With regards street furniture, the code identifies that street furniture must make a positive contribution to the public realm and reflect and enhance the allocated area type and character of the Trafford place where the site is located. It must not create visual clutter or impede access.
19. An individual assessment of each of the 26 proposed sites has been undertaken. As stated, there are a number of sites which are located within conservation areas or within the setting of listed buildings. Additionally there are sites located within/adjacent to the Green Belt. Individual assessments of those particular sites are detailed within the Heritage and Green Belt sections of this report.
20. The development proposes the erection of galvanised steel poles (powder coated black) with a diameter of 89mm and height of mainly 7m (a number of individual sites are identified with variations on the height, as set out above). The poles would be connected by an approximately 1.6mm diameter monofilament (single plastic fibre) attached to the top of the poles. For the pedestrian footpath sites (SIP08 & SIP19) these will comprise of two galvanised steel posts 2.7m in

height and 75mm in diameter and connected by a horizontal steel section across the footway also 75mm in diameter. As detailed in later in this report, Greater Manchester Ecology Unit have raised no objections to the proposals but have suggested the use of line markers to help reduce any potential striking of the filament by birds and bats. These can comprise as an example 10mm diameter beads/floats spaced every 1m along the filament to reduce the potential of strikes. The scale of these markers are sufficient for detection by wildlife but would not be immediately apparent or highly visible to a pedestrian or passing motorist and would not be considered therefore to have an adverse impact on the character and appearance within the context of the street scene.

21. Site SIP01 – Pavement outside 472 Hale Road & 1a Hasty Lane – This site is located on Hale Road with one pole on the pavement outside 472 Hale Road and the other on the pavement along the side boundary of 1a Hasty Lane (side boundary faces towards Hale Road). The pole on the northern side of Hale Road (adjacent to 1a Hasty Lane) is within the Green Belt. The pole outside 472 Hale Road would be located at the back of pavement beside an existing boundary wall pier with significant mature tree coverage in the background within the garden areas of 470a and 472 Hale Road. A telegraph pole is located approximately 1m from the proposed pole. Hale Road is a main route into the Borough and experiences a high level of traffic. The two poles would as stated be located to the back of pavement and therefore would be located in isolation on roadside verges. They are located with significant vegetation forming the backdrop along with existing street columns that help assimilate the poles into the streetscene. The poles would be visible to passing pedestrians, but less so to the neighbouring residents given the location of dwellinghouse set back from the streetside boundaries. Passing motorists are unlikely to be drawn to the new poles as they are located near to existing street poles and at the back of pavement. The poles are slimmer and smaller in height to most utility street poles and are therefore not considered overly dominant in the streetscene nor would they impact upon the character and appearance of the area.
  
22. Site SIP02 – The site is located at the entrance to a gated access beside 32 Burnside (cul-de-sac) and is proposed to incorporate 2x 4m high poles and filament. The poles would be located on grass verge beside existing timber vehicular gate to private field beyond. Background of mature trees and hedgerow which help the poles assimilate into the streetscene. This particular location is mainly visible only when approaching this end of the cul-de-sac and not from the wider streetscene. There are a number of properties nearby that will have indirect views of the poles when erected. The poles in this location are 4m in height and therefore less obvious when viewed within the streetscene. There is little pedestrian activity at this end of the cul-de-sac but it is understood residents do cut through the adjacent field which leads out to Hale Road. However it is not a public right of way or definitive path. The siting of the poles is not considered to alter or result in harm to the character and appearance of the area.

23. Site SIP03 – Pavement between 8 & 10 Burnside – 2x 5m high poles and filament located to back of pavement which serves a turning head in the highway. A small, landscaped area of public space beyond the pavement which serves as a cut-through to a field which also has mature trees forming a background. The two poles are both situated set back from the main road through the residential development of Burnside. The poles would only be readily visible when passing along Burnside (either on foot or in a vehicle) and viewing sideways towards the turning head. The poles would be visible indirectly from the two adjacent properties and the property opposite (5 Burnside). However the poles are 5m in height and this reduces their visual impact in this location. They are not considered to alter the character or appearance of the area to its detriment.
24. Site SIP04 – The site consists of the pavement and grass verge beside 1 Ridge Avenue and 139 Chapel Lane 2x 7m high poles and filament are proposed. One pole is proposed to be located in a wide area of grass verge beside 1 Ridge Ave (against an approximate 2.3m high fence) and close to an existing timber telegraph pole. The second pole is proposed to be located to back of pavement outside 139 Chapel Lane (against an approximately 3m high hedge) and close to a lamppost and street tree which are located on a grass verge. This area has a relatively open aspect given the configuration of the road, wide verges and space around properties. It is also characterised by nearby mature street trees and a number of trees on private property. Chapel Lane slopes southwards with the two poles site on the elevated section. As detailed above both poles are located near to existing street poles and trees and are not positioned in isolation. A pedestrian path is located on the east side of Chapel Lane and Chapel Lane extends across the M56 motorway and is used by local traffic only (it does not connect with the M56). Passing motorists and pedestrians will be aware of the poles but their siting away from the main road with existing street furniture lessens any visual impact. The poles would also be visible from nearby residential properties but no more significantly than any existing utility poles with these proposed poles to be slimmer. They are not considered to alter the character or appearance of the area to its detriment.
25. Site SIP05 – The site is a grass verge beside The Orchard and 17 The Paddock Rossmill Lane - This site is located at the entrance to the PROW Hale 6 at its junction with Rossmill Lane and proposes 2x 7m high poles and connecting filament. One of the poles is located on the north side of the PROW, a timber direction sign (approximately 2.3m high) is currently located at the north side entrance of the PROW, it is proposed to remove this timber post and erect the street pole and attach the PROW sign to the pole. The pole would have a background of mature landscaping that is set within the garden of The Orchard. A telegraph pole is located nearby on the north side of Rossmill Lane. The second pole would be located diagonally across the highway within the grassed/landscaped verge of vehicular entrance to The Paddock Rossmill Lane. This pole also has a background of mature landscaping which helps to assimilate



the pole into the streetscene. Rossmill Lane is a quiet rural type road leading to a number of residential properties but would have little through traffic. The area is popular with walkers due to the nearby PROW. The poles are in a context of fairly mature landscaping and trees all around and their siting is such that they would not stand out with in the streetscene. The pole would be partially visible from the adjacent properties but they are mainly screened from any direct views. Both poles are considered acceptable in this location and would not harm the character or appearance of the area.

26. Site SIP06 - Grass verge beside Thornbank and Pemberton House, Barrow Lane – Site located in South Hale Conservation Area (see Heritage Assessment).
27. Site SIP07 - Grass verge beside the Priory Hospital and 1 Lynwood – Site located in South Hale Conservation Area (see Heritage Assessment).
28. Site SIP08 – This site is a Grass verge at Public Right of Way (PROW) footpath entrance beside 74-78 Bankhall Lane. This site is located adjacent to South Hale Conservation Area) This site will incorporate a pedestrian arch arrangement with 2x 2.7m high posts positioned approximately 3.5m apart adjoined by a 79mm diameter vertical bar. A timber telegraph pole and metal highway pedestrian post and sign are located at the entrance to the PROW. A pole would be positioned either side of the PROW footpath set within the verge. Hedgerows and a number of mature trees form the backdrop to this site with a new development of 3 detached properties located to the southeast of the proposed site with a field to the southwest of the site. On the opposite side of Bankhall Lane is Glenside, 67 Bankhall a detached dwelling. The boundary of this property along Bankhall Lane consists of a dense hedge approximately 3m in height with a number of mature trees in the garden area of the property. The location of the PROW entrance is at the bend in the road. The backdrop and screening to the proposed poles at the entrance to the PROW would assist in assimilating them into the streetscene and therefore the poles are not considered to have an adverse impact on the character and appearance of the area.
29. Site SIP09 – This site consists of pavements either side of Bankhall Lane railway bridge and 2x 7m high street poles and filament are proposed. Both poles would be located to the back of pavement flush with the railway bridge wall either side of the carriageway (circa 1.3m high). Bankhall Lane rises up as it extends across the railway line. A timber telegraph pole and concrete streetlight are located on the south side of the bridge within a couple of metres of the proposed pole and these existing structures will help screen the pole. Notwithstanding this the slim nature of the poles makes them less prominent in the street scene. There are also mature trees and landscaping with adjacent gardens and the railway embankment which form a background to the poles. There are pedestrian footpaths either side of the bridge and passing traffic along Bankhall Lane. Passing motorists and pedestrians will be aware of the poles however with existing street furniture lessens any visual impact. The poles would also be

visible indirectly from nearby residential properties but this would be no more significant than any existing view of utility poles with the proposed poles slimmer. They are not considered to alter the character or appearance of the area to its detriment.

30. Site SIP10 - Pavement and grass verge at 279 Ashley Road and 1-6 Malrae apartments Ashley Road - Site located in South Hale Conservation Area (see Heritage Assessment).
31. Site SIP11 - Pavements either side of Heather Road railway bridge - Site located adjacent to South Hale Conservation Area (see Heritage Assessment).
32. Site SIP12 - Pavements at 152 Ashley Road and 159 Ashley Road - Site located in Hale Station Conservation Area (see Heritage Assessment).
33. Site SIP13 - Pavements between 45 & 47 Westgate (junction with Hazelwood Road) - Site located in South Hale Conservation Area (see Heritage Assessment).
34. Site SIP14 – Pavements at 34 Broomfield Lane and Hale Prep School. Site located adjacent to South Hale Conservation Area (see Heritage Assessment).
35. Site SIP15 – Pavements at 119 & 134 Hale Road. The site is located near to the Grade II listed war memorial (Hale Road/Broomfield Lane junction) and is also close to the South Hale Conservation Area boundary but is not adjacent to the boundary. 2x 7m high street poles with adjoining filament at pavements outside 119 & 134 Hale Road are proposed. Both street poles are located at the back of pavement. The pole outside 119 Hale Road has a street tree close by which screens the pole from certain views, in addition a street lighting column is also located nearby. The pole on the opposite side of Hale Road would be located adjacent to a low-level fence with an approximately 2.5m high hedge behind. As indicated previously Hale Road is a busy road including for pedestrians within this part of Hale. The poles are located within a fairly straight section of Hale Road. Both poles will be visible to passing motorists and pedestrians and indirectly from nearby residential properties. They would however be read as utility poles (although much more slender) and not overly prominent in the street scene. Both poles are considered acceptable in this location and would not harm the character or appearance of the area.
36. Site SIP16 – The site consists of the pavements at Stamford Park School (either side) and is adjacent to the boundary of a Grade II listed school. 2x 7m high street poles and filament proposed. The street pole to be erected by the school boundary on Queens Road would be located immediately adjacent to an existing timber telegraph pole that measures approximately 10m in height with a diameter of approximately 24cm. There is also an existing highway street pole circa. 3.5m in height with a ‘no stopping’ sign attached. The applicant had originally proposed

to replace the street sign and pole with the Eruv pole and attaching the street sign to the new Eruv pole, however the LHA have requested that the street sign and pole remain and would therefore the Eruv pole to be positioned between both poles. The proposed siting of the street pole would result in the telegraph pole partially screening the Eruv street pole as it is a higher and much wider pole than the type of Eruv street pole proposed. The pole would not be positioned in isolation adjacent to the school boundary which would make it more prominent. The second pole is positioned adjacent to the boundary of the school playing field on the opposite side of Queens Road and adjacent to a brick gate pier at the back of the pavement. There is a backdrop of mature landscaping hedgerow to the school playing field boundary. Queens Road is used by both pedestrians and vehicular traffic and the poles would be visible to both and indirectly from nearby residential properties. They would however be read as utility poles (although much more slender) and not overly prominent in the street scene. Both poles are considered acceptable in this location and would not harm the character or appearance of the area.

37. Site SIP17 – The site consists of the pavements at 2 Acacia Avenue and 158 Stamford Park Road and 2x 7m high poles and filament are proposed. The pole adjacent to 2 Acacia Avenue is set to the back of pavement with a boundary wall, fence and hedge behind at a height of approximately 3.5m. A timber telegraph pole is also located approximately 3m from the proposed pole location. The pole on the opposite side of Acacia Avenue is proposed to be located along the side boundary of 158 Stamford Park Road (end property of commercial terrace) which has a wall and fence boundary approximately 2.3m. The pole would be at back of pavement and located close to a BT ground cabinet box. A street tree also nearby on this side of Acacia Avenue. Acacia Avenue is used by both pedestrians and vehicular traffic and the poles would be visible to both and indirectly from nearby residential properties. They would however be read as utility poles (although much more slender) and not overly prominent in the street scene. Both poles are considered acceptable in this location and would not harm the character or appearance of the area.

38. Site SIP18 - Pavements at 142 Moss Lane and Altrincham FC – 2x 7m high poles and filament. 142 Moss Lane is an end property in a commercial terrace beside the junction with Sandleigh Avenue. A pole will be located against a boundary wall and fence of 142 Moss Lane approximately 2.5m high in a side forecourt area of the premises which appears to be used for parking at least two vehicles, the new pole is therefore setback from any view along Moss Lane. A timber telegraph pole is located nearby on Sandleigh Avenue. The second pole is located at the back of pavement beside the boundary wall of Altrincham FC which is approximately 3.5m high beyond the wall is the community sports hall and the south stand of the football club. Locations of both poles considered acceptable given background structures and siting of existing similar street poles nearby. Moss Lane is a busy thoroughfare and it and the surrounding roads are used frequently by both pedestrians and vehicular traffic. The poles would also

be visible indirectly from nearby residential properties. They would however be read as utility poles (although much more slender) and would not be overly prominent in the street scene. Location considered acceptable with regards visual amenity and would not harm the character or appearance of the area.

39. Site SIP19 - Footpath between 105 & 107 Grove Lane - 2x pedestrian footpath poles 2.7m in height (75mm diameter) with connecting metal horizontal section also 75mm in diameter. Grove Lane is a busy thoroughfare. One post to be erected either side of the pedestrian footway which leads from Grove Lane to Grove Park playing fields and park. The poles would be set to the back of pavement. To the east side of footpath where it adjoins with Grove Lane is 105 Grove Lane which is set back from Grove Lane with its driveway at the front of the site, it has an approximately 1.8m high fence that extends alongside the footpath boundary. On the west side of the footpath is 107 Grove Lane this property is also set back from Grove Lane with a front garden area and small section of hedgerow (approximately 1.8m in height) to its front boundary adjacent to the footpath. A small waist high bollard is located in the centre of the footpath to prevent motor vehicles using it. Both poles would be partially screened by adjacent boundary treatments from both residents of nearby properties and users of the highway (both pedestrians and motorists). They would not appear overly prominent and would not harm the character and appearance of the area.
  
40. Site SIP20 - Pavements at 30 and 47 Delahays Road – 2x 7m high poles and filament. One pole located to side boundary of 47 Delahays Road which faces Grove Lane. The pole is positioned to the back of pavement beside the existing low level two-post street name sign. Boundary treatment along the side and part front boundary of 47 Grove Lane comprises a low level wall with an approximate 2m high fence behind. A traffic light column is located nearby to the front of pavement. The pole at 30 Delahays Road is also located adjacent to a low level street name sign at the back of pavement adjacent to a brick wall pier approximately 2m in height. There are a number of streetlights and a telegraph pole and traffic lights at this busy crossroads junction. Both the poles would be visible indirectly from nearby residential properties. They would however be read as utility poles (although much more slender) and not overly prominent in the street scene. Both poles are considered acceptable in this location and would not harm the character or appearance of the area.
  
41. Site SIP21 - Pavements at 185a and 187 Meadow Way – 2x 7m high street poles and filament. Both poles located beside the low level street signs at either side of the junction with Meadow Way and Grove Lane. Both poles at the back of pavement with approximately 2m high boundary fences behind and have been set back from the junction so not immediately visible when approaching along Grove Lane by car or foot. Both the poles would be visible indirectly from nearby residential properties. They would however be read as utility poles (although much more slender) and not overly prominent in the street scene. Both

poles are considered acceptable in this location and would not harm the character or appearance of the area.

42. Site SIP22 - Pavement at 182 and 229 Grove Lane – 2x 7m high poles and filament. One pole located at the entrance to the PROW Hale 25 footpath positioned at the back of pavement adjacent to a brick boundary wall pier 2.5m high. Significant tree coverage at adjacent site Regency Court (apartments) which are part of a Tree Preservation Order, and which overhang the PROW. The pole on the opposite side Grove Lane will be located at the back of pavement beside a low level brick pier and hedge behind approximately 2.5m in height. There are nearby streetlights and street signs. The poles would not appear out of keeping in this location. Passing motorists and pedestrians will be aware of the poles but their siting along with existing street furniture and background landscaping lessens any visual impact. The poles would also be visible from nearby residential properties but would be no worse than any existing views of utility poles with the proposed poles slimmer. They are not considered to alter the character or appearance of the area to its detriment.
43. Site SIP23 - Pavement at 1 and 2 Tintern Drive – 2x 7m high poles and filament – On the south side of Tintern Drive it is proposed to locate a pole at back of pavement by the gate post at 1 Tintern Drive and a vehicular access to a detached garage serving 28 Ash Lane. The pole on the opposite side of Tintern Drive would also be located at the back of pavement adjacent to a low level wall at 2 Tintern Drive and a newly constructed gate pier serving 26 Ash Lane. Tintern Drive has a grass verge separating the pavement with the main carriageway which includes a number of street trees and two street lighting columns. Whilst these two poles do not have any significant boundary treatment or natural screening adjacent to them the poles by their slimline appearance are not considered to be incongruous and would be read as conventional street columns albeit they are of a slimer configuration. Passing motorists and pedestrians will be aware of the poles but their siting along with existing street furniture will reduce any visual impact. The poles would also be visible from nearby residential properties but would be no more significant than any existing views of utility poles with the proposed poles slimmer. They are not considered to alter the character or appearance of the area to its detriment.
44. Site SIP24 - Pavements at 72 and 74 Ash Lane – 2x 7m high poles and filament. Both poles are located either side of the junction of Woburn Drive and Ash Lane. The poles would both be set to the back of pavement, the one on the north side of Woburn Drive would be located adjacent to the side boundary of 72 Ash Lane which comprises an approximately 2m high fence. There is also a significant conifer hedge further along the boundary as it extends eastwards along Woburn Drive. A lamppost is located with a few metres of the proposed pole on a grass verge between the footpath and carriageway. A large street tree is also located nearby on this side of the road. On the opposite side, the pole would be located against an approximately 2.5m high hedge beside a vehicular access to 74 Ash

Lane, this property is also served by another access from Ash Lane. The pavement is narrower at this section as the hedge has grown out over the pavement and not trimmed to back of pavement, but the pole would not restrict movement along the path. A street tree is also located on the grass verge near to the proposed location. Passing motorists and pedestrians will be aware of the poles but their siting along with existing street furniture will reduce any visual impact. The poles would also be visible from nearby residential properties but would be no more significant than any existing views of utility poles with the proposed poles slimmer. They are not considered to alter the character or appearance of the area to its detriment.

45. Site SIP25 - Pavement at 35 Shay Lane and pavement opposite at bus stop – 2x 7m high street poles and filament. This site is located on Shay Lane with one pole located at the back of pavement outside 35 Shay Lane and the second pole across the road to replace an existing bus stop pole sign, with the bus stop sign attached to the pole. Both poles would be 7m high with adjoining filament. The existing bus stop pole and sign is located within the highway verge as would the proposed street pole beyond this location is an open field but there is a hedgerow and mature trees along the boundary in a westerly direction. The pole outside 35 Shay Lane would be located at back of pavement, a concrete streetlight is located in the centre of the footpath approximately 5m from the proposed pole. The background to this pole is a residential boundary hedge approximately 3.5m in height. This part of Shay Lane has a semi-rural character. Passing motorists and pedestrians will be aware of the poles but their siting along with existing street furniture will reduce any visual impact. The poles would also be visible from nearby residential properties but would be no more significant than any existing views of utility poles with the proposed poles slimmer. They are not considered to harm the character or appearance of the area.
  
46. Site SIP26 - Pavement at Ringway Golf Club Shay Lane –2x 7m high street poles and filament. This site is located along the pavement at Ringway Golf Club at the Shay Lane vehicular access and egress. One pole would be located adjacent to a landscaped highway verge near to the vehicular access to the Golf Club on the east side of Shay Lane. A streetlight is located a couple of metres from the proposed pole within the highway verge. There are a number of mature trees in the background to the proposed pole which would help assimilate the pole within the streetscene. The second pole extends along the same side of Shay Lane and is located to the back of pavement near to the vehicular egress from the Golf Club. It is located against the low level boundary wall of the Golf Club and beside a number of nearby pieces of street furniture including a road sign, BT ground cabinet, streetlights and a telegraph pole. Passing motorists and pedestrians will be aware of the poles but their siting along with existing street furniture will reduce any visual impact. The poles would also be visible from nearby residential properties but would be no more significant than any existing views of utility poles with the proposed poles slimmer. They are not considered to harm the character or appearance of the area.

## Conclusion Design & Streetscene

47. Proposals at each of the individual locations have been considered on their own merits. Conclusions are set out above. Generally, the form of the poles at 89mm diameter (75mm for the pedestrian arches) is narrower than streetlights and telegraph poles and therefore they are not as bulky, nor would they have an excessive footprint within the pavement. There are no locations where there is more than one site in close proximity whereby there would be any cumulative impact of numerous sites within the same context. The poles have a plain form and would not be conspicuous to passing pedestrians or motorists, effectively appearing as conventional utility poles characteristic of surrounding environment. It is considered having regard to the siting, appearance and form of the proposed poles and filaments that the development would not adversely impact the streetscene, or the character and appearance of the area more generally.

## HERITAGE

48. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the LBA”) requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. S72(1) of the LBA requires that with respect to any buildings or other land in a conservation area, in discharging duties under the Planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. There is no specific reference to setting in S72, albeit, where development within the setting of a conservation area may have an impact on the character and appearance of that conservation area, the duty is engaged.

49. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. This policy does not reflect case law or the tests of ‘substantial’ and ‘less than substantial harm’ in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is inconsistent with the NPPF, but given its overall thrust is the protection of heritage assets it is considered that overall, it is ‘up to date’ in NPPF terms.

50. Policy JP-P2 details that the positive management and integration of heritage will be achieved through Local Plans. Particular consideration will be given to the protection of key elements of the historic environment which contribute to Greater Manchester’s distinctive identity and sense of place are protected from harm. These include historic town centres, places of worship, historic transport routes including the canal network, industrial buildings and structures including textile mills, farmsteads and other sites, buildings and areas of identified archaeological, artistic and/or historic value. In addition, development proposals affecting

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

51. The Planning (Listed Buildings & Conservation Areas) Act 1990 refers to the “preservation” or “enhancement” of the special architectural or historic interest of the heritage asset or its character and appearance. The National Planning Policy Framework (NPPF) sets out in Chapter 16 of the document decision-making policies using different terminology, referring in particular to “conservation of significance”. It is important to note that “conservation” and “preservation” are concerned with the management of change in a way that sustains a heritage asset’s special interest or significance. However, “conservation” has the added dimension of taking opportunities to enhance significance where opportunities arise and where appropriate.
52. In addition, the requirements of paragraphs 195, 196, 198, 200 – 201, 203, 205, 206, 207, 208 and 209 of the National Planning Policy Framework 2023 together with provisions of the up to date Historic Environment PPG apply.
53. Of relevance to the determination of this application is paragraph 201 of the NPPF, “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”.
54. Paragraph 205 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The 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. Any harm or loss should require clear and convincing justification (paragraph 206).
55. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises. 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 securing its optimum viable use (paragraph 208).
56. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a



balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset' (Para 209).

### **Significance of the affected Heritage Assets**

#### **Impact on setting of listed buildings**

57. The nearest listed buildings to the development sites are as follows: -

58. Site SIP15 – 2x 7m high street poles with adjoining filament at pavements outside 119 & 134 Hale Road and Broomfield House. This site is located on Hale Road, close to the Grade II listed War Memorial at the junction with Broomfield Lane and Hale Road. The memorial gained listed status in 1985 (with regards its historic connection to the Great War having been erected circa.1920). The listing description from Historic England states *“War memorial. C.1920. Stone with bronze statue and enrichments. Soldier in battle dress stands on a tall tapering plinth inscribed to the “Men of Hale who fell in the Great War”. The base has a bronze plaque and bay leaf enriched band.”* The significance of the War Memorial derives from its architectural, illustrative historical and communal value as well as its landmark status. Although located close to the War Memorial and within its setting, the proposed street poles (approx. 27m from the poles to the war memorial garden boundary) are not immediately adjacent to it. The War Memorial is set with a landscaped public garden, enclosed by mature vegetation which forms part of the structure’s setting. The path design surrounding the War Memorial provides access from Hale Road through to Broomfield Lane and subsequently forms the key view of the Grade II listed structure. Whilst the view along Hale Road does take in the War Memorial, the structure is set back from the road and framed by vegetation, the view further along Hale Road does not form part of this setting nor contributes to the setting of the Grade II listed structure. Both street poles are located at the back of pavement, the pole outside 119 Hale Road has a street tree close by which screens the pole from certain views, in addition a street lighting column is also located nearby. It is considered that given the slimline nature of the poles and their siting away from the War Memorial along with existing street furniture the location of SIP15 would not harm the significance of the heritage asset.

59. Site SIP16 – 2x 7m high street poles with adjoining filament, one of the poles would be located immediately adjacent to the Queens Road boundary of the Grade II listed Stamford Park Primary School built in 1905 by the renowned Manchester architect Henry Lord. The school was listed in February 2020. The reasons for the listed status are summarised by Historic England *“Architectural interest for the good quality of the design by noted school specialist Henry Lord with complex massing subtle detailing and decorative embellishment; as a complete early-C20 school complex with all of its intended elements provided, including infant and junior schools, master’s house and covered play shelters and toilets; and for the good degree of survival of the complex and its individual*

*elements, and retaining decorative roof ventilators, original windows, sprocketed bay-window roofs, Art Nouveau metalwork, tiled dadoes incorporating fireplaces, and decorative boundary treatments.*” There are kinetic views of Stamford Park School when moving north and south along Queens Road. Due to the curve of the road and fall in topography from Hale Road, the view looking north allows the full layout and architectural interest of the school buildings, boundary wall & schoolmasters house to be appreciated. Site SIP16 lies adjacent to the curtilage listed boundary wall which forms the boundary with 19A Queens Road.

60. The proposed street pole to be erected by the school boundary on Queens Road would be located immediately adjacent to an existing timber telegraph pole that measures approximately 10m in height with a diameter of approximately 24cm. The existing telegraph pole with wires attached is sited at the corner of the curtilage listed boundary wall and forms a prominent feature in oblique views of the Grade II listed School along Queens Road, however it is noted that it is positioned at the corner of the curtilage listed wall and not in front of the listed building. There is also an existing highway street pole circa. 3.5m in height with a ‘no stopping’ sign attached. The applicant had originally proposed to replace the street sign and pole with the Eruv pole and attaching the street sign to the new Eruv pole, however the LHA have requested that the street sign and pole remain and therefore the proposed Eruv pole to be positioned between both poles. The existing telegraph pole would partially screen the Eruv street pole as it is a higher and much wider pole than that proposed. The pole would not be positioned in isolation adjacent to the school boundary which would make it more prominent. It is considered that given the slimline nature of the pole and its siting beside existing street furniture the location of SIP16 would not harm the significance of the designed heritage asset and not impact on views of the Grade II listed building along Queens Road.
61. Site SIP12 lies within the setting of the group of four Grade II listed buildings; the footbridge; west platform building, canopy & signal box; east platform waiting rooms and canopy and Station Master’s House of Hale Station. Designed in the Italianate style, the buildings relate to one another in terms of function, siting and appearance forming a sense of enclosure either side of the railway line. The landmark buildings are significant for their architectural, illustrative, historical and communal values and amplify the experience of one another. An uninterrupted view of the east and west platform buildings, canopies and signal box is possible from the corner of Ashley Road and Victoria Road with kinetic views along Victoria Road and Ashley Road. The view along Ashley Road from the east takes in Site SIP12 at 150-152 Ashley Road. The poles are proposed to be located adjacent to existing commercial buildings and street furniture. The location of the pole on the south side of Ashley Road will sit alongside an existing lamppost and ginnel adjacent to 150 Ashley Road. The pole on the north side of Ashley Road will be sited at the back of pavement between 159b Ashley Road and 2 Victoria Road. The proposed positioning of the poles together with the intervening

distance will not interrupt key views of Hale Station nor impact on the setting of the listed buildings.

62. SIP26 on Shay Lane is located approximately 0.11km from the Grade II Hale Barns and Ringway War memorial at Wicker Lane. Whilst the Site lies in close proximity to the War Memorial, it is located along Shay Lane and is not considered to fall within the setting of the Grade II listed structure.

### Impact on Conservation Areas

63. There are two conservation areas within which a number of individual sites are located, South Hale Conservation area and Hale Station Conservation Area.

### **South Hale Conservation Area (SHCA)**

64. The South Hale Conservation Area Appraisal identifies the special interest of the South Hale Conservation Area (SHCA). In particular the special character of the SHCA is derived from the fine individual residences in the area. These are varied in architectural styles including Victorian, Edwardian and modern and predominantly detached and semi-detached properties in generous plots. The area is characterised by tree lined streets, low boundary walls with soft landscaping and mature tree coverage in many residential plots.
65. The SHCA is divided into 3 Character Zones, Character Zone A (St Peters and Ashley Road South); Character Zone B (Park Road and Harrop Road and Character Zone C (Hilltop, North Rd and Bollinway).
66. Zone A (St Peters and Ashley Road South) – Mainly residential in nature comprising mostly two and three storey detached and semi-detached Victorian dwellings. Wide streets contribute to the spacious character of the zone.
67. Zone B (Park Road and Harrop Road) – This zone is characterised by residential properties predominantly Edwardian in date with some examples of 1960s three/four storey apartment blocks. Many of the properties are set back from the street line and are shielded by high boundary treatments and mature planting to the front plots.
68. Zone C (Hilltop, North Road and Bollinway) – This area is also characterised by residential properties the majority of which are spacious Edwardian properties although there are also inter-war and modern dwellings and some examples of large Victorian dwellings. Many of the properties are set back from the street line and obscured by the high boundary treatments and mature planting.
69. With regards public realm works within the SHCA the most relevant advice with regards the street poles proposed as part of the Eruv would relate to streetlighting columns. The SHCO Management Plan identifies that streetlights

throughout the Conservation Area are irregular in design. Almost all are of a dated municipal design (including concrete columns) which do not reflect the character of the area. Those which are slimmer and painted black are less incongruous than the older composite posts. The SHCA Management Plan also provides advice for utility companies and other contractors who should be aware of the streetscape of the conservation areas and any new proposals for infrastructure, including street columns, should not be sited on or adjacent to prominent buildings, positive contributors (non-designated heritage assets) or within identified important views and vistas.

70. The following sites are located either within or adjacent to the South Hale Conservation Area (SHCA):-

71. Site SIP6 – This site is located on Barrow Lane which is within Zone C of the SHCA and will include 2x 7m high street poles with adjoining filament, the poles are positioned approximately 7.5m apart across the highway. The poles are located to the side boundary of a Public Right of Way footpath (PROW Hale 6) and would not impede access to the PROW in any way. The pole on the east side of Barrow Lane would be located beside a raised grassed verge embankment to the property Thornbank which is a maintained landscaped area. The pole on the west side of Barrow Lane would be erected adjacent to the boundary with 19 Barrow Lane beside a close panel timber garden fence which extends alongside the PROW boundary. A timber telegraph pole is located approximately 1m from the proposed location of the street pole on the west side of Barrow Lane there are a number of mature trees in the vicinity both within private gardens and on the road verges which are located within a blanket tree preservation order (TPO 110). The poles are slimline and will be powder coated black, as recommended within the Management Plan guidance. There is significant mature tree coverage in the area which helps assimilate the poles into the streetscene background. The poles do not impact on any key views within the conservation area. One positive contributor building identified in the SHCA management plan is located nearby, Elderslie 20 Barrow Lane, however this site had obtained planning permission for a replacement dwelling in 2015 which has been implemented, the SHCA Appraisal and Management Plan were adopted in 2017. The poles are not considered to have an adverse impact on the character and appearance of the SHCA.

72. Site SIP7 – Located on Rappax Road this site is also located within Zone C of the SHCA and will include 2x 7m high street poles with adjoining filament. One pole is located at the entrance to the PROW Hale 6 that is accessed from Rappax Road. This pole is proposed to be located set within an overgrown grass verge beside the vehicular access to the Priory Hospital. The second pole is located at the entrance to PROW 5 Hale which extends alongside the boundary of Hale Golf club and beside the rear corner boundary of 1 Lynwood. Both poles are positioned approximately 47.5m diagonally across the highway. The pole positioned at PROW 5 Hale will be located beside an existing streetlight column

and timber way finder sign within a grassed verge area and would not block the entrance to the PROW. The pole positioned at the verge beside PROW 6 Hale would also be located close to a timber way finder sign and metal pedestrian highway sign both approximately 3m in height. The proposed Eruv Street pole in this location would not restrict access to the PROW. One of the buildings within the Priory Hospital complex (The Grange) is identified as a positive contributor, however the Pole at PROW 6 Hale is not sited immediately beside this building. A key vista from Rappax Road is identified in the SHCA Management Plan looking southwards towards Hale Golf Course and the Priory Hospital grounds to the River Bollin valley and beyond. Whilst the pole at PROW 6 will be visible from Rappax Road it does not restrict views given the wide-open junction at this section of Rappax Road and the pole's slimline configuration. The poles are not considered to have an adverse impact on the character and appearance of the SHCA.

73. Site SIP8 – This site is located at the entrance to PROW Hale 3 which can be accessed from Bankhall Lane. This site is located adjacent to the SHCA boundary Zone C which is located to the north side of Bankhall Lane opposite the entrance to the PROW. This site will incorporate a pedestrian arch arrangement with 2x 2.7m high posts positioned approximately 3.5m apart adjoined by a 79mm diameter vertical bar. A timber telegraph pole and metal highway pedestrian post and sign are located at the entrance to the PROW. A pole would be positioned either side of the PROW footpath set within the verge. Hedgerows and a number of mature trees form the backdrop to this site with a new development of 3 detached properties located to the southeast of the proposed site with a field to the southwest of the site. On the opposite side of Bankhall Lane, the SHCA Management Plan identifies Glenside, 67 Bankhall Lane as a positive contributor due to its Arts and Crafts style. This a detached dwelling house set back from the Bankhall Lane boundary, and which is significantly screened from the proposal site. The backdrop and screening to the proposed poles would assist in assimilating them into the character of the area and therefore the poles are not considered to have an adverse impact on the character and appearance of the SHCA.

74. Site SIP10 – Is located on Ashley Road in Hale near to the junction with Park Road and will comprise 2x7m high street poles positioned approximately 10.6m apart across the highway with connecting filament. One of the poles on the east side of Ashley Road is located effectively right on the boundary of the SHCA Zone A. The pole is located back of pavement between an existing telegraph pole and a highways street sign adjacent to the rear/side garden boundary with 279 Ashley Road which is identified in the SHCA management plan as a positive contributor (3 storey semi-detached Victorian dwelling). The boundary treatment of the property comprises an approximate 1.3m timber fence with a 4m high Beech hedge behind. As the proposed pole is being sited beside a larger and wider timber telegraph pole it is not considered that the pole would in this instance result in any harm to the character and appearance of the SHCA. The

pole on the opposite side of Ashley Road is located outside of the SHCA boundary and would be located on a grass verge beside a modern apartment building Malrae Ashley Road. The poles are not considered to have an adverse impact on the character and appearance of the SHCA.

75. Site SIP11 – This site is located on the Heather Road railway bridge and would comprise 2x 7m high street poles positioned approximately 7.6m apart across the highway with adjoining filament. Both poles are located at back of pavement. The pole on the northern side of the road is located adjacent to the SHCA boundary Zone A which begins to the north side of the road at the former Bleeding Wolf PH site now converted to residential apartments including new detached apartment buildings erected within the wider site. The original buildings are identified within the SHCA Management Plan as positive contributors and the main building fronting onto Ashley Road as a landmark building with the views of the building and site at the junction important views. The pole adjacent to the site boundary along Heather Road would be located beside an existing street lighting column. There are a number of trees within the neighbouring site which would also partially screen the pole within the streetscene. Given the slimline configuration of the proposed pole and its siting beside an existing street column the pole is not considered to have any adverse impact on the character or appearance of the SHCA or restrict key views within or out of the conservation area.
76. Site SIP13 – Is located at the junction of Hazelwood Road and Westgate and proposes 2x 7m high street poles positioned approximately 10m apart across the highway with connecting filament. Both poles are located at the back of pavement with the pole on the southside of Hazelwood Road outside the SHCA boundary Zone B and the pole on the north side located within the SHCA boundary Zone B. The poles are positioned marginally to the front of the two adjacent dwellings 45 & 47 Westgate but follow the general building line southwards towards Hale village. Westgate and the side road Hazelwood Road have a significant number of street trees that will reduce the poles' visual impact within the streetscene as well as numerous nearby streetlighting columns. There are no important views or positive contributor buildings immediately adjacent to the poles. The poles are not considered to have an adverse impact on the character and appearance of the SHCA.
77. Site SIP14 – Proposes 2x 7m high street poles with connecting filament positioned approximately 18.6m diagonally across the highway, one pole located adjacent to the boundary with Hale Prep school the second pole located at the back of pavement outside 34 Broomfield Lane which is adjacent to the SHCA boundary Zone B. The applicant had proposed that an existing street sign and pole (approximately 3m high) outside 34 Broomfield be replaced by the Eruv pole and the street sign be attached to the new pole. However, the LHA have requested that the existing street sign remains in situ. The Eruv pole would therefore be erected immediately adjacent to the street sign pole. The Eruv pole

on this side of Broomfield Lane would have low level timber fence and an approximate 4.5m high hedge at 63 Westgate forming the backdrop and helping to screen the pole within the streetscene. There is a nearby telegraph pole on the south side of Broomfield Lane also adjacent to the SHCA boundary and streetlight columns located along both sides of the highway. There are no important views or positive contributor buildings immediately adjacent to the poles. The poles are not considered to have an adverse impact on the character and appearance of the SHCA.

78. Site SIP 15 – This site proposes 2x 7m high poles with connecting filament at pavements outside 119 & 134 Hale Road and Broomfield House. This site is located close to the South Hale Conservation Area boundary but is not adjacent to the boundary which is located approximately 27m to the east side of the poles location. It is considered however that given the slimline nature of the poles and their siting away from the conservation area boundary along with existing street furniture in the form of utility poles and a street tree the location of SIP15 would not have any adverse impact on the character or appearance of the SHCA.

### **Hale Station Conservation Area (HSCA)**

79. The Hale station Conservation Area was originally designated by the Council in August 1986, with a subsequent addition to the HSCA in July 2016 alongside the adoption of the HSCA Appraisal and management Plan.
80. The HSCAA identifies that Hale Station Conservation Area is effectively split into two areas of distinct streetscapes, namely Ashley Road centred on the Station and the commercial area of Hale, and the surrounding residential streets. The HSCAA identifies a number of key views and vistas which are predominately dynamic opening out in places to panoramic views. In particular there are key vistas east and west along Ashley Road; views looking towards the clock tower & station, and views looking north from the junction of the railway and Ashley Road.
81. Hale Railway Station represents the centre of the Conservation Area, from which suburban roads radiate away along the historic arterial route of Ashley Road. The main retail area of the Conservation Area is along Ashley Road with a variety of independent shops, cafes, restaurants and amenities.
82. The HSCAA identifies that Hale grew from a rural hamlet (west of the station) into a thriving suburban extension of Manchester following construction of the railway line and station in the 1860s, the station itself was rebuilt in 1886 in the Italianate style. A significant phase of expansion took place between the 1880s and 1890s and included suburban villas for wealthier families.
83. The earliest example of these detached and semi-detached suburban properties developed particularly to the east of the station, away from the earlier village. The main arterial route through Hale along Ashley Road saw a higher concentration

of development than the new suburban areas leading from it. In particular terraced housing and smaller properties that incorporated shops on the ground floor and showrooms or accommodation above were constructed.

84. Within the HSCAA five distinct character zones are identified: Character Zone A: Central Retail Area; Character Zone B: Station Buildings; Character Zone C: Suburban Villas East; Character Zone D: Suburban Villa South and Character Zone E: Suburban Villa West. The character zone of particular relevance to the proposed development site is Zone A. Only one proposed Eruv site is located within the HSCA.
85. Character Zone A - The central retail area encompasses Ashley Road as it runs west to south-east through the conservation area; the buildings lining the street to the west and east of the station are predominantly in retail, restaurant and commercial use with residential dwellings interspersed. This character area includes the addition to the Conservation Area adopted as part of the Conservation Area appraisal, namely the central retail core of Hale along Ashley Road extending down to the junction with Crescent Road and Cambridge Road. A significant proportion of the architecture along Ashley Road takes its cue from Domestic Revival and Arts and Crafts designs, with timber-framed gables, contrasting decorative brickwork, barge boarding and decorative plasterwork. Buildings are mainly two storeys, although to the west of the station there are a number of three storey buildings. The public realm of this character area consists of relatively narrow pavements and heavily trafficked road.
86. The HSCA management Plan identifies that street lighting is varied across the HSCA with short concrete lighting columns on Heath Road, metal swan neck columns on Spring Road, Peel Road and Lisson Grove and similar but much taller lighting columns along Ashley Road. A number of positive contributors (non-designated heritage assets) are highlighted nearby on both sides of Ashley Road which on the west side 152b and 154 Ashley Road and the row of commercial properties on the opposite side including 159 Ashley Road (former Hale Library site which is landmark building) and 2-8 Victoria Road. Ashley Road is recognised as having important views along it, particularly towards the station buildings.
87. Site SIP12 – This site is located at the back of pavement at 150-152 Ashley Road and 159 Ashley Road both of which are positive contributors and NDHAs. The proposal incorporates 2x 7m high poles positioned approximately 20m apart across the highway with adjoining filament. The pole on the west side of Ashley Road would be located beside a side passageway between a Jewellers and off-licence, both two storey buildings. The pole would be located to the back of pavement adjacent to the front entrance to the Jewellers. A streetlight column is located approximately 1m away beside the off-licence. There is also a bus stop sign attached to a 3m high post in front of the Jewellers and a street tree nearby. On the east side of Ashley Road, the second pole would be located adjacent to



159 Ashley Road, a two storey commercial building. There are a number of street trees, planters, cycle stands, a bin, and bus shelter on this side of Ashley Road which has a large footway area.

88. The poles are to be located back of pavement with two storey commercial buildings forming the background and would therefore not affect key views along Ashley Road and would assimilate into the wider streetscene. They are located near to existing street furniture in this busy commercial area and their slimline configuration and powder black finish would ensure they are not prominent in the conservation area setting. As indicated, quite a number of buildings along Ashley Road beyond the application site location are identified as positive contributors in the Conservation Area due mainly to their architectural and illustrative commercial value and contribution they make to wider street scene. Street furniture is a common feature in this area and the proposed location of the street poles are not considered to adversely impact or harm the identified positive contributors. It is considered that the street poles will have no adverse impact on the character or appearance of the HSCA.

#### Impact on non-designated heritage assets (NDHA)

89. Policy 209 of the NPPF states "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."
90. A number of positive contributor buildings, also considered to be NDHAs, have been identified across both conservation areas however as detailed above the proposed erection of street poles near to these positive contributors is not considered to result in any harm to these NDHA's. Outside of the conservation area boundaries it is not considered that there is any NDHA's nearby that would be harmed by the proposed installations.

#### Conclusion on Heritage

91. The above assessment of heritage issues demonstrates that the proposed development is considered to result in no harm to the significance of either designated or non-designated heritage assets.

#### **GREEN BELT**

92. The NPPF identifies that Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belt are their openness and their permanence.

93. Openness in Green Belt terms as stated in the NPPG (Paragraph:001 Reference ID:64-001-20190722) *'...is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume...'*
94. Paragraph 143 of the NPPF identifies that the Green Belt serves five purposes:
- a) To check the unrestricted sprawl of large built up areas;
  - b) To prevent neighbouring towns merging into one another;
  - c) To assist in safeguarding the countryside from encroachment;
  - d) To preserve the setting and special character of historic towns; and
  - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
95. Paragraph 152 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
96. Paragraph 153 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
97. Paragraph 154 of the NPPF advises that the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions (for example buildings for agriculture and forestry purposes).
98. Paragraph 155 also refers to other forms of development that are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purpose of including land within it. These are mineral extraction; engineering operations; local transport infrastructure; re-use of buildings; material changes in the use of land and development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.
99. PfE Policy JP-G9 (Green Belt) reiterates NPPG guidance with regards the five purposes of the Green Belt (NPPG Para. 143). It also states that the beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. In particular, the enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for residents.

100. For the purposes of the proposed development, it is considered that the Eruv (by reason of the erection of the physical street poles) would not fall within any of the exemptions as detailed at paragraph 154 and 155 of the NPPF and would therefore be considered as inappropriate development within the Green Belt. Very special circumstances would therefore need to be demonstrated to overcome the harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal.

#### Very Special Circumstances (VSC)

101. The VSC that is advanced by this application is that the formation of the symbolic Eruv would provide significant benefits to the Jewish community. Without the physical intervention (the works that require planning permission) to create the Eruv, it would fail to function as it is required to do under Jewish Law. There is no practical alternative other than the erection of the poles to create the Eruv. Reliance on existing street furniture is not always a viable alternative as similar sized street lighting columns are not always in the required/exact location that they would need to be to close the 'gateway'. In addition, the ownership of street utility poles are not within the applicants control.
102. The proposed poles and works which require planning permission are similar and, in most cases, smaller than street furniture and infrastructure like telegraph or telecoms poles, most of which can be carried out without the need for planning permission. The diameter of the poles proposed is 7cm for the pedestrian arch poles and 9cm for the street poles, in comparison to a telegraph pole which is approximately 24cm in diameter. It is advanced that the visual impact of the proposed poles is such that they have a minimal impact on streetscene, and therefore it follows would have minimal impact in terms of openness given their size and siting.

#### Green Belt Assessment

103. Four of the proposed Eruv sites are located either within or immediately adjacent to the Green Belt, those sites adjacent to the Green Belt have also been initially advertised as being within the Green Belt due to their proximity to Green Belt boundaries and to ensure a comprehensive approach and consideration of exact pole location. The sites assessed with regards Green Belt are as follows:-
104. Site SIP01 – This site is located on Hale Road with one pole on the pavement outside 472 Hale Road (south side of Hale Road) and the other on the pavement along the side boundary of 1a Hasty Lane (north side of Hale Road). Only the pole on the northern side of Hale Road (adjacent to 1a Hasty Lane) is within the Green Belt boundary. The pole outside 472 Hale Road would be located at the back of pavement beside an existing boundary wall pier with significant mature tree coverage in the background within the garden areas of 470a and 472 Hale

Road. A telegraph pole is located approximately 1m from the proposed pole. This proposed pole is considered to have no adverse impact within the streetscene and is located outside of the Green Belt.

105. The boundary of the Green Belt effectively starts within the grass verge on the northern side of Hale Road beside the footpath within which the proposed pole would be erected. The pole on this side of Hale Road will be 8m in height in order to accommodate the change in land levels with the pole on the southern side being 7m in height. This area of Green Belt comprises the side grass verge of Hale Road and the footpath which is set at a lower level than the main carriageway and grass verge.
106. A timber telegraph pole is located on the grass verge (approximately 7m from the proposed pole location) and a BT ground cabinet is located in the intervening space between both poles. The telegraph pole is located on the verge adjacent to Hale Road and measures approximately 24cm in diameter and approximately between 8m-10m in height. There are a number of trees from within the garden of 1a Hasty Lane that overhang the public pavement and the location of the pole. The proposed pole is set in at the back of pavement with a background of mature trees and is therefore not positioned in isolation on the grass verge. The lower level of the footpath ensures that the pole at 8m will allow for a level expanse of filament to the pole on the opposite side of Hale Road. The siting and slimline configuration of the pole is not considered to have any impact on the openness of the Green Belt, nor would it compromise the five purposes of including land within the Green Belt.
107. Site SIP05 – This site is located at the entrance to the PROW Hale 6 at its junction with Rossmill Lane and proposes 2x 7m high poles and connecting filament. One of the poles is located at the northside of the PROW entrance, the Green Belt boundary starts at the south side of the PROW and extends beyond in a westerly direction and therefore the proposed pole is not positioned within the boundary of the Green Belt but is adjacent to it. A PROW timber direction sign (approximately 2.3m high) is located at the north side entrance of the PROW, it is proposed to remove this timber post and erect the street pole and attach a PROW way-finder sign to the pole. The pole would have a background of mature landscaping that is set within the garden of The Orchard. A telegraph pole (measuring approximately 24cm in diameter and approximately 8m-10m in height) is located approximately 9m from the proposed pole on the north side of Rossmill Lane. The second pole would be located diagonally across the highway within the grassed/landscaped verge of vehicular entrance to The Paddock Rossmill Lane, this roadside verge where the pole is proposed is also not within the Green Belt and with the intervening road between the proposed pole and the Green Belt it is not immediately adjacent to the Green Belt boundary. This pole also has a background of mature landscaping which helps to assimilate the pole into the streetscene. Both poles are considered acceptable in this location and as they are located outside of the Green Belt raise no impact with regards the

openness of the Green Belt nor would they compromise the five purposes of including land within the Green Belt.

108. Site SIP25 – This site is located on Shay Lane with one pole located at the back of pavement outside 35 Shay Lane (north side of Shay Lane) and the second pole across the road (south side of Shay Lane) to replace an existing bus stop pole sign, with the bus stop sign attached to the pole. Both poles would be 7m high with adjoining filament. The pole that is proposed to replace the bus stop pole and sign is located immediately adjacent to the Green Belt Boundary but is not within the Green Belt nor is the pole outside 35 Shay Lane. The Green Belt allocation extends in a southerly direction from the south side of Shay Lane. The existing bus stop pole and sign is located within the highway verge as would the proposed street pole, beyond this location is an open field and there is also a hedgerow and mature trees along the boundary in a westerly direction. The pole outside 35 Shay Lane would be located at back of pavement, a concrete streetlight is located in the centre of the footpath approximately 5m from the proposed pole. The background to this pole is a residential boundary hedge approximately 3.5m in height. In summary both poles are considered acceptable in this location and as they are both located outside the Green Belt raise no impact with regards the openness of the Green Belt nor would they compromise the five purposes of including land within the Green Belt.
109. Site SIP26 – This site is located along the pavement at Ringway Golf Club at the Shay Lane vehicular access and egress. One pole would be located adjacent to a landscaped highway verge near to the vehicular access to the Golf Club. On the east side of Shay Lane a concrete streetlight column (approximately 20cm diameter and 7m-8m in height) is located approximately 2.5m from the proposed pole within the highway verge and also within the Green Belt boundary. This proposed pole would be located just within the Green Belt, the boundary of which begins at this side of Shay Lane and extends in an east and north-east direction including the grounds of the Golf Club. There are a number of mature trees in the background to the proposed pole which would help assimilate the pole within the streetscene. The second pole extends along the same side of Shay Lane and is located the back of pavement near to the vehicular egress from the Golf Club and would not be in the Green Belt. It is located against the low level boundary wall of the Golf Club and beside a number of nearby pieces of street furniture including a road sign, BT ground cabinet, streetlights and a telegraph pole. This pole is considered acceptable in this location. The siting and slimline configuration of the pole (at 9cm in diameter) within the Green Belt would not impact on the openness of the Green Belt nor would it compromise the five purposes of including land within the Green Belt. The second pole is outwith the Green Belt but located close to its boundary and is therefore not considered to have any impact on the Green Belt for the above reasons.

### Conclusion on Green Belt

110. Substantial weight is attached to the VSC that the formation of the Eruv (through the erection of streetpoles) encompasses. As demonstrated within this report there is a direct benefit of the proposal to the Jewish community, particularly those who hold a particular protected characteristic. Without the erection of the poles and filament (which require planning permission) the Eruv would fail to function as intended by Jewish law. Following assessment of all relevant material planning considerations, there is no other identified harm from the proposals as detailed within this report.
111. Out of the four sites detailed above only two of the sites have a single pole located within the Green Belt and both are on the edge of the Green Belt boundary. The two poles are located next to an existing streetlight column and a telegraph pole and are sited to the back of pavement with natural screening forming the background. The Eruv poles have a slimmer configuration than streetlight columns and telegraph poles and would be viewed within the context of the streetscene as similar utility poles and street furniture would be.
112. The installation of the street poles within or immediately adjacent to the Green Belt are not considered to result in any harm to the openness of the Green Belt or conflict with any of the purposes for including land within the Green Belt.
113. It is therefore considered that VSC have been demonstrated. The benefit of the Eruv to serve the Jewish community outweighs the limited harm to the Green Belt (an in principle harm by virtue of the proposals constituting inappropriate development) and any other harm. The proposal complies with P/E Policy JP-G9 and the NPPF.

## RESIDENTIAL AMENITY

114. Policy L7 requires new development not to prejudice the amenity of occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance.
115. In addition to ensuring that developments are designed to be visually attractive paragraph 135 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.
116. In assessing each pole location across the 26 sites forming the Eruv it is considered that no harm would be caused to residential amenity. The slimline form of the poles (at 89mm and 75mm diameters where relevant) is such that they would not restrict daylight or sunlight to neighbouring properties, nor would they be considered to result in any overbearing and intrusive impact or have a negative impact on outlook or privacy.
117. Poles immediately to the front of residential properties will be clearly apparent to

the residents, however these poles as detailed above would be experienced in a similar manner to utility poles which are routinely located to the front of private residential properties.

#### Conclusion on Residential Amenity

118. In conclusion, the proposed development is considered not to result in material harm to the living conditions of occupiers of neighbouring properties. The proposal is therefore in accordance with Policy L7 of the Core Strategy and the NPPF in this regard.

#### HIGHWAY MATTERS

119. PfE Policy JP-C5 (Streets for All) seeks to ensure that streets are managed to make a significant positive contribution to the quality of space and support high levels of walking, cycling and public transport; that they are welcoming for all and respond to the needs of those with reduced mobility.
120. Policy L4 of the Core Strategy details that the Council will seek to ensure development does not impact on the safe and efficient operation of the Strategic Road Network and the Primary and Local Highway Authority network.
121. Paragraph 115 of the NPPF states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.
122. The Local Highway Authority (LHA) have considered the proposed development and have no objections in principle, subject to a number of amendments to be made to the proposed infrastructure as originally submitted for consideration.
123. This included increasing all of the street poles that highway traffic would pass beneath from 6m to 7m in height, this was to ensure the adjoining filament is at a sufficient height to avoid being snapped by passing traffic, if it should sag. It should be noted that the filament is light weight and designed to simply snap on impact but would not cause any damage to the vehicle or pedestrians on the ground (akin to fishing line). As a way of comparison double decker buses in the UK are generally between 4.4m to 4.6m in height and HGV lorries and trailers are generally designed to be no greater than 5m to avoid bridge strikes, so the likelihood of strikes on the filament is highly unlikely.
124. The LHA had also requested that the pedestrian archway poles be increased from 2.5m to 2.7m to ensure sufficient space for pedestrians, cyclists and horse riders to pass safely beneath. There is no sustainable objection to the location of the poles within public footpaths with regards restricting free movement. Poles have also been located so as not to obstruct residents' drives. Cars accessing and egressing from driveways would not have their line of sight impaired by the

poles given the slimline form of the poles which are thinner than conventional streetlights in similar locations.

125. The applicant has undertaken the changes requested by the Local Highway Authority and updated the submitted plans accordingly.
126. The LHA have also requested that at two sites that had been indicated as replacing existing street pole signs with an Eruv street pole and attaching the street sign to the new pole, be omitted from the proposals. The applicant has agreed to keep the existing street signage poles and erect the new eruv poles immediately adjacent to the street poles still within the proposed pole red edge. The two sites are site SIP14 (outside 34 Broomfield Lane) and site SIP16 (outside Stamford Park PS).
127. The LHA have identified a number of sites that are not within the adopted highway, some of these are highway verges but not adopted highway. The applicant has undertaken a land registry search to establish the ownership of a number of sites that are not within the adopted highway. The applicant has served notice upon the identified landowners and placed an advertisement within the Manchester Evening News on the 28<sup>th</sup> September 2024 to publicise their intention to develop upon unregistered land and to identify any persons who may have an interest in those sites. To date no representations have been received by the applicant or the Local Planning Authority with regards the unregistered land. As detailed earlier in this report two representations from landowners have been received following notice being served upon them by the applicant. The applicant has completed Certificate C following the serving of notices and placing the press advert.
128. In addition, the applicant would have to apply for a Section 50 License Agreement with the LHA which allows any person other than a Statutory Undertaker to excavate the highway. The applicant would also have to enter into a legal agreement with the LHA for each site, which details the applicant's maintenance and liability responsibilities.
129. A number of the sites as detailed in the sections above are located at Public Rights of Way (PROWS). None of the proposed pole locations at the PROWS would restrict access or free movement along the PROW. The LHA have no objections to the pole location at these sites and have advised that should a temporary closure or diversion of the PROW be required during construction works then a Temporary Traffic Regulation Order is required. The Ramblers Association and the Peak and Northern Pedestrian society have been consulted on the proposed development, but no comments received at the time of report preparation.
130. Transport for Greater Manchester (TfGM) have also been consulted on the proposals, raising no objections in principle. The comments include reference to



site SIP20 (Grove Lane/Delahays Road junction) and suggested that the plans detailed the use of the existing traffic lights to attach the filament. This is incorrect, the proposal has always been for two street poles to be erected across this junction. TfGM also highlighted that the applicant proposes to replace bus stop signage at one site (SIP25 opposite 35 Shay Lane) and that some poles are near to other some other TfGM bus stop/sign/shelter infrastructure. They have advised that details of any alterations to existing infrastructure to be agreed with the TfGM Shelters team prior to undertaking any works on site.

131. Network Rail have also been consulted on the proposals as two of the sites are located on railway bridges (SIP09 Bankhall Lane railway bridge) and (SIP11 Heather Road railway bridge) and on the approach towards Hale Station along Ashley Road (SIP12). Network Rail have raised no objections but have advised that the applicant must obtain the necessary approvals from Network Rail before commencing works, which will include supervision from Network Rail whilst works are being undertaken at these three locations.

#### Conclusion on Highway Matters

132. The proposed development is considered not to result in any adverse impact with regards highway safety and is in accordance with Policy L4 with the Core Strategy, Policy JP-C5 of Places for Everyone and the NPPF.

#### TREES & ECOLOGY

133. Paragraph 186 (a) of the NPPF states that *'if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'*. Paragraph 186 (d) also identifies that *'development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for bio-diversity or enhance public access to nature where this is appropriate'*.
134. Policy R2 of the Core Strategy identifies that the protection and enhancement of the environment is a key element of the Council sustainable strategy for the Borough. Developers will be required to demonstrate how their proposals protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets.
135. Policy JP-G8 of Places for Everyone requires a net enhancement of biodiversity.
136. The applicant has submitted an Arboricultural Statement in support of the proposals. The statement details that no trees are required to be removed to facilitate the erection of the poles across the individual sites. It is acknowledged

that some minor pruning of small branches may be necessary to ensure clearance between lampposts and nearby trees. The Eruv filament is symbolic and does not conduct any electric current and is therefore unlike telephone wires and medium voltage electricity cables where significant clearances between tree branches and the conductors are required. Therefore any pruning required to clear the wires of the Eruv would be minor.

137. In addition the applicant has confirmed that hand excavation will be undertaken at all locations to ensure protection of root protection zones in accordance with BS 3998:2010 'Recommendation for Tree Work'.
138. A number of the sites are located within 'blanket' Tree Preservation Orders as identified earlier in this report. The applicant would be required to obtain consent from the Local Authority for any proposed works to protected trees, which is the normal procedure. The Council's Arboriculturist has considered the proposals and raised no objections subject to the proposed measures detailed within the submitted Arboricultural Statement being implemented at each location. An appropriate condition would be required to secure this.
139. A number of objections raised with regards the proposal relate to potential impact on wildlife in relation to bats and birds striking the poles and filament. GMEU have been consulted on the proposals and they have raised no objections. In relation to potential bird and bat strikes GMEU have suggested the use of line markers (such as beads) attached to the filament. As an example, these can comprise of 10mm diameter beads/floats spaced every 1m or similar along the filament to reduce the potential for strikes. Certain sites along the Eruv boundary are located within or adjacent to wildlife corridors which effectively follows the Green Belt designation. It is suggested therefore that an appropriately worded condition is included to request the submission of a scheme detailing measures to reduce potential bird/bat strikes on the filament in those sites along the Wildlife Corridors.
140. With regard Biodiversity Net Gain the development proposals are considered to be exempt from this requirement due to the actual footprint of all the poles combined having an area below a 'de minimis' threshold of 25m<sup>2</sup>. The footprint of the pole structures is approximately 4.5m<sup>2</sup>. Places for Everyone does not have any specific exemptions for BNG in Policy JP-G8, however the de-minimis nature of the proposals means that requiring compliance with 10% BNG via development plan policy would also be unreasonable.

#### Conclusion on Trees & Ecology

141. The proposed development is considered not to have an adverse impact regarding trees or the ecological status of the proposed sites, subject to the inclusion of appropriate planning conditions as detailed above to mitigate any identified harm.

## EQUALITY ASSESSMENT

142. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
143. The Public Sector Equality Duty (PSED), also requires the Council to publish equality objectives. Trafford's Equality Objective 4 (Reducing Hate Crime) is relevant to this proposal. Trafford has a diverse community with many faiths and cultures within the borough with strong community relations and is recognised as the safest borough in Greater Manchester. Trafford's Hate Crime Action Plan is aligned with the Greater Manchester Standing Together Plan with a local focus on the following priorities: keep people safe; reduce harm and offending and strengthening communities and places.
144. The religious diversity of Trafford is reflected in the 2021 Census which detailed that 48.4% of the population identified as Christian; 33.1% as no religion; 13.3% as other religion and 5.1% as religion not stated. Under the 'Other Religion' category 8.7% identified as Muslim; 2% as Hindu; 1% as Jewish; 0.8% as Sikh and 0.4% as Buddhist.
145. Representations have been received which raise matters relevant to equalities and to the PSED.

### Positive Impacts

146. The provision of the Eruv is clearly recognised as having a number of direct and positive benefits for the members of the observant Jewish community on the Sabbath.
147. Young children and parents who are reliant on pushchairs would be able to take part in the social and spiritual activities of their community by being able to access the Synagogue during the sabbath along with their parents/carers.

148. Elderly members of the community with mobility issues would be able to use mobility aids to walk to the Synagogue and also walk to friends and families homes strengthening family bonds and community cohesion within the Jewish community.
149. As well as accessing the Synagogue and friends' and families' properties, the Eruv allows members of the observant Jewish community to access local shops and services to undertake routine tasks such as shopping, going to the library and attending medical appointments that would otherwise be forbidden on the Sabbath. This includes the carrying of medication and keys, pushing shopping trolleys, use of prams and wheelchairs and not having to rely on others to undertake such tasks on their behalf.
150. These benefits would particularly apply to persons in the Jewish community with other protected characteristics such as pregnancy and maternity; disability and age, such as parents of young children and the wider family including grandparents, wheelchair users and elderly members of the Jewish community and their families. The proposals would therefore have benefits for the Jewish community across a range of protected characteristics.
151. The creation of the Eruv will allow members of the observant Jewish community to practice its religion and undertake other tasks (by all members with protected characteristics as detailed above) and would advance equality of opportunity in this regard.

#### Response to Representations

152. The proposed Eruv has generated a significant number of objections from members of the public as detailed earlier in this report. The main concern expressed is that the Eruv would lead to the perception of a demarcated religious area being imposed upon the whole of the population within that area. This would lead to a perception that the area is associated with one particular minority community/religious group's values and practices eroding the diversity of the area.
153. This perception has been expressed in representations as damaging to community cohesion between the observant Jewish community's proposals and the wider general public having a negative impact in terms of 'fostering good relations'.
154. Concerns has also been raised regarding street clutter and that poles would cause access restrictions for pedestrians and other users of public footpaths such as people using prams and wheelchairs and mobility scooters (members of the public with protected characteristics).

#### Conclusion on Equality

155. Objections received relate to the concern that the Eruv will create an area that has a distinct religious character for one section of the community. The creation of the Eruv would not change the use of the land defined by its boundary; it is a symbolic boundary.
156. Within the Eruv, all residents and visitors to the area would be able to go about their normal activities.
157. Siting of poles has been undertaken to ensure that they do not cause an obstruction on the pavement (public highway) to those with other protected characteristics such as pram and wheelchair users and the elderly and infirm. Poles are generally located to the back of pavement. A number of sites as detailed earlier in this report have undergone minor amendments to ensure they are acceptable to the Local Highway Authority.
158. The public highway land to be used for the positioning of poles would still remain in public use with unrestricted access for all. The poles and connecting filament would not restrict access or act as a physical barrier to movement. As detailed earlier in this report the physical nature of the development (poles and filament) is considered to have a limited impact on the character and appearance within the street scene given the slender nature of the poles and siting close to existing street furniture.
159. In relation to community cohesion concerns and fostering good relations, the area within the Eruv features many buildings and associated symbols of different religious denominations. A number of representations received acknowledge this but state that such buildings are on private land and not generally on public land used by all. Fostering good relations for the purposes of PSED means taking action to reduce prejudice and increase understanding between different groups of people. The nature of the Eruv is such that it requires a physical presence within the public domain in order to close gaps in the boundary (normally road junctions). For some people, this will create tensions with their own beliefs (religious or otherwise) which may be difficult for them to reconcile.
160. However, it is considered that the tangible and direct benefit of the proposals to the Jewish community, and that it has particular benefits for those who hold another protected characteristic such as age or disability would outweigh any impact of a symbolic boundary to those with other faiths and beliefs. It is considered that the overall equalities impact of the proposals would be positive.

## OTHER MATTERS

161. A number of representations have advised that a 'Virtual' Eruv could be used. The applicant has explained that whilst the Eruv is a notional boundary, the closing of the 'gateways' (gaps in the boundary) requires a physical structure for

the Eruv to function with regards its religious requirements.

162. During the course of the application, it was established that a number of the sites comprised private land and unregistered land. The applicant has undertaken Land Registry searches to establish ownership or otherwise of any sites not on adopted highway land. The sites within private ownership include site SIP05 (Rossmill Lane) with both poles located on grass verges on either side of the road within the ownership of two different landowners. Site SIP06 (Barrow Lane) has one pole on the west side of the road which is on private land and the second pole on the east side appears to be unregistered land. At site SIP07 (Rappax Road) the pole located beside Public Right of Way Hale 06 and the Priory Hospital boundary appears to be on private land, the second pole beside the boundary of 1 Lynwood appears to be unregistered land. At sites SIP02 (Burnside), SIP04 (Chapel Lane) and SIP10 Ashley Road there are areas of unregistered land and also adopted highway land. The applicant has served notice upon the identified private landowners and placed a press advertisement within the Manchester Evening News (28.09.2024) to allow any person who may have an interest in the unregistered land to make appropriate representations.
163. The applicant has undertaken the necessary notifications and measures to identify any landowners. Whilst planning approval may be granted by the local planning authority, the applicant must obtain the approval of any private landowner to erect poles on their land, that agreement is outside of the planning process and it may or may not be granted by the landowner in which case the applicant would be unable to implement their planning approval. Beyond the relevant and correct notice and certification being provided landowner consent for a scheme sits outside the planning process and should not influence a planning decision.
164. The applicant has confirmed that prior to the planning application being submitted consultation on the proposals had only been undertaken with members of the Jewish community and not a wider public consultation. The submitted planning statement does not make this specifically clear.

#### **DEVELOPER CONTRIBUTIONS**

165. The proposed development does not generate any requirement for developer contributions having regard to SPD1: Planning obligations.
166. The proposals are also not liable for the Community Infrastructure Levy.

#### **PLANNING BALANCE & CONCLUSION**

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

168. Following the recent adoption of the Joint Development Plan Places for Everyone development plan policies in Places for Everyone are up to date and should be given full weight in decision making. It now forms part of the statutory development plan and has replaced, in part or in full, some policies of the Trafford Core Strategy. However the Core Strategy remains a development plan document (other than those policies which have been fully superseded by PfE) along with saved policies of the Revised Trafford UDP. The relevant Core Strategy and UDP policies are considered to be 'up to date' in NPPF terms.
169. Having regard to Paragraph 11(d)(i) it has been outlined earlier in this report that policies covered by paragraph 11(d)(i) include Green Belt and designated heritage assets. The proposed development has been found to constitute inappropriate development within the Green Belt and very special circumstances would therefore need to be demonstrated to overcome any harm to the Green Belt by reason of inappropriateness and by any other harm resulting from the proposal.
170. As detailed within the Green Belt section of this report, the very special circumstances advanced as part of this application is that the formation of the symbolic Eruv would provide significant benefits to the Jewish community. Without the physical intervention (i.e the works that require planning permission) to create the Eruv, it would fail to function as it is required to do under Jewish law. There is no other viable alternative to the erection of the poles. These are considered to comprise the necessary very special circumstances which would outweigh the harm identified to the Green Belt and any other harm.
171. The proposed development has also been considered with regards designated and non-designated heritage assets. From the analysis undertaken and detailed within the Heritage section of this report, the proposed development has been found to have no harm to identified heritage assets.
172. No other harms have been identified which cannot be mitigated by appropriate planning conditions.
173. The proposals would not trigger the tilted balance in Paragraph 11(d)(ii) of the NPPF. Nonetheless, in both a weighted or unweighted planning balance the benefits of the proposal would outweigh the harms.
174. One of the concerns raised by local residents is that the formation of the Eruv will form a distinctive religious connection with regards one section of the community.
175. The physical infrastructure required to form the Eruv (i.e. metal poles and filament) are non-descript (black powder coated finish for the poles) and are not marked or denoted in any way that would identify them as relating to a specific religion or group.

176. It is recognised that within the Hale and Hale Barns & Timperley South Council Wards that the Eruv would be located that there are mixed communities with many people of different religions and those who do not identify with any religion. The formation of the Eruv would not stop members of other religious groups or of no religion continuing to live within the area or to practice their own faith or none. Similarly, the formation of the Eruv would not prevent integration of various ethnic groups into the area as currently occurs.
177. The formation of the Eruv is considered to advance social cohesion and integration as it would enable certain members of the observant Jewish community to actively use the area on the Sabbath who had previously been unable to do so.
178. Having regard to the public sector equality duty as set out at Section 149 of the Equality Act, a number of benefits and disbenefits have been identified. Regard has been had for these within the determination of the is planning application. It is considered that the overall equality implications of the proposals would be positive.
179. All relevant planning issues have been considered, including local and national planning policy and guidance, representations and consultation responses have been taken into account in concluding that the proposals comprise an appropriate form of development. Any residual harm as identified above can be mitigated through the use of suitable planning conditions. The application is considered to be in accordance with the development plan when taken as whole and relevant policy in the NPPF and 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 plans:-

- Drwg.No:DA23034.401.Rev.A – Site SIP01 – 472 Hale Road, WA15 8XT
- Drwg.No:DA23034.402.RevA – Site SIP02 – Burnside, WA15 0SG
- Drwg.No:DA23034.403.Rev.A – Site SIP03 – Burnside, WA15 0SG
- Drwg.No:DA23034.404.Rev.A – Site SIP04 – Chapel Lane. WA15 0SW
- Drwg.No:DA23034.405.Rev.A- Site SIP05 – Rossmill Lane, WA15 0BU



- Drwg.No:DA23034.406.Rev.A – Site SIP06 – Barrow Lane, WA15 0DN
- Drwg.No:DA23034.407.Rev.A – Site SIP07 – Rappax Road, WA15 0NX
- Drwg.No:DA23034.408.Rev.A – Site SIP08 – Bankhall Lane (TBK), WA15 0LW
- Drwg.No:DA23034.409.Rev.A – Site SIP09 – Bankhall Lane, WA15 0JX
- Drwg.No:DA23034.410.Rev.A – Site SIP10 – Ashley Road, WA15 9NF
- Drwg.No:DA23034.411.Rev.A – Site SIP11 – Heather Road (bridge), WA14 3HU
- Drwg.No:DA23034.412.Rev.A – Site SIP12 – Ashley Road, WA15 9SA
- Drwg.No:DA23034.413.Rev.A – Site SIP13 – Hazelwood Road, WA15 9AX
- Drwg.No:DA23034.414.Rev.B – Site SIP14 – Broomfield Lane, WA15 9AU
- Drwg.No:DA23034.415.Rev.A – Site SIP15 – Hale Road, WA15 9HJ
- Drwg.No:DA23034.416.Rev.B – Site SIP16 – Queens Road, WA15 9HE
- Drwg.No:DA23034.417.Rev.A – Site SIP17 – Acacia Avenue, WA15 8QX
- Drwg.No:DA23034.418.Rev.A – Site SIP18 – Sandleigh Avenue, WA15 8AR
- Drwg.No:DA23034.419.Rev.A – Site SIP19 – Grove Lane (TPK), WA15 8JQ
- Drwg.No:DA23034.420.Rev.A – Site SIP20 – Delahays Road, WA15 8JL
- Drwg.No:DA23034.421.Rev.A – Site SIP21 – Meadow Way, WA15 8JX
- Drwg.No:DA23034.422.Rev.A – Site SIP22 – Grove Lane, WA15 8PU
- Drwg.No:DA23034.423.Rev.A – Site SIP23 – Tintern Drive, WA15 8PE
- Drwg.No:DA23034.424.Rev.A – Site SIP24 – Woburn Drive, WA15 8NG
- Drwg.No:DA23034.425.Rev.A – Site SIP25 – Shay Lane, WA15 8PA
- Drwg.No:DA23034.426.Rev.A – Site SIP26 – Shay Lane, WA15 8NZ
- Drwg.No:DA23034.427 – Site – SIP Locations
- Drwg.No:DA23034.428 – Pole Foundation details

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

3. The approved street poles and connecting pedestrian arches shall be treated in a powder coated black finish and thereafter retained in that colour.

Reason. In the interests of visual amenity, having regard to Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

4. The development hereby approved shall be carried out in accordance with the measures as detailed within the Tree Protection Method Statement (Ref:Debtal Architecture Arboricultural Statement DA23034 Date:29.03.2024) at all times with regards works adjacent to trees, including installation and maintenance works.

Reason: In order to protect existing trees at individual sites in the interests of the amenities of the area, having regard to Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy, Policy JP-P1, Policy JP-G2 and Policy JP-G7 of Places for Everyone, and the National Planning Policy Framework.

5. Notwithstanding the details on the approved plans, no development shall take place until a scheme detailing the installation, maintenance and management of the infrastructure associated with the formation of the Eruv, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of residential and visual amenity and highway safety having regard to Policies L4 and L7 of the Trafford Core Strategy and Policy JP-P1 of Places for Everyone

6. Notwithstanding the details on the approved plans, no development shall take place until an ecology report detailing a scheme of mitigation to minimise risk of birds and bats striking the adjoining filament through the provision of floats/beads attached to the filament. The scheme shall include selected sites for their installation and samples of the floats/beads and filament to be used. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the status of bats and birds having regard to Policy R2 of the Trafford Core Strategy, Policy JP-G8 Places for Everyone, and the National Planning Policy Framework.

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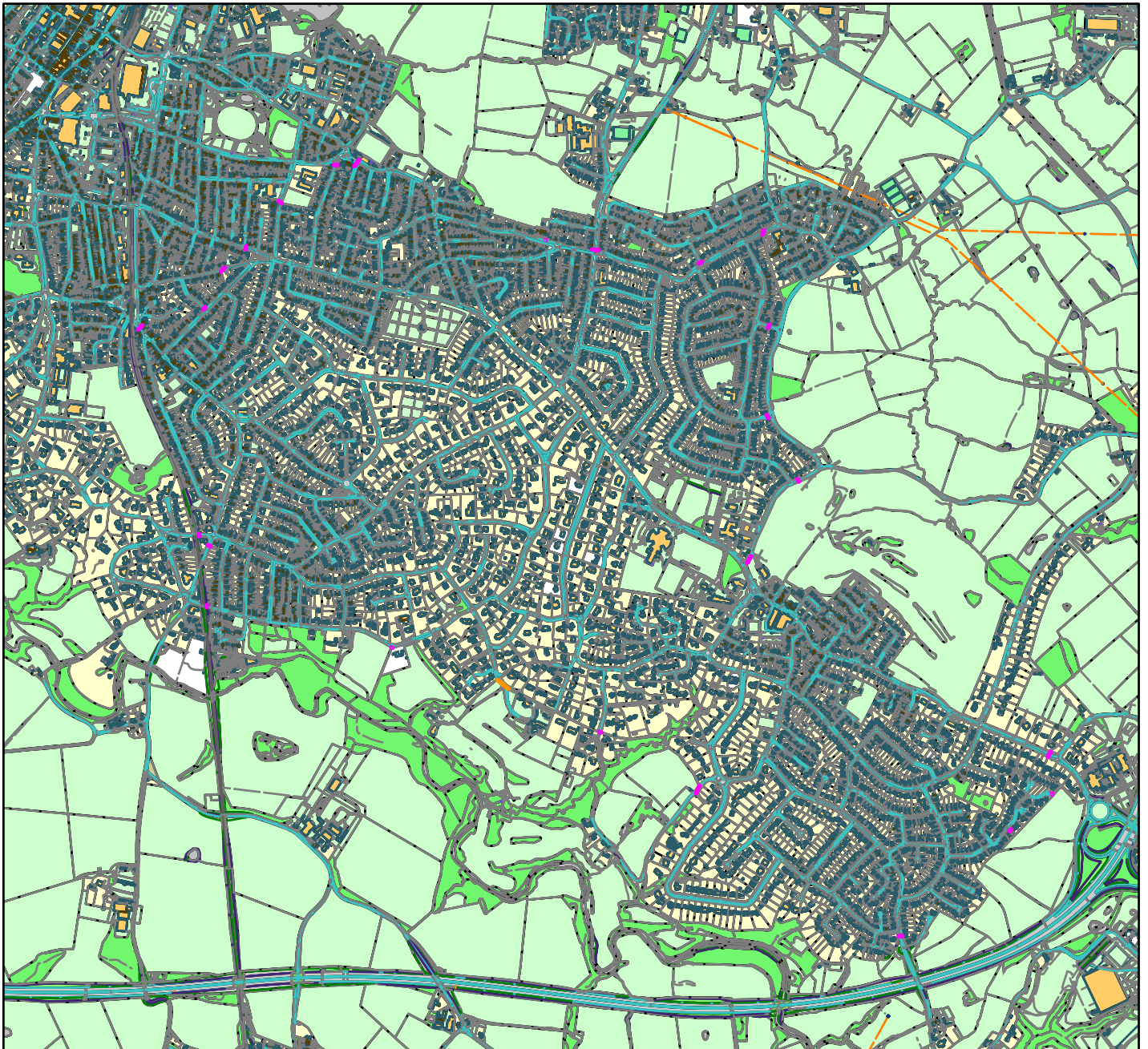
CM

# 113126/FUL/24

Various Locations Within An Area Encompassed By Hale Road And Grove Lane To The North, Shay Lane And Burnside To The East, Bankhall Lane And Rappax Road To The South And Ashley Road To The West, Hale



## TRAFFORD COUNCIL



**Scale:** 1:20,629

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|              |                         |
|--------------|-------------------------|
| Organisation | Trafford Council        |
| Department   | Planning Service        |
| Comments     | Committee date 07/11/24 |
| Date         | 28/10/2024              |
| MSA Number   | AC0000809316 (2022)     |

**WARD:** Brooklands

**114203/FUL/24**

**DEPARTURE: No**

**Change of use from garage to shop (Use Class E(a), external alterations, erection of single storey front extension and creation of bin/bicycle storage area**

Garages To The Rear Of 1 Marsland Road/Conway Road, Sale M33 2TE

**APPLICANT:** Mr CH Rashid

**AGENT:** Mr Amjad Tahir

**RECOMMENDATION: GRANT**

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**This application is being reported to the Planning and Development Management Committee as a call-in request has been received from Cllr Baskerville**

### **SITE**

The application site comprises a single storey building which has historically been in use as three garages. The building is constructed of common brick to the side/rear and smooth red brick to the front, with a mono pitched corrugated metal roof and timber front garage doors. There is a front hardstanding area which accommodates three private parking spaces.

The surrounding area is mixed use, with Marsland Road featuring a variety of commercial uses and the site located within the designated Sale Moor District Centre. Adjacent to the site on the corner of Marsland Road and Conway Road is a building containing a hot food takeaway at ground floor and accountants' offices at first floor. To the opposite of the site are a row of terraced houses, an interior decoration company and a hot food takeaway. The Legh Arms pub is also located to the east. To the south on Conway Road are predominantly semi-detached dwellings and the alleyway for the commercial buildings on Marsland Road.

### **PROPOSAL**

This application seeks full planning permission for a change of use of the building from garage to shop (Use Class E(a)), with external alterations, erection of a single storey front extension and creation of a bin/bicycle storage area.

Specifically the front extension would project 2m, across the full width of the building. The proposed mono pitch roof design would be similar to the existing structure and the roof height would slightly increase to be 3.10m at the front, decreasing to 2.40m at the rear. Solar panels are proposed on the roof slope. There would be a single service door to the south side elevation, whilst to the front elevation the shop front would have a double door main entrance with windows either side. Brick is proposed for the extension and alterations to match existing. Roof materials and windows/doors are not specified within the application documents.

Externally to the front, there would be 2no. car parking spaces (with one being an accessible space), an enclosed bin store and bicycle racks.

The proposed opening hours are 08:30 to 20:30 on Monday to Friday, 09:30 to 19:00 on Saturday and 10:00 to 17:00 on Sunday/Bank Holiday.

### Value Added

The proposed internal shop floor space is approximately 58sqm.

Amended plans were submitted to improve the design of the shop front, alter the proposed roof design, show an accessible parking space, improve the front external layout and correct existing building elevations.

### **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 19th 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-C6 – Walking and Cycling
- JP-C8 - Transport Requirements of New Development
- JP-P1 – Sustainable Places
- JP-P2 – Heritage
- JP-P1 – New Retail and Leisure Uses in Town Centres
- 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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

- L4 – Sustainable transport and accessibility
- L5 – Climate Change
- L6 - Waste
- L7 – Design
- L8 – Planning Obligations
- W1 – Economy
- W2 – Town Centres and Retail
- 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)**

The MHCLG 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)**

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

## **OTHER PLANNING GUIDANCE DOCUMENTS**

SPD1 – Planning Obligations  
SPD3 – Parking and Design  
SOD7 – Trafford Design Code  
PG7 – Shop Fronts

## **RELEVANT PLANNING HISTORY**

1 Conway Road (building to north on Corner of Marsland Road)

84383/FUL/14 - Erection of single storey side/rear extension to form cold rooms.  
Approved with conditions 09.02.2015

82837/FULL/2014 - Change of use of ground floor of premises from Use Class A3 (Restaurants and Cafes) to Use Class A5 (Hot Food Take-away). Alterations to shop front and installation of flue to rear of premises  
Approved with conditions 18.08.2014

## **CONSULTATIONS**

### Trafford Council, Pollution & Housing (Nuisance)

- *Recommend attachment of a condition to restrict the operation of this development to accord with that described within the application (Class E retail only)*
- *Do not consider proposed hours to be excessive, and they do not encroach into the night time period*
- *Any installation of external plant would necessitate the submission of a Noise Impact Assessment and the potential installation of a mitigation scheme*
- *To limit the potential for noise disturbance, any deliveries and waste collections should not take place outside of the operational hours sought*
- *Note objections from neighbours which refer to concerns regarding potential adverse impact from traffic / parking brought about by the development. This is not an issue for consideration by the Pollution team*

\*The agent has confirmed that no plant equipment is proposed.

### Local Highways Authority (LHA)

*Recommend conditions in respect of a construction method statement and further detail of cycle parking and storage*

*Satisfied with revised site plan showing accessible parking space and improved pedestrian access.*

\*For reference the queries regarding use of the existing parking spaces and garages have been clarified by the applicant.

### Trafford Council Waste Management Team

*No objections, bins must be screened from view to avoid fly-tipping etc*

\*It is noted that enclosures are proposed around the bins.

## **REPRESENTATIONS**

8no. objections were received to the originally submitted plans, summarised as follows:

- *Change of use approved at 1a Conway Road has already had a huge negative impact on our street including parking*



- *Already limited parking close to road junction*
- *Vehicles are parking on the pavement, in the bus stop and on double yellow lines with congestion*
- *Rubbish is being left on the street which would become worse as a result of proposal*
- *Please consider the privacy, safety and well being of residents of Conway Road*
- *Parking issues as a result of 1a Conway Road change of use*
- *Garages currently provide parking for residents of flats on Marsland Road*
- *Proposal would worsen parking situation and traffic*
- *Light pollution and noise concerns*
- *Privacy impact from new windows opposite*
- *Not a suitable place for another shop*
- *Road safety issues*
- *Already enough shops in the area*

A call-in request was received from Cllr Baskerville on 17.09.2024:

*The application has received 5 objections and we have been contacted by further residents who have expressed concerns around increased parking and noise nuisance from these proposals. I understand this request falls just within the call-in period. The environmental health report recommends further consideration around nuisance. The LHA response we feel does not reflect the issues already experienced on this edge of village centre / busy and difficult junction or cover what we believe are existing parking restrictions not being maintained by the Council here (faded single yellow line). This junction area is heavily parked over, the space to be converted acting as a private parking place for up to 4 vehicles which the scheme does not appear to replace.*

## **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. The development plan is considered to be up to date for the purposes of this application. The tilted balance is not engaged.
3. 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”*

4. 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”*
5. Paragraph 122 states that: *“planning policies and decisions need to reflect changes in the demand for land”*.
6. The site is located within the boundary of the District Shopping Centre for Sale Moor. Policy JP-P4 of PfE states that *the boundaries of the centres and detail of other centres at lower levels of the hierarchy are defined in district local plans. The need for the expansion of any existing centres, or the provision of new centres, will be identified in district local plans.*
7. Policy W2.7 of the Trafford Core Strategy states that: *Within (Sale Moor Centre) there will be a focus on convenience retailing of an appropriate scale, plus opportunities for service uses and small-scale independent retailing of a function and character that meets the needs of the local community.*
8. Policy W2.8 states that: *Whilst there is a need to enhance the convenience retail offer of all 3 District Centres, there is a particular need to plan for a small to medium-sized supermarket within Sale Moor District Centre.*

### Assessment

9. The site is designated as part of the District Centre of Sale Moor and the proposed retail use is must therefore be considered appropriate in principle. The adjacent property to the north is in commercial use. The proposed shop use, given its scale is considered to generate a level of activity that would fit into the existing levels of activity in this locality.
10. The use of the building as a shop class E (a) would increase the number of retail premises within the locality, expanding the availability and choice of goods and products. The retail use is considered to comply with Policy W2.7 of the Core Strategy and Policy JP-P4 of PfE. The premises would also provide employment for staff of the business, contributing towards the economic function of the locality.

11. The proposed opening hours of 08:30 to 20:30 on Monday to Friday, 09:30 to 19:00 on Saturday and 10:00 to 17:00 on Sunday/Bank Holiday are considered appropriate for the character of the area.
12. It is considered necessary to restrict the use of the building to the applied for Class E (a) retail use only. This is given the relatively small size of the site and potential parking implications of other uses which also fall within Class E. For example a gym where a class could generate lots of visits to/from the site at the same time, or a day nursery with its drop off/pick up times.
13. In summary, the principle of development is considered acceptable in accordance with the above planning policy and would contribute towards the economic and social sustainable development of the area. This is subject to the other material considerations which are reviewed in the sections below.

## DESIGN AND APPEARANCE

14. The promotion of high standards of design is a central narrative within the NPPF, and with this message is strengthened and reinforced in the December 2023 update. The overarching social objective, which is one of three objectives critical to the achievement of sustainable development, is reliant upon the planning system fostering a well-designed, beautiful and safe built environment, according to paragraph 8.
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. 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”*.
16. Policy JP-P1 of PfE contains extensive requirements for development, with 16 key design and sustainable places considerations outlined below. Namely, development should be: *Distinctive, with a clear identity that: A. Conserves and enhances the natural environment, landscape features, historic environment and local history and culture; B. Enables a clear understanding of how the place has developed; and C. Respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used; Visually stimulating; 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.*

17. Policy L7.2 of the Trafford Core Strategy states that: *In relation to matters of functionality, development must:*

- *Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;*
- *provide sufficient off-street car and cycle parking, manoeuvring and operational space;*
- *provide sufficient manoeuvring and operational space for service vehicles, as appropriate;*
- *Be satisfactorily served in terms of key utilities such as water, electricity, gas and telecommunications;*
- *Be satisfactorily served in terms of the foul sewer system; and*
- *Provide appropriate provision of (and access to) waste recycling facilities, preferably on site*

### Site Layout

18. The building would remain orientated with the main openings facing east. This provides a suitable active frontage on to Conway Road. The side service door is appropriately positioned on to the alleyway and there would be a functional layout. The front parking, bin storage and bicycle parking arrangements are considered suitable, as reviewed further in the Highways section below.

19. The front extension would have a modest projection and whilst this would be further than the front building line of no. 6 Conway Road, the existing separation between the buildings means this is appropriate. A sufficient set back would still be provided from the highway in relation to the general character of the area and single storey nature of the extension.

### Elevations, detailed design and materials

20. The extended building would provide a similar appearance to existing in terms of the mono pitch roof form. The increase in height would be minor and the shop front style is appropriate, with a stall riser design provided for the bottom parts of the windows. The windows and doors would be well sited and of an appropriate style and scale for the building. The low-level brick wall proposed to the south site boundary would provide separation with the alleyway, is appropriate in height and typical of boundaries in the area.

21. The existing garages do not contribute positively to the street scene and in this regard the proposed shop would also be an improvement.

22. Some materials are indicated on the proposed elevations, however a condition is recommended, to require details of all proposed external materials to be submitted to ensure a suitable appearance.

23. Overall, the development is considered to be functional and would provide a high quality design and appearance, in compliance with Policy L7 of the Trafford Core Strategy, JP-P1 of Places for Everyone, PG7 and the National Planning Policy Framework.

## RESIDENTIAL AMENITY

24. This section considers the potential amenity impact upon adjacent properties, alongside amenity standard of future occupiers of the development itself.

25. Policy L7; Design also states that:

“Protecting Amenity

L7.3 “In relation to matters of amenity protection, development must:

- 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”.

26. Paragraph 191 of the NPPF states that: *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”*

### Impact upon no. 6 Conway Road (neighbour to side to south)

27. Whilst the proposal would see an increase in activity on the site through additional comings and goings and general activity associated with the use, given the scale of the proposal and site context this increase is considered acceptable in this location. Furthermore, there is good division provided with no. 6 Conway Road, due to the alleyway, as well as the driveway of no. 6 itself which both serve to separate the properties and mitigate the impact of an increase in activity to the application site.

28. The front extension would project approximately 1.60m past the front elevation of this property. Taking into account the separation between the buildings, combined with the single storey nature of the extension and building overall, there is not considered to have a harmful amenity impact, in regards to the property being overbearing, visually intrusive or cause a loss of light of overshadowing on the neighbour. There would be no side windows facing the neighbour and the door is positioned so not to cause a loss of privacy.

### Impact upon nos. 1 to 19 Conway Road (neighbours to front to east)

29. The front extension would bring the building closer to these properties by 2m, however a sufficient 23m separation would still be provided to the front elevation of these properties. Whilst also taking into account the single storey nature of the extension and property overall, there is not considered to be any harmful overbearing impact, undue visual intrusion or material loss of light for these properties. The increase in height is not considered to cause any material overshadowing. The solar panels would have a slim profile and slope to the west, away from these properties and are not considered to result in any harm. Regarding overlooking, the 23m facing distance is considered acceptable against Council privacy standards across a highway.
30. Whilst the increase in site activity will be noticeable given the site context and scale and use of the proposal this increase in in on site activity is considered acceptable in this location.

Impact upon first floor flats within terrace on Marsland Road (to side to north west)

31. The proposed increase in height of the garage and front extension would be minor. The physical form and scale of the garage would still be lower than this terrace, and is not considered to have any adverse visual amenity impact upon this property or cause any loss of light or overshadowing. The solar panels are not considered to be harmful given their siting. The propose retail use of the building would not cause any loss of privacy or harmful disturbance due to the use proposed to the residents occupiers within the adjacent terrace.

NOISE/NUISANCE

32. The shop use is not considered to be a use which would generate high levels of noise or disturbance. The agent has confirmed that no external plant equipment is proposed. For reference any such plant equipment if required in the future would require a separate planning application.
33. The levels of activity associated with the shop are considered to be minor and in keeping with the existing character of the area, which is a well established local centre. It is also noted that Conway Road is a bus route which contributes to the levels of activity present.
34. The hours of operation proposed are considered acceptable and there are not considered to be any adverse noise or nuisance impacts from the development upon adjacent or nearby neighbouring residential properties. Environmental Health raise no objection to the application.

ECOLOGY

35. Policy R2.1 of the Trafford Core Strategy states that: *To ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate through a supporting statement how their proposal will:*

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

36. Section 180 of the NPPF states that *planning policies and decisions should contribute to and enhance the natural and local environment. Biodiversity Net Gain (BNG) forms part of the Places for Everyone Plan (Policy JP-G9) and has been adopted under the Environment Act 2021.*

37. Policy JP-G8 includes several measures for protecting and enhancing the natural environment including wildlife habitats and sites of ecological importance. Part 7 b. states that *development will be expected to achieve a measurable net gain in biodiversity of no less than 10%.*

### Assessment

38. Biodiversity net gain is not applicable to the scheme under the Environment Act 2021, as the site is fully covered by existing hardstanding. Policy JP-G8 does still expect a net gain of 10% in on site habitats, however given the existing site context it is not considered relevant. Given that the proposal is a small building conversion, taking into account the limited space available on site and the character of other commercial forecourts in the local area, it would be considered unreasonable to insist on this policy requirement.

### LANDSCAPING

39. As reviewed above, the site is constrained in terms of the external front space available and this would be occupied by the proposed car parking, bin storage, bicycle stands and pedestrian access. The hardstanding would remain the same as existing and it is not considered realistic or feasible to provide any new soft landscaping in this instance.

### DRAINAGE

40. The development would not increase the amount of hardstanding on site and the impermeable area. The proposal is therefore acceptable on drainage grounds. Separate foul and surface water drainage should be provided and a condition to this effect is recommended.

### PARKING, ACCESS AND HIGHWAYS

41. Policy JP-C8 of Places for Everyone requires new development to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. Paragraph 16 of this policy states that: Planning applications will be accompanied by a Transport Assessment / Transport Statement and Travel Plan where appropriate, in order to assess impacts and determine the most appropriate mitigation on the SRN and local transport network.
42. Policy L4.7 of the Trafford Core Strategy states that: *The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured.* Policy L4 is slightly inconsistent with the NPPF in terms of the test of highways harm but is not considered to be out of date. Paragraph 115 of the NPPF states that: *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*
43. Policy L7.2 of the Trafford Core Strategy states that: In relation to matters of functionality, development must:
- *Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;*
  - *provide sufficient off-street car and cycle parking, manoeuvring and operational space;*
  - *provide sufficient manoeuvring and operational space for service vehicles, as appropriate;*
  - *Be satisfactorily served in terms of key utilities such as water, electricity, gas and telecommunications;*
  - *Be satisfactorily served in terms of the foul sewer system; and*
  - *Provide appropriate provision of (and access to) waste recycling facilities, preferably on site.*

### Assessment

44. Two of the existing garages on site have been vacant for a long time. The remaining occupied garage is used with permission of the landlord, by a person who does handy man work in the area. The car parking spaces to the front are not connected with any particular business or property close by in the area. The car parking spaces to the front of the garages have restricted use, with private parking signage present.
45. SPD3 has a maximum parking standard of 1no. space per 21sqm of non-food retail use and 15sqm per food detail use in this local centre location. SPD3 also

states that: smaller facilities (e.g. under 500sqm) may require significantly less parking due to serving local needs - each application to be judged on its merits. The type of retail for the proposed shop is not specified, although the proposed floor plans appear to indicate a convenience type store. There would be no planning restriction on the type of retail use which could occupy the building if the application is approved.

46. It is noted that 2no. parking spaces are proposed in relation to the 58sqm of internal floor space. This is considered sufficient taking into account the small size of the shop and the sustainable location of the site. Given the small size of the shop, customers are expected to be local and could reasonably walk or cycle to the site. In addition, customers could already be in the district centre visiting other places for example within the same trip. There is also existing parking in the lay by off Marsland Road, which is a 1 minute walk away. It is noted that Marsland Road and Conway Road are both served by bus stops.
47. There are daytime (8am to 6pm, Monday to Saturday) parking restrictions present on the west side of Conway Road. The east side of the road is typically used for residents parking by the terraced houses. Regarding residents' comments relating to parking issues, any pavement or illegal on road parking is considered a separate matter relating to the behaviour of individual drivers and could be referred to parking wardens or Police. The existing single yellow line on the west side of the road is in a faded condition and the Highways maintenance team are to be notified of this matter.
48. Covered Sheffield type bicycle parking is indicated on the site plan for 2no. bicycles, compliant with SPD3. It is considered that details of the covered shelter for this are required by way of a condition. It is noted that there is also an existing bicycle stand present closeby at the Marsland Road layby, and there are further bicycle stands on the triangular pavement area with Northenden Road.
49. The existing dropped kerb access to the site would be utilised and this is far enough away from the Marsland Road junction, in terms of highways visibility.
50. Taking the above into account, the proposal is considered acceptable on highways and parking grounds against Policy L4 of the Core Strategy and Policy JP-C5 and JP-C7 of Places for Everyone.

## ACCESSIBILITY AND EQUALITY

51. 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.



52. 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.

53. 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.

### Assessment

54. The shop would have level access provided to the front entrance and the indicative internal layout shows good circulation space, in addition an accessible parking space would be provided to the front of the unit.

55. No other 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 JP-P1 of Places for Everyone.

### SUSTAINABILITY AND CLIMATE CHANGE

56. Policy L5.1 of the Core Strategy states that new development should maximize its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralized energy generation.

57. Paragraph 159 of the NPPF states that new development should be planned in ways that can help reduce greenhouse gas emissions, such as through its location orientation and design.

58. The application falls under the Council's threshold for requiring a specific energy statement. However Policy JP-S2 of Places for Everyone is relevant. This seeks to promote the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling. It also expects new development to be net zero in operational carbon emissions from adoption.

## Assessment

59. The application is for the conversion and retrofitting of a small existing building. . Solar panels are proposed to the roof, in order to meet the regulated operational energy demands of the building, from fixed heating and lighting. This allows the retail use to be predominantly self-sufficient and closer towards net zero for these carbon emissions. The building would also be expected to meet latest building regulation standards, particularly in terms of insulation and doors/windows.
60. When taken as a whole 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.

## DEVELOPER CONTRIBUTIONS

61. The proposal would create approximately 58sqm of chargeable floor space. Being in Class E small retail use within a local district centre, this would not be liable to the Community Infrastructure Levy (CIL).

## **PLANNING BALANCE AND CONCLUSION**

62. The proposal would make efficient use of a somewhat underused site in the district centre of Sale Moor. This would provide economic and social benefits to the local area. The principle of a retail use in a designated District Centre must be considered acceptable.
63. The appearance of the external alteration and extension works are considered appropriate in context. The representations received are duly noted and have been considered. However, it is not considered there would be harmful impact upon on neighbouring residential properties. Furthermore, highways and parking considerations are found to be acceptable subject to conditions.
64. The application complies with the development plan when taken as a whole and the National Planning Policy Framework and is recommended for approval with conditions.

## **RECOMMENDATION**

**GRANT** subject to the following conditions:

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

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

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

A-1 (location plan)

A-5 (proposed ground floor plan) – as received 17.10.2024

A-5 (proposed roof plan) – as received 22.10.2024

A-6 (proposed elevations) - as received 22.10.2024

A-8 (proposed site layout plan) – as received 17.10.2024

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. The premises shall only be used for Class E(a) retail purposes, unless permission for an alternative use has been granted by the Local Planning Authority.

Reason: In the interests of amenity and parking, having regard to Policy L7 of the Trafford Core Strategy, Policy JP-C8 of Places for Everyone and the National Planning Policy Framework.

4. The premises shall only be open for trade or business between the hours of: 8:30 to 20:30 on Monday to Friday, 09:30 to 19:00 on Saturday and 10:00 to 17:00 on Sunday/Bank Holiday

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

5. Servicing and deliveries to or from the premises shall only take place between the hours of: 08:00 to 20:00 Monday to Saturday and at no time on Sundays or Bank Holidays

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

6. 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:

[bricks, roof tiles, fascias, window headers and cills, windows, doors, 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.

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

Reason: In order to ensure a satisfactory appearance to the development having regard to Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone and the requirements of the National Planning Policy Framework

8. Prior to installation of the bicycle stands shown on approved drawing number A-8, a 1:20 elevation drawing showing a covered structure for the bicycle stands shall be submitted to and approved in writing by the Local Planning Authority. The covered structure and bicycle stands shall be installed on site prior to the use hereby approved first coming into use and retained thereafter.

Reason: To cater for cycling, a sustainable mode of transport, having regard to Policy L4, L5 and L7 of the Trafford Core Strategy, Policy JP-S5 and JP-C6 of Places for Everyone and the National Planning Policy Framework

9. 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 Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-C8 of Places for Everyone, and the National Planning Policy Framework.

10. Prior to above ground works details of the design, appearance and technical specification of the solar panels shall be submitted and approved in writing by the Local Planning Authority. The solar panels shall be installed in accordance with the approved details prior to the development hereby permitted first coming into use and retained as such thereafter.

Reason. To ensure that satisfactory provision is made within the site for the energy efficiency and having regard to visual and residential amenity, in regard to Policy L7 of the Trafford Core Strategy, Policies JP-P1 and JP-S2 of Places for Everyone, and the National Planning Policy Framework.

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

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework.

12. No development or works of site preparation shall take place until a Construction Method Statement (CMS) has been submitted and approved in writing by the Local Planning Authority, The CMS shall address, but not be limited to the following matters:

- a. The management of deliveries
- b. Loading and unloading of plant and materials to include vehicle access and egress arrangements.
- c. Parking arrangements for site operative and visitor vehicles.
- d. Storage of plant and materials used in constructing the development.
- e. The erection and maintenance of security hoardings
- f. Wheel washing facilities and any other measures proposed for keeping the highway clean during the works.
- g. Measures to control the emission of dust and dirt.
- h. A scheme for recycling/disposing of waste resulting from the works.
- i. Days and hours of construction activity on site (in accordance with Trafford Council's recommended hours of operation for construction works).
- j. Contact details for the site manager are to be advertised at the site in case of issues arising.

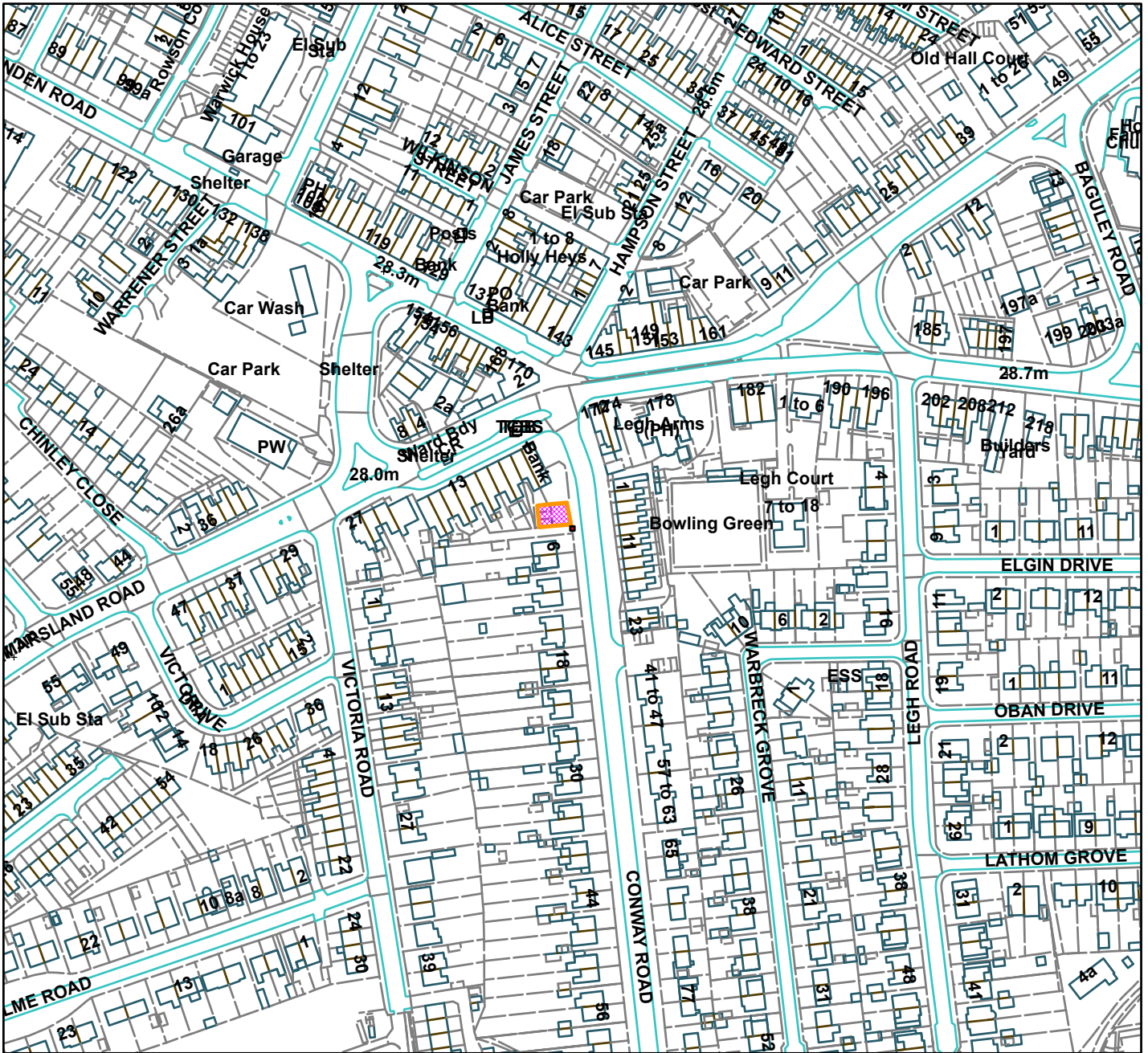
Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policies L4 and L7 of the Trafford Core Strategy.

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GEN



Garages to the rear of 1 Marsland Rod/Conway Road, Sale (site hatched on plan)



**Scale:** 1:2,500

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|--------------|-------------------------|
| Organisation | Trafford Council        |
| Department   | Planning Service        |
| Comments     | Committee date 07/11/24 |
| Date         | 28/10/2024              |
| MSA Number   | AC0000809316 (2022)     |