

**WARD: Davyhulme  
West**

**75729/FULL/2010**

**DEPARTURE: No**

**DEMOLITION OF EXISTING TWO STOREY RESIDENTIAL PROPERTY AND  
CONSTRUCTION OF 3 NO. FOUR BEDROOM DETACHED UNITS WITH  
ASSOCIATED GARAGE BUILDING, HARDSTANDING AND LANDSCAPING**

Hulme Ferry Cottage, off Daresbury Avenue, Flixton, M41 8GP

**APPLICANT:** Peel Investments (North) Ltd

**AGENT:** Peel Investments (North) Ltd

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

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**SITE**

The application relates to a two storey detached dwelling know as Hulme Ferry Cottage, which dates from 1895. The property sits in the centre of an irregular shaped plot measuring 0.1 hectares on the southern bank of the Manchester Ship Canal and was previously occupied by a ferryman, who operated the Hulme ferry service across the canal from a jetty to the south west of the cottage. The cottage has lain vacant since 2008 and is currently boarded up. It is accessed from Daresbury Avenue via a narrow road which runs between the entrance to Davyhulme Millennium Nature Reserve and its associated car park.

Hulme Ferry Cottage is located within the residential area of Flixton, but is relatively isolated as it is enclosed to the north east and south west by mature trees and shrubs. Adjoining to the south west is Hulme Bridge Farm, a riding stables. To the east and south are two storey residential properties on Daresbury Avenue. On the opposite side of Manchester Ship Canal are residential properties in Irlam, however these are set back from the canal and are not visible from the application site.

The cottage occupies a spacious plot and an elevated position. A plaque is located at first floor displaying the name 'Hulmes Ferry' and date of 1895. The cottage is orientated to face the canal and was designed to be both visible from the ferry crossing on both sides of the canal and to provide clear views of the canal that were essential to the operation of the ferry. The 1925 OS map (Lancashire) indicates that there was a direct path leading from the cottage, to the lane, to the ferry crossing allowing quick access for the ferryman to operate the ferry. A bell is still located at the platform on the Trafford side which would be used to call the ferryman. The ferry service ceased to operate after the death of the ferryman who occupied the cottage for a number of years. The service was recently re-established on a limited service to comply with the Manchester Ship Canal Act 1885.

**PROPOSAL**

Planning permission is sought for the demolition of the existing cottage and the redevelopment of the site to provide 3 no. four bedroom detached dwellings. The properties would be two storeys and laid out in a line so that the rear elevation of each faces towards the canal. The existing site access is proposed to be widened

and hardstanding would be laid to the front of the proposed dwellings to provide parking. Small gardens are provided to the rear of each property adjoining the canal. Each dwelling benefits from feature gables to the front and rear elevation with glazing extending to the eaves level and each also has a chimney. The dwellings would be brick built constructions with slate roof coverings and timber windows. House type C would form the middle dwelling and would have an integral garage. House types A and B are identical mirror images and the latter would benefit from a detached garage to the south eastern corner of the site.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF;
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). See Appendix 5 of the Core Strategy and;
- The Greater Manchester Joint Waste Plan, adopted 1<sup>st</sup> April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1<sup>st</sup> April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications and;
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.

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

- L1 – Land for New Homes
- L2 – Meeting Housing Needs
- L3 – Regeneration and Reducing Inequalities
- L5 – Climate Change
- L7 – Design
- L8 – Planning Obligations
- R1 - Historic Built Environment

R2 – Natural Environment  
R3 – Green Infrastructure

#### **PROPOSALS MAP NOTATION**

Protected Linear Open Land  
Protection of Landscape Character  
Wildlife Corridor

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

ENV10 – Wildlife Corridors  
ENV17 – Areas of Landscape Protection  
OSR6 - Protected Linear Open Land

#### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles  
DP2 – Promote Sustainable Communities  
DP4 – Make the Best Use of Existing Resources and Infrastructure  
DP7 – Promote Environmental Quality  
DP9 – Reduce Emissions and Adapt to Climate Change  
MCR1 – Manchester City Region Priorities  
MCR3 – Southern Part of the Manchester City Region

#### **RELEVANT PLANNING HISTORY**

None

#### **CONSULTATIONS**

**Environment Agency:** No objection subject to condition for flood mitigation measures, including finished floor levels minimum 17.9m above AOD, flood proofing measures, emergency evacuation plan and limiting surfacing water run off. Advice note for septic tanks.

**Environmental Protection:** Contaminated land assessment condition.

**Greater Manchester Archaeology Unit (GMAU):** The application concerns the demolition of Hulme Ferry Cottage, a late nineteenth century cottage on the Manchester Ship Canal that was built and used as a functional, basic dwelling for the ferryman. Despite the architectural alterations, it remains a clearly historically interpretable example of a late nineteenth century cottage. Rather than lacking significance through not having group value with other buildings, it is precisely this isolated location adjacent to the canal and the ferry crossing point which eloquently speaks of its function and its relationship with the canal. The building arose in this place as a direct consequence of the need to meet a provision stipulated in the very Act that brought the canal into being. In GMAU's view, the cottage retains a historic significance through its setting and association with the canal. Although architecturally unremarkable this building is perfectly capable of being understood in its historical setting. In this sense there is no other late Victorian ferryman's cottage for the Hulme Bridge ferry and so is historically unique. Its demolition would result in a loss of historic significance for the setting and association of the cottage with the canal and the ferry, a significance that relates directly to the provisions of the Manchester Ship Canal Act 1885.

GMAU considers that the cottage retains historic significance through its historical association with the canal and the ferry and the requirements of the Manchester Ship

Canal Act 1885. The cottage is admittedly only one very small element in an engineering achievement of national, if not international significance. Nonetheless, that historical significance of this small element is still readily visible in the building and its setting. Demolition of the building will irreversibly damage both the historical significance and legibility of the setting. It is for the LPA to decide if it is satisfied the application demonstrates the loss of significance is necessary to deliver public benefits that outweigh the loss. PPS 5, policy HE12.3, states:

*“Where the loss of the whole or material part of a heritage asset’s significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate”.*

Notwithstanding GMAU’s advice, should the LPA decide to grant planning consent a condition should be attached to the planning consent requiring that a programme of archaeological building recording be undertaken, commencing ahead of the commencement of development/ demolition. The programme of work would involve the production of an assessment of the available documentary evidence and an archaeological building survey of the upstanding historic fabric. Depending upon the survey/ assessment results, a watching brief may be required during demolition to record any concealed architectural or buried archaeological features. The programme of work would be followed by a phase of post-fieldwork analysis, report writing, deposition of the site archive and potentially an appropriate level of publication. This programme of work is to be funded by the developer.

**Greater Manchester Ecology Unit (GMEU):** No objection. If demolition is delayed until April 2013, further bat surveys should be required by condition of the permission. Vegetation clearance to take place outside bird nesting period (March-July inclusive). GMEU recommend that a method statement be prepared giving details of how the invasive Japanese Knotweed will be controlled as part of this scheme.

**Local Highway Authority:** The proposed dwellinghouses are 4 bedroom and therefore to meet the Council’s standards the provision of 3 parking spaces are required per dwelling. Whilst the arrangement is quite awkward, it is considered that there is adequate space for two vehicles per dwelling. Whilst this falls short of the Council’s car parking standards, it is not felt that this shortfall in parking provision would give sufficient grounds to defend a refusal on highways grounds. The applicant should ensure that adequate drainage facilities or permeable surfacing is used on the area of hardstanding to ensure that localised flooding does not result from these proposals. If the above could be provided there are no objections on highways grounds to the proposals.

**Parks and Countryside Services:** The Nature Reserve is the responsibility of United Utilities rather than the Council. There are no concerns which have not already been addressed through the transport and wildlife reports, although access from the reserve car park across the public footpath to the nature reserve entrance needs to be retained.

**Ramblers Association:** Object. Definitive footpath Urmston 1 runs from Daresbury Avenue to the ferry point on the canal. Part of this footpath falls within the development site (between Daresbury Avenue and cottage gate). The applicant answers the following question “do the proposals require any diversions/extinguishments and/creation of rights of way” with no, however this is incorrect.

The Act of Parliament dated 6 August 1885 which authorised the construction of the Manchester Ship Canal requires that a free ferry and access paths are provided by the canal owners at the point where the Hulme Bridge used to be. A free ferry operated until recently and the ferry man lived in the property that it is proposed to demolish. Peel has confirmed that the ferry is merely not operational as opposed to have been removed or discontinued. Suggest the Planning Department considers what provision will be made to replace the ferry man's cottage. Will one of the replacement properties be assigned to a ferryman? The free ferry operates on request so a ferryman residing adjacent to the ferry is a necessity.

**Urban Vision (Salford City Council):** No objection.

## **REPRESENTATIONS**

2 letters of objection have been received. The main points raised are:

- Proposed properties will face the rear elevation of properties on Daresbury Avenue which will feel intrusive.
- Concern about loss of hedgerow along the side of the access road if widening the access.
- There are a number of existing mature trees on or around the site, will these be retained? These trees provide a degree of privacy.
- Details of street lighting should be provided with the application as currently properties on Daresbury enjoy natural light at the back of Nature reserve.
- Since nature walk has been developed, part of the access road to Hulme Ferry has a tendency to flood. This should not be made worse if the land is excavated for service pipes for gas, water and sewerage.
- Have difficulty measuring the height of properties from the drawings provided.
- Need to ensure proposed houses do not disrupt protected wildlife.
- The sense of countryside around the car park will be lost.
- The development will bring more traffic, noise, washing lines, toys and bustle seven days a week which is inappropriate for this site;
- The cottage is history and we are losing enough of that around here, it should be retained and turned into a warden come ferryman's abode with part of it devoted to visitor information concerning the Millennium Park and Ship Canal ferry.

## **APPLICANT'S SUBMISSION**

The application has submitted a Design and Access statement, Ecology Statement, Flood Risk Assessment and Heritage Statements in support of the application. The main reports can be summarised as follows:

### Design and Access Statement

- The site is currently vacant and underused. The existing cottage is suffering vandalism and is falling into disrepair.
- Scheme comprises three no. 4 bedroom detached houses with associated landscaping. The units will each be 2 storey to reflect the surrounding residential area and maintain the appropriate scale.

### Flood Risk Assessment

This was submitted in October 2012 and recommends flood mitigation measures

### Heritage Statements

- Hulme Ferry Cottage was built in 1895 to provide accommodation for the ferryman whom operated the Hulme Ferry across the Manchester Ship Canal. The ferry resulted from a legal obligation to provide an alternative to the bridge crossing over the River Irwell when the Ship Canal was constructed;
- An assessment of heritage values in accordance with English Heritage *Conservation Principles* shows that the building has a low significance and considered against DCMS Circular 01/2007 it does not justify the definition in Annex 2 of PPS5 as a heritage asset;
- Wider benefits of the proposal outweigh the public disbenefits in heritage terms.
- These conclude that in view of the low significance of the cottage and the lack of clear local planning policy context for its retention, mitigation by recording of the cottage prior to demolition would be appropriate.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

#### *Demolition of Hulme Ferry Cottage*

1. The Manchester Ship Canal to the north of the site was formerly the River Irwell. The Manchester Ship Canal Act 1885 authorised the construction of the canal, which began in 1887 and was completed in 1894. The building of the Manchester Ship Canal significantly altered the course of the River Irwell - this section of the river had been relatively straight and a public right of way known as 'Hulmes Bridge' had crossed the River Irwell between Boysnope (Eccles) and Woods End (Flixton). This public thoroughfare provided access to jobs and the Manchester Ship Canal Act 1885 required that a free ferry service was established to provide an adequate replacement for the Hulme Bridge and thus retain the public right of way. The Manchester Ship Canal Act 1885 (page 170) states:

*"The Company shall provide in such position at or near the point on the line of the canal being twenty nine miles and 1 furlong from its commencement as shown on the deposited plans as the surveyors and the Flixton, Urmston and South Barton Highway Board shall reasonably approve and in accordance with plans previously submitted to and subject to the reasonable approval of the surveyors and the said board and for ever maintain a ferry across the canal suitable for the conveyance of vehicle horses and cattle and shall at all times hereafter provide the necessary labour to work and shall work the said ferry by night and by day whenever required for the use of the public in accordance with bye-laws to be made and enforced under and in accordance with the provisions of Part V111. of this Act with respect to bye-laws;*

*The Company shall also make and maintain within limits of deviation shown on the deposited plans proper and convenient approaches to the said ferry on both sides of the canal such approaches to be of not less width than thirty feet measured on the square with gradients of not less than one in thirty and to communicate with existing roads in as direct a manner as shall be reasonably practicable."*

2. The Hulme Ferry service is required to operate, on request, by the Manchester Ship Canal Act 1885. Hulme Ferry Cottage was constructed in 1895 to house the ferryman operating the Hulme Ferry service. Although it is recognised that the cottage itself was not required to be provided by the Manchester Ship Canal Act, it has an association with the ferry crossing and

the Manchester Ship Canal. The Manchester Ship Canal, Hulme Ferry and Hulme Ferry Cottage are therefore considered to constitute non-designated heritage assets. The NPPF states that (paragraph 135):

*“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.”*

3. Although having a clear association with both the Hulme Ferry Service and the Manchester Ship Canal, a canal with clear historical significance and of national importance, the cottage's historic interest is significantly undermined by the extent of later alterations to the building and the modernisation of the landing stages for the ferry. This assessment was confirmed by English Heritage, who rejected the building for listed status. The building is of modest architectural interest in a national context, typical of large numbers of worker's cottages nationally. On balance, it is considered that the loss of Hulme Ferry Cottage would not undermine the historic significance of the Manchester Ship Canal or the Hulme Ferry service.

#### *Housing Land*

4. The footprint of the existing dwelling constitutes previously developed land, however the garden of the dwellings is classified as greenfield land and as such, the site therefore constitutes part brownfield, part greenfield land. The applicant has submitted a supporting statement in this respect and estimates that approximately 35%-40% of the application site is classed as previously developed brownfield land, hence at least one of the dwellings would be provided on brownfield land.
5. At the current time, the Council is not achieving its targets for housing development set out in Policy L1 of the Core Strategy, which includes the target for housing provision in the Borough and for the percentage of this housing provision to use previously developed land (target of 80% of new housing provision to use previously developed land). As such, where proposals involve the development of greenfield land for housing, a judgement needs to be made between (a) the proposals contribution to the provision of housing in the Borough and (b) the use of greenfield land for housing whilst the Council is not achieving its previously developed land target.
6. In this case, it is considered that the development would contribute to the wider plan objectives set out in chapters 4 and 5 in accordance with Policy L1.7 of the Core Strategy as it would: remove the dilapidated cottage, which regularly attracts anti-social behaviour and vandalism; achieve high quality design; and would provide larger family housing, for which there is an identified need on the Borough. The proposal would contribute towards place objectives URO1, URO4, URO5, URO10 and URO16 of the Core Strategy.
7. In conclusion, it is considered that the delivery of two of the dwellings on greenfield land would not significantly undermine the Council's target for previously developed land. The redevelopment of the site for housing is therefore considered to be acceptable in principle. Policy L1.10 states that where proposals involve the use of domestic gardens, due regard would need

to be paid to conservation considerations (discussed above), local character, environment and amenity. These are considered further in the subsequent sections of the report.

*Protection of Linear Open Land, Wildlife Corridor and Landscape Character*

8. The application site is identified in the Revised UDP Proposals Map as an area of Protected Linear Open Land, a Wildlife Corridor and an Area of Protection of Landscape Character.
9. Policy OSR6 'Protected Linear Open Land' seeks to safeguard undeveloped areas of open land to retain and create linear greenways of visual and access links between public/private open spaces and links between islands of undeveloped land along the relevant corridor. The policy also states that the Council will aim to improve the recreation, townscape and environmental value of these areas and to develop public access into and through them - small scale development may be acceptable if it does not compromise the functions and aims outlined. The proposed development is considered to be small in scale, comprising the replacement of one dwelling with three dwellings adjacent to the canal. The development is only two storeys in height and whilst it extends 3m closer to the canal than the existing Ferryman's cottage, 8m deep rear gardens would ensure the area directly adjoining the canal remains undeveloped. Furthermore, the 6m deep sloping canal banks adjoining the canal beyond these rear gardens are excluded from the application site. The canal bank will therefore remain in its present form and planning permission would be required if future occupants wish to include this area in their garden. The proposal is therefore considered to be acceptable in this respect subject to a condition which restricts the height of boundary fences within the rear garden and the removal of permitted development rights to ensure these properties are not extended closer to the canal in future. As such, the proposal would not compromise the functions and aims identified by Proposal OSR6 of the Revised UDP.
10. Policy ENV17 'Area of Landscape Protection' states that the Council will protect, promote and enhance the distinctive landscape character and quality of the areas identified. Policy ENV17 further states that where development is acceptable the Council will consider the appropriateness of the design and construction materials with regard to local/regional building traditions, the degree and quality of landscaping, and the wider impact on the landscape quality and features of importance to wildlife. The proposed dwellings would be traditional brick and slate constructions, but with a contemporary approach to fenestration that is considered appropriate in this location.
11. Policy ENV10 'Wildlife Corridors' states that the Council will seek to consolidate and strengthen the effectiveness of wildlife corridors by examining the impact of the development proposal (including extensions to gardens) to ensure the integrity of the corridor is not destroyed or impaired and ensuring that new development within or adjacent to the corridors contributes to their effectiveness wherever possible through appropriate siting, design of buildings and landscaping measures. The development is situated in a line adjacent to the canal and in a similar position to the south east and north west elevations of the existing cottage. Only one tree would be removed adjacent to the site access and the applicant has submitted a Bat Survey which confirms that there is no evidence of bats in the building. The rear gardens of the properties would extend towards the canal and as outlined above the banks of the canal are excluded from the application site.

GMEU have advised that the application is acceptable subject to conditions. The application is therefore considered to be acceptable in this respect.

#### *Conclusion on Principle of Development*

12. Whilst the site is not allocated for residential development, a dwelling already exists on the site and it is therefore considered to be a suitable location for this type of development. The development would be contained within the existing site boundaries and would maintain the protected open space, landscape character and the wildlife corridor subject to appropriate conditions. The loss of the non-designated heritage asset (Hulme Ferry Cottage) is considered to be outweighed by the benefits of the proposal and a condition is therefore recommended to ensure that archaeological recording of Hulme Ferry Cottage is undertaken prior to demolition.

#### FLOOD RISK

13. The flood risk assessment (FRA) was submitted in October 2012 following the outcome of a legal case between Peel Holdings and the Environment Agency following the Environment Agency's flood risk classifications of the Manchester Ship Canal directly to the north of the application site.
14. The submitted FRA recommends that: finished floor levels are set 17.9m above Ordnance Datum (AOD); flood proofing/resilience measures are included in the design of the proposed dwellings; and an emergency evacuation plan is prepared. Subject to appropriate conditions, the proposal would incorporate sufficient flood resilience measures in accordance with Policy L5 of the Core Strategy.

#### ACCESS, HIGHWAYS AND PARKING

15. The existing access road from Daresbury Avenue will be retained to serve the development. It is acknowledged that the existing access road is narrow, however the applicant proposes to widen the entrance to 4.5m to ensure that two cars can pass simultaneously at this part of the site. Two car parking spaces are proposed for each dwelling including an integral garage for house type C and a detached garage for house type B. The Council's car parking standards recommend 3 car parking spaces for dwellinghouses of this size. However, the LHA considers the proposed level of car parking provision to be acceptable in this case.
16. The car park layout and access arrangements are also deemed to be acceptable by the LHA subject to conditions requiring the surfacing to be constructed in a permeable material. The submitted drawings indicate block paviors will be used in the construction of the hardstanding. Subject to this condition, the proposal is therefore considered to be acceptable in this respect in accordance with Policy L4 of the Trafford Core Strategy

#### TREES

17. The site contains a number of mature and semi-mature trees, mainly concentrated along the south and eastern boundaries of the site. The applicant intends to retain all existing trees where possible, except for one mature tree which is to be removed to ensure the widening works at the site entrance can be delivered. A tree protection condition is recommended to

ensure those trees identified as retained, including those adjoining site, are protected during the construction works in accordance with Policy R2 of the Trafford Core Strategy.

## DESIGN

18. The surrounding area is characterised by 1940's and 1950's semi-detached properties with brick elevations and gable roofs, however the site itself is relatively isolated from these properties. To the south of the site is the public footpath which leads to the Hulme ferry crossing and to the north and east is the Millennium Park nature reserve.
19. The existing property will be replaced by three properties, inevitably increasing the density of development on this site. However, the applicant has sought to break up the development by providing space between each of the detached properties (2.5m in each case) and space to the site boundaries on either side of the end plots. Existing and proposed landscaping to all boundaries will help to screen the development from the adjoining residential properties and Millennium Park and the existing mature trees to the front will soften the appearance of the development. The surrounding open space and landscaping provides a relatively spacious setting and the development would not appear unduly cramped when viewed from the surrounding area. A condition is recommended to remove permitted development rights to protect the spacious character of the area and to prevent the built form extending closer to the Manchester Ship Canal.
20. The proposed development adopts a relatively traditional design with two predominant house types, incorporating dormer windows, gable features and chimneys, however contemporary features including large window openings with glazing extending up to the roof eaves are also proposed. The development would be constructed in a mix of brickwork, with contrasting window surrounds and slate roof tiles. The design approach and architectural detailing is considered to be acceptable. It is considered that the design, layout and appearance of the proposed development is acceptable and therefore complies with Policy L7 of the Trafford Core Strategy.

## RESIDENTIAL AMENITY

21. The closest residential properties are situated on Daresbury Avenue to the south east of the site. Main habitable room windows on the front elevation of the proposed dwelling will face towards the rear gardens and main habitable room windows on the rear elevations of these properties. However, the proposed development would retain a distance of approximately 45m to these rear garden boundaries and 70m to the rear elevations of these properties. The development would comply with the Council's New Residential Guidelines in this respect and would not therefore result in undue loss of privacy for the occupants of these properties.
22. Side facing windows are proposed to each of the three properties. The side facing windows of the end plots would provide natural surveillance of the public footpath and the Millennium Nature Reserve, however a condition is recommended to ensure that the side facing windows of house type C are obscure glazed to ensure an adequate level of privacy between the proposed dwellings. The proposal would therefore be in accordance with Policy L7 of the Core Strategy and Planning Guidelines: New Residential Development.

## DEVELOPER CONTRIBUTIONS

23. The Trafford Developer Contributions (TDC) required by SPD1: Planning Obligations are set out in the table below:

TDC category	Gross TDC required for proposed development	Contribution to be offset for existing building	Net TDC required for proposed development
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£465	£155	£310
Public transport schemes (including bus, tram and rail, schemes)	£1,383	£461	£922
Specific Green Infrastructure (including tree planting)	£2,790	£930	£1,860
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities)	£8,904.39	£1,762.33	£7,142.06
Education facilities	£33,621.88	£3,573.48	£30,048.40
<b>Total contribution required</b>			<b>£40,282.46</b>

24. The specific green infrastructure contribution equates to the planting of six trees on the site, hence could be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme up to a maximum reduction of £1,860. The trees required by this contribution are in addition to any replacement trees following the removal of trees to facilitate the development. If committee members resolve to grant planning permission, these matters should be secured through an appropriate legal agreement.

### CONCLUSION

25. The proposed development is considered to be acceptable in terms of its design, layout, scale and impact on residential amenity. The loss of the non-designated heritage asset is considered to be outweighed by the benefits of the proposal and its contribution to housing provision in the Borough in accordance with Policy L1 of the Core Strategy. It is therefore recommended that planning permission is granted.

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

(A) That the application will propose a satisfactory development for the site upon completion of an appropriate legal agreement to secure a maximum financial

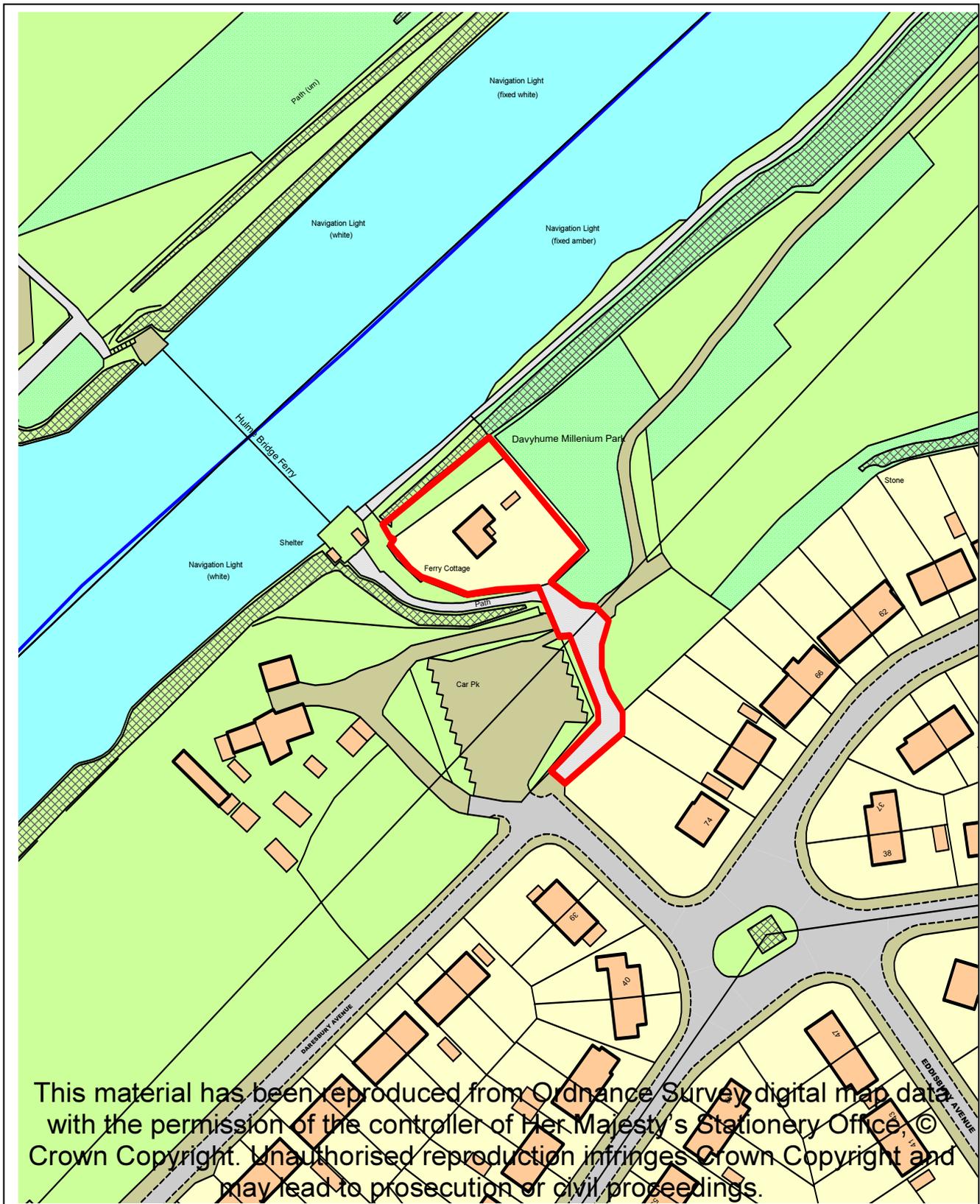
contribution of £40,282.46 split between: highways and active travel infrastructure £310; public transport schemes £922; specific green infrastructure £1,860 (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); spatial green infrastructure, sports and recreation £7,142.06; and education facilities £30,048.40;

**(B)** That on completion of the above legal agreement, planning permission is granted subject to the following conditions:-

1. Standard
2. List of amended plans
3. Contaminated land
4. Archaeological recording
5. If demolition is delayed until June 2013, no demolition to take place until further bat surveys undertaken and submitted for approval
6. Floor levels to be 17.9m above AOD
7. Details of flood proofing measures to be submitted and approved
8. Flood evacuation plan
9. Drainage scheme
10. Tree protection
11. Material samples
12. External lighting
13. Driveway surfacing to be permeable
14. Provision and retention of parking and access
15. Landscaping and landscape maintenance
16. Standard removal of PD rights
17. Obscure glazing to house type C side windows

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**LOCATION PLAN FOR APPLICATION No: - 75729/FULL/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Longford**

**76859/FULL/2011**

**DEPARTURE: NO**

**SUBDIVISION AND CHANGE OF USE OF INDUSTRIAL UNIT TO BE USED FOR MOTOR VEHICLE REPAIRS AND SERVICING (CLASS B2) AND WHOLESALE STORAGE AND DISTRIBUTION (CLASS B8). FORMATION OF NEW FRONTAGE WITH ROLLER SHUTTERS AND RATIONALISATION OF CAR PARKING AREAS**

291 Talbot Road, Stretford, M32 0YA

**APPLICANT:** Pino Design and Build

**AGENT:** Gonshaw Associates

**RECOMMENDATION: GRANT**

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**SITE**

The application site relates to an industrial unit positioned within a wider industrial complex that spans between Talbot Road to the north-west, and Renton Road to the south-east, with Milton Road and Christie Road defining the boundaries to the sides of the estate. The unit to which this application relates (No.291) is approximately 960sqm in area and is enclosed on three sides by other industrial premises. The unit does however present a frontage onto Talbot Road, with a fixed canopy extending out to cover an area of hardstanding typically used for informal car parking. A large area of hardstanding also separates the rear of these industrial units from Renton Road and is used as a shared service yard as well as for additional staff parking.

Despite this cluster of industry, the prevailing character of the surrounding area is residential, with apartments occupying the opposite side of Talbot Road, and other residential development nearby on Milton Road, Renton Road, and beyond.

Prior to the application's submission in 2011, this property had remained undivided and vacant for a number of years, with no confirmed use prior to that. In April 2011 a series of unauthorised works began to subdivide 291 Talbot Road to form two separate businesses. Approximately a quarter of the building's interior was sectioned off to form a motor vehicle repairs and servicing business (211sqm), accessed via a set of roller shutters from Talbot Road. The remainder of the unit was to be used for wholesale storage and distribution (Class B8) purposes, with an associated retail showroom (211sqm) accessed from the other roller shutter fronting Talbot Road. This planning application was submitted in May 2011 and initially sought consent to retain these unauthorised works, and to create an established use for the building.

In August 2012 it was revealed that further unauthorised works had taken place to 291 Talbot Road. The area formerly reserved for use as a proposed 'retail showroom' had been converted into a second unit to be used by the adjacent MOT/tyre sales business which was already in operation. These works necessitated a change to the submitted floorplans and parking arrangements.

## **PROPOSAL**

The present scheme for this application seeks planning permission to retain the building's use as two separate units; one for a motor vehicles repair and servicing business (Class B2), and the other for storage and distribution purposes (Class B8).

As previously indicated, the MOT/tyre sales business now occupies the full frontage of No.291 (420sqm) but is divided into two by an internal wall that was built in 2011. Access to the business is therefore achieved via two sets of roller shutter doors fronting Talbot Road. The storage and distribution business occupies the remaining rear portion of the building (540sqm) and, as it would not be open to the public, is accessed via a passageway which leads from the access road that runs between No's 287 & 289 Talbot Road.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICES**

L7 – Design

## **PROPOSALS MAP NOTATION**

Unallocated

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as necessary in the report.

## **RELEVANT PLANNING HISTORY**

None

## **CONSULTATIONS**

**Pollution & Licensing:** No Objections

**Drainage:** No objections

**LHA:** No objections, further comments made are discussed in the Observations section of this report.

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The uses for which this application seeks retrospective consent are considered to be appropriate for the premises and in keeping with existing adjacent uses within this cluster of industrial buildings. Therefore there are no objections in principle to the developments providing that they do not unduly harm the residential or parking amenities of the surrounding residents, or conflict with pedestrian and/or highway safety. These issues are discussed further below.

### **RESIDENTIAL AMENITY**

2. The motor vehicle repairs and servicing business occupies the frontage of this industrial property and inevitably conducts works and repairs with both roller

shutter doors open, as they also represent the solitary points of vehicular access into each of the two pods. The nature of the business also means that it generates a reasonable number of vehicular comings-and-goings throughout the day. Apartments relating to 1-35 Milton Close are located 38m away on the opposite side of Talbot Road. An up-to-date Noise Assessment Report has been submitted to the Council concluding that the use should not harm amenity of surrounding residents. This conclusion has been accepted by Pollution and Licensing. However, in order to ensure that the amenity of these closest residents continues to remain unharmed it is recommended that the hours of operation of this business be limited to 0700-1900 Monday – Friday; 0800-1900 Saturday; and not at all on Sundays and Bank Holidays.

#### DESIGN AND STREETSCENE

3. The only external alterations that have been made to the premises relate to the provision of new painted roller shutter doors (externally mounted) following the reinstatement of the old openings to its frontage. These works are considered to be appropriate in the context of a property of industrial character and that is set within a cluster of other similar buildings. It is also noted that the façade of the building is set further back from the Talbot road highway than either of its adjoining neighbours, thus reducing its prominence.

#### ACCESS, HIGHWAYS AND PARKING

4. During the course of the application, a number of concerns have been raised by the Council with regards to the planned provision, arrangement and management of car parking within the site. However a revised parking layout and supporting management plan was submitted in October 2012 which proposed the following arrangements for each of the two businesses.
5. Under the Council's Parking Standards 5 car parking spaces should be made available for the Storage and Distribution (B8) use. As no members of the public are set to visit this premises, this car parking will be for operatives only, and will be accommodated within a proposed parking area to the rear of the site. Access to these designated spaces will be achieved from Renton Road, or via the access that leads from Talbot Road between the buildings of No's 287 & 289. This arrangement has been accepted by the LHA.
6. A motor vehicle repairs and servicing business of this size requires, under the Council's Parking standards, a total of 10 off-street parking spaces to be made available for staff and customers. The majority of the hardsurfacing on the Talbot Road frontage needs to remain clear for access into the premises, and is not big enough to accommodate 10 parking spaces in any event. Furthermore, the proposed car park to the rear of the site is located too far away (150m) to reasonably expect that members of the public would use it, and it would involve them walking along an access road between two industrial buildings, with no footpaths and as such the potential for conflicts with forklifts and large delivery vehicles to occur. Therefore, for pedestrian safety reasons, the LHA have stated that members of the public should not have access to the rear parking area.
7. The parking arrangements and Management Plan submitted for the motor vehicle repairs and servicing business have been informed by the site constraints outlined above. The proposed site plan indicates that three customer parking spaces can be made available to the frontage of the site. This can be achieved, whilst still retaining independent vehicular access into the units themselves, if one

of the two vehicular entrance points onto the site forecourt is blocked off with bollards, thus creating an unambiguous means of accessing/egressing the site. The Management Plan explains that clients of the MOT/repairs business will drop their car off in one of the designated parking bays on the forecourt, where it will be swiftly transported by a member of staff to one of seven parking spaces within the new car park to the rear of the site, where it will await its turn to be worked on within the building of No.291 itself. A staff operative would then return the vehicle back to a parking bay on the forecourt when the client returns to pick it up. The LHA considers that this strategy, if properly adhered to, will adequately serve to prevent congestion to the frontage of the building, and will satisfy the issues relating to pedestrian safety that would arise from members of the public walking to the premises from the rear of the site. Therefore there are no objections to the development on Highways grounds.

8. No details relating to cycle or motorcycle parking have been submitted by the applicant; however this is something that the LHA has requested to be incorporated within the site. The provision of cycle stands can be secured by condition.

#### DEVELOPER CONTRIBUTIONS

9. Although there is no previous planning history that clearly indicates the use of 291 Talbot Road prior to it becoming vacant and suffering fire damage, the applicant asserts that the whole unit was used for vehicle repairs, something which appears to be supported by existing old signage on the building. Therefore for the purpose of calculating the level of developer contributions required, if any, the existing use of the premises has been classed as B2. As a result, the subdivision of 291 Talbot Road does not generate an increased impact on the local infrastructure that would warrant financial contributions to be made as part of this application, and the table below demonstrates this. Paragraph 2.1.4 of SPD1 confirms that negative contributions will not be allowable (i.e. result in financial contributions made to the applicant).

<b>TDC category.</b>	<b>Gross TDC required for proposed development</b>	<b>Contribution to be offset for existing building</b>	<b>Gross TDC required for proposed development</b>
Use Class (floorspace)	B2 (420sqm) B8 (540sqm)	B2 (960sqm)	
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£891	£990	£0
Public transport schemes (including bus, tram and rail, schemes)	£1,017	£1,130	£0
Specific Green Infrastructure (including tree planting)	£3,720	£3,720	£0
<b>Total contribution required.</b>	<b>N/A</b>	<b>N/A</b>	<b>£0</b>

#### CONCLUSION

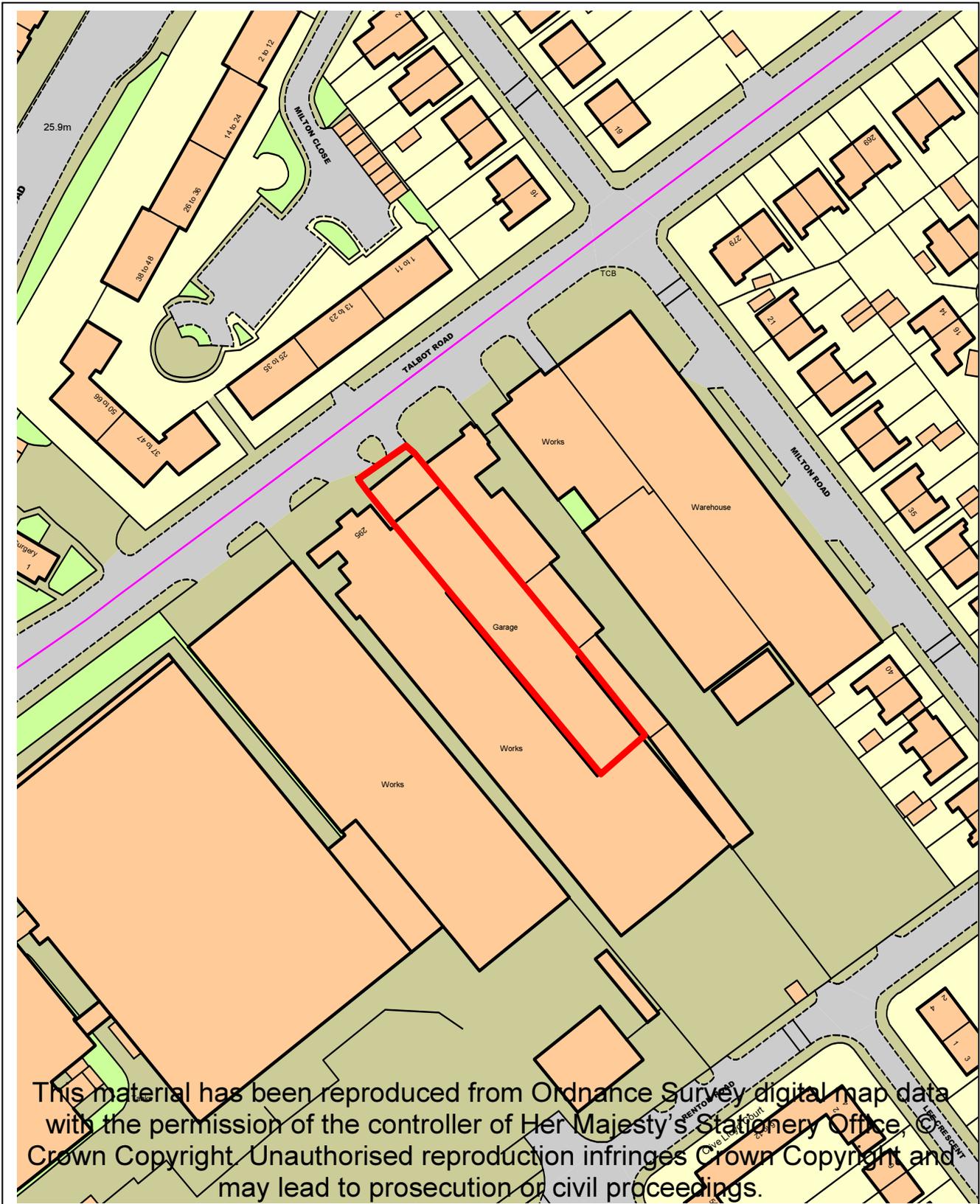
10. The developments for which retrospective consent have been sought have returned a previously vacant building back into commercial use and will not have a detrimental impact on the residential or parking amenities of the area if managed in accordance with the agreed hours of operation and Management Plan. The development is therefore considered to be in compliance with Policy L7 of the Trafford Core Strategy.

**RECOMMENDATION: GRANT SUBJECT TO THE FOLLOWING CONDITIONS**

- 1) Standard time limit;
- 2) Compliance with all Plans;
- 3) Provision of access, bollards and parking spaces;
- 4) Retention of access and areas reserved for parking;
- 5) Compliance with Management Plan;
- 6) Hours of Operation limited as follows:  
Monday – Friday 0700 – 1900  
Saturday 0800-1900  
Sundays and Bank Holidays – at no time
- 7) Removal of PD rights for subdivision of building;
- 8) Notwithstanding approved plans, amended plan should be submitted removing reference to 'showroom' and to a first-floor 'office' on cross-section B:B;
- 9) Siting, design and number of Cycle/Motor-Cycle Parking;

**JK**

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**LOCATION PLAN FOR APPLICATION No: - 76859/FULL/2011**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Priory**

**77029/FULL/2011**

**DEPARTURE: No**

**ERECTION OF A DETACHED BUILDING TO FORM PRIVATE INDOOR RIDING ARENA, STUD FARM FACILITIES AND ASSOCIATED OFFICES AND STORAGE. FORMATION OF AN OUTDOOR RIDING ARENA AND WORKS ANCILLARY THERETO INCLUDING HARDSTANDING, CAR PARKING, PADDOCKS AND SOFT LANDSCAPING.**

Priory Nursery, Dane Road, Sale, M33 2NG

**APPLICANT:** Brookhouse Stud Ltd

**AGENT:** CA Planning

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO A S106 AGREEMENT AND REFFERAL TO SECRETARY OF STATE**

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## **SITE**

The application site relates to a stabling and riding facility known as Priory Nursery which is set within Green Belt land on the northern edge of the Sale urban area. It is enclosed on three sides by mature tree belts and landscaping and covers an area of 3.81 hectares. To the west the site is bound by Priory Gardens woodland and public thoroughfare which also extends around the northern end of the site to form a green buffer between the M60 motorway which runs east-west 50m away. Cow Lane links Dane Road with the motorway footbridge and runs adjacent to the eastern site boundary, separating Priory Nursery from the rear gardens of houses on Arnesby Avenue, a residential cul-de-sac which extends the built environment northwards to meet the M60.

A 4.5m high wall runs along the southern edge of the site for a length of 36m and forms the common boundary with the neighbouring Conservative Club and its associated Bowling Green and Car Park. It is understood that this wall, which benefited from Listed status until 1985, once formed part of a walled garden (hence the name Priory Nursery) that sat within the grounds of a large manor house located on what is now Priory Gardens. Two access roads into the site from Dane Road run adjacent to the eastern and western boundaries of the Conservative Club. A block of retirement flats which fronts onto Dane Road backs onto the south-eastern corner of the site.

The Priory Nursery site itself is made up of two open fields separated by a low picket fence. A modest-sized dwellinghouse dating from the late 1970s sits against the southern boundary wall of the site, whilst nearby three rows of stables and an open shed structure run parallel to each other to the south-western corner of the site. Those trees in the south-eastern corner of the Priory Nursery, and some along the eastern boundary adjacent to Cow Lane, are covered by Tree Protection Orders.

Since the submission of this application in June 2011 planning permission has been granted for a number of other works in connection with its use as a stabling and riding facility. These include the erection of 2.4m high paladin fencing and soft landscaping around three sides of the site's perimeter (ref:79032/FULL/2012); the formation of a 60m x 20m outdoor ménage and the refurbishment and extension of

the existing three rows of stables to bring them up to modern day horse welfare standards (78945/FULL/2012); and the erection of a temporary stable building, 335sqm in size, for a period of 6 months (79220/FULL/2012). To date, the fencing and temporary stable block are in-situ, whilst construction work is on-going for the refurbishment of the existing stables.

## **PROPOSAL**

This application seeks planning permission to develop Priory Nursery to form an integrated private training facility and stud farm for international standard dressage horses. All new development at the site is proposed to its south-western section, and will comprise of a rectangular building that would accommodate a 40m x 20m indoor riding arena. These dimensions represent the minimum standards required to allow for Olympic standard dressage and associated equestrian training to take place under cover during inclement weather. The length of this building is oriented on a north-south axis and has six stables and a feed store centrally positioned on its eastern side. As the stables do not occupy the full length of the arena building this allows the roof overhang to the north and south eastern corners to provide cover for machinery and specialist horse-box vehicles. The floor area of the building covers 1,070.8sqm, with a maximum footprint of 28.4m x 41.3m and a height of 6.75m to the top of its dual-pitched roof. The materials proposed include timber boarding to the elevations and doorways, and trapezoidal profiled sheeting to the dual-pitch roof.

The majority of the facilities required for the stud farm business will be accommodated within the western half of the refurbished and extended stables that were granted permission under application 78945/FULL/2012; and shall include four quarantine stables, rooms for the collection, storage and testing of horse semen, and office and amenity space for staff and veterinarians. Unlike the rest of the accommodation in this area, the collection room requires 4m of clear height so that a stallion can rear up onto a phantom horse. The eastern portion of the refurbished stable area, which benefits from cover throughout, will accommodate three stables, and laundry, tack and horse washing facilities.

The indoor arena building is sited in close proximity to the refurbished stable blocks and the two are linked by a 4m high roof/canopy that is enclosed at its western end to form the back wall of the new collection room, and secured at its eastern end by a sliding gate. As well as providing cover for horses and staff as they move between the arena building and the stud facilities, an equine treadmill will be sited in this area to allow horses to continue to exercise whilst in quarantine.

Additional pockets of hard surfacing (similar in character to a dirt-track) have been proposed around the southern and eastern sides of the arena building which will link it with the existing access road. A new turning head will allow large horse-box vehicles, comparable in size to HGV's, to manoeuvre out of the site via the same point of access.

Soft landscaping works have been proposed around the site perimeter, most notably to the north-eastern corner to screen views into Priory Nursery from the nearby Motorway footbridge.

In total this application proposes to create approximately 1,175sqm of development in the Green Belt over and above those extensions already approved as part of

separate applications (Stable extensions – 31.5sqm; additional roof coverage – 135sqm; and outdoor ménage).

## **AMENDMENTS**

During the course of the application the footprint of the main arena building has been significantly reduced in size. The original submission sought consent to demolish the four rows of existing stables and accommodate all of the proposed stud and riding facilities in a single building; however the refurbishment of the three southern-most rows of stables has allowed for the proposed stud business to occupy this area which in turn has facilitated the reduction in the overall amount of new development within the green belt.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

- L7 – Design
- L8 – Planning Obligations
- R2 – Natural Environment
- R3 – Green Infrastructure
- R4 – Green Belt, Countryside and other Protected Open Land

## **PROPOSALS MAP NOTATION**

- Green Belt
- Wildlife Corridor
- Areas of Nature Conservation Value, Tree and Hedgerow Protection, Special Landscape Features
- New Open Space/Outdoor Recreation Proposals
- Protection of Landscape Character

## **PROPOSALS MAP NOTATION**

- Green Belt
- Wildlife Corridor
- Areas of Nature Conservation Value, Tree and Hedgerow Protection, Special Landscape Features
- New Open Space/Outdoor Recreation Proposals
- Protection of Landscape Character

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

- C4 – Green Belt
- C5 – Development in the Green Belt
- OSR12 – Country Parks & Informal Recreation Areas
- OSR13 – Sale Water Park
- ENV3 – Landscape Protection
- ENV8 – River Valleys and Major Watercourses
- ENV9 – Sites of Importance for Nature Conservation
- ENV10 – Wildlife Corridors
- ENV17 – Areas of Landscape Protection
- ENV20 - Skylines

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### **Priory Nursery**

79220/FULL/2012 - Erection of temporary stable block – Approved with Conditions, 19/12/2012

79032/FULL/2012 – Erection of 2.4 metre high paladin fencing around site boundary – Approved with Conditions, 03/10/2012

78495/FULL/2012 - Refurbishment of, and extensions to, existing brick-built stables; erection of replacement timber stable block following demolition of existing, smaller structure; and formation of roof over courtyard to create enclosed stable and storage area. Relocation of existing outdoor ménage – Approved with Conditions, 16/10/12

H/CLD/65746 – Application for Certificate of Existing Lawful Use in respect of occupation of bungalow without complying with Condition 2 of planning permission H/LB/06195 (agricultural occupancy condition) – Approved, 19/12/2006

H/65299 – Removal of Condition 2 of Planning Permission H/LB/06195 (agricultural occupancy condition relating to bungalow) – Refused, 02/10/2006

H06195 – Erection of a bungalow – Approved, 01/12/1977

H05596 – Erection of a 3-bedroom bungalow – Refused, 28/07/1977

H02174 – Rebuilding of Nursery's Man House on site of demolished house – Approved 26/10/1976

### **Sale Conservative Club**

H42197 – Erection of 4.7m high lighting columns to floodlight Bowling Green – Approved 31/07/1996

H40184 – Erection of single storey side extension to provide additional accommodation for snooker room and member's meeting room – Approved, 15/03/1995

H36654 – Erection of eight 7.5m high lighting columns to floodlight bowling green – Refused 28/04/1993

H35263 – Erection of club premises comprising lounge, bar, snooker room, kitchen, meeting room, toilet accommodation on the ground floor with stewards accommodation, office meeting rooms & storage (see file) – Approved, 12/08/1992

H35262 - Erection of 8, 7.5m high lighting columns for floodlighting of proposed bowling green granted as part of application H/ARM/34738 – Refused, 01/07/1992

H33407 – erection of part single, and part two-storey club premises, incorporating bar, meeting room, dance floor, stewards accommodation and toilet facilities – Refused, 19/06/1991

## **CONSULTATIONS**

**LHA:** There are no set car parking standards for the provision of an indoor riding arena or for the stud farm facilities; however, it is considered that there is adequate space provided within the site for these uses.

**GMEU:** The Ecology Unit has reported that the applicant's survey is to a satisfactory standard. Concern has been expressed that it is proposed to erect a 2m high close-board fence around the entire perimeter of the site as part of the development, although this has since been addressed as part of a subsequent application.

The ecology Unit have recommended that no vegetation clearance required by the scheme take place during the optimum period for bird nesting (March – July inclusive). A method statement detailing measures to be taken to avoid the possible spread of Japanese knotweed should also be prepared.

**Drainage:** No objections

**Pollution and Licensing:** - No objections

**Greater Manchester Police Design for Security:** As the site is relatively secluded and organised equine related crime is not uncommon, I respectfully suggest that, should the LPA be minded to approve the application, a condition be included requiring the submission of a security plan. The plan should include detailed measures to reduce the risk of crime at the premises, including: perimeter security; security of offices; an alarm system; any CCTV system monitoring the premises; lighting to the drive and yard; and details of the safe storage of valuables within the building.

**Tree Officer:** Comments to follow in the Additional information Report

## **REPRESENTATIONS**

Eleven letters of objection have been received from residents of Dane Road and Arnesby Avenue, and their concerns can be summarised as follows:

- The proposed development will harm the openness and visual amenities of the Green Belt
- The size and design of the proposed indoor arena building is out of keeping with the area, including adjacent Priory Woods which are used by walkers etc.
- The indoor arena building and any associated external lighting will be visible from neighbouring residential properties and will spoil the outlook from the windows of these houses.
- The development would lead to a significant increase in the amount of traffic using the site which would harm highway safety, increase pollution, and cause noise disruption
- The proposals would be detrimental to the existing wildlife on Priory Nursery
- The proposed fencing is unsightly and spoil the character of the area
- The development is for private use and does not provide any community benefits

A letter of objection has also been received from Councillor Brotherton who feels that the size and appearance of the proposal is inappropriate in the Green Belt and will be visible from neighbouring properties on Arnesby Avenue, affecting their amenity as a

result. Concern has also been expressed about the increase in traffic movements and the impact that this could have on Dane Road.

An additional representation has been received from a resident of Dane Road, which whilst not objecting to the principle of the proposals, does highlight some inaccuracies contained within the applicants Ecology Assessment.

The amendments that have been submitted for this scheme were received subsequent to all of the above representations from local residents and Councillors.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

#### **NATIONAL POLICY**

1. This application seeks consent to create 1,070sqm of new floorspace within the Trafford Green Belt, in addition to works which have recently taken place on this site, and which have been described in the opening paragraphs of this report. National guidance on development within the Green Belt is contained within Chapter 9 of the NPPF – Protecting Green Belt land. This states that the Government attaches great importance to Green Belts. The fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (Para 79). It goes on to state that as with previous green belt Policy, inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances. It advises 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, is clearly outweighed by other considerations (Para’s 87 & 88).
2. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. However exceptions to this include the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
3. The guidance contained within the NPPF heavily underpins local planning policy on development in the Trafford Green Belt, which is set out within Policy R4 – Green Belt, Countryside and other Protected Open Land of Trafford’s Core Strategy. This states that the Council will continue to protect the Green Belt from inappropriate development, and that new development will only be permitted within these areas where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purposes of the Green belt set out in national guidance by reason of its scale, siting, materials or design, or where very special circumstances can be demonstrated in support of the proposal (R4.1-R4.2).
4. The use of this site as stabling and riding facilities can be considered as a form of ‘outdoor’ recreation, as outlined in paragraph 89 of the NPPF. However this application seeks consent for a large-scale building that is primarily designed to

facilitate the riding of horses inside, and as such cannot be considered as a facility for outdoor sport and recreation. Given also the substantial size of the arena building, it is clear that the proposals constitute inappropriate development that would, by definition, be harmful to the Green Belt. Therefore the applicant is required to demonstrate the existence of very special circumstances that would be sufficient to clearly outweigh this harm to the Green Belt, and any other harm, if the development is to be supported.

## APPLICANT'S SUPPORTING STATEMENTS SUMMARY

5. The applicant has acknowledged that the proposed developments constitute inappropriate development in the Green Belt and has produced a number of supporting statements throughout the course of the application process which highlight factors that they consider amount to the presence of very special circumstances. In summary, the applicants have sought to robustly demonstrate that this is a top-end business which can only operate from a secure site with safe access that is capable of accommodating a certain standard of facilities. This site needs to be located within a predominantly urban area and in close proximity to an international airport to allow for the flexible and efficient couriering of chilled horse semen to customers across the world. These criteria have formed the basis for a sequential test, which has been updated throughout the course of the application and which has assessed the ability of 36 sites in the north-west to accommodate a training and stud-farm business of the highest standard, whilst also noting any harm that would be caused to Green Belt land. According to the applicant, this supporting information illustrates that at this time, no suitable and available sites exist outside of the Green Belt, and no sites exist within the Green Belt that are available and more suitable than the application site - Priory Nursery. In addition to the Sequential Test, the applicant has cited the low level of prominence of the arena building, and the uniqueness of the business as factors that amount to the presence of very special circumstances that are sufficient to outweigh the harm caused to the Green Belt, and any other harm that may exist.

## REQUIREMENTS OF THE BUSINESS

6. Within their planning statements the applicant has sought to illustrate exactly how a state-of-the-art stud farm business operates with respect to the level of facilities that are required, and the day-to-day activities that would take place. It is stated that Brookhouse Stud seek to breed, train and maintain the best possible stallions to achieve sporting excellence and at present they possess 8 horses of this quality, which have recently been brought to Priory Nursery from the business's previous base in Germany. Brookhouse stallions have represented three different nations in Dressage at the Olympic Games and World and European Championships, gaining 556 advanced-placings. The applicant states that if these high standards are to be maintained then similarly high standards of training, breeding and stabling facilities need to be provided within a single site. For example, as most stud horses will still be competing whilst in stud, they must be able to continue training in indoor arenas which are of a suitable size to practice for international events. At international competition level, dressage is performed in a 20m x 60m arena; however training can be adjusted so that the tests can be performed in a 'short arena' which measures 20m x 40m. Additionally, natural ventilation and jumping clearance (plus perception space) is required to create an environment consistent with international competition, something which informs the height and volume of an arena building. A short

indoor arena has been included as part of these proposed developments, whilst an uncovered standard arena (20m x 60m) has already been constructed outside to the north of this building. The stabling facilities proposed have to be DEFRA (Department for Environment Food and Rural Affairs) approved (minimum 3.6m x 3.6m in footprint) and of sufficient number and standard to cater for third party owners who prefer to bring mares on-site for 'live breeding'. Similarly, a certain standard of facilities are required by DEFRA for the proposed stud-farm, and are set out in regulations on the 'Approval and Supervision of Semen Collection Centres', and 'Collection, Processing, storage and Transport of Semen'. Of particular importance is the formation of lockable animal accommodation and an exercise area which is physically separated from the collection and processing rooms; isolation facilities which have no direct communication with the normal animal accommodation; and semen collection facilities that are open air protected from adverse weather effects. The applicant has stated that certain facilities could not be accommodated off site as this leads to difficulties regarding security, disease, and the contentment and productivity of the horses, both with respect to their training and breeding abilities. Additionally there is an expectation with a business which deals with horses of this calibre that the facilities provided will be on a single site and of the highest standard.

7. The applicant states that the cornerstone of the sport is breeding the best product, which includes making animals available for breeding to outside mares, as this ensures financial viability for the training aspect of the business. The invention of artificial insemination has allowed horse semen to be shipped from a stud farm to the location of the mare, thus eliminating the need for animals to travel. The stud farm expects that some 95% of customers will be from overseas, including Europe, the Middle East, North America and Australia; furthermore, 80% of the product will be transported fresh rather than frozen. For this reason the location of the stud farm business in close proximity to an international airport, in this case Manchester Airport, is a principal issue in the site selection process. The collection and exportation of fresh horse semen is strictly time controlled with customers requiring the semen to be delivered within 24 hours of collection in order to ensure the maximum quality of the product, particularly given the calibre of the horses involved. Customers normally only commit to purchasing the semen when they have confirmation that a specific mare is ovulating, which leaves a very short time frame for the whole process to be concluded. Customer orders (generally 10-12 per day) are concluded by 11am each morning, with the collection period taking up to 4 hours and preparation/packing of the product taking a further hour. Each customer is responsible for the product as soon as it leaves the premises so recognised couriers are used to ensure security and rapid delivery, and this also allows for the progress of the delivery to be tracked throughout. When the product reaches the receiving country an allowance of around 3 hours is to be expected for delivery and insemination. Discussions have taken place with local couriers to determine delivery times that they can work to. The couriers have indicated that in an urban location, where there are likely to be more customers on any particular collection run, they are able to operate significantly later than if it is a single collection in a rural area. An urban location provides the advantage of collections being able to be made through the afternoon whereas traditional rural stud farms have a cut-off time of lunchtime. Given that mares have a limited ovulation period, and due to the inherent difficulties in 'collection' with a phantom horse, this limited time span for rural facilities is a constraint on their operation. Therefore, the applicant has argued that it is essential that the proposed stud farm is located within an urban area and a short distance from the airport (30mins) to maximise the available time period

and flexibility for courier collection, and to minimise the potential for delays in transporting the product to the airport and beyond.

## SEQUENTIAL TEST

8. The site selection process that has been submitted principally examines sites with a drive time of under 30mins from the airport, the outer limits of which have indicated by the applicant on an isochrone map. The selection of potential sites has also been informed by other criteria which include site access and security; availability of land; and the presence of on-site accommodation and any stabling/stud and arena facilities. In addition to the 'essential facilities' required for the operation of the proposed business, sites were assessed against potential constraints to development which included Green Belt designation; impact on the ecology of an area; and harm to the residential and visual amenities of the area. In principle the aim was to identify sites outside of the Green Belt which would be able to accommodate the proposed use by meeting enough of the list of 'essentials'. This initial search of sites has been updated during the course of the application, and has concluded that none of the three available sites in open countryside (i.e. not designated as Green Belt land) would be suitable for the business to operate from for reasons that include their remote rural location; the size of the site; sub-standard access/egress; and poor security. As such the search for appropriate and available sites was broadened to include those on Green Belt land. A further 10 sites on the market (including the application site) and within 30mins of Manchester Airport were considered against the above criteria and constraints. Each of the application sites were deemed to be sequentially less preferable both in respect of the requirements of the business, and the impact on the Green Belt &/or area of special landscape that would result from erecting a new indoor arena building and additional stabling/stud facilities. The most up-to-date assessment found Priory Nursery to have the shortest drive time to Manchester Airport, and to be the only site located within the Greater Manchester conurbation. The applicant concludes that the from the Sequential Test the application site has emerged as the clear preferred option in respect of impact upon the Green Belt; accessibility in terms of location and highway safety; security; its provision of existing facilities; and the overall commercial advantage that it provides.

## IMPACT OF DEVELOPMENT

9. Following the selection of Priory Nursery as the preferred site for the business and its proposed facilities, consideration has been given in the applicant's Planning Statements to the impact that the indoor arena building will have on the openness and visual amenities of the Green Belt. The statement that accompanied the initial submission assessed the impact of a 9.2m high, 1,932sqm sized building that accommodated all of proposed arena, stabling and stud facilities under one roof. This concluded that there would be no impact upon the purposes of the Green Belt and, in respect of openness, the impact will be minimal both at a site specific and a wider scale. The applicant stated that the construction of a building which essentially serves a rural function in equestrian activities, and is clearly rural in character, would not constitute urbanisation of the application site or urban sprawl as implied in national policy. The applicant went on to argue that the high boundary walls and trees around the site, and the extent to which it is contained by adjacent land uses, restricts views to the extent that Priory Nursery does not currently display openness to any substantial degree. The effect of this is that it is more able to accommodate new development without

harm to the Green Belt. Seen in the context of adjacent land uses, the applicant states that the proposed development will fit comfortably to the rear of the existing Conservative club and residential unit with the effect that the loss of 'openness' will not be significant. In addition, the proposed enhancement of the planting around the boundaries of the site will further mitigate any perceived impact on openness.

10. Amended plans for the arena building were submitted in November 2012 by the applicant in response to strong concerns expressed by the Council with regards the impact that a 1,932sqm development would have on the openness and visual amenities of the Green Belt. A further statement submitted by the applicant explained that a number of facilities have been taken out of the main building and decanted into the existing refurbished stables in order to reduce its footprint, height, scale and massing. Locating the arena building close to the existing stables also means that the extent of the built development on the site will be significantly reduced from the original proposal. Furthermore the open-sided nature of the arena will allow views through the building, again reducing the impact of the development.

## DISTINCTION FROM OTHER BUSINESSES

11. In addition to the Sequential Test, the applicant has sought to differentiate the type and standard of facilities that are being proposed from other equestrian businesses that might seek consent for an indoor riding arena in Trafford. The applicant argues that this business would be unique to the Trafford area (and indeed the whole of the country) because the stallions that would continue to reside at Priory Nursery are of a higher calibre than is available anywhere else in the United Kingdom. The applicant goes on to suggest that the business would not be subject to other market competition in the Trafford area due to the limited market for equine semen and the very limited number of stud horses of this calibre to collect from. In-demand blood-lines are kept within the business or in Holland. The applicant acknowledges the presence of other stud-farms within the North-West but contends that the stallions here are not of an international calibre.

## ASSESSMENT OF APPLICANTS STATEMENTS REQUIREMENTS OF THE BUSINESS

12. From the applicants Planning Statements it is acknowledged that facilities of a certain size and standard are required to form a state of the art stud-farm and equestrian training business, and that these two uses are, as the applicant states, an inherent part of a single operation. Therefore the site selection criteria associated with the Sequential Test is considered to be acceptable, and does not seek facilities that unnecessarily exceed those that are deemed to be essential for the business. With respect to the location of this business, it is clear that close proximity to an international airport is advantageous given the high percentage of overseas trade. This must also be supported by flexible site-airport delivery methods given the fixed nature of flight times and the unpredictability's involved with artificial insemination, and the short shelf-life of the chilled 'product'. Therefore from a business perspective, it is recognised that the combination of being in close proximity to an international airport, and within an urban area with access to a regular and flexible courier service on a daily basis, is vital to ensure the efficient delivery of chilled 'product' to international destinations.

## CONSIDERATION OF SEQUENTIAL TEST

13. It is considered that the applicant has produced a generally robust and up-to-date Sequential Test of sites within their identified catchment area, and based on their list of 'essential facilities' which are accepted. Examination of the sites which do not sit within Green Belt land reveals that they are situated in comparatively remote countryside settings that would be unlikely to benefit from access to a regular courier service as a matter of course. Little weight however is attached to the issues identified for each site regarding its security. The recent approval at the Priory Nursery application site has shown that sites can be made fit for purpose relatively easily through the erection of fencing (either under permitted development or as part of a planning application) or additional landscaping. Overall though, it is accepted that there are no sequentially preferable non-Green Belt sites available that reasonably meet the accepted criteria required for this business.
14. Examination of the remaining 10 available sites that all fall within Green Belt land confirms that Priory Nursery sits in the most urbanised setting, and is the equal closest site to Manchester Airport. Furthermore, it is apparent that the level of new facilities required on each site would be similar in that none of those surveyed already benefited from an indoor riding arena. Where the sites differ is that Priory Nursery is considered to sit in a less prominent setting than the majority of the other nine identified sites, which typically sit directly adjacent to a highway and/or are poorly screened by landscaping or other existing buildings. Therefore whilst the resulting impact of a new arena building on the openness of the Green Belt could be argued to be broadly similar across these ten sites, it is considered that a discernable difference exists between Priory Nursery and the majority of the other sites with respect to how prominent new development would appear from surrounding public vantage points, and the resulting level of harm that this would cause to the visual amenities of the Green Belt. Therefore, given the above, the applicant's conclusion that the Priory Nursery application site represents the most sequentially preferable available Green Belt site is accepted.

## CONSIDERATION OF IMPACT OF DEVELOPMENT

15. With respect to the developments that have been proposed at Priory Nursery, the Council disagrees with the applicant's conclusion that its impact on the openness of the Green Belt will be minimal both at a site specific and a wider scale, due to its rural appearance and restricted views into the site. Harm to the openness of Green Belt land is not limited to how much of a development is visible, or the type of materials it is constructed from, nor should its assessment be restricted to key views from public land or particular 'vantage points'. This development proposes to create 1,070sqm of additional floor space, over and above that already secured for the site as part of other planning applications. As has been described in the opening paragraphs of this assessment, it is considered that a building of this size will harm the openness of the Green Belt, and therefore requires the presence of very special circumstances to outweigh this harm for an approval of planning permission to be justified.
16. Although the development is considered to harm the openness of the Green Belt by reason of its height and large footprint, it is recognised that this harm has been minimised by siting it amongst the cluster of existing built development to the south-west of the application site, and also in close proximity to the Conservative Club to the south. This siting maximises the amount of remaining open space at the north and east of Priory Nursery, and increases separation distances to the

closest residential properties. The main building is broadly rectangular in shape, with an asymmetric dual-pitch roof above. During the course of the application, the applicant has significantly reduced the footprint (by 850sqm) and overall height (by 2.5m) of the building in an effort to reduce its impact on the surrounding Green Belt, although three rows of stables which were initially earmarked for demolition have been retained, refurbished and covered by a single roof in the process (558sqm). Whilst the resulting scale and massing of the arena building is still significant, from a design perspective it is considered that it will not unduly appear as a single box-type structure as features such as the roof overhangs, recessed storage/stable areas, and open sides will serve to give the building a degree of depth and relief, and will also allow for some views through to the open land beyond. The materials proposed are considered to be reasonable, although they would need to be of sufficient quality to prevent the building from taking on a shed-like appearance. Overall, the design of the arena building is typical for a structure of this use and is considered to be acceptable.

17. Priory Nursery is closely bound on its eastern and western sides by public footpaths, and a third, informal, footpath has become established immediately to the north of the application site as a short-cut between Priory Gardens and the motorway footbridge. The application site lies within a protected area of 'landscape character' and an area of 'nature conservation value, tree hedgerow protection, and special landscape features'. Views of the proposed arena building from the eastern pathway of Cow Lane are largely restricted as a landscaped bank rises steeply up to the application site, to a height of 3m in places, and is topped a continuous belt of trees. Paladin boundary fencing has also been erected within the application site, set a short distance from this boundary, but is set to be hidden by rows of soft landscaping planted on both sides of the fence. Further to the north, Cow Lane climbs significantly above Priory Nursery in order to meet the footbridge across the M60 motorway. In particular the steps up to this bridge would allow views through a gap in the trees from an elevated position to the north-eastern corner of the application site, whereby the main building would be visible, in part, 190m away. The applicant has agreed to retain the most substantial trees within the centre of the site to increase the screening of this key view. Replacement trees have also been proposed to fill the north-eastern corner, although these would take time to become established and screen views of the proposal. In contrast to the eastern side of the site, the footpath immediately west of Priory Nursery is raised 1m-2m above site-level. From this path inside Priory Gardens, the proposed building would be visible at its closest point 20m away, although views would be filtered by the tree belt along the western boundary, and the imminent introduction of soft landscaping along the newly erected 2.4m high boundary fencing. From the north, it is considered that the main arena building would be screened entirely from view throughout the year by the thick boundary landscaping. Finally it is considered that the top of the pitched roof to the arena building would be visible from Dane Road to the south, beyond the refurbished stables, and Priory Nursery dwellinghouse. However its visibility would only be across a very narrow range – at the vehicular entrance to the Conservative Club, and over a distance of 80m, due to the 3m+ high historic brick wall that surrounds this site. Thus the impact of the proposed development on the highway will be very limited. Overall, it is considered that the arena building will be visible from certain, sensitive public vantage points, particularly during the winter months, and before new landscaping has become established, and that this will cause a degree of harm to the visual amenities of the Green Belt.

## SUMMARY OF APPLICANT'S CASE

18. In the paragraphs above it has been accepted that the Priory Nursery site represents the most sequentially preferable available site that is located within a 30min drive of Manchester Airport, and that is capable of accommodating the facilities deemed necessary for the operation of a successful stud-farm and riding business. It has also been accepted that the level of facilities proposed within existing and proposed buildings at Priory Nursery do not unnecessarily exceed those that are deemed to be essential. In addition, the calibre of the stallions typically associated with the applicant's business is recognised as being of the highest quality, and is considered to be something that sets this application apart from other equine related businesses that may seek to develop comparable Green Belt sites in Trafford (and beyond) in a similar manner. It is further considered that the likelihood of a competing stud business moving into Trafford that possesses stallions of an equal or greater calibre than those at Priory Nursery is very low, for the reasons set out within the applicant's statement.

## COMMUNITY BENEFITS

19. Whilst the proposed development is intended for private use by the applicant's business only, the applicant has confirmed that each year for a minimum period of five years, a resident of (or relation to) the Trafford area will be given the opportunity to join the staff of Brookhouse Stud on an internship basis. This would be on a charge-free basis and would provide the intern with the experience of working with the high-calibre horses and coaching staff for a period of up to four weeks. This arrangement could be secured through a s106 legal agreement.

20. In acknowledgement of the harm that the proposed arena building would have on the Green Belt, the applicant has agreed to contribute towards an off-site planting project within the vicinity of the application site, so that part of the local Green Belt may be enhanced as a result of this scheme. This provision of off-site planting would be in addition to the financial contributions normally required for a development of this size and use, as set out in SPD1: Planning Obligations, and in addition to the within-site planting that has already been outlined in this report. This contribution could be secured through a s106 legal agreement.

## RESIDENTIAL AMENITY

21. The proposed indoor riding arena has been sited in the south-western corner of the site, adjacent to Priory Gardens to the west and the Conservative Club to the south. The closest residential dwellings to this building are the retirement home fronting Dane Road, 95m away, and the rear gardens of Arnesby Avenue which are over 100m to the east beyond a belt of tall trees. Whilst the proposals will be visible from the windows of these properties, they will not unduly detract from their outlook due to the significant separation distance which exists between them.

22. The proposed development will not generate so many trips to and from the site that will unduly disrupt the residential amenity of the residents on surrounding Dane Road and Arnesby Avenue with respect to the noise created.

## ACCESS AND CAR PARKING

23. Whilst this application seeks consent for 1,175sq.m of new development, the applicants have suggested that there will only be 2 full-time staff employed at

Priory Nursery and that trips in-and-out of the site will be limited in number as the proposals are for a private business that is not open to the public. Instead visits to Priory Nursery will mostly be generated by couriers, feed/bedding suppliers, and the applicant who will reside in the on-site dwellinghouse. Therefore the proposed development will not significantly increase traffic levels on the surrounding highways and junctions.

24. Entrance into the site is via an existing narrow track accessed from Dane Road and which runs parallel to the eastern boundary wall of the Conservative Club. At approximately 3m in width, the track is of sufficient size for HGV size Horseboxes to drive down but it cannot accommodate two-way traffic, although as this is a private business with a low trip generation this does not represent an area of concern for the LHA. Sufficient visibility splays exist either side of the eastern access on Dane Road to allow vehicles to safely exit the site, although this is not the case with the western access on the other side of the conservative Club. This access point is set to remain blocked off to prevent it from being used.

25. The additional areas of hardstanding that have been proposed will be sufficient to allow vehicles to park informally, and the proposed turning head will allow large horseboxes to manoeuvre so that they can exit the site again in forward gear. Therefore, there are no objections to the proposals on highways grounds.

## DEVELOPER CONTRIBUTIONS

26. The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below, and are based on 1,175.2sqm of additional floorspace (indoor arena; collection room and intervening link extension):

<b>TDC category.</b>	<b>Gross TDC required for proposed development</b>	<b>Contribution to be offset for existing building/use</b>	<b>Net TDC required for proposed development</b>
	Use Class D2	Use Class D2	
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£6,588	N/A	£6,588
Public transport schemes (including bus, tram and rail, schemes)	£21,972	N/A	£21,972
Specific Green Infrastructure (including tree planting)	£12,090	N/A	£12,090
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	N/A	N/A	N/A

Education facilities.	N/A	N/A	N/A
<b>Total contribution required.</b>		<b>N/A</b>	<b>£40,650</b>

27. As previously described in this report, the applicant has agreed to make contributions in addition to those required in the table above to the provision of tree planting within Priory Gardens to the west of the site, which also sits within Green Belt land.

## CONCLUSION

28. In conclusion, it is considered that the buildings proposed as part of this application cannot be classed as 'appropriate facilities for outdoor sport and outdoor recreation' in terms of Green Belt policy. However, in this case it is recognised that there is a need to create indoor riding and stud facilities at a site that is within a 30 minute drive from Manchester Airport, and in an urban area with access to a regular and flexible courier service. A Sequential Test has demonstrated that there are no more suitable or preferable sites available within the identified catchment area. For this reason, and given also the calibre of the horses involved, and lack of likely future competition, it is considered that this business would be unique to the North West, and therefore justifies the existence of 'very special circumstances' and an exception to Green Belt policy. Given also that the developments have been sited within the main cluster of existing buildings and that additional landscaping has been proposed within the site, it is considered that the proposed development would be acceptable within the Green Belt and within the Area of Landscape Protection. Community benefits would result from this scheme in the form of off-site tree planting to the Green Belt within the local area, and the chance for promising Trafford residents to secure an internship with the business. For all of the reasons above the application is recommended for approval.

## **RECOMMENDATION: - MINDED TO GRANT SUBJECT TO A S106 AGREEMENT AND REFFERAL TO SECRETARY OF STATE**

**(A)** That the application will propose a satisfactory development for the site upon completion of an appropriate legal agreement to secure the following:

- (i) Financial contributions of £40,650 split between contributions towards Highways & Active Travel Infrastructure (£6,588); Public Transport Schemes (£21,972) and Specific Green Infrastructure (£12,090);
- (ii) Provision of off-site tree planting in accordance with a scheme to be identified by the Council;
- (iii) Each year, for a minimum period of five years, a resident of (or relation to) the Trafford area will be taken on by Brookhouse Stud on an internship basis for a period of up to four weeks;

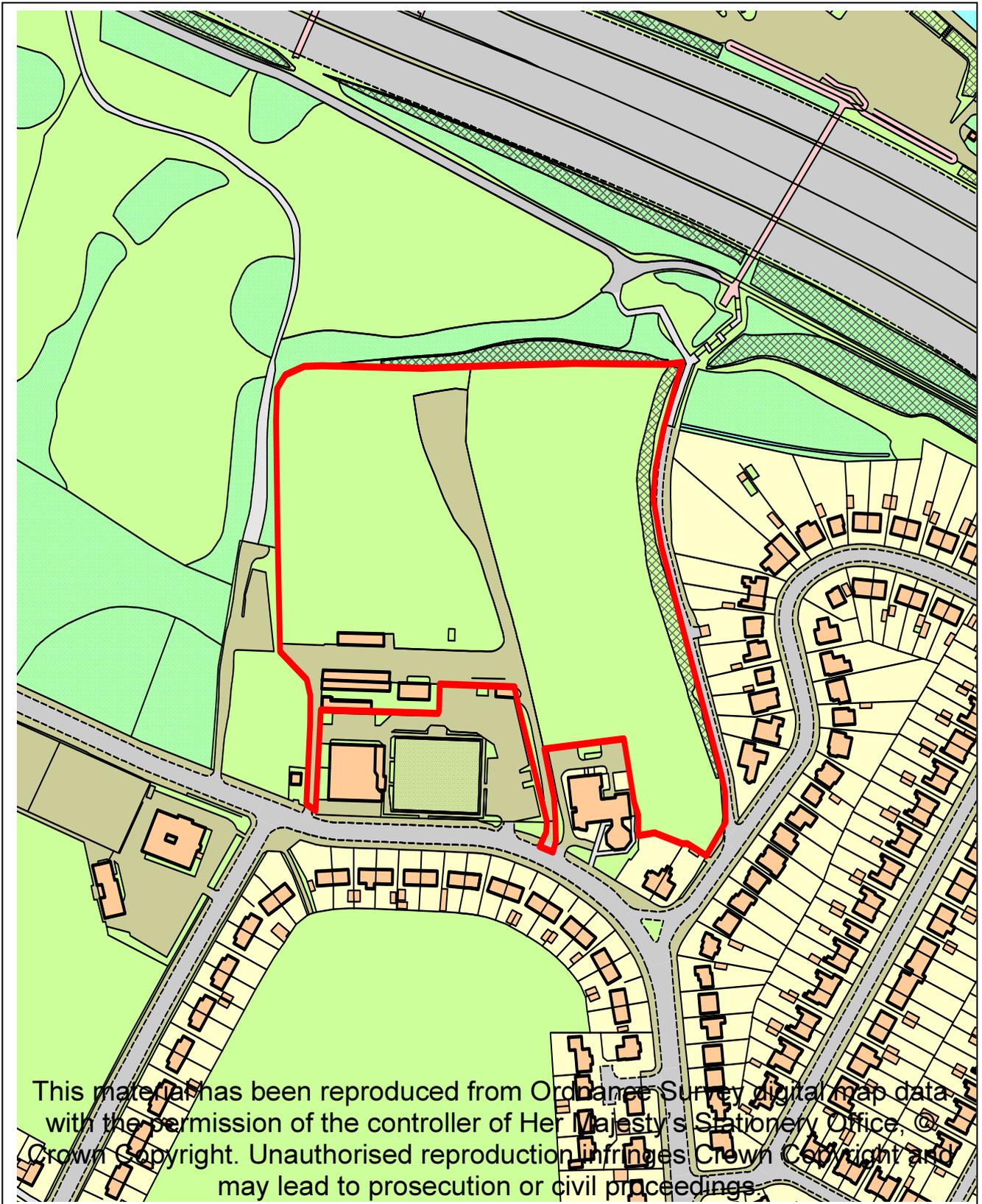
**(B)** That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the following conditions: -

1. Standard Time Limit;
2. Compliance with all Plans;

3. Use of site limited to elite, accredited stud farm and/or equestrian training facility; or removal of all development hereby approved within an agreed timescale following cessation of business;
4. Materials to be submitted;
5. Landscaping;
6. Porous material for hardstanding;
7. External Lighting;

JK

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**LOCATION PLAN FOR APPLICATION No: - 77029/FULL/2011**

Scale 1:2500 for identification purposes only.

Chief Planning Officer

PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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**OUTLINE APPLICATION FOR ERECTION OF 3NO. THREE STOREY BUILDINGS COMPRISING 18 NO. TWO BEDROOM APARTMENTS WITH ASSOCIATED CAR PARKING AND LANDSCAPING. DETAILS OF LAYOUT, SCALE AND ACCESS SUBMITTED FOR APPROVAL WITH ALL OTHER MATTERS RESERVED**

Land to north of Station Road, Stretford.

**APPLICANT:** Urban Surveying Limited

**AGENT:** Urban Surveying Limited

**RECOMMENDATION: REFUSE**

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**SITE**

The application relates to a narrow and elongated area of land to the north of Station Road in Stretford. Directly to the north of the site is the Manchester-Liverpool railway line, which is raised above the ground level of Station Road and accessed from a footbridge over the Bridgewater Canal to the east of the application site. Beyond the railway line is an industrial unit. The surrounding area is predominantly residential with the side gables of the end terraced dwellings on Derwent Road, Bowness Street and Kendal Road abutting Station Road. These terraces are traditional two storey dwellings. The site measures 0.14ha and does not include the steep embankment abutting the railway.

Station Road leads to Marland Way, which is a modern housing development adjacent to the Bridgewater Canal known as Stretford Marina. Properties within this estate are three storey townhouses and apartments.

**PROPOSAL**

Outline planning permission is sought for the erection of 3no. three storey buildings to form 18 no. two bedroom apartments. Details of layout, scale and access are provided with all other matters reserved for subsequent approval.

The submitted drawings indicate the buildings would be sited to the west of the site with car parking to the east. Amenity space provision for the occupants of the flats would be sited at the far east of the site adjacent to the Bridgewater Canal.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

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

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

- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.

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

L1 – Land for New Homes  
L2 - Meeting Housing Market Needs  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment

#### **PROPOSALS MAP NOTATION**

Wildlife Corridor

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

ENV10 – Wildlife Corridors

#### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles  
DP2 – Promote Sustainable Communities  
DP4 – Make the Best Use of Existing Resources and Infrastructure  
DP9 – Reduce Emissions and Adapt to Climate Change  
RDF1 – Spatial Priorities  
MCR1 – Manchester City Region Priorities  
MCR2 – Regional Centre and Inner Area of Manchester City Region

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out central government planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance;

Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

H/30941 - Erection of 31 garage units with associated landscaping (Approved March 1990).

## **APPLICANT'S SUBMISSION**

### **Design and Access Statement**

This states that the proposal would provide an interesting and innovative development acting as a perimeter to the established residential area and a gateway to the modern canal side development. The detailed appearance of the buildings is a reserved matter, but the overall design employs a polite style of architecture to maximise the use of the site. The impact on the street scene is minimised by keeping the blocks together and the internal layouts have been designed to provide living accommodation to the front and sleeping and bathroom facilities to the rear.

### **Supporting Letter dated 8<sup>th</sup> November 2012 re: Amendments**

It is stated that the development complies with PPS3 in terms of density and is an example of higher density development. The scheme offers three storey accommodation fitting in with adjacent urban areas – isolated overlooking of some rear yards was considered acceptable as it already occurs between properties and the proposal brings greater benefits to the area including reducing anti-social behaviour and supporting the prevention of areas of concealment. Doors on Station Road support natural surveillance of the street.

## **CONSULTATIONS**

**Design for Security:** No objection to residential use of the site, however in the absence of details to demonstrate due consideration of crime and disorder issues, cannot support application. Proposed car parking is remote and lacks natural surveillance or perimeter security. Crime prevention measures would be required and crime impact statement desirable.

**Electricity North West:** No objection.

**Greater Manchester Ecology Unit:** No objection. Site is not designated for nature conservation and has low potential to support protected species. Recommend tree survey and survey for invasive plants (schedule 9) – if the latter shows any such plants are present on site, a method statement will be required. Vegetation clearance to take place outside of bird nesting period (March-July inclusive).

**Local Highway Authority:** To meet the Councils car parking standards, 36 car parking spaces should be provided. 18 car parking spaces are proposed – one per flat. The LHA considers that this would result in on street parking as there is no flexibility within the parking provision for residents owning multiple vehicles. Properties in the vicinity are terraced and there is a lack of off-street parking, therefore residents in the area depend on the availability of on-street parking. The proposal would exacerbate this on street parking within an area with acute parking issues – the Traffic Section has recently consulted with residents about the potential for a resident's parking scheme. With regards to the proposed car parking layouts, the spaces sited in close proximity to the footway would be difficult to access and the

vehicular access does not allow simultaneous access and egress. Vehicles would be unable to turn within the site nor egress in forward gear, which is not acceptable on highways grounds. The cycle storage area is substandard in size – 2 cycle spaces would be required per unit if allocated and 1 per unit if communal. Motorcycle parking provision is also necessary. The siting of the access in close proximity to the railed pedestrian access to the Bridgewater Canal is far from ideal.

**Pollution & Licensing:** Concern regarding noise from rail and industrial sources. Assessment required of external noise climate and vibration impacts to the proposed dwellings. As a minimum, this assessment should include: 24 hour ambient and max noise level measurements and specific data for passenger/freight rail traffic and activities from nearby industrial/freight distribution centres and noise and vibration mitigation measures.

**United Utilities:** No objection providing no surface water is discharged to the combined sewer network. The site must be drained on a separate system with only foul drainage connected to foul sewer. Surface water should drain to adjacent canal.

## **REPRESENTATIONS**

16 Letters of objection have been received. The main concerns raised include:

- Overdevelopment – land is too narrow building too large, would overshadow terraces, does not add interest as applicant states
- Schools and doctors surgeries already oversubscribed
- Additional noise and would exacerbate crime and disorder issues
- Loss of green space including blackberry bushes - could be used as gardens/allotments for residents, area is already deficient in open space
- Increase in traffic. One car space per flat is not sufficient and could lead to on street parking – many families have two cars per home
- Land currently acts as a buffer between houses and the railway and industrial unit
- Trafford Park train service is only every 2 hours – trains already overcrowded

Councillor Mike Cordingley objects on the grounds of loss of greenspace, which is of particular value due to the intensity of development in the area. The three storey design it is far too tall for the area and would visually dominate Bowness Road and result in loss of light. The parking is insufficient in spacing, looks difficult to access from the road and the spaces appear unworkable, which could lead to on street parking in a neighbourhood already struggling with undersupply of car parking spaces. 18 apartments is far too many for the size of the plot - this is the fourth substantial application for housing and this neighbourhood, which already has an undersupply of greenspace, is being overdeveloped. The proximity of the upper storeys to the railway line is alarming and the development could be affected by vibration from the trains. There is a long term aim for the electrification of existing railway lines and the potential for heavy freight carriage.

## **OBSERVATIONS**

- A meeting was held with the applicant in April 2012 to discuss concerns about the proposal. The applicant requested that the time limit for determination of the application was extended to allow them to reconsider the scheme. Amendments were received in November 2012, however these are relatively minor in nature and have not served to address all the issues raised.

## PRINCIPLE OF DEVELOPMENT

- The site is allocated as a Wildlife Corridor on the Revised UDP Proposals Map. Although an ecological assessment has not been submitted with the application, the site was assessed by the Council's ecologist in 2010. It was concluded that the site offers low ecological value and any effects on the wildlife corridor could be mitigated by high quality landscaping with enhanced access onto the Bridgewater Way. GMEU also conclude the site is not designated for its nature conservation value. The trees within the site would need to be removed to facilitate the development and the proposed site coverage is such that replacement planting would be constrained.
- The site comprises greenfield land. At the current time, the Council is not achieving its targets for new housing development and is also significantly underperforming (in excess of 10%) on its target for 80% of this housing provision to use previously developed brownfield land. As such, where development proposals involve the use of greenfield land for housing, a balanced judgement is required between the use of this greenfield land and the proposals contribution to new housing provision. Policy L1.7 sets an order of priority for the release of greenfield land and the first priority is the release of land within the Regional Centre and Inner Area, within which the site lies.
- Whilst it is considered that the release of this sustainable urban greenfield site may not conflict with Policy L1 in terms of the release of the greenfield land for housing, Policy L7 - Design states that development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers by reason of noise and disturbance or in any other way. The site lies adjacent to a railway line carrying passenger and freight trains and an industrial unit lies to the north of these lines. No assessment has been submitted in respect of noise from rail and industrial sources or vibration from the railway. In the absence of such an assessment, it is therefore considered that the applicant has failed to demonstrate that the principle of the development of the land for housing provision would not be detrimental to the future occupiers of the land. The applicant has afforded insufficient consideration to amenity considerations contrary to Policy L7 of the Core Strategy and the NPPF.

## SCALE, LAYOUT AND STREET SCENE

- The proposal is outline and consent is sought for scale, layout and access. Although indicative elevations have been submitted, the detailed design of the scheme is a reserved matter.
- In terms of scale and layout, properties in the immediate vicinity of the site are two storey terraces and the application proposes 3no. three storey blocks each containing 6no. apartments. A cross section was requested during the course of the application, although this has not been submitted as part of the amended plans however, the proposed blocks would be higher than the adjacent terraced properties. Each block is proposed to measure 17.2m in width and 7m in depth with a height to eaves of 7.8m and height to ridge of 10.3m. From the west of the site, the first block would be sited 0.5m-1.5m from the pavement and the remaining two would be 1.5m-2.5m from the pavement. Although each block would be 2.5m apart, it is considered that three storey blocks sited in such close proximity and in close proximity to the

pavement and the railway embankment would appear cramped, overbearing and visually intrusive within the street scene and would fail to allow sufficient space for landscaping and boundary treatment to adequately define public and private space. There would also be no scope to adequately screen the parking area with landscaping along the Station Road boundary. As such, the proposal would fail to enhance the street scene contrary to Policy L7 of the Core Strategy, Planning Guidelines: New Residential Development and the NPPF.

- Whilst consent is not sought for design, the drawings submitted for illustrative purposes suggest the design of the proposal would not be appropriate with little variation to break up the scale and massing of the proposed blocks.

## CRIME AND SECURITY

- A Crime Impact Assessment was requested to address the comments of Design for Security, however this has not been submitted as part of the amended scheme. The proposed site layout, with the car parking located to the far east of the site, would provide little natural surveillance of the car parking area however. This could result in occupiers of the development parking on street in front of the apartment blocks due to concerns about the safety of their vehicles. As a result of a meeting with applicant, windows are now indicated to the side elevations of the blocks to provide natural surveillance of the car park, bike stores and bin store however, in the absence of an appropriate crime assessment, it is considered that the applicant has failed to demonstrate that crime and security has been addressed in the design of the layout of the proposed development contrary to Policy L7 of the Core Strategy.

## RESIDENTIAL AMENITY

- It is noted in the principle section of the report that the applicant has failed to demonstrate that noise and vibration from the railway and the industrial unit would not be detrimental to the living conditions of the future occupants of the apartments. As such, the proposal is contrary to Policy L7 of the Core Strategy, Planning Guidelines: New Residential Development and the NPPF.
- In terms of the amenity of adjacent occupants, Council guidelines require 10.5m to be retained between habitable room windows and the private gardens of neighbouring properties, a distance increased by 3m per additional storey above first floor and in this case 13.5m. Third floor habitable room windows to the front elevations of the westernmost block would be 12.5m from the private rear yards of 1 Derwent Road and 2 Bowness Street and this would result in undue loss of privacy to the occupants of these dwellings. The proximity of the proposed development, combined with the number of main habitable room windows to the proposed front elevations (including lounges and kitchens as opposed to bedrooms as with the existing terraced dwellings) would result in significant loss of privacy, overbearing impact and significant visual intrusion to the occupants of the existing houses adjoining Station Road. The proposed site coverage and lack of potential landscaping to provide screening would result in a general loss of green space which would have an adverse impact on living conditions of residents already living in a very built up area. As such, it is considered that the proposal is contrary to Policies L1 and L7 of the Core Strategy, Planning Guidelines: New Residential Development and the NPPF.

## ACCESS, HIGHWAYS AND PARKING

- The Council's Car Parking Standards require two off-street car parking spaces per apartment and only one is proposed. Each apartment would also be provided with 2no. cycle spaces. Although the site is located adjacent to the Trafford Park railway station and the Bridgewater Way cycle route, the rail station only offers services every 2 hours outside peak times with no service on Sundays. There are existing issues with on-street parking in the area and a temporary resident's parking scheme is in force, which was introduced to restrict on-street parking during the Olympic events that took place at Old Trafford Football Stadium. The Council's highways department is currently out to consultation with residents in the area to determine whether the scheme will become permanent. It is considered that the shortfall in parking provision would exacerbate on street parking to the detriment of the convenience and amenity of residents.
- Although a 6m vehicular access is proposed from Station Road, would fail to provide simultaneous access and egress and the car parking layout is also substandard. It is therefore considered that the proposed access and parking layout would be unsatisfactory to support the proposed development. The proposal would therefore be contrary to Policies L4 and L7 of the Core Strategy, the Council's adopted Planning Guidelines: New Residential Development, Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

## DEVELOPER CONTRIBUTIONS

- The Trafford Developer Contributions (TDC) required by SPD1: Planning Obligations are set out in the table overleaf:

<b>TDC category</b>	<b>Gross TDC required for proposed development</b>	<b>Contribution to be offset for existing building</b>	<b>Net TDC required for proposed development</b>
Affordable Housing	4 units	n/a	4 units
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£954	n/a	£954
Public transport schemes (including bus, tram and rail, schemes)	£2,898	n/a	£2,898
Specific Green Infrastructure (including tree planting)	£5,580	n/a	£5,580
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and	£35,825.87	n/a	£35,825.87

outdoor sports facilities).			
Education facilities	£67,228.15	n/a	£67,228.15
<b>Total contribution required</b>	<b>£112,486.02</b>		

- Should the committee resolve to grant planning permission, the above contributions should be secured through an appropriate legal agreement. The specific green infrastructure contribution could be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme.
- The applicant has indicated that the level of the contributions would render the scheme unviable. If the application is refused and an appeal subsequently submitted, the applicant has been advised that a case for viability would need to be made with the appeal submission.

## CONCLUSION

- In the absence of an appropriate assessment to demonstrate that the future occupants of the apartments would be safeguarded from noise and vibration from the railway line and noise from the nearby industrial unit, it is considered that the applicant has failed to demonstrate the suitability of the development of this land for housing. It is considered that the size of the site cannot accommodate the proposed number of residential units, in addition to associated parking, amenity space and access provisions in a satisfactory manner, with the result that on-street parking would be exacerbated to the detriment of highway safety and the safety of other users of the highway. Given the constrained width of the site and the proposed proximity of the development to Station Road and the railway embankment, the proposal is considered to be too large with respect to its scale, height, massing and overall density. As such, it is considered that the proposal would result in a cramped and overbearing form of development that would fail to enhance the character and appearance of the area or the street scene and would be detrimental to the residential amenity of the occupants of properties on the opposite side of Station Road, by reason of visual intrusion and overbearing impact. Finally, the applicant has failed to demonstrate that consideration has been afforded to crime prevention and community safety in the design of the proposals. The proposal is therefore considered not to be a sustainable form of development, contrary to Policies L1, L4 and L7 of the Trafford Core Strategy; the Council's adopted Planning Guidelines: New Residential Development; Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

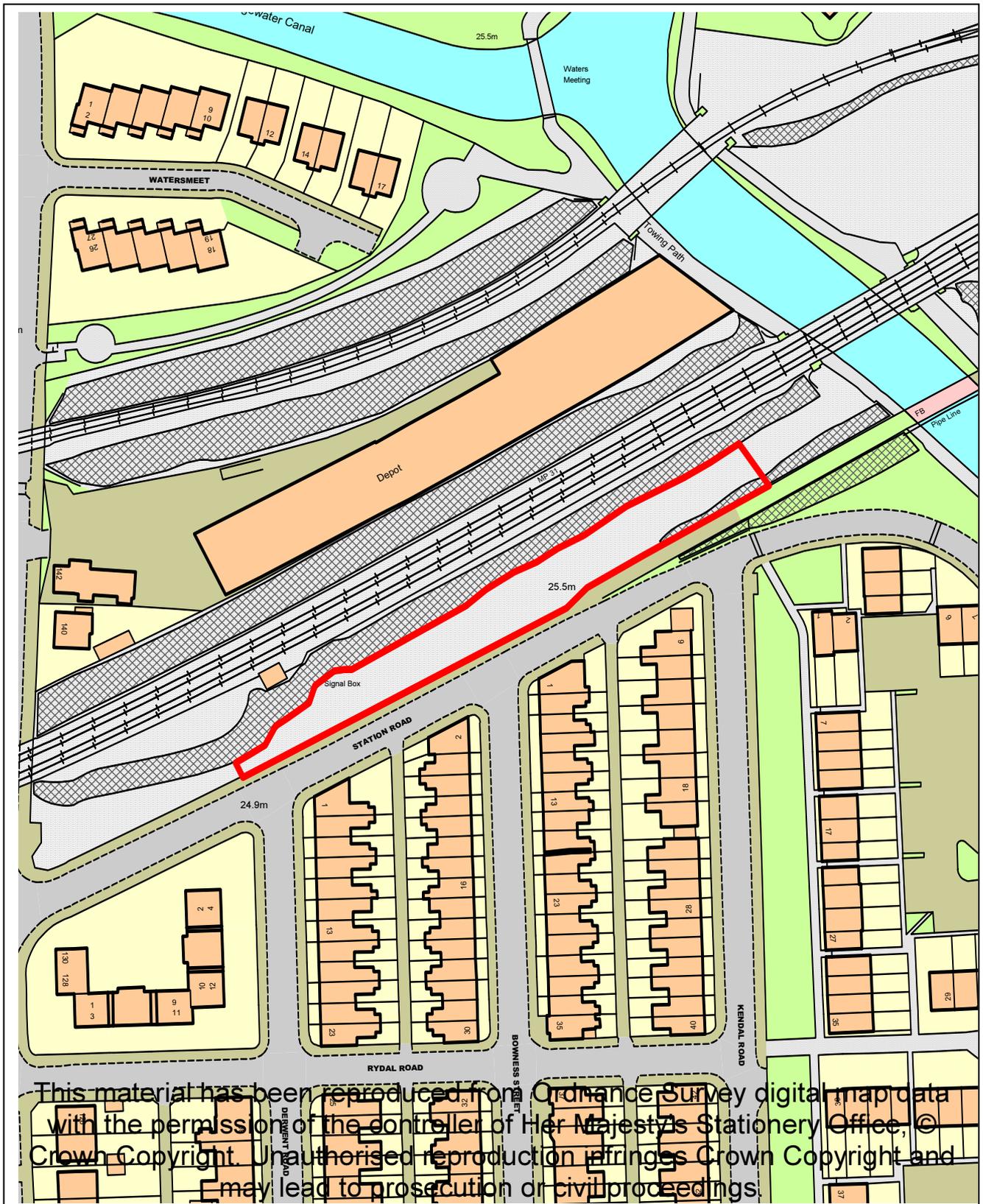
## **RECOMMENDATION: REFUSE**

- The proposal, by reason of its scale, height, massing and layout, would result in a cramped and overbearing form of development that would fail to enhance the character and appearance of the area and the street scene. As such, the proposal would be contrary to Policies L1 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.

- The proposal, by reason of its scale and height would result in undue loss of privacy, overbearing impact and visual intrusion to the occupants of nearby residential properties, particularly 1 Derwent Road and No's 1 and 2 Bowness Street. As such, the proposal is contrary to Policies L1 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.
- The proposed development would generate a significant demand for car parking which cannot be accommodated on this site in a satisfactory manner with the result that vehicles would be forced to park on surrounding highways and reverse out of the site to the detriment of highway safety and the amenities and convenience of other users of the highway. As such, the proposal is contrary to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development, Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.
- The applicant has failed to demonstrate that the site layout and perimeter design affords due consideration to crime, disorder and community safety issues to the detriment of the safety of future occupants and existing adjoining occupants. The proposal is contrary to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.
- The applicant has failed to demonstrate that the future occupants of the proposed apartments would not be unduly affected by noise from both the adjacent railway line and nearby industrial premises or vibration from the railway line to the detriment of the amenity that the occupants should reasonably expect to enjoy. As such, the proposal is contrary L1 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.

DR

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**LOCATION PLAN FOR APPLICATION No: - 78229/O/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Davyhulme  
West**

**78464/FULL/2012**

**DEPARTURE: No**

**RETENTION OF 7 NO. 8M HIGH LIGHTING COLUMNS AND SITING OF AN  
ADDITIONAL 5 NO. 8M HIGH LIGHTING COLUMNS WITHIN THE STAFF CAR  
PARK.**

Trafford General Hospital, Moorside Road, Flixton, Manchester, M41 5SL

**APPLICANT:** Trafford Healthcare NHS Trust

**AGENT:** Trafford Healthcare NHS Trust

**RECOMMENDATION: GRANT**

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**SITE**

The application relates to the staff car park of Trafford General Hospital in Urmston. The staff car park is to the north of the hospital buildings and is accessed from Bower Avenue. The car park is immediately to the south of residential properties on Minster Drive.

Residential properties are also to the east on Bowers Avenue. To the west of the car park is Davyhulme Golf Course.

**PROPOSAL**

The hospital are seeking the installation of 12 lighting columns within the staff car park, the lighting columns are 8m high with double headed light fittings. 7 of the lighting columns are already in place and the proposal is to install another 5. The lighting columns are set at least 20m into the site from the northern boundary which adjoins properties on Minster Drive. 10 of the columns include double headed light fittings and two are single fittings.

The lighting relates to an area of staff parking approved under application 75602/FULL/2010 for the reconfiguration of the site to provide an additional 116 spaces.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

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

- Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
  - The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

L7

#### **PROPOSALS MAP NOTATION**

None

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

None

#### **PRINCIPAL RSS POLICIES**

None relevant

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

#### **RELEVANT PLANNING HISTORY**

75602/FULL/2010 Re-modelling of the site to provide 116 additional parking spaces.  
Approved 04/03/2011

H/33662 Erection and installation of lighting columns to car park and 2 columns to support security equipment.  
17/07/1991

### **APPLICANT'S SUBMISSION**

The concerns regarding impact to the neighbouring residential properties have been raised with the applicant who advise as follows;

The lighting design was carried out with considerable development and effort to minimise the effect on adjacent properties. The lighting design is in accordance with BS5489 and the Guidance Notes for the Reduction of Obtrusive Light GN01:2011 as published by the Institute of Lighting Professionals.

The hospital are confident that the lighting design meets the light limitation for an E3 Zone (suburban area) as defined by the Institute of Lighting Professionals. They are also confident that the effect on the neighbouring residential areas meets the requirements for an E2 Zone (rural).

The height, number and position of columns has been carefully assessed to minimise the number of columns and keep them as far as possible from the houses as practical and minimise the physical intrusion into the skyline.

The light fittings utilise flat glass rather than the traditional deep bowl specifically to minimise glare and light pollution.

The calculated average lighting level is 13lux when the guidance for this type of location is 20 lux.

The internal angle of the light source was modified at installation stage to decrease the throw of lighting in the row of lights nearest the residential houses in order to further minimise the potential impact on the neighbouring residential properties.

The light fittings automatically dim to approximately 50% of normal output for 8 hours in the middle of the night. This equates to the lights being dimmed from around 23:00 each night.

The light fittings for this scheme produce significantly less glare and light pollution than the general street lighting in adjacent residential neighbouring areas.

The light fittings and column height are similar to those in use in residential areas across Manchester.

The applicant has re-explored the option of installing anti-glare louvers to the light fittings nearest the neighbouring residential properties. However this creates a dark zone that would need additional 5m high columns and directional lights near the boundary line. While this could reduce the impact of point source glare (Viewed Source Intensity) it would require the installation of columns near to the boundary line. The applicant feels that this would be intrusive on the neighbouring properties and that as the lighting design is compliant that this is not sensible or necessary.

In summary the applicant states that they have considered all practical measures in order to minimise the impact of lighting on the residential properties and feel that the

design meets and exceeds all requirements. This lighting is required to improve the car park facility for staff and provide the minimal requirements for their safety.

In relation to the management of the car park, the hospital advise that the staff car park has been designed with the wellbeing of staff working shifts. The staff park needed to have improved low light and better pathways to improve security and the risk of trips and falls, because of all the different shift patterns it is not possible to reassign areas of the public car park (closer to the building) because there would be insufficient parking spaced for patients and visitors.

The new lighting has improved safety both leaving and arriving late in the evenings and at night. Prior to the new lighting staff had continually raised concerns regarding security and safety whilst using the car parks late evenings and overnight, with a high percentage of staff members being female.

## **CONSULTATIONS**

**Street Lighting** – The maximum limit of illumination of 2.0 lux approaching adjacent residential properties as recommended within ILP guidance on pollution document will not be exceeded therefore approval could be given for the installation of this car park lighting.

**Pollution and Licensing** – Initial concerns that the lighting was causing excessive glare to residents and request for mitigation scheme. Suggestion of fitting front louvres to the bracket arms pointing towards residents and further information requested regarding compliance with luminaires intensity.

Following the submission of further information, Pollution and Licensing are satisfied with the conclusions of the lighting report. Whilst they consider that there is some impact from glare to neighbouring residents, it is not considered actionable under the statutory nuisance legislation as the lighting complies with the ILE design criteria guidance and therefore it is not considered that objections to the lighting could be sustained on nuisance grounds.

## **REPRESENTATIONS**

3 letters of objection from residents of Minster Drive on following grounds;

- Light pollution to the rear of property
- Noise in high winds caused by the movement of the columns and wires
- Siting, scale, height and design of the lighting being an eye sore and unsuitable
- Over dominance, noise and disturbance caused by the siting of the columns
- The lighting invades bedrooms even with lined curtains being closed.
- The high level lighting to the car park is bright white light and directed outwards with glare spilling into all windows of the houses and is particularly intrusive to bedrooms.
- The need for the ensuring personal safety is understood but there must be some consideration for residents of Minster Drive.
- Unaware of large numbers of crimes taking place here
- Of the 2863 recorded crimes in the M41 area for the 16 month period from Dec 2010 less than 0.7% of this figure was registered as 'on or near hospital' making it one of the lowest figures for the district.

- From 7.30pm – 8pm onwards on a nightly basis there are usually no more than 35 cars parked in the staff car park and usually a maximum of 4 are parked on the boundaries of the car park bordering properties on Minster Drive therefore the increase in security lighting appears excessive.
- Prior to the new lighting being installed, the car park was fully lit and visible from residential properties with no apparent black spots.
- The designer of the lighting columns have recommended the columns which are suitable for motorways and minor roads which are areas requiring to be extremely well lit and not next to residential properties.
- Existing fence of 1.8m does not restrict split light from the car park bays as the hospitals supporting documentation claims, as due to the height of the lights it is the first floor of the residential properties that are affected.
- Photographs have been submitted by residents from bedroom windows directly opposite a line of lamps, and also showing that there are limited numbers of cars actually using the car park at night and few on the perimeter of the site where the lighting is proposed.

1 letter of objection received from a resident of Bowers Avenue on the grounds that they live directly opposite the car park which is already well lit and at night the existing lighting is already very bright and constantly illuminates the front bedroom windows despite having heavy lined curtains. The bright lighting is most noticeable in winter and the lights are left on overnight. Further lighting columns would also impact on the character and appearance of the area, be visually intrusive and create further light problems at night. The erection of further lighting columns will only add to the existing problem.

Suggestions regarding improvements to the situation from residents include  
Lighting could be lowered to a more reasonable height to reduce the glare into bedroom windows

- The direction of the lights could be altered
- The 2 nearest lights at the rear of residential properties could be removed (there is already an existing lighting column with CCTV that is not a part of this application)
- Lighting column heights could be reduced
- Lighting columns could be single headed lamps, not double
- Single headed lighting columns to be orientated so that the light faces away from domestic properties.

## **OBSERVATIONS**

### RESIDENTIAL AMENITY

1. Guidance within the NPPF at para 125 states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
2. Policy L7 of the Core Strategy advises at L7.3 that in relation to matters of amenity protection, development must be compatible with the surrounding area; and not prejudice the amenity of future occupiers of the development and/ or occupants of adjacent properties by reason of matters including visual intrusion or disturbance.

3. The lighting columns are 8 metres high and are at least 20 metres away from the boundary of the site with residential properties on Minster Drive and Bowers Avenue. 10 of the columns are proposed to have twin lamp fittings and two are single fittings.
4. The applicant has submitted lighting calculations which show that the 1 lux boundary line is within the site and has advised that at 13 lux average level, this is below the guidance of 20 lux for a suburban location.
5. Pollution and Licensing advise that the information submitted demonstrates that the lighting complies with industry guidance from the Institute of Lighting Engineers and therefore it is not considered that the lighting would constitute a statutory nuisance.
6. The hospital advises that the lights are dimmed by 50% after 11pm although this takes place gradually and residents have advised that they do not notice the benefit of this.
7. Nevertheless, it is recognised that neighbours particularly on Minster Drive are experiencing glare and there is an impact to their residential amenity. The hospital have been asked to explore potential for management of staff parking arrangements so that staff working later shifts could park away from the area closest to residential properties so that this would reduce the need for the lighting to be to the same level in this area.
8. The hospital have advised that in winter months the car park is still full when it is dark and therefore lighting will be required across the full extent of the car park and this restricts management options for the car park.
9. The hospital advise that two older lighting column structures within the car park close to the boundary with properties on Minster Drive will be turned off once the new lighting is fully in place. The structures will remain as this also includes CCTV. The hospital have confirmed that two of these lighting fixtures have been isolated and turned off in January since discussions have taken place regarding the impact to Minster Drive residents.
10. The hospital also advise that they could agree to a requirement to turn off the lighting columns closest to the properties on Minster Drive by controlling them with a time lock to switch off these lights between 21.00 and 06.00. There would however be an override facility to allow Security at the hospital to turn these lights on if deemed necessary. The hospital advise that the timings may need to be adjusted if security concerns arise or for health and safety reasons. However it is considered that the commitment to use this timelock will benefit the adjacent residential properties.
11. Therefore it is considered that the application is acceptable in terms of the guidance in relation to light pollution and statutory nuisance, and in light of the commitment to turn off the lighting columns closest the residential properties and therefore the proposal meets the requirements of policy L7 of the Core Strategy.

#### VISUAL AMENITY

12. The lighting columns are set within the car park to the hospital. Whilst they are tall features they do not appear out of context in the setting of a large car park.

13. The lighting columns themselves are considered to be set sufficient distance from the boundary with residential properties, at least 20m away so that they do not result in features that cause loss of residential amenity from garden areas. It is recognised that the columns are more visible from first floor windows of these properties however in the context of the setting of this car park they are not considered to appear as prominent or out of character with the site itself.
14. The lighting columns are also not considered to be particularly visible from the streetscene of Bowers Avenue and there are existing trees which provide screening, although this is obviously less in winter months. Again the closest column is set more than 20m from the edge of the hospital site with the boundary to Bowers Avenue. There are no objections from the Street Lighting Section.
15. It is therefore considered that the lighting columns are acceptable in design and siting and accord with guidance in policy L7 of the Core Strategy. However in darker hours of the day and during the night time, the light from the lighting columns is noticeable and this issue is addressed separately above in terms of residential amenity.
16. The applicant has however been asked to look at the removal of the existing lattice structure supporting CCTV equipment and lights which are no longer required. Since the new lighting columns effectively replace the lighting supported by these two structures, it is considered reasonable to look at re siting of the CCTV equipment and removal of these lattice structures which are considered to detract from visual amenity. The applicant's response will be reported in the Additional Information Report.

## **DEVELOPER CONTRIBUTIONS**

17. There are no Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations associated with this application.

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

That planning permission be GRANTED subject to the following conditions: -

1. Standard time limit (3 years)
2. Details in accordance with approved plans
3. Levels of luminance in accordance with submitted calculations
4. The lighting columns closest to Minster Drive (as shown on drawing CAP 11-04 – LTG DES- B) shall be managed by a time lock in accordance with the details submitted that will switch off these lights between 21.00 and 06.00 unless reasonably required on occasion for security purposes.

MH

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*LOCATION PLAN FOR APPLICATION No: - 78464/FULL/2012*  
Scale 1:2500 for identification purposes only.  
Chief Planning Officer  
PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Davyhulme  
West**

**78662/COU/2012**

**DEPARTURE: No**

**CHANGE OF USE FROM PUBLIC OPEN SPACE TO PRIVATE GARDEN LAND.**

Land off Minster Drive, Urmston

**APPLICANT:** Persimmon Homes (North West)

**AGENT:** N/A

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

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**SITE**

The application relates to a plot of land that was created to provide public open space as part of a housing development to the north of Trafford General Hospital, now known as Minster Drive. Residential dwellings on Minster Drive and Davyhulme Road bound the site to the north, south and west. This plot of land has been closed off to the general public by local residents in the interests of security for the surrounding residents. The gardens of No.2 and No.14 Minster Drive have been extended into this plot of land without the benefit of planning permission.

**PROPOSAL**

The application seeks a change of use of the land from public open space to private garden land. The applicants have submitted an indicative layout of how the plot of land may be divided up between surrounding properties. Part of the land adjacent to No.'s 2 and 14 Minster Drive has already been changed into garden land and therefore this application seeks retrospective consent for this.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the

development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.

- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

L7 – Design

L8 – Developer Contributions

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Unallocated

### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Uses and Infrastructure

DP6 – Marry Opportunity and Need

MCR3 – Southern Part of the Manchester City Region

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

H/49768 - Amendment to condition 1 on planning permission H/OUT/42309 to allow a further 3 years for submission of reserved matters (relating to outline planning permission for the development of land for residential purposes and revised access and car parking arrangements for the rehabilitation unit at Park House) - Approved 24/08/2000.

H/ARM/49491 - Erection of 35 detached houses with ancillary road, landscaping, fencing and garage details (submission of reserved matters pursuant to outline planning permission H/REN/OUT/42309) - Approved with conditions 24/08/2000.

H42309 - Renewal of outline planning permission for the development of land for residential purposes and revised access and car parking arrangements for the rehabilitation unit at Park House - Approved with conditions 11/08/1997.

H34766 - Development of land for residential purposes and revised access and car parking arrangements for the rehabilitation unit at Park House - Approved on Appeal 29/07/1993.

## **APPLICANT'S SUBMISSION**

The applicant has submitted a supporting statement detailing the reasons for the application, boundary treatment and the agreement to enter into a S106 Agreement. This information provided is discussed where relevant in the Observation section of this report.

## **CONSULTATIONS**

None received.

## **REPRESENTATIONS**

21 letters of representation have been received from neighbouring residents (1 signed by 3 different properties) of Minster Drive and Davyhulme Road.

8 letters supporting the overall proposal have been received, which state the following: -

- The land is not used as public open space at present.
- They have experienced verbal abuse from parties of more than 20-30 at a time, motor bikes and thefts, the best solution is to become private garden which they have maintained for a long time.
- Persimmon have never been to the land to tidy up or secure the land.
- They do not agree that Persimmon should profit from their misery, however would donate a contribution to the Council.
- The land was overgrown and not safe for children to play.
- The land has been maintained to a high standard by neighbours and think if the land was sold to non-residents that this would not be the case.
- If the land is opened again it would attract fly-tipping and be an overgrown mess.
- Opening this land up to the public will just stretch Trafford's already overstretched emergency services.

7 letters supporting the change of use of the land, but not the allocation of land to properties on Davyhulme Road have been received, which state the following: -

- The plot of land was developed for residents of Minster Drive and so should not be sold to residents of Davyhulme Road.
- The residents of Minster Drive had to 'police' this land and maintain it so it should not be given to residents of Davyhulme Road.

- To have No.137 Davyhulme Road's garden extending into the Minster Drive estate looks awful and unprofessional.
- There are a large number of trees on this land. Whatever happens they would like to see these trees remain and the responsibility of their maintenance to be passed to those buying the land.

5 letters of objection have been received, which state the following: -

- An application for planning permission similar to this with gardens backing up to the rear of properties on Davyhulme Road was refused in September 1992.
- To change the use would create an unfavourable precedent for Trafford for residents to block off and utilise public open space.
- It would cause an extinguishment to a right of way.
- There are existing trees, hedges and biodiversity on site. The application could result in the felling of the trees.
- The proposal falls contrary to Policy OSR5 and OSR9 of the Council's UDP.
- Permanent loss of an amenity for the majority of residents for the benefit of a few.
- Lack of information and consultation with stakeholders in the application regarding the future use.
- The proposal would eliminate any buffer between their property and the Minster Drive estate as originally planned.
- The Section 106 agreement associated with the development of Minster Drive requires the provision of open space within the site. The Council has not approved this space and as such the development is not in accord with the Section 106 agreement.
- The only remaining area of public open space would be a small area of land adjacent to the access road.
- It could result in the new owners requesting to build structures within the garden areas, even a separate dwellinghouse, which would compound the problem of lack of open space within the estate.
- If the Local Authority did not intend to adopt the land, planning permission should never have been granted for the development or should have been granted without public open space.

## **OBSERVATIONS**

### **BACKGROUND**

1. The application site comprises of land that was created by Persimmon Homes to form public open space as required by the Section 106 agreement for planning permission for residential development on the site (H34766). This area of open space has never been formally adopted by the Council and is unallocated in the Council's Proposals Map. The land has been closed off to the public for approximately 5 years and two properties adjoining the site, No.'s 2 and 14 Minster Drive have unlawfully extended their gardens into part of this land. It is understood that these works were carried out as the plot of land did not function well as an area of public open space, particularly due to its secluded location which resulted in some serious and prolonged spells of anti-social behaviour, littering and crime. Observations made by an employee of the Council's Parks and Countryside services in 2004 noted that the site was in a poor condition with broken timber fences, missing shrubbery, 50% of trees being in a poor condition and in need of replacement, extensive amount of weeds including over paths and littering. This application therefore seeks

to authorise the change of use that has already occurred on part of the site and the change of use of the remainder of the site to garden land for other adjoining properties.

## PRINCIPLE OF DEVELOPMENT

2. The application site is unallocated within the Trafford Revised Unitary Development Plan though it was intended to be used as public open space; a requirement for granting planning permission for residential development on the adjacent site. The key issue for consideration is therefore the loss of public open space.

## LOSS OF PUBLIC OPEN SPACE

3. At the time of planning permission being granted for the housing development for Minster Drive, the proposal was assessed against the draft Trafford Unitary Development Plan and Policy OSR10 (Local Open Space Provision in New Housing Developments). The site was within an area of existing local open space deficiency and classified as a medium sized scheme, it was considered that the provision of a play area was required. The principles of Policy OSR10 still apply today in Policies L8 and R2 of the Trafford Core Strategy, though it is increasingly common for provision to be made off site. This is often secured through the payment of a financial sum by the developer which the Council uses to enhance existing and provide new areas of public open space.
4. The application site has never been formally designated and adopted as open space by the Council. Due to the shape, size and positioning of the site, it does not lend itself as being an easily usable piece of public open space. It is also not well overlooked and has not contained children's play equipment. As outlined above, the public open space result in anti-social and criminal behaviour occurring immediately adjacent to residential houses. Neighbouring residents have reported that they have experienced: verbal abuse from groups of 20-30 people at a time in the open space; motor bikes ridden over the site; thefts resulting from access from the open space; fires; and they have had to clear the land of rubbish left by fly tippers including old beds, rubble and general litter particularly beer cans, spirit bottles and syringes. In an attempt to address the anti-social / criminal behaviour that was occurring, the site was closed-off to the public during night time hours. Following this the site was permanently closed off to the public. The Council has tried to work with the applicants to maintain the area of open space and find a solution to the anti-social behaviour problems, however unfortunately one has not been found. With the benefit of hindsight, it now appears that this was not a good location for the creation of the public open space as it is a narrow piece of land with little natural surveillance.
5. The Council held discussions without prejudice with the applicants as to what use the land could be put to. It was concluded that to sub divide the land for private garden use was the only appropriate way forward on this particular piece of open space, which regrettably would result in the loss of this public open space. It is however also recognised that there are larger, better quality areas of public open space in the vicinity of the site, such as Broadway Park, which is situated less than 400m away from Minster Drive.

6. Concerns raised by neighbouring residents regarding the change of use resulting in a precedent being set are noted, however, it is considered that the proposal would not set a precedent that would encourage others to extend their gardens into open land as any such development would require planning permission and be at risk of enforcement action should planning permission not be sought. It is also considered that the proposal would not set a precedent for the loss of public open space as there are site specific problems relating to the this particular parcel of land, which it is considered outweigh the harm caused by the loss of public open space.
7. It is considered appropriate that money raised from the sale of the land should be put towards off-site public open space within the vicinity of the site. The applicant has agreed to pay an agreed sum of money from the sale of the land to the Council which is to be reinvested in nearby existing public open space(s).
8. The proposed change of use would not result in buildings being situated closer to neighbouring residential houses. It is recognised that the indicative plot layout provided by the applicant would result in garden sizes that would enable occupiers to undertake development in their gardens. It is therefore recommended that permitted development rights are removed on these plots of land to ensure that the Council can control what development can occur in order to protect of the amenity of surrounding properties and to maintain a sense of openness in this area.
9. Concerns that have been raised by neighbouring residents in regards to how the open space is subdivided between residents is a private matter between the applicant and the residents and as such does not form a material consideration in this application.

#### VISUAL IMPACT

10. Typical garden fences are proposed to divide the application site into separate gardens. The eastern end of the site has already been fenced off and it is considered that it has been done so in an acceptable way.
11. The proposal would result in garden land, which would still provide a soft green back-drop to the development, thus maintain a visual amenity function. It is also considered that through restricting development within the proposed gardens, the site would maintain an open backdrop to the surrounding properties when viewed from Minster Drive and Davyhulme Road.
12. Concerns raised by neighbouring residents are noted, however it is not considered that the allocation of part of the site to No.137 Davyhulme Road would appear unattractive as the site divisions would not be fully visible from outside of the site. It is also not uncommon for divisions between garden plots to not form a straight line.

#### PEDESTRIAN ACCESS THROUGH THE SITE

13. It is acknowledged that the proposal would result in the removal of a pedestrian access through the site, which was available prior to the site being fenced off, this lead off Minster Drive along the side of No.2, the side and front elevation of No.14, the front elevation of No.16 and along the sides of No's 12 and 18 before linking back onto Minster Drive. However, footpaths

are provided along Minster Drive and therefore its loss would not prevent or significantly hinder pedestrian access along Minster Drive.

#### DEVELOPER CONTRIBUTIONS

14. The area of public open space was provided by the applicants to comply with the requirement set out in the S106 agreement for planning permission H34766, in accordance with the Trafford Unitary Development, which was the adopted plan at the time of the planning application. As the application would result in public open space not being provided within the development site of H34766 (and subsequent renewal applications), the applicant has agreed to pay a financial contribution to the Council for off-site provision, which will be generated from the sale of the land. It is expected that the sale of the land will provide a sum of approximately £80,950. This sum would be secured through the completion of a Section 106 legal agreement.

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

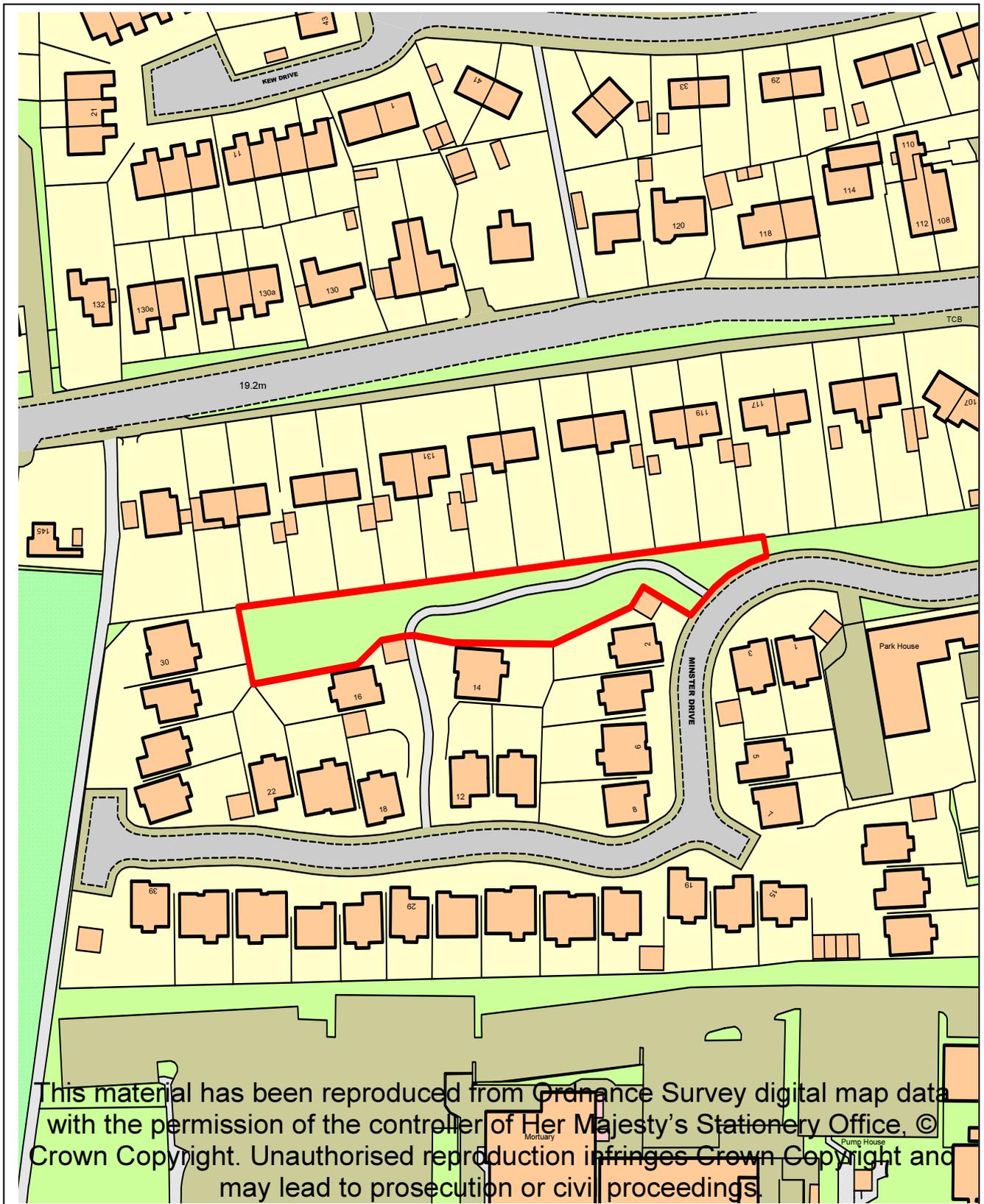
(A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement which is expected to secure a maximum financial contribution of £80,950 in a single payment.

(B) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard
2. List of Approved Plans
3. Removal of permitted development rights for extensions and outbuildings onto the site.
4. Full details of fencing and layout to be submitted and agreed in writing

VW

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**LOCATION PLAN FOR APPLICATION No: - 78662/COU/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

WARD: Bowdon

79283/VAR/2012

DEPARTURE: No

**REMOVAL OF CONDITION 1 OF PLANNING PERMISSION H/71646 (RESTRICTING USE OF THE HALL AND CLASSROOMS TO BETWEEN THE HOURS OF 06.00 TO MIDNIGHT FOR A TEMPORARY PERIOD ONLY) TO ALLOW PERMANENT USE OF THE HALL AND CLASSROOMS BETWEEN THESE TIMES IN LINE WITH THE PERMITTED HOURS OF USE FOR THE REMAINDER OF THE BUILDING.**

South Manchester Synagogue, The Firs, Bowdon, WA14 2TE

**APPLICANT:** South Manchester Synagogue

**AGENT:**

**RECOMMENDATION: GRANT**

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### **SITE**

South Manchester Synagogue is a substantial building located on the eastern side of The Firs within Bowdon. The area is predominantly residential in character with residential properties adjoining the site to the side and rear along The Firs and Catherine Road and also opposite the site on The Firs. Altrincham Grammar School for Girls is located to the east. The site is within the Bowdon Conservation Area.

### **PROPOSAL**

The application seeks permission for the removal of Condition 1 attached to planning permission H/71646 which permitted use of the hall and classrooms to between the hours of 06.00 and midnight for a temporary period only. The originally approved hours for the hall and classrooms are 08.00 to 21.00 hours.

Condition 1 of planning permission H/71646 is as follows: -

*This planning permission is granted for a limited period expiring on 12th November 2012; after this date the hall and classrooms shall not be used between the hours of 21.00 and 08.00 unless planning permission has first been granted to extend this period.*

*Reason. To enable the Local Planning Authority to assess the effect of the proposed hours of use on the amenities of the surrounding area, having regard to Proposal D1 of the Revised Trafford Unitary Development Plan.*

### **DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially

supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 - Design

R1 – Historic Environment

#### **PROPOSALS MAP NOTATION**

Conservation Area

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

ENV21 – Conservation Areas

#### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP5 – Manage Travel Demand; Reduce the Need to Travel and Increase Accessibility

DP7 – Promote Environmental Quality

L1 – Health, Sport, Recreation, Cultural and Education Services Provision

RT2 – Managing Travel Demand

MCR1 – Manchester City Region Priorities

MCR3 – Southern Part of the Manchester City Region

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

H/71646 - Removal of condition 1 of planning permission H/68164 which limits use of the hall and classroom for a temporary period only and variation of conditions 7 and 9 of planning permission H/68164 to allow the synagogue car park to be closed on the Sabbath and 11 further days (when Jewish law prohibits the use of motorised vehicle), and to allow use of the function room and classroom by charitable or other groups or individuals not necessarily members of the synagogue.

Split Decision 09/02/10 - The removal of conditions 1 (temporary period) and 9 (relating to letting of the function room and classroom) were approved, with a further condition limiting use of the hall and classroom until midnight for a temporary period only until November 2012. The variation of condition 7 (relating to closing the car park on the Sabbath) was refused.

H/68164 - Variation of condition 10 of planning permission reference H/49275 to allow the entire synagogue building to be used between the hours of 06.00 to 00.00. Approved 22/07/08

H/49275 - Erection of a synagogue with caretaker's flat following demolition of existing 63 bed nursing home building, provision of 28 car parking spaces and additional landscaping. Approved 31/01/01

## **APPLICANT'S SUBMISSION**

In response to a request for further information the applicant has provided a list of functions that have taken place over the last 12 months (including dates, function, start and finish time and number of people). A list of events up to February 2013 has also been submitted.

In addition a copy of the 'Rules for Use and Security Instructions' that the Synagogue issues to people who hire the hall for events has been submitted.

These are referred to in the Observations section of this report.

## **CONSULTATIONS**

**Pollution and Licensing** – No objections. Comments are summarised in the Observations section of this report.

**LHA** – No objections. Comments summarised in the Observations section of this report.

## **REPRESENTATIONS**

**Neighbours** – 9 letters of objection received, including one letter from Catherine Road Residents Association on behalf of 6 addresses. One further letter stating no objection but which makes comments. The main issues raised are summarised as follows: -

#### Noise and disturbance

- There have been a number of functions and events since the previous permission and which have caused excessive noise, including from people outside the building.
- Concerns have been directed on the day to security staff and caretaker at the Synagogue but it is not clear how the Synagogue has followed these up. On another occasion the Synagogue advised they were unable to control private hire of the hall. These problems over the temporary period have demonstrated it would be inappropriate to permanently allow later opening hours.
- Problems could be exacerbated if removal of the restrictions becomes permanent. Noise and disturbance, such as car door slamming, would occur after midnight.

#### Parking and traffic issues

- Residents have noticed significant problems during major events. The Hall can accommodate 300 people and cars dropping off, parking and picking up causes problems in the vicinity.
- People park on both sides of the road and often obstruct private drives, pavements and sight lines, making entrance from houses onto the road unsafe due to lack of visibility. Cars are frequently parked on double yellow lines adjacent to the synagogue.
- The Synagogue refuse to use their car park which is in breach of the planning permission and adds to the parking problems.
- Concerns have been directed on the day to the security staff and caretaker but the response has been that nothing can / will be done about it.

#### General points

- The Synagogue originally obtained permission on the basis it would be for religious purposes only and with constraints on its activities for good reasons. Any change in intent or to commercialise the synagogue should not be achieved through incremental permissions. There are no reasons why this should change and it would be unfair to residents to do so. There is no 'religious' reason for relaxing the condition.
- There are no compelling grounds to remove the restriction and residents still need protection against the potential effects of the building.
- The Synagogue's website continues to advertise the Hall for private events.
- The Synagogue's good neighbour policy as previously quoted has not been maintained over the last year.

#### **Bowdon Conservation Group** – comment as follows: -

- The application has very limited information and it is surprising there is no supporting statement giving the reasons why it should be approved.
- There have been some isolated problems for the neighbours resulting from corporate use and noise from outside the building and parking issues. The Synagogue Officers appear unable to control some of these situations.
- Recommend that if the condition is removed this should be subject to the strengthening of other conditions set out in permission H/71646.

- Condition 9 should include for the avoidance of doubt that the hall and classrooms cannot be used for corporate or business events and that the synagogue is ultimately responsible for the actions of the hirers.
- Condition 5 should be amended to include all external areas adjoining the hall as well as the lawn (but without prejudice to the provision of Condition 7).

## **OBSERVATIONS**

### **BACKGROUND**

1. The original planning permission for the Synagogue in 2001 (ref. H/49275) includes a condition (Condition 10) which restricts the use of the hall and classrooms to between the hours of 08.00 to 21.00. This was imposed "in the interests of residential amenity". Two subsequent planning applications have been granted to allow the hall and classrooms to be used until midnight but for temporary periods only, the latest of which was approved in February 2010 and gave permission to do so until 12th November 2012 (ref. H/71646). These were approved for temporary periods only, rather than on a permanent basis, in order that the effect of this later use on the amenities of the surrounding area could be assessed over time and at the end of the temporary period the Synagogue would need to re-apply to be able to continue using the hall at the later times. The remainder of the Synagogue is able to be used between the hours of 06.00 to midnight, subject to the various conditions attached to the previous planning permissions.
2. The applicant now seeks permission to remove the condition so that the hall and classrooms may be used on a permanent basis between the hours of 06.00 to midnight, as opposed to the currently restricted hours of 08.00 to 21.00.
3. The main issue is therefore whether or not the ability to use the main hall until midnight as opposed to 9pm and from 6am as opposed to 8am, as originally approved, would adversely impact on the amenity enjoyed by residents at these later and earlier times, particularly in terms of noise and general activity at the site. It is also relevant to consider whether the proposal would generate levels of traffic or car parking that may be detrimental to residential amenity or highway safety. These potential impacts are considered in turn below.

### **IMPACT ON RESIDENTIAL AMENITY**

4. The Synagogue lies within a residential area and it is acknowledged that opening until midnight as opposed to 9pm as originally permitted will, on some occasions, result in general activity and noise within and outside the premises later than originally permitted, particularly if large numbers of people leave the premises at the same time. There are residential properties in the immediate vicinity that could be disturbed by people leaving in the form of general chatter, car doors being closed, engines starting, etc. This would particularly be the case for the dwellings adjoining the site to the side and rear and those on the opposite side of The Firs.
5. The Council's Pollution and Licensing Section comment that noise from amplified music and events held within the hall was a concern and that the purpose of the condition was to monitor the impact of events held within the hall at the Synagogue on local residents. Other conditions were also attached

to permission H/71646 to minimise the impact of noise from the venue, including a requirement for a noise limiting device for amplified music; no amplified music between 23.30 and 08.00 hours; a requirement to keep windows closed between 21.00 and 08.00 hours; and use of the function room and classroom only for pre-booked/pre-arranged private functions and only to members of the Synagogue.

6. The applicant has provided a summary of events held from 16 October 2011 through to 31 October 2012 and also events that were planned for between 12 December 2012 to 17 February 2013. During the October to October period there were a number of events involving large numbers of people and music that went on past 9pm (13 events that finished after 9pm, 4 of which involved music). These events did not result in complaints being received by the Council concerning noise from events held within the hall, though it is acknowledged from some of the representations received there have been issues with noise and that these concerns were raised directly with the Synagogue rather than as complaints to the Council.
7. The applicant has also provided a copy of the rules for use and security instructions issued by the Synagogue to people who hire the hall. The rules and policy provide a number of noise mitigation measures which are aimed at protecting residents. The following have been highlighted by the applicant: -
  - The use of the noise limiter when using a microphone or any type of sound system.
  - The siting of speakers as directed, away from external doors etc.
  - No music is to be played after 23.30 hours.
  - The function must finish no later than 23.30 and the building must be clear of all guests, caterers, contractors, etc. no later than midnight.
  - Good Neighbour Policy, meaning that all persons using the premises enter, use and leave the building quietly; no nuisance is to be caused to neighbours; no external windows and doors are to be opened after 21.00 hours; the car park must always be used and no parking is allowed on Catherine Road; caterers and other suppliers must not park on The Firs or Catherine Road but use Bowdon Assembly Rooms; caterers and other suppliers must be explicitly instructed that clearing is not allowed at night and that they must leave the building and grounds quietly and no later than midnight.
8. It is also relevant to take into account the following factors regarding the type and frequency of events likely to be held in the hall, as previously advised by the Synagogue: -
  - i) The applicant stated previously that the extended hours would enable use of the function room for Bar (or Bat) Mitzvah and engagements/weddings, however the frequency of these events to date has been relatively limited as the function room is not large enough for most weddings.
  - ii) The Jewish religion has restrictions as to when entertainment is allowed, including a seven week period from Easter. It is also forbidden to play music or use amplification on the Sabbath (dusk on a Friday evening until Saturday night) and the festivals. This rules out the use of the hall for any musical events on all Friday nights in the year and on Saturday nights effectively from Easter to October. There is an additional period of three weeks in July/August where no form of entertainment is allowed. In summer the potential weekend

usage of the function room is restricted to approximately two Sunday nights in June, July and August. They state it is impossible for there to be two consecutive weekend nights from the end of March until the end of October when the function room would be used. During the rest of the year there would be no amplified music on a Friday or Saturday night until the clocks go back and there also a further 19 days of festivals on the immediate preceding days when the function room would not be used. The size of the room and Jewish law would therefore prevent large events and events where amplified music is played from being held on a regular basis.

iii) It is also relevant to take into account that, as the premises do not have a licence, the events held at the Synagogue would in the main be directly associated with religious events and associated activities and functions; therefore extension of the opening hours is unlikely to result in any significant change in the nature of activities taking place.

iv) A further consideration is that approval would potentially allow the Council to attach conditions which provide for greater control over the way in which the building as a whole is used. Currently the other parts of the building may be used without restriction but this application would provide an opportunity to restrict use of the entire building to the hours specified. Also any amplified music within the function room / class rooms would be restricted by a noise limiter whereas reverting back to the 9pm time limit originally allowed would not require a noise limiter.

9. Pollution and Licensing conclude that, when taking the information from the applicant into account and the lack of complaints received concerning events held within the hall, they have no objections to the removal of the condition. It is considered premature however, to permanently remove the condition and allow the later opening hours indefinitely since a number of local residents have stated that events or functions finishing after 9pm have caused disturbance on occasion. In light of the fact that concerns have been raised, albeit not as complaints to the Council, it is considered a further temporary permission would be appropriate in this instance. This would allow use of the hall and classrooms until midnight to be reassessed after this time in the light of any problems experienced by neighbours. Two years is considered an appropriate length of time as this would allow the Synagogue to use the function room as planned and plan ahead with confidence, whilst the Council would retain control over its longer term use since a further application would be required to extend this period, or remove the condition. In addition, it is recommended any permission is subject to the same conditions as previously to minimise the potential for disturbance. In the event of being approved this would be the third temporary permission for the later hours being sought which would not generally be considered reasonable, however it is considered appropriate in this instance.

#### CAR PARKING

10. Extended opening hours also have the potential to increase on-street car parking in the vicinity of the premises compared to a 9pm restriction given the duration of events later into the evenings. The representations refer to problems with parking when large events are held, including cars parked on double yellow lines, obstruction of private drives, obstruction of pavements and reduced visibility from driveways.

11. The LHA comment that neither the LHA or Area Engineer for this location have received letters of complaint on parking grounds since the original application was approved. The LHA conclude that whilst the extension of opening times may marginally reduce parking availability between 9pm and midnight, it is not felt that an objection on this basis is likely to stand up on appeal. It is relevant to acknowledge that the Synagogue has a car park of a size that was considered acceptable for the building when originally granted and a condition was imposed on the original and subsequent permissions requiring this to be available at all times. Ultimately any parking associated with use of the building which obstructs driveways or the pavement, or parking on double yellow lines, is a parking offence or police matter and not a reason for which this application could reasonably be refused. It is incumbent on the Synagogue however, to ensure that their car park is available for use at all times and to comply with the condition. Given that some of the representations state the car park is not always available for use, this matter will need to be investigated and raised with the Synagogue as a potential breach of condition (it is understood the Synagogue do not open their car park on the Sabbath for religious reasons, nevertheless this is in breach of condition).

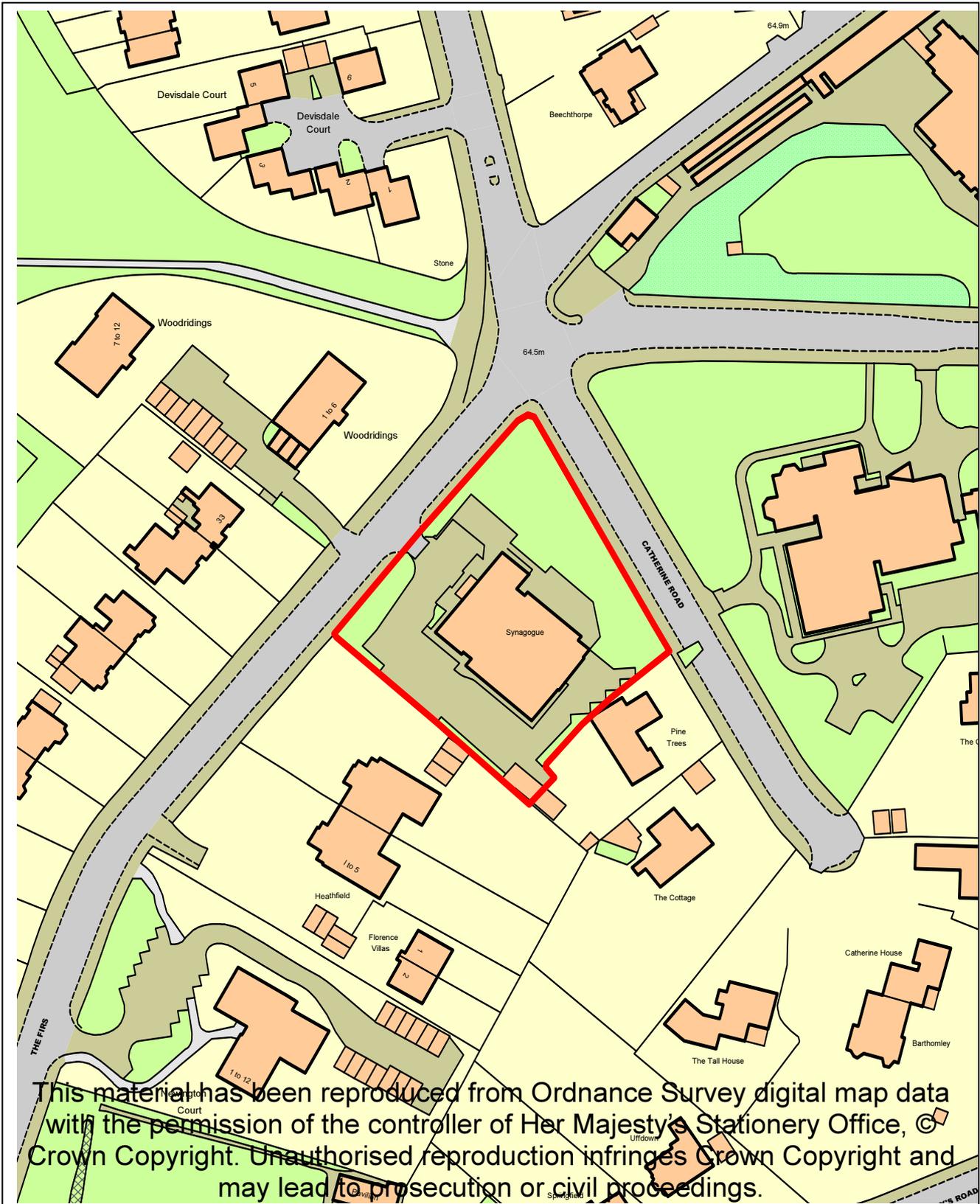
**RECOMMENDATION:** GRANT subject to the following conditions

5. This planning permission is granted for a limited period expiring on 14<sup>th</sup> February 2015; after this date the hall and classrooms shall not be used between the hours of 21.00 and 08.00 unless planning permission has first been granted to extend this period.
6. No part of the Synagogue shall be open for use outside the hours of 06:00 to 00:00 on any day.
7. A noise limiting device shall be installed and used in the function room/classroom area whenever amplified music is played and be set at a level agreed with the Local Planning Authority. The noise limiting device shall be set to ensure inaudibility at the nearest residential property and details of any improvement of acoustic insulation to meet this criteria shall be agreed with the Local Planning Authority.
8. All external doors and windows to the function room and classroom shall be kept closed between the hours of 21.00 and 08.00 (unless in an emergency).
9. The use of the lawn adjoining the hall shall not be used for, or in association with, any events, functions or other purposes (unless in an emergency).
10. No amplified music shall be played between the times of 23.30 and 08.00.
11. All areas for the movement, loading, unloading and parking of vehicles provided in accordance with planning permission H/49275 shall be kept available for those purposes at all times when the premises are in use; notwithstanding the provisions of any General Development Order, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.
12. The premises to which this permission relates shall be used as a synagogue or for purposes ancillary thereto and for no other purpose (including any other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
13. The function room and classroom shall be let out only for purposes ancillary to a Synagogue that are pre-booked/pre-arranged private functions and only to members of the South Manchester Synagogue. The rooms shall not be used for functions or events by the general public. A register of all functions and events

that are held in the function room and classroom shall be maintained and made available for inspection by the Local Planning Authority at any time.

RG

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**LOCATION PLAN FOR APPLICATION No: - 79283/VAR/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Sale Moor**

**79511/FULL/2012**

**DEPARTURE: No**

**CHANGE OF USE FROM SHOWROOM/DISTRIBUTION USE (USE CLASS SUI GENERIS) TO PERSONAL TRAINING/ HEALTH AND FITNESS EDUCATION CENTRE (USE CLASS SUI GENERIS).**

212 Northenden Road, Sale, M33 2PA

**APPLICANT:** Results Inc.

**AGENT:**

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

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**SITE**

The application relates to a former showroom/ storage building on Northenden Road.

The site comprises a detached two storey building approx. 5.25m wide and 27.5m deep extending back into the site along the boundary with No. 208 Northenden Road. The building is set back into the site from its boundary with Northenden Road by approx 6m. The area surrounding the building consists of hardstanding marked out for car parking bays.

The building has a rendered exterior and a square hipped roof. There is a glazed side projection to the western elevation of the building. The building is currently vacant.

The existing boundary along the site frontage with Northenden Road is open weld mesh fencing. Closed boarded fence panels run along the side and rear boundary.

The site is surrounded by residential properties.

**PROPOSAL**

The application seeks approval for the change of use of the premises from showroom/ distribution use to a personal training/ health and fitness education centre.

The applicant describes the company wishing to occupy the premises as a health and performance consultancy working with athletes including sports teams as well as the general public. In particular the company specialises in lacrosse training and the site is considered ideally situated near to Brooklands Lacrosse Club where the company has already coached a number of players.

The services offered include personal training in small groups, education workshops and seminars in person and online.

No external alterations are proposed other than repair and maintenance and tidying up of the appearance of the building. Internal alterations are proposed to create a large training room on the ground floor and changing rooms on the first floor.

The proposed hours of opening are 7am to 8pm Monday to Friday and 8am to 4pm Saturday and closed on Sundays and Bank holidays.

2 staff are proposed to work from the business.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

L4 – Sustainable transport and accessibility

L7 – Design

### **PROPOSALS MAP NOTATION**

None

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

None

## **PRINCIPAL RSS POLICIES**

DP2 – Promote Sustainable Communities

DP3 – Promote Sustainable Economic Development

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP5 – Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### H/35344

Demolition of existing garages and erection of single storey extension and change of use and alterations from builders yard/ garden centre/ DIY shops to from showroom, offices, storage and demonstrating area in connection with the import and distribution of electro-medical and beauty therapy equipment.

Approved with conditions 1.5.1992;

Condition 3 required the provision of 5 parking spaces

Condition 4 restricted the hours of use to 9am to 17.30 Monday to Friday and no opening at weekends or Bank Holidays.

## **CONSULTATIONS**

### Local Highway Authority

Advised that to meet the Council's parking standards 8 parking spaces should be provided. The site layout submitted provide 10 parking spaces however two spaces are not acceptable as there is insufficient aisle width behind to reverse out due to the presence of the building's staircase.

Two cycle parking spaces should also be provided for long and short stay use. The applicant should also ensure that adequate drainage facilities or permeable surfacing is used on the areas of hardstanding to avoid localised flooding as a result of the proposals.

A revised parking layout has been provided which includes areas of landscaping along the side and rear boundary of the site. The parking provision has been amended and therefore only 7 spaces are provided. The LHA consider that the new layout is acceptable and have no objection to the proposals.

### Pollution and Licensing

No objections

## **REPRESENTATIONS**

2 letters of objection have been received from residents to the side and rear of the site on the following grounds;

- The state of the property is poor and an eyesore
- If the parking is near the bottom of the garden of 3 Legh Road then there will be continuous noise every day of the week from car doors and people talking and mini buses for teams could arrive.
- Concerns regarding opening hours and objections to the hours extending past those of the previous use and 7 days a week.
- The property shouldn't be in a residential area

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The previous use as a showroom, storage and demonstration use is considered to be sui generis. The proposed use to a personal training/ health and fitness education centre is also considered to be a sui generis use.
2. The site was originally a builders yard/ garden centre/ DIY shop and therefore although in a residential area there is a long history of commercial use on the site. As the use is considered to be sui generis it is not considered that planning policy set out in the NPPF or the Core Strategy direct that this use should be located in a town centre, but it is noted that the site is approximately 200m from Sale Moore District Centre.
3. The principle of the change of use is considered acceptable subject to considerations relating to residential amenity and highways and parking as set out below.

### RESIDENTIAL AMENITY

4. The site is surrounded by residential properties to all three boundaries. No's 1 and 3 Elgin Drive are to the south of the site, No. 3 Legh Road is to the west of the site beyond the building. No 208 Northenden Road is immediately to the west of the site and the building. No. 218 Northenden Road is to the east and adjoins the boundary with the car parking bays which run along the length of the garden of 218. Objections have been received from two of the closest residents due to comings and goings and increased activity associated with the use as well as the extended opening hours proposed.
5. The site currently has parking spaces laid out right up to the boundary with the neighbouring properties. A revised parking layout has been provided which includes a 1m landscape buffer along the boundary with No. 218 Northenden Road and a 2m landscape buffer to the rear of the site along the boundary with properties on Elgin Drive. It is considered that this will improve the relationship of the parking bays with these garden areas to neighbouring properties and planting along these borders will act as a buffer and help reduce the noise and activity.

6. Only 1 parking space is proposed in the corner of the site closest to 3 Legh Road and therefore it is not considered that the comings and goings in this part of the site will result in any significant disturbance and loss of amenity compared to the previous use of the site.
7. The proposed opening hours extend beyond those approved for the previous use, and seek to operate from 7am until 8pm Monday to Friday. Northenden Road has relatively high levels of traffic and therefore it can be expected to have relatively high background noise levels. There are no objections from Pollution and Licensing regarding the proposed change of use and opening times. Therefore in light of the additional planting to the car park which should improve the relationship to surrounding properties, it considered that the proposed opening hours are acceptable and will not lead to significant disturbance to neighbouring properties and gardens.
8. Therefore it is considered that comings and goings associated with the proposed use and the opening hours proposed will not result in a significant impact to residential amenity of the surrounding properties particularly having regard to the previous commercial use of the premises and the sites location on Northenden Road which is a main road leading into the town centre. The proposal is considered to accord with policy L7 and the revised parking layout to include some buffer planting to the boundaries with residential properties should be secured by condition. The opening hours are also recommended to be controlled by condition.

#### HIGHWAYS AND PARKING

9. The parking layout has been revised to include some planting and to ensure appropriate space for manoeuvring. There are double yellow lines in front of the site and therefore on street parking is restricted until further away from the site.
10. The car park as revised now provides 7 spaces and the LHA have advised that this level of parking is acceptable. A condition will require the provision of 2 cycle parking spaces.

#### DEVELOPER CONTRIBUTIONS

The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use</b>	<b>Gross TDC required for proposed development.</b>
Affordable Housing			n/a
Highways and Active Travel infrastructure (including highway,	£1,098	£198	£900

pedestrian and cycle schemes)			
Public transport schemes (including bus, tram and rail, schemes)	£4,578	£284	£4,294
Specific Green Infrastructure (including tree planting)	£1,860	£620	£1,240
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	0	0	0
Education facilities.	0	0	0
<b>Total contribution required.</b>			<b>£6,434</b>

11. The applicant has submitted a viability appraisal which has been considered by the appropriate officer and is considered to demonstrate that the business only makes a small profit by the end of the second year and would not cover the developer contribution requirement of £6,434. However in terms of the company's future viability, the applicant advises that they expect to first make a profit in 2014 and reach above 20% profit in 2016. Therefore it is recommended that the following overage arrangements should be secured through a legal agreement and the viability of the business is reassessed when;

- The business reaches 20% profitability before tax and
- have made £18k before tax profit
- that the up-to-date viability appraisal should be submitted to the Council no later than the end of 2016, providing the business still occupies the premises at that time.

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

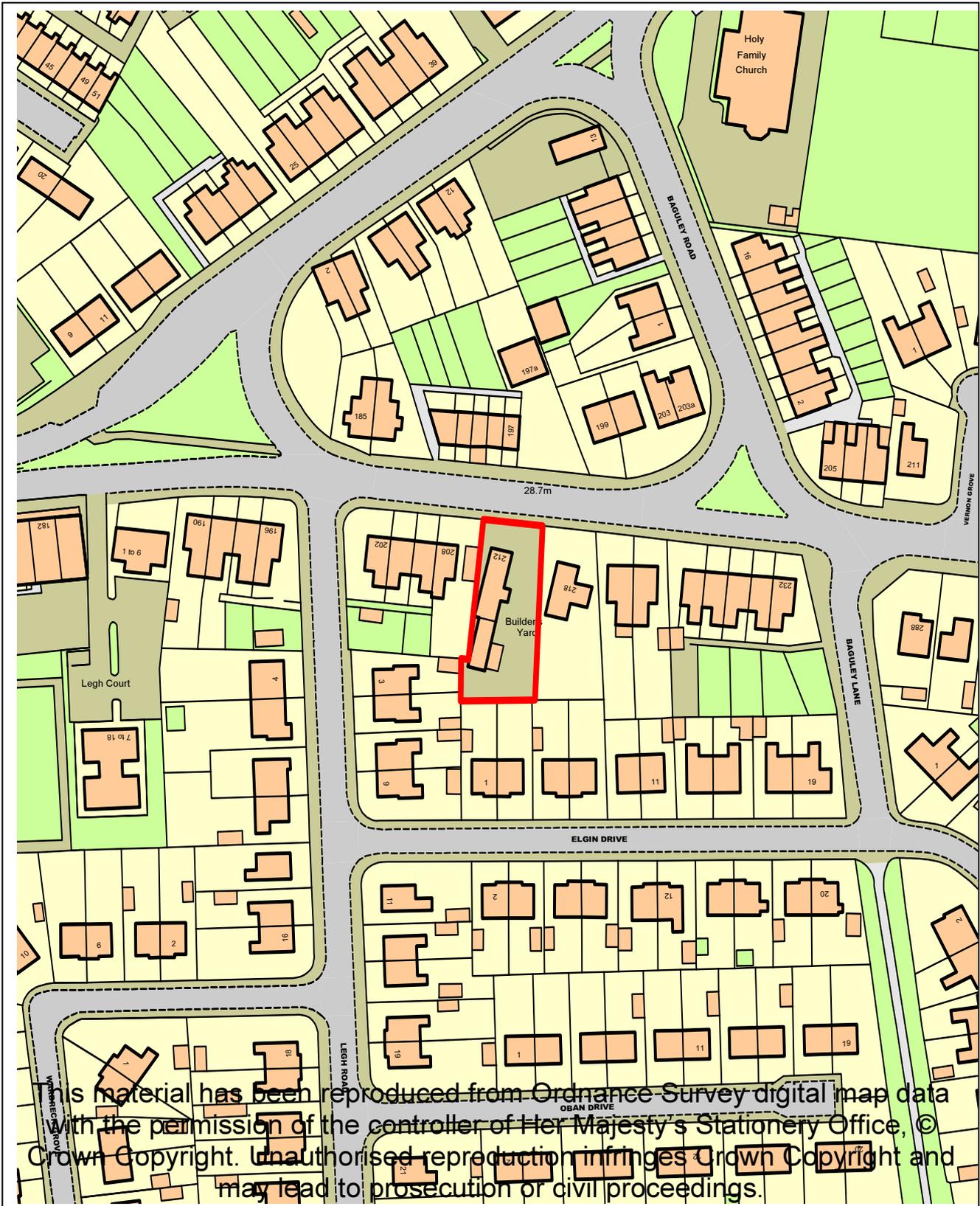
(C) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure reassessment of the financial viability of the business no later than the end of 2016 (providing the business is still operating) and should the business achieve 20% profit before tax and this equates to £18k before tax profit then the a maximum financial contribution of £6,434 split between: £900 towards Highway and Active Travel infrastructure; £4,294 towards Public Transport Schemes; £1,240 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme) will be paid; and

(D) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard Time Limit (3 years)
2. Development in accordance with approved plans.
3. Opening Hours – 7am to 8pm Monday to Friday and 8am to 4pm Saturdays with no opening on Sundays or Bank Holidays/ Public Holidays.
4. Laying out of 7 parking spaces in accordance with approved plans prior to commencement of use.
5. Detailed planting schedule to be submitted and approved in writing by the LPA which shall be planted during first planting season following the commencement of the use hereby approved.

MH

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**LOCATION PLAN FOR APPLICATION No: - 79511/FULL/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Priory**

**79537/FULL/2012**

**DEPARTURE: Enter**

**DEMOLITION OF EXISTING JUNIOR BLOCK BUILDING AND ERECTION OF A REPLACEMENT TWO-STOREY SCHOOL BLOCK WITH BALCONIES TO TWO ELEVATIONS TO FORM 12 NEW CLASSROOMS AND ASSOCIATED STAFF AND ADMINISTRATION FACILITIES. CONSTRUCTION OF A NEW MULTI-USE GAMES AREA ENCLOSED BY FENCING, AND FORMATION OF ENLARGED CENTRAL PLAYGROUND. RELOCATION OF STAFF CAR PARK WITH NEW DESIGNATED DELIVERY AREA, AND INSTALLATION OF CYCLE STORES ADJACENT TO BOUNDARIES WITH SPRINGFIELD ROAD AND THE CANAL.**

Springfield Primary School, Springfield Road, Sale, M33 7XS

**APPLICANT:** Trafford Council

**AGENT:** Ansell & Bailey LLP Architects

**RECOMMENDATION: GRANT**

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## **SITE**

This application relates to a School complex adjacent to Sale town centre that provides nursery, infant and junior level education. Known as Springfield Primary School, it occupies a broadly rectangular site some 9,237sqm in size that is defined by the Bridgewater Canal and tow path to the east, and Springfield Road to the west. The Grade II Listed St. Paul's Church and its Vicarage sit within grounds to the south, whilst to the north is a car repairs business and a terrace of commercial properties that front onto School Road. Beyond this is Sale Town Hall, and the commercial/retail centre of Sale.

The school itself dates from 1906/07 and was commissioned in response to a surge in the population of Sale, following the opening of the railways in the mid-19<sup>th</sup> century. It comprises of two single-storey buildings separated by playgrounds, and a car park and grassed playing area to the southern half of the site. At present nursery and infant level pupils are taught within the northernmost building (Block 1), whilst junior education takes place in the southernmost school building (Block 2). Both buildings are of typical Edwardian design and considered to be of notable architectural quality, being finished predominantly in decorative terracotta brickwork with pitched slate roofs above. Of particular note are the octagonal chimneys and entrance portals with faience work and inscribed over panels. This latter feature appears twice on each of the school buildings, with the inscriptions to the portals on the existing Junior Block 2 reading 'Infant Boys' and 'Infant Girls'. The level of architectural and historic significance attributed to the original Edwardian buildings is sufficient for Springfield School to be considered as a Non-Designated Heritage Asset. The school has been added to incrementally over the years, with the most prominent addition being a canteen extension

fronting Springfield Road; however these extensions are considered to be of little architectural merit.

Vehicular access and the primary pedestrian entrance points into the school site are from Springfield Road, although the main foyer is sited at the opposite end of the central playground. Additional pedestrian access into the site can be achieved from the canal tow-path through a gated system. A 'T'-shaped belt of mature trees runs along the Springfield Road frontage, and extends into the site where the existing staff car park meets the main playing field. Further tree planting establishes the southern and part of the eastern boundary.

## **PROPOSAL**

The School have identified a need to create improved teaching and sports facilities at the site, and to expand the school from a two form entry (2FE) to a three form entry (3FE) school to accommodate an existing demand for pupil places within the Springfield catchment area. The school seeks to create 30 extra pupil places each year for the next seven years, resulting in a total expansion of 210 places. In order to accommodate the increase in capacity, this application seeks consent to demolish the smaller, junior building (Block 2) of Springfield School and to replace it with a larger two-storey building that will link-up with the existing infant Block 1. A Multi-Use Games Area (MUGA), enclosed by 4m high mesh fencing, has been proposed within the centre of the existing playing field. These works would also allow for the layout of the hard play areas to be rationalised, and would necessitate the relocation of the staff car park to the south-west of the site.

The new school building is 'L'-shaped in plan and runs adjacent to the canal-side boundary of the site, before turning 90° to extend towards Springfield Road. This serves to create a larger central playground that would be used by both infant and junior school children. Internally, 12 new classrooms would be created within the proposed building, six on each floor, whilst improved administration and staff facilities would be incorporated into the layout also. Circulation corridors extend along the inner face of the development, around the central playground, which allows the classrooms to gain an outlook towards the Bridgewater canal or the playing field. The development is set to be anchored to its remaining Edwardian counterpart by a single storey glazed link that will allow staff and pupils to move internally through to any part of the school. The main visitor entrance into the school is set to be relocated to the western end of the new building, 11m from the Springfield Road access, in order to improve security at the site.

The proposed building is set to be of contemporary design, although the submitted plans show that one of the terracotta entrance portals to existing junior block 2 will be rebuilt close to the visitor entrance pod - facing onto Springfield Road. The corridor elevations that face onto the central playground are largely glazed although they are bookended by the staircase enclosures which propose rain screen cladding and brick as their external

finish. The remaining elevations are also set to be constructed from a mixture of brick and coloured rain-screen cladding, and include a series of covered balconies (eight in total) that face out across the canal and the proposed MUGA.

The proposed building extends over what is currently the staff car park and therefore this facility has been relocated to the south-west of the site, although the existing vehicular access is retained. A knock-on effect of the new car park is the reduction in size of the school playing field and therefore an all-weather Multi-Use Games Area (716sqm in size) has been proposed to mitigate this loss and allow sports activities to take place throughout the year on this southern section of the school site.

As part of the School's efforts to encourage sustainable methods of travelling to/from the site, a series of pupil cycle and scooter stores have been proposed adjacent to the Springfield Road and canal side boundaries.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the

environmental assessments of the revocation of each of the existing regional strategies.

- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

R1 – Historic Environment

R5 – Open Space, Sport and Recreation

## **LAND ALLOCATION**

Unallocated

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

77663/FULL/2011 - Retrospective planning application for replacement of timber windows in school building with UPVC windows – Approved with Conditions, 27/07/2012

75041/FULL/2010 - Erection of an access ramp and railings between school playground and Bridgewater Canal Towpath – Approved with Conditions, 01/06/2010

H/61710 - Extension to classroom and new access ramp – Approved with Conditions, 03/05/2005

H/51666 - Alterations and extension to provide infant toilet block – Approved with Conditions, 08/06/2001

H29267 - Erection of single storey extension to form external store and covered play area – Deemed Consent, 09/05/1989

H19150 - Widening of existing vehicular access – Deemed Consent, 09/02/1984

H11617 - Use of land as grassed play area for school – Deemed Consent, 10/04/1984

### **APPLICANT'S STATEMENT**

The application has submitted a Design and Access Statement; Open Space and Sports Statement; Heritage Statement; Traffic Statement; Travel Survey; Crime Impact Statement; basic Flood Risk Assessment; Ecological Assessment; and an Arboricultural Survey as part of their planning application and the information provided within these documents is discussed where relevant within the Observations section of this report.

### **CONSULTATIONS**

**LHA:** No objections, further comments made are discussed in the Observations section of this report.

**Design for Security (Greater Manchester Police):** Awaiting comments, any representation received will be included in the Additional Information Report.

**GMEU:** No objections

**Environment Agency:** - No objection

**Sport England:** - No objection

**Drainage:** No objections

**United Utilities** – No objections, standard conditions.

### **REPRESENTATIONS**

Several representations have been received in response to this development and they can be separated and summarised as follows:

#### **Support**

**Paul Goggins MP** (Wythenshaw & Sale East) has written to support the development as it will address the current shortfall in places available to children within the school's existing designated area.

**Dr. Pernille Kousgaard, Chair of Governors at Springfield Primary School** has written in to support the development on behalf of the Governing

Body of Springfield Primary School and states that the development will provide better facilities, inside and out. It will also allow the staff of Springfield to deliver the best possible education to all of the children within the catchment area.

### Objection

Thirteen letters of objection have been received raising the following concerns with the proposed developments

- Springfield School sits on a small plot within a Town Centre and is not big enough to accommodate the proposed scale of development. Other schools in the Sale area should be extended instead. The proposed development would appear too cramped for its current site and represents overdevelopment.
- The existing buildings are fine examples of Victorian Architecture and should not be demolished. The existing buildings should be Listed.
- The proposed building is not in keeping with the local architecture in Sale. The design of the new building is poor and it differs too widely from the current building style.
- The development will result in additional noise and disturbance to surrounding neighbours.
- The development will result in a loss of part of the playing field/open space, and this will particularly be the case during construction.
- The proposed MUGA should be larger, and the size of the car park reduced to maximise the quality of outdoor play space.
- Increasing the catchment area for Springfield School will increase the likelihood of parents driving to drop off/pick up their children. The development will exacerbate existing traffic issues/congestion around the school and Springfield Road is already a busy highway. There will be an increased risk to pupils and pedestrians at the start end/of school as a result of cars manoeuvring near to the school site.
- Residents will struggle to park on Springfield Road.
- Insufficient parking space has been provided for staff.

### Mixed/No Opinion Expressed

Three representations of this nature have been received with the following points raised.

- The current parking restrictions on streets in the area should not be lifted as a result of this development.
- The provision of car parking for parents/visitors to the school should be taken into consideration.
- The use of native species as part of a landscaping scheme would be welcomed.

## **OBSERVATIONS**

### **PRINCIPLE OF EXPANSION**

1. A statement has been produced by the school which seeks to demonstrate why Springfield Primary needs to be expanded. It reports that since 2003/04 birth figures in Trafford have been rising steadily, including in Sale, and that this started affecting places in Primary Schools from 2007/08. Over the past two years there has been an unprecedented demand for pupil places in the central area, with all three of its schools unable to accommodate the demand for places from children within its catchment area (category 3), or children who already have siblings at the school (category 4). During the last two admission rounds 38 children (16 in 2011 and 22 in 2012) from the above mentioned categories were unable to gain a place at Springfield Primary, and this represents the highest number of unsuccessful applications amongst the three schools in the central Sale area. Furthermore the remaining two schools, Brooklands Primary and Park Road Primary, benefit from shared catchment areas with other schools which provides an opportunity for unsuccessful applicants to be accommodated at the other school serving the area. Predictions indicate that the number of children resident in central Sale will continue to rise until 2015. The school go on to state that the proposal to expand Springfield Primary is therefore made in response to the needs of families living in the Springfield catchment area, and has not been made because the site is more suitable than another (the constraints of the site are recognised), or because the project would be more affordable than another, The proposal is made because Trafford is committed to the provision of local schools for local families.
2. With respect to whether the existing Springfield site is large enough to accommodate the proposed expansion, the school have referred to Department for Education guidance (Building Bulletin 99) which requires a 3 form entry (3FE) school, set within a confined site, to occupy an area of between 5,650sqm and 6,780sqm. Whilst the Springfield School site is not large enough to accommodate its own playing fields (it uses off-site facilities), it does measure 9,019sqm in size which is sufficient to provide all indoor and outdoor facilities required for a 3FE school, with the exception of its playing fields.
3. It is considered that the school have demonstrated a clear need for Springfield Primary to be expanded from a 2FE to a 3FE school, and that choosing only to expand other nearby schools would not adequately address the deficit in available pupil places currently being experienced within the Springfield catchment area. The Council is similarly satisfied that the application site is of sufficient size to accommodate a 3FE school, as defined by the Department for Education guidance (Bulletin 99). Significant weight is also attached to the Government's Policy Statement on Planning for Schools Development (2011). This states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places and that it wants to enable new

schools to open, good schools to expand and all schools to adapt and improve their facilities. The document goes on the state that there should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework. Therefore, given all of the above, the principle of Springfield Primary School expanding in size is considered to be acceptable, subject to it adequately satisfying the other material considerations relevant to this development, which are discussed further in the sections below.

## DEMOLITION OF EXISTING JUNIOR SCHOOL BLOCK 2

4. Chapter 12 of the NPPF relates to Conserving and Enhancing the Historic Environment and Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. Paragraph 135 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 affect directly or indirectly non-designated heritage assets, a balanced judgement will be required to the scale of any harm or loss and the significance of the heritage asset.
5. This application proposes to demolish the Edwardian school block 2 in its entirety in order to create the required level of additional classroom/staff facilities, and to make best use of the spaces around the school buildings. Both of the two school buildings at Springfield Primary are considered to be Non-Designated Heritage Assets as a result of the architectural and historic qualities that they possess. The Heritage Statement produced on behalf of the applicant also recognises Block 2 as a Heritage Asset but provides no justification for its demolition. It describes its red decorative brickwork, roof finials, and inscribed entrance portals as being of significance, with the latter feature identified as being that of most architectural significance. The statement reports that the two terracotta entrance portals, which read 'Infant Boys' and 'Infant Girls' on their over panels, will be carefully taken down and re-built as part of the new development. One would be integrated within the façade of the new entrance lobby, with the other reconstructed over one of the pedestrian entrances into the site. Additionally, existing roof finials and decorative voussoir bricks from the window headers would be used as features to the landscaped areas of the site.
6. The demolition of school block 2 would result in the loss of a building on the edge of the Town Centre and one that represents a fine example of its era. However it is acknowledged that it contains no architectural features that are unique to Block 2 and that the larger Block 1, which presents an attractive façade onto Springfield Road, is the more noteworthy building in terms of its architecture. However, considered to be of greater significance is that existing School Block 2 is not able to accommodate high-quality teaching facilities because of its age and, most importantly, that a new building would facilitate the expansion of the school so that it can

accommodate the demand for places in its catchment area, and would provide modern facilities that are befitting of a 21<sup>st</sup> century school. It is further recognised that the development proposals would allow the layout of the site to be rationalised to make best-use of what is a relatively constrained plot of land. Therefore, in light of the Government's presumption in favour of the development of state-funded schools, it is considered that the benefits associated with the increased quantity and enhanced quality of facilities proposed within the new building are sufficient to outweigh the harm caused by the loss of the heritage asset adjacent to Sale Town Centre. As such the principle of demolishing Block 2 and replacing it with a new building is accepted subject to a comprehensive photographic record of the exterior and interior of the building being completed prior to demolition work commencing.

7. The applicant's decision to retain the two terracotta entrance portals, which have correctly been identified as being the feature to Block 2 of most significance, is welcomed. In addition to their elaborate architecture the terracotta portals are also considered to be of historic significance as they serve as a visual reminder of a time when boys and girls received separate educations as a matter of course. This is reinforced by similar portals on the Springfield Road frontage of Block 1 that read 'Manual instruction' and 'Cookery Instruction'. It is considered appropriate to attach a condition to any approval which secures the retention and reconstruction of the entrance portals to Block 2 as part of the proposed redevelopment works.

## RESIDENTIAL AMENITY

8. The application site is set within a predominantly commercial area, on the edge of the Town Centre, and is bound to the east by the Bridgewater canal. As such there are few residential properties in the immediate vicinity, with the closest dwellings being those 85m away to the south on Springfield Road and Sibson Road. It is considered that whilst surrounding residents will remain unaffected by the scale and massing of the new buildings, the residential streets that their properties front onto may experience increased parking pressures around the start/end of school hours as a result of the proposed expansion in pupil/staff numbers. This latter issue is considered in more detail as part of the Highways section of this report.

## DESIGN AND STREETSCENE

9. The proposed school building is 'L'-shaped in plan, two-storey in height, and seeks to finish the majority of its exterior using a modern palette of materials. Inspection of the Design and Access statement reveals that the siting and form of the proposal has largely been informed by its functional requirements, which include a need for the development to link-in with Block 1 for ease of access and administrative purposes; to provide a significant amount of additional accommodation within a modest footprint; and to rationalise the layout of the site by creating a new visitor entrance closer to Springfield Road and a larger central playground. These benefits

are all acknowledged and it is noted also that the development has been sited so as to present a frontage out onto the Bridgewater canal, which is a well-used pedestrian route and Non-Designated Heritage Asset in its own right.

10. Compared to the building it replaces, the proposal incorporates an additional floor of teaching accommodation however its overall height (9m) does not significantly exceed the highest parts of existing Blocks 1 and 2 (7.8m). At its northern end, the new building drops down to single-storey height with a hub/link extension that meets a similar scaled Edwardian projection from the Block 1 building. This is considered to be an appropriate and relatively sympathetic method of creating internal access between the old and new buildings and generates a sufficient visual break between the scale and massing of the full-height aspects to the respective school buildings that allows them to be viewed as separate structures from the canal and Springfield Road.
11. The application site is visible from the School Road bridge that crosses the Bridgewater canal, 50m to the north-east, and as such the new development will be seen from this town centre vantage point. Like the existing Edwardian buildings at Springfield Primary, the Bridgewater canal is considered to be a Non-Designated Heritage Asset and an important reminder of Manchester's industrial heritage. Therefore any development adjacent to the canal should adequately respect its setting. The eastern elevation of the proposed school building has incorporated covered balcony features that allow views out over the canal, and has further punctuated this façade with areas of brickwork that give the building a vertical emphasis, a characteristic that is shared by the existing buildings on the site. A similar design approach has been proposed on the southern elevation of the building which faces across the proposed MUGA and which is also visible from the canal footpath. It is considered that the proposed development adequately addresses the heritage asset of the Bridgewater canal and that the design of its eastern and southern elevations are acceptable. The building sits approximately 4m away from the eastern site boundary which it is considered is sufficient to prevent it from having an overbearing impact on the public towpath immediately beyond.
12. The proposed building is of contemporary design, but includes areas of brickwork to create a relationship with existing block 1. Further rainscreen cladding, thick window mullions and glazed louvres have been used (particularly on the playground elevations) to break up the building and generate a vertical emphasis that can also be seen throughout the Edwardian buildings. Overall the external appearance of the new development is deemed to be acceptable. The western end of the proposal, with its terracotta entrance portal, will be the most prominent aspect of the scheme from the Springfield Road highway. This end elevation has been sufficiently set back from the highway (behind boundary landscaping) and provides an adequate frontage to the streetscene with respect to its design. The relationship between the

proposed development and the old buildings will be largely screened from view by the dense landscaping, and the 1960's canteen extension which sits at the back of the footpath.

13. The proposed all-weather MUGA has been centrally positioned within the remaining space to the south of the new school building, so as to maximise the distances it retains to the surrounding boundaries. Its mesh enclosure will present a 32m long, 4m high, frontage towards Springfield Road to the west, and the canal to the east, but at a minimum setback of 18m and 14m respectively. It is considered that views of this aspect of the scheme would largely be screened from Springfield Road by virtue of its setback from the highway, and particularly by the level of landscaping that will be retained along this boundary of the site. From the canal, views would be screened to a lesser extent by landscaping but would be filtered also by the existing mesh fencing that runs adjacent to the canal path and would be seen as a backdrop to the apparatus associated with the existing adventure playground. The MUGA also sits 7m from the common boundary with the Vicarage of St. Paul's church to the south. The Vicarage is a curtilage Listed building and considered to be of good architectural and historic significance. However views of the mesh enclosure around the MUGA from within the Vicarage site (and St. Paul's Church beyond) will be very limited by virtue of the tall and dense landscaping (much of it coniferous) that runs along its northern boundary. As such the significance of this historic building and its setting will not be unduly diminished by this aspect of the proposed developments.
14. The proposed staff car park has been sited behind dense landscaping (existing and proposed) and therefore its impact on the Springfield Road streetscene will be limited.
15. Three bike and scooter stores have been proposed within the school site to encourage parents to take their children to and from school on foot. One shelter has been positioned against the rear wall that separates the school from the canal, whilst the other two would be located within the parent drop-off area, set back approximately 4.5m from the highway. Staff cycling facilities would be positioned between the MUGA and the new Block 2 building. It is considered that the siting of these proposed structures is reasonable, and that they will not appear unduly prominent from public highways. Details of their appearance and materials should be submitted as part of a condition to any approval.

#### ACCESS, HIGHWAYS AND PARKING

16. The existing staff car park to Springfield School, which provides space for 27 cars, is set to be lost to the east-west oriented arm of the proposed school block, and as such a replacement car park of matching capacity will be created further to the south. Under the Council's Parking Standards 42 car parking spaces would need to be provided to service Springfield Primary once it has been expanded to a 3FE school, which leaves a deficit of 15 spaces associated with the redeveloped site. In order to address this

shortfall, the school have committed to providing two season passes for a nearby car park upon completion of the development (in 2014), and to increase this number incrementally by an additional two passes per year as the school continues to expand up until 2020. This is considered to be a reasonable approach by the LHA and as such there are no objections to the level of staff parking set to be associated with the expanded school site.

17. The proposed site plan indicates that car parking within the site will be for staff only and that parents travelling by car would have to use the nearby multi-storey car park, or the nearest residential streets to the south. The submitted Traffic Statement reports that 27% of pupils travel to/from school by car and that the impact of peak arrival periods have been reduced by extending school opening times from 7.45am-9.00am in the mornings with breakfast clubs, and 3.30pm-5.30pm in the afternoon through the introduction of after school activities. The school already actively promotes journeys to school by public transport, cycle and foot, and the Travel Plan submitted indicates that the school are set to facilitate these methods of travel further as part of the proposed expansion. Ways of achieving this include increasing the provision of pupil cycle and scooter racks by 300% to 60 spaces and 120 spaces respectively; and encouraging the formation of an additional 'walking bus' starting from the eastern side of the canal. It is considered that the provision of these additional facilities, and the proposed measures outlined in the submitted Travel Plan, will provide the necessary support required to maintain and improve the high levels of sustainable travel to school. For those parents who do use the car, it is considered that that the nearby Springfield Road layby (approximately 6 parking spaces), and on-street provision available to the south-west, will continue to provide adequate parking space at peak times without unduly harming the amenities of the area for residents and visitors to the town centre. Therefore there are no objections on highways grounds.

#### LOSS OF PLAYING FIELD SPACE

18. The existing application site provides a 2,260sqm grassed area to its south that is used as a playing field, although does not benefit as being designated 'protected open space'. All Springfield Primary sports teams play their competitive matches away from home as there is insufficient size within the site to accommodate any marked-out sports pitches. As a result the playing field is reserved for informal play only, although for much of the school year it is unavailable for use due to inclement weather and poor drainage. The Open Space Statement explains that in contrast, the proposed MUGA will provide a level, all-weather surface that is marked out to create netball, basketball, volleyball, tennis and mini football courts. The 4m high re-bounce fence will allow for uninterrupted sport and easy supervision. It is considered that whilst the formation of the relocated car park and the introduction of the MUGA would significantly diminish the overall useable area of soft play space available within the site (by over 1,000sqm), it is recognised that the quality of the remaining useable space will be significantly improved. The benefits of forming a MUGA facility that

is flexible in its use and available all year round are considered to significantly outweigh the harm caused by the loss of grassed play space and therefore there are no objections to this aspect of the scheme.

19. The existing adventure playground, 'garden' area, and Nursery playground will remain unaltered as part of this development.
20. The expansion of the school and the siting of the new junior block allows for two of the three existing playgrounds at Springfield Primary to be amalgamated to create a large centralised area of hard play space (1,335sqm). The applicant's Open Space Statement explains that by staggering break times, infants and juniors will now have access to a much larger area of playground and results in fewer areas that require simultaneous supervision. The benefits listed in the applicant's statement are acknowledged and it is considered that the rationalisation of the playground areas will indeed enhance the quality of hard play space available for pupils at the school.

## TREES

21. The school currently benefits from a number of trees which sit around the playing field to the south of the site, including several which run along the western boundary with Springfield Road. Whilst none of them benefit from Tree Protection Orders, they are considered to provide valuable greening to the surrounding area, and a mature Beech specimen along the highway frontage has been identified within the submitted Arboricultural Statement as displaying excellent form and providing local landscape value. Several trees have been earmarked for removal in order to facilitate the various aspects of the development, including the 'Category A' Beech referenced above. A series of trees would however remain along the boundaries of the site and the school have indicated on their proposed landscaping plan that a replacement semi-mature tree would be planted adjacent to the new car park access to mitigate against the loss of the Category A Beech. In addition, a substantial number of young trees have been secured by the school, and are set to be introduced by pupils as part of the curriculum to provide additional landscaping around the site edges. The constraints involved with making significant alterations to the proposed scheme in order to retain the Beech tree are acknowledged and it is considered that the planting of a replacement semi-mature tree, as part of a wider landscaping scheme that covers the south of the site, will be sufficient to justify the loss of the existing trees as part of this development.

## SECURITY

22. The applicant has submitted a Crime Impact Study with their application and this explains that security is being improved as part of the expansion works to the school. At present visitors to the site have to travel across the central playground (42m) and past several entrances into the school in order to access the main reception. The proposed development seeks to relocate the visitor entrance to the western end of the proposed school

building so that it represents the first point of contact from the highway, 10m into the site. All pedestrian entrances into Springfield Primary will be via locked gates which will be supervised at the start and end of the school day, and a gated parent drop-off area is set to be formed which allows people to wait away from the public footpath but without accessing the central playground and school buildings beyond.

23. In addition to the above a new vehicular entrance into the staff car park has been proposed to reduce the potential for vehicle/pedestrian conflicts, particularly given the relatively high height of the school's Springfield Road boundary wall. Whilst the vehicular access gates will remain open throughout school hours, an inner fence line will preclude unauthorised pedestrian access into the school buildings or play areas. It is considered that the revisions to the site layout and set to be implemented by the school will serve to significantly improve the security of the site, particularly during school hours. Any comments received from Greater Manchester Police will be included within the Additional information Report.

## DEVELOPER CONTRIBUTIONS

24. The proposed development will create twelve classrooms and associated staff and administration rooms to provide a Primary school with additional teaching/learning accommodation. The Council's SPD1: Planning Obligations states that development of public infrastructure of the nature that, at least hypothetically, could have been funded in part through contributions (e.g. bus stations, education facilities, etc.) will be exempt from paying any financial contributions. Therefore no monies shall be sought by the Council in this instance, for this development at Springfield Primary School.

## CONCLUSION

25. The proposed development would provide Springfield Primary School with much needed additional teaching/learning accommodation that is up to modern standards, which is considered to be sufficient to justify the loss of a Heritage Asset in the form of the existing Edwardian Block 2. Recreational facilities associated with the school will be improved by the introduction of a MUGA and the rationalisation of the playground layouts. The proposed development will have an acceptable impact on the residential and parking amenities of the area, and is acceptable in its design. Therefore the proposals are considered to be in compliance with Policies L4 and L7 of the Trafford Core Strategy, along with national guidance contained within the NPPF.

## **RECOMMENDATION: GRANT, SUBJECT TO THE FOLLOWING CONDITIONS**

- 1) Standard time limit;
- 2) Compliance with all Plans;

- 3) Material Samples;
- 4) Landscaping Plan, including the planting of 1no. semi-mature tree within the site;
- 5) Prior to demolition, a photographic record of the interior and exterior of School Block 2 shall be made and presented to the Council;
- 6) All balustrades and balconies, including supports to be powder coated prior to installation;
- 7) Provision of parking and access facilities;
- 8) Retention of parking and access facilities;
- 9) Porous material for hardstanding;
- 10) Prior to commencement of demolition works, a scheme identifying those features on School Block 2 to be retained and reconstructed shall be submitted to, and agreed by the LPA, and shall include the retention of the two Terracotta entrance portals;
- 11) Updated Bat Survey prior to demolition;
- 12) Siting and design of Cycle/Scooter Parking;
- 13) United Utilities;
- 14) Travel Plan;
- 15) Tree Protection;

**JK**

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**LOCATION PLAN FOR APPLICATION No: - 79537/FULL/2012**

Scale 1:1250 for identification purposes only.

Chief Planning Officer

PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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**WARD: Altrincham**

**79548/FULL/2012**

**DEPARTURE: No**

**ERECTION OF EXTENSION AT FIRST FLOOR LEVEL ON NORTHERN ELEVATION OF SCHOOL BUILDING, SUPPORTED ON STEEL COLUMNS AND WITH RECESSED LIGHTING BENEATH. CREATION OF 6 ADDITIONAL CAR PARKING SPACES AND COVERED CYCLE PARKING AREA. CREATION OF NEW EXTERNAL DOOR ON EASTERN ELEVATION TO OUTSIDE PLAY AREA.**

Navigation Primary School, Hawarden Road, Altrincham, WA14 1NG

**APPLICANT:** Trafford Council

**AGENT:** BFAW Architects

**RECOMMENDATION: GRANT**

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### **SITE**

The application relates to the site of a two storey L-shaped modern school building located at the junction of Hawarden Road and Gladstone Road and providing a frontage to both of these roads. The main pedestrian entrance is at the southeastern corner of the site with the car park accessed via a point at the northeastern corner of the site. The main play areas are to the rear of the building but there are smaller external play areas on the Gladstone Road frontage. The site is surrounded on all sides by residential properties.

### **PROPOSAL**

- Erection of extension at first floor level on northern elevation of school building measuring 7.4 metres deep x 19.5 m wide, supported on steel columns and with recessed lighting beneath to provide two additional classrooms
- Creation of 6 additional car parking spaces in the existing car parking area to the northeast of the main building.
- Erection of covered cycle parking area between the eastern elevation of the building and Hawarden Road.
- Creation of new external door on eastern elevation to outside play area.

### **DEVELOPMENT PLAN**

#### **The Development Plan in Trafford Comprises:**

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

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

- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

#### **PROPOSALS MAP NOTATION**

None

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

None

#### **PRINCIPAL RELEVANT RSS POLICIES**

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP7 – Promote Environmental Quality

L1 – Health, Sport, Recreation, Cultural and Education Services Provision

MCR1 - Manchester City Region Priorities

MCR3 – Southern Part of the Manchester City Region

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning

Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

75165/FULL/2010 – Erection of mesh powder coated fencing affixed to existing section of western boundary wall to project above and beyond wall to a cumulative height of 2.95m. - Approved 2010

H/LPA/69607 – Creation of five no. car parking spaces. - Approved 2008

H/LPA/61914 – Demolition of existing school building and erection of two storey school building, construction of new vehicular and pedestrian accesses, provision of 21 space car park and hardsurfaced play areas, play equipment and covered outdoor seating area. - Approved 2005

H/29238 – Erection of single storey extension to existing school to form store and covered play area for nursery – Deemed consent 1989

H/02276 – Extension to form toilets and staffroom with internal alterations – Deemed consent 1975

## **APPLICANT'S SUBMISSION**

- The application is the result of an increase in intake of pupils from September 2013 when the school will become a 2 form entry rather than a 1 and a half form entry as at present. This is due to an increase in demand for primary school places in the area
- No play area will be lost as a result of the proposals
- The extension would be located behind the Gladstone Road wing so that it has the least impact possible on the streetscape and keeps the new build compact and as far as possible from neighbours it might otherwise affect
- The same palette of materials is proposed as used in the existing building
- The increase in parking spaces is as a result of the extension to the school and also ongoing issues with on-street parking due to parking restrictions in the area
- The proposals have been presented at both a parents evening and a residents consultation evening giving all interested parties the opportunity to comment prior to the application being submitted.

## **CONSULTATIONS**

**LHA** – Whilst the proposals construct two new classrooms, the proposals result in three new classrooms overall. Therefore to meet the Councils car parking standards the provision of 6 extra car parking spaces is required. The proposals provide these spaces in the rear car park.

The provision of 20 additional cycle parking spaces are required for the new students to the school and 1 space per 5 new staff. The applicant is requested to confirm the

number of additional staff that will be working at the school as a result of the proposals as additional cycle parking is required on this basis. The proposals provide just 6 additional cycle parking spaces and the LHA requests that this is increased to meet the Council's cycle parking standards for the new classrooms and to help encourage modal shift at the school.

The provision of 1 motorcycle parking space per 10 staff members is also required. In light of the fact that there is no motorcycle parking spaces at the school, the LHA would request the provision of 2 spaces. These should be provided with lockable parking points.

It is noted that there is no scooter parking provided within the site, the LHA's experience of working with local primary schools indicates that sustainable travel to school is inherently encouraged by providing the required infrastructure to secure equipment. Therefore the LHA would encourage the provision of this within the school extension.

Whilst the LHA has concerns that the proposals will generate additional trips to the site and additional pressures from parent pick up and drop off, it is considered that the proposals are acceptable on highways grounds subject to an updated travel plan, the provision of cycle and motorcycle parking requested above.

As part of a programme of School improvements across the borough, the Road Safety section is currently in discussion with the Education Department with the need for further works outside each school to encourage sustainable travel. The LHA would reaffirm that this work is essential to the acceptability of schemes such as this.

The applicant must also ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

If the above can be undertaken then there are no objections on highways grounds to the proposals.

**Pollution and Licensing – No objection**

**Built Environment – No comments**

**GMP Design for Security – No comments received**

## **REPRESENTATIONS**

One e-mail was received from the occupier of No. 39, Gladstone Road shortly after the application was first submitted stating that he totally opposed any development that lacks even basic plans for the public to view. This was because the application had not yet been uploaded onto the Council's website. An e-mail was subsequently sent to this neighbour confirming that the plans for the development had now been uploaded to the Council's website should he wish to view them. In addition the amount of time given to comment on the plans was extended by 10 days given the initial difficulties he had experienced viewing the plans. This deadline has now passed and no comments have been received regarding the merits or otherwise of the development proposed from this neighbour or any of the other neighbours initially notified.

## **OBSERVATIONS**

### **Principle of Development**

1. The site is unallocated on the plan. The proposal represents an extension to an existing school for the purpose of providing additional accommodation for an increased intake of pupils in Autumn 2013. No play area will be lost. As such the proposal is acceptable in principle as it is complementary to the existing school use on site.
2. It is also relevant that on 15<sup>th</sup> August 2011 the Secretary of State for Communities and Local Government and the Secretary of State for Education issued a new policy statement on planning for schools development. This stated that the following principles (amongst others) should apply with immediate effect:
  - There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
  - Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
  - Local authorities should make full use of their planning powers to support state-funded schools applications.
  - A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.

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

3. The existing school is a relatively recent building with a modern design. The proposed extension would be located to the rear of the existing school building and would be subservient in height to the main building. Consequently views of the extension from the streetscene (Hawarden Road and Gladstone Road) would be very limited. Views of the extension would be possible from the private residential properties to the west and north of the school site. The design approach is modern and would use materials to match the original building (western red cedar boarding and squirrel grey aluminium framed windows). The development provides additional accommodation at first floor level (2 new junior classrooms) supported on anthracite grey steel columns which retain outdoor playspace beneath with recessed lighting. The design of the proposed extension is considered to be appropriate to its setting.
4. The additional 6 parking spaces would be dotted within the existing car parking area and would be created by re-configuring the car park and losing some landscaping. A grassed area would also be lost where the new outdoor play area would be on the eastern side of the building. The creation of a cycle shelter is proposed on the eastern side of the building. Although the location of the cycle shelter has been shown on the plans the final details of the design have not been provided but the agent has confirmed in an e-mail that the shelter will be of a lightweight and transparent construction with open sides and a clear polycarbonate roof. The metal frame will be light grey in colour to match to the existing railings and window frames. On this basis it is considered that the

precise details can be agreed via a condition. The structure would be visible in the streetscene but on the basis it is relatively low key and would assist in encouraging sustainable transport it is considered acceptable.

5. It is considered that the loss of some soft landscaping from the site is detrimental to some degree to the appearance of the site however these changes are driven by the need to increase school numbers on what is a relatively constrained site which has on street parking restrictions in the surrounding area. It is also noted that a landscaped area would be retained between the car park and the Hawarden Road frontage of the site and that soft landscaped areas would be retained either side of the main entrance to the school. It is however recommended that a landscaping condition be attached to ensure that the landscaping to be retained is of a reasonable quality.

#### Impact on Residential Amenity

6. There are residential properties surrounding the application site on Hawarden Road, Gladstone Road, Whitely Place, Navigation Road and Occupation Road.
7. The only windows proposed in the first floor extension are in the north facing elevation. The windows would be 46 metres away from the northern boundary of the site with the nearest residential properties. This is significantly in excess of the requirements of the Council's guidelines which suggest a distance of 21 metres between habitable windows and 10.5 metres between first floor windows and private gardens in order to maintain privacy. It is also significantly in excess of the 15 metres required to prevent a new structure from having an overbearing impact when viewed from adjacent properties.
8. As indicated above there are no windows proposed in the west facing elevation of the proposed extension. The blank western side wall of the proposed extension would be set 23 metres away from the western boundary of the site with No. 39, Gladstone Road and sited at a point that would be level with the garden at that property. This is further away than the main school building and is a lower structure. Given the distances involved and the significant boundary wall that already exists to that property which is in the region of 3 metres high, it is not considered that the extension would have an overbearing impact on outlook from that property or result in a material loss of light. It is however recommended that a condition is attached preventing the insertion of windows or other openings at first floor level in the western elevation of the extension to protect the amenity of occupiers of adjacent properties.
9. The application also proposes recessed lighting beneath the extension to light the covered play area. Environmental Protection has not raised any objections to this due to the nature of the lighting and its recessed location, set away from the boundaries of the site. The application also proposes the addition of an external door in the eastern elevation of the building to allow infant pupil access to a new external play area on the Hawarden Road frontage. Environmental Protection have not raised any objections to this change as it is a small play area similar to the arrangement that already exists on the Gladstone Road frontage and the children would be playing outside only for limited times during the day and not during anti-social hours.

10. The 6 new car parking spaces would be within the existing car parking area and as such are not considered to have a material impact on residential amenity.
11. For the reasons set out above it is not considered that the proposals would result in a material loss of residential amenity to the occupiers of any of the residential properties to the side or rear of the site

#### Highways Issues

12. The LHA have raised no objection to the principle of the application subject to additional cycle and motorcycle parking provision on the site and a condition requiring an updated Green Travel Plan for the site. The applicant's agent has been made aware of these comments and has stated that the applicant has no objection to the provision of the additional cycle and motorcycle spaces. It is therefore recommended that a condition is attached to require details of the additional cycle and motorcycle parking to be submitted for the approval of the Local Planning Authority. The Local Highway Authority are agreeable to this approach.

#### Developer Contributions

13. As the proposed development is for an Educational Facility no developer contributions are required, as set out in SPD1 'Planning Obligations'.

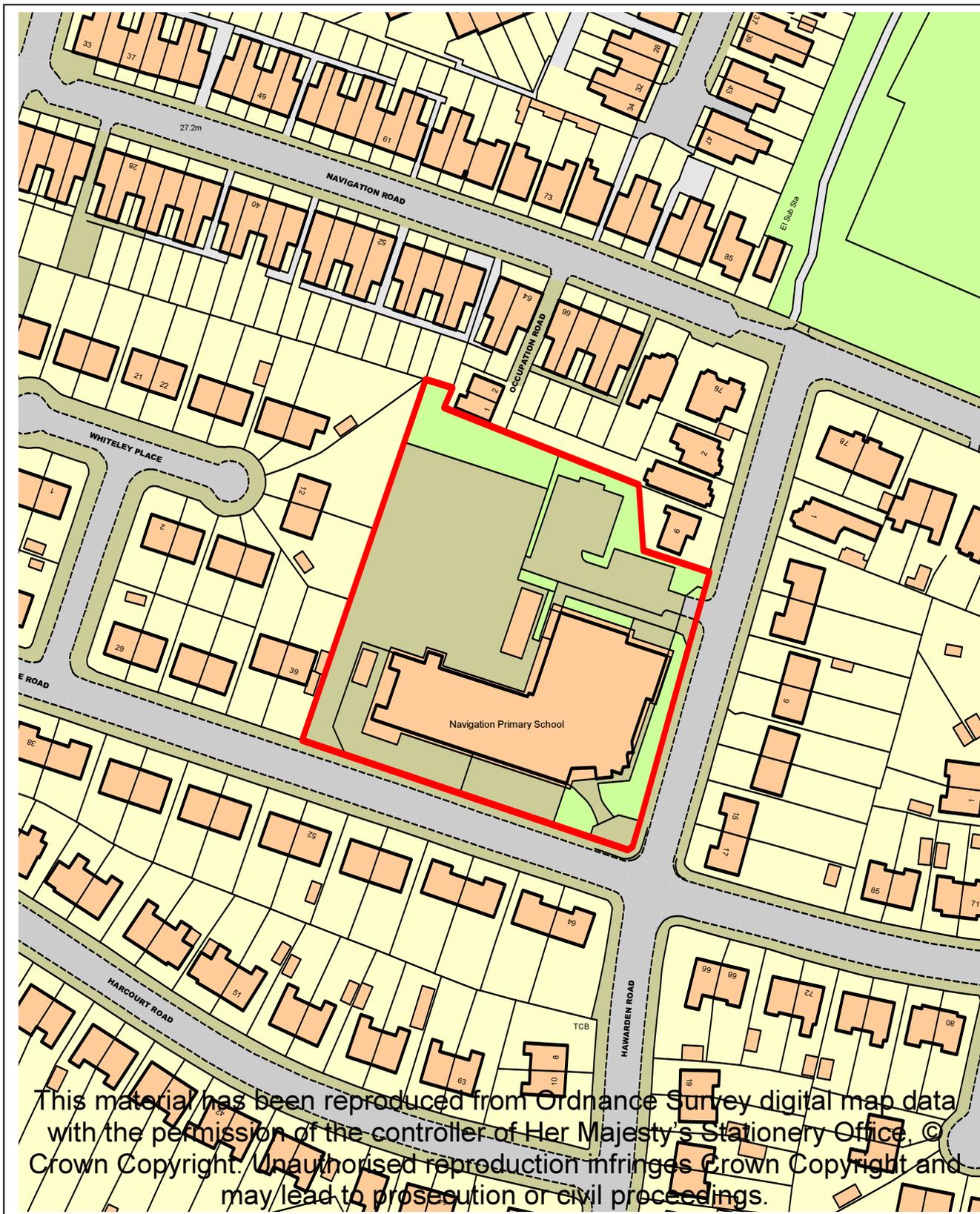
#### **RECOMMENDATION: GRANT subject to the following conditions**

1. Standard Time
2. Compliance with plans
3. Materials (samples)
4. Landscaping
5. Permeable surfacing/drainage
6. No windows or other openings shall be formed in the western elevation of the first floor extension hereby permitted unless a further permission has first been granted on application to the Local Planning Authority.
7. Details of 20 cycle parking spaces and 2 motorcycle parking spaces to be submitted (to include full details of the cycle shelter on the Hawarden Road frontage)
8. Before the commencement of development details of an updated Transport Plan for the site shall have been submitted to and approved in writing by the Local Planning Authority; on or before the first occupation of the development hereby permitted the transport plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

Reason: To reduce car travel to and from the site in the interests of sustainable transport and accessibility, having regard to Policy L4 of the Trafford Core Strategy.

JJ

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**LOCATION PLAN FOR APPLICATION No: - 79548/FULL/2012**  
Scale 1:1250 for identification purposes only.  
Chief Planning Officer  
PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**VARIOUS WORKS INCLUDING: REPLACEMENT AND EXTENSION OF EXISTING FOOTPATH AND ROAD NETWORK AROUND THE TRAINING PITCHES; CULVERTING AND ENHANCEMENT OF TWO EXISTING DRAINAGE DITCHES; UNDERGROUND HEATING; ERECTION OF 5M AND 8M HIGH FENCING; REPLACEMENT TV GANTRY; REMOVAL OF EXISTING MAN-MADE RUNNING MOUND.**

Trafford Training Centre, Birch Road, Carrington, M31 4BH

**APPLICANT:** Manchester United Limited

**AGENT:** Paul Butler Associates

**RECOMMENDATION: GRANT**

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### **SITE**

The planning application site comprises of part of Manchester United's football training ground. The application site is 28.52 hectares in size and the entire training ground is approximately 44 hectares in size. The site is situated within the Green Belt, though close to the urban margins with the edge of Sale to the east/south east, Broadheath to the south and the Carrington industrial complex to the north. Topographically the area is moss land producing a flat, relatively open landscape punctuated by rides fringed by planting running north to south and predominantly in agricultural use. The site is accessed from Isherwood Road via Birch Road, which leads to the junction of Carrington Lane, Manchester Road and Flixton Road. Farmland bounds the site to the north, east and west. Birchmoss Covert, a Site of Biological Importance, bounds the site to the south.

The overall site predominantly comprises of training ground facilities, which includes a remedial and rehabilitation facility, grass and caged training pitches, all weather training pitch, an indoor training facility known as 'The Academy'. The site also comprises of a groundsman building for machinery and equipment storage, a visitors centre, security office and, car parking areas for visitors and players. The training facilities are provided for first team players and youth / academy players.

### **PROPOSAL**

The application proposes various works within the site, which includes:

- The replacement and extension of existing footpath and road networks around the existing training pitches.
- The culverting and enhancement of two existing drainage ditches located close to the existing training pitches.
- The provision of underground heating to a training area to the south-east of the main building and to the eastern side of the Academy building.
- The erection of 5m high fencing along the perimeter of some of the training pitches.
- The erection of 8m high fencing along part of the southern boundary.

- The replacement of the existing TV gantry close to the Academy building. The TV gantry measure 4m wide, 5m in length and have a maximum height of 6.5m.
- The removal of an existing 45m long man-made running mound.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

L7 – Design

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Green Belt, Countryside and Other Protected Open Land

R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Green Belt

Protection of Landscape Character

The Mersey Valley

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

None

## **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles

DP4 – Make the Best Use of Existing Uses and Infrastructure

DP5/RT2 – Manage Travel Demand

EM1 – Integrated Enhancement and Protection of the Region's Environmental Assets

EM5 – Integrated Water Development

MCR3 – Southern Part of the Manchester City Region

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

79841/AA/2013 - Display of internally illuminated individual letter signs to the north elevation of the main building, the south elevation of the Academy building and the north and south elevations of the visitors centre. Continued display of internally illuminated totem sign to the entrance of the site - Currently under consideration.

79598/AA/2012 - Display of 1.1m high non- illuminated advertisement banners around two training pitches - Approved with conditions 01/02/2013.

77549/FULL/2011 - Construction of pedestrian walkway with sculptured canopy and associated landscaping centrally within the site – Approved with Conditions 22/12/2011

77667/NMA/2011 - Application for Non-Material Amendment of 76433/FULL/2011 to facilitate alterations to parking provisions including revisions to central parking area, repositioning of 12 overspill car parking spaces, repositioning of bicycle/motorbike parking area and swapping over of siting of 2 caged training pitches on the north boundary of the site - Approved 28/11/2011.

77550/AA/2011 - Display of internally illuminated individual letter fascia sign above proposed walkway centrally within the site - Approved with Conditions 22/12/2011.

77156/NMA/2011 - Application for non-material amendment of 76433/FULL/2011 to facilitate alterations to parking provisions, including a reduction in coach parking spaces from No. 8 to No. 6, retention of No. 3 existing car parking spaces adjacent to the entrance to all weather pitch, provision of No. 12 parking spaces to left of main access and all weather pitch, loss of No. 1 dedicated bicycle/motorbike parking areas; changes to sweep of road around the parameter of main car park; extension of hard standing to north of Academy Building; changes to internal layout and alterations to positioning of doors and windows to proposed grounds team and parents spectator building; re-siting of proposed security lodge - Approved 03/08/2011.

76433/FULL/2011 - Various external works, including: a two storey extension to the east elevation of the main building; erection of a two storey building to the west of the site to form grounds team and visitors centre facility; erection of a single storey building centrally within the site to form grounds team and parent spectator facility; erection of new security lodge to the entrance and alterations to the existing access arrangements; creation of two caged training pitches to the north west of the site; remodelling of existing car park layout and creation of pedestrian link within the site; creation of new road and hard standing adjacent to the academy building and alterations to existing earth mounds; siting of associated lighting including 8no. 6m high lighting columns and flooding lighting; demolition of existing warden's dwellinghouse and proposed new earth mounds around parts of the perimeter of the site - Approved with conditions 10/06/2011.

H/50364 - Construction of indoor training facility and outdoor all weather pitch and floodlights; extension and alteration to internal roads and hardstanding; and formation of reed bed lagoon – Approved with conditions 25/04/2001.

H45558 - Erection of integrated training & rehabilitation facility, warden house, groundsmans building & perimeter fencing. Formation of new wetland, a lagoon perimeter mounding, football pitches, car parking etc – Approved with conditions 08/07/1998.

H43657 – Change of use from agricultural to integrated training, remedial & rehabilitation facility comprising pitches & facilities for outdoor sports; erection of buildings to provide remedial rehabilitation and ancillary facilities etc – Approved with conditions 27/01/1998.

## **APPLICANT'S SUBMISSION**

The applicant has submitted a design and access statement, which is discussed where relevant within the Observations section of this report.

## **CONSULTATIONS**

**Pollution & Licensing** – No objections.

**Drainage** – No objections in principle. Amendments to the Flood Risk Assessment have been requested and will be updated in the Additional Information Report.

**The Environment Agency** – No objections in principle, final comments to be reported in the Additional Information Report.

**Greater Manchester Ecology Unit** – No objections, satisfied that the mitigation and compensation proposals put forward are sufficient to secure the long-term conservation of the local population of water voles. In addition the loss of the ditch habitat will be compensated by the restoration of an important lowland raised bog (an Annex 1 habitat under the terms of the EU Habitats Regulations) and the creation of a wetland habitat mosaic. Recommend conditions requiring the implementation of the mitigation strategy and for the monitoring of the water vole population for a period of five years.

**Natural England** – No comments received.

## **REPRESENTATIONS**

None received.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. It further states that by definition, development is harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states that there are exceptions to the policy including the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces.
2. Policy R4 of the Trafford Core Strategy states that the Council will protect the Green Belt from inappropriate development. It also states that new development in the Green Belt will only be permitted where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purpose of the Green Belt set out in national guidance by reason of its scale, siting, materials or design or where very special circumstances can be demonstrated in support of the proposal.
3. It is considered that the proposed development would not compromise the five purposes of the Green Belt, as set out in the NPPF as the proposals would not result in the unrestricted sprawl of large built-up areas; it would not cause the merging of neighbouring towns or the encroachment of the countryside and would not prejudice the urban regeneration objections. Paragraph 90 of the NPPF states that 'certain forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt', such development includes 'engineering operations'. A large proportion of the proposed works, including the replacement and extension of existing footpaths and road network around the site, culverting and enhancement of drainage ditches and underground heating to football pitches are engineering operations that would not change the use of the land or include a building or structure. It is therefore considered that these works are not inappropriate development as they would preserve the openness of the Green Belt and would not conflict with the purposes of including land in the Green Belt.
4. As the proposed fencing and new TV gantry do not fall within the forms of development set out as 'appropriate development' within the NPPF, the applicant has submitted a supporting statement identifying a development need and very special circumstances which outweigh any harm they cause to the Green Belt. In regards to the proposed fencing, it would be additional to existing fencing of the same height within the site and would comprise of weldmesh with steel uprights, which is of a lightweight and open design, thus allowing views through it. The fencing is also proposed to be painted green to further minimise the visual impact. The applicant has detailed that the fencing

is required to improve the use of the grass pitches and health and safety around the site, particularly when it is used by members of the public.

5. In regards to the proposed TV gantry, it would be situated close to the main built development area of the site and would replace an existing TV gantry in a very similar location. The applicant has detailed that the TV gantry is required in order to televise the academy teams' competitive matches.
6. The proposals form part of overall improvements to the training ground and the very special circumstances have been previously outlined and agreed in the previous planning applications 76433/FULL/2011 and 77549/FULL/2011. The main purpose of these works is to significantly update the training centre in order to ensure that it maintains its status as a world class training facility. It is recognised that the proposed fencing and TV gantry will have an impact on the openness of the Green Belt, however, it is considered that the harm caused to the openness and the inappropriateness of the development in the Green Belt is minor and outweighed by the very special circumstances. Furthermore, it is also noted that Carrington is recognised across the country as being a centre where several professional sports teams have developed high quality training facilities and that the development has therefore consolidated Trafford's reputation as a home of sporting excellence. It is also recognised that the club provides wider benefits to the economy and community of Manchester as a whole. On this basis it is considered that 'very special circumstances' exist that justify the development that is proposed.

#### DESIGN AND IMPACT ON VISUAL AMENITY

7. The proposed fencing would be weld mesh and light weight and relatively open in appearance. The proposed 8m high fencing would be a continuation of existing 8m high fencing along the southern boundary. A significant amount of mature trees and planting lie around the perimeter of the site, including the southern boundary, which would screen many views of the proposed 8m and 5m fencing from outside of the site. The perimeter trees and planting would also provide a soft green backdrop to the proposed fencing when viewed from within the site. The applicant has confirmed that the proposed fencing would be colour treated green, which is considered to soften the appearance of the proposed fencing further. It is therefore considered that the design of the proposed fencing is considered acceptable and to not cause visual harm to the surrounding area.
8. The proposed TV gantry is functional in appearance and small in size in relation to the existing main building and academy building within the site. The proposed TV gantry would be situated to the western side of the training pitches and as such the academy building would form a back drop to it. It is also recognised that the proposed TV gantry would replace an existing tired looking TV gantry. Due to the TV gantry's close proximity to the main developed area of the site and its size in relation to existing buildings within the site, it is considered that the design of the TV gantry is acceptable and it would not result in visual harm to the surrounding area.
9. An existing grassed earth running mound to the western side of the training pitches is proposed to be removed. The running mound was a man-made addition to the training ground and does not provide any valued character to the site. Due to high level screening around the site, the mound is not visible from outside of the site. It is therefore considered that the removal of this

mound and the levelling of the land is considered acceptable and to not have a detrimental impact on the appearance and character of the site or surrounding area.

## ECOLOGY AND LANDSCAPE CHARACTER

10. In terms of conserving and enhancing the natural environment, the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising the impacts on biodiversity and providing net gains in biodiversity where possible.
11. As well as being located within the Green Belt, the application site is also designated as an area of protected landscape character on the Revised UDP Proposals Map. Policy R3 of the Core Strategy states that the Council will develop an integrated network of high quality and multi-functioning green infrastructure that will protect and provide appropriate natural space to connect landscapes and allow wildlife to move through them to adapt to climate change.
12. The proposed works that would have the greatest impact on the site's wildlife and ecology is the culverting of the existing drainage ditches. Survey work carried out on behalf of the applicant has confirmed the presence of water voles within the ditches. Water voles and their habitats are protected by the Wildlife and Countryside Act. The applicants are proposing a mitigation strategy which includes the creation of enhanced replacement habitats for the water voles on neighbouring land. The full details of this mitigation strategy are currently being agreed by the Environment Agency, Greater Manchester Ecology Unit and the Cheshire Wildlife Trust. An update on this strategy will be reported in the Additional Information Report.

## ACCESS AND CAR PARKING

13. The proposed works would not impact on the car parking provision within the site. The proposed additional and enhancement works to the footpaths and the ground teams road network around the training pitches would improve accessibility around the site. The applicant has detailed that the new road would improve access to the training pitches for maintenance vehicles and minimise the potential conflict with pedestrians, which also enabling quick access for emergency vehicles. The proposed footpaths would comprise of a smooth level finish that will also improve access for disabled visitors to the site.

## RESIDENTIAL AMENITY

14. A residential property, Swiss Cottage, is situated to the north of the site. A minimum distance of approximately 100m would lie between the proposed TV gantry and this property. The TV gantry would have a maximum height of 6.5m and therefore would not appear prominent to this property. It is also recognised that the proposed TV gantry would replace an existing one which is also situated in this location. The proposed 8m high fencing would be situated to the southern boundary approximately 350m away from Swiss Cottage. Existing earth mounds, boundary fencing and planting to the north of the site would also predominantly screen views of the proposed works from the cottage. The proposed works would also not intensify the use of the site and therefore would not result in undue noise and disturbance. It is therefore

considered that the proposal would not unduly impact on the amenity of surrounding residents.

## CONCLUSION

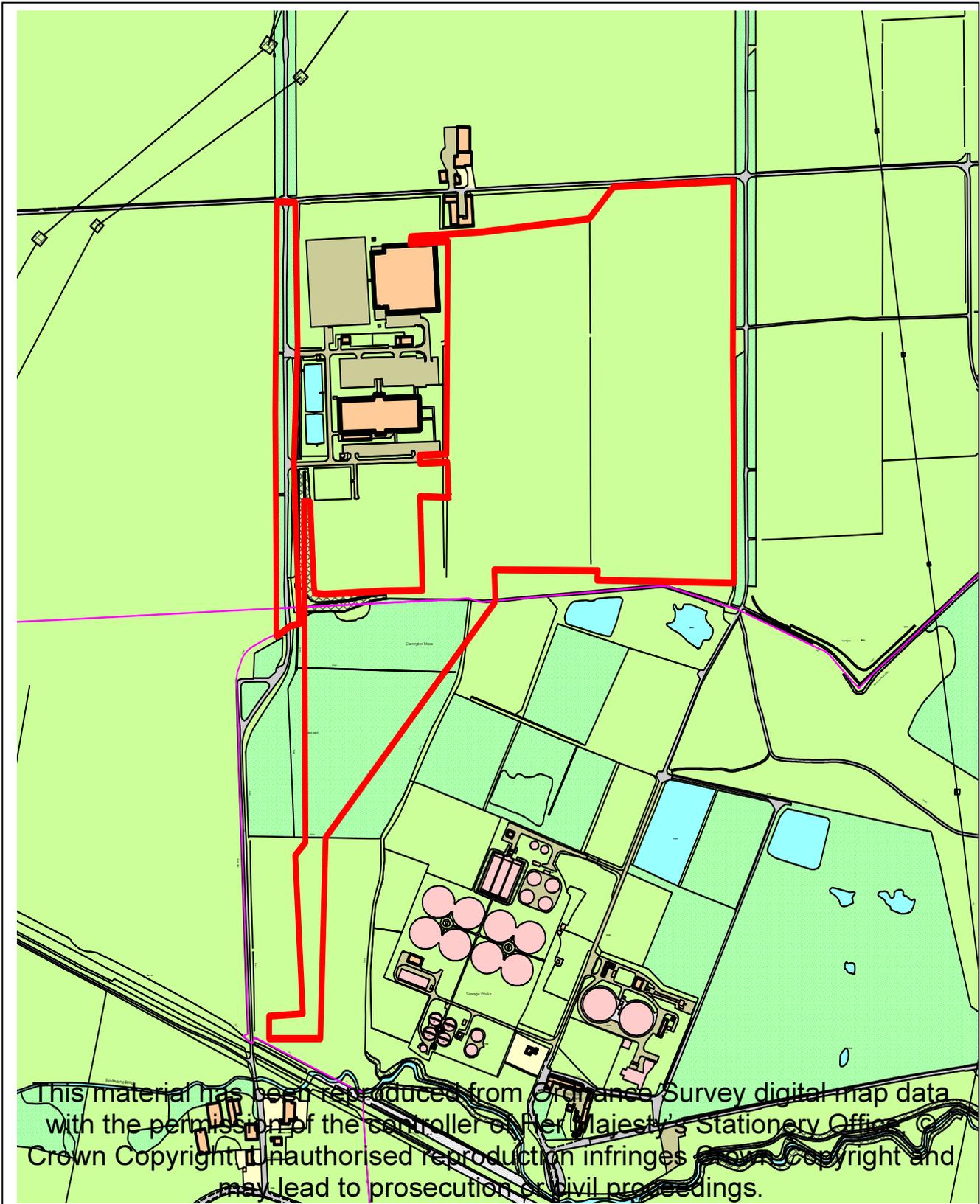
15. The applicant has demonstrated that the proposals are essential for the Club to enable the training ground to maintain its world class status and it is also accepted that the proposed development provides essential improvements to the movement, circulation and safety for vehicles and pedestrians within the site and will improve security for the training ground. It is also recognised that there is a need for the club to improve its facilities in response to changing technologies and to continue to compete with rival football clubs and therefore it is considered that “very special circumstances” do exist that would justify an exception to Green Belt policy. It is therefore considered that the visual impact of the development is relatively limited and is acceptable within the Green Belt and within the Area of Landscape Protection. The proposed development does not require referral to the Secretary of State.

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

1. Standard
2. List of Approved Plans
3. Colour of fencing
4. Materials of the TV gantry to be submitted and approved in writing
5. The culverting works hereby approved shall not be carried out unless or until the approved mitigation measures have been carried out in full.
6. Monitoring of the water vole population for a period of five years following translocation.

VW

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**LOCATION PLAN FOR APPLICATION No: - 79562/FULL/2012**

Scale 1:7000 for identification purposes only.

Chief Planning Officer

PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

**Top of this page points North**

**WARD: Hale Central**

**79615/FULL/2012**

**DEPARTURE: NO**

**CHANGE OF USE OF PART OF GROUND AND LOWER GROUND FLOOR FROM OFFICES TO NON-FOOD RETAIL AND/OR FINANCIAL/PROFESSIONAL/SERVICES; EXTERNAL ALTERATIONS TO FRONT ELEVATION TO FORM NEW ENTRANCE.**

Beech House, 1 Cambridge Road, Hale, WA15 9SY

**APPLICANT:** Pickard Finlason Partnership Pension Fund

**AGENT:** Pickard Finlason Partnership

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

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**SITE**

The application site is located on the north-west side of Cambridge Road close to the junction with Ashley Road and is just inside the identified area of Hale District Centre which does not extend beyond this junction with Cambridge Road.

The site is occupied by a two/three-storey Victorian property, that has accommodation in the basement and roof area and that is wholly occupied by Pickard Finlason, a multi-professional design consultants. A substantial extension has recently been erected to the northern side to provide additional office space with a garage/parking area at ground floor and access through to a small parking area at the rear accessed from Cambridge Road.

The application property adjoins a property that fronts Ashley Road and that is in commercial use with a dental practice at ground floor. Aside from the application site, Cambridge Road is a residential cul-de-sac. Adjacent properties on Ashley Road are within the centre and are in commercial use. On the opposite side of Cambridge Road is a recent re-development site, 229 Ashley Road, where a new three-storey building occupied by a Tesco store on the ground floor and offices above. Access to the car parking area at the rear of that site is from Cambridge Road with access to the Tesco shop on the Ashley Road frontage.

The application site is outside but adjacent to the South Hale Conservation Area. None of the properties on Cambridge Road is inside the conservation area. The Tesco site on the opposite side of Cambridge Road is, however, in the conservation area.

Tree Preservation Order 1997 No.295 covers five trees along Cambridge Road. Of particular relevance to this application are the Copper Beech on the frontage of 1 Cambridge Road and the Copper Beech on the frontage of 3 Cambridge Road.

**PROPOSAL**

This application proposes to change the use of the ground and lower ground floors of the existing (original) office building (approx. 165 sq.m) to use for purposes within

Class A1 (non-food retail or Class A2 (Financial/Professional Services). Alterations to the front elevation include railings to a lightwell and a new entrance door in the centre of the existing front bay window. The proposed development does not extend into the recently completed office extension at the property.

Land within the curtilage to the front of the building has recently been regarded and provides a hard-surfaced slope up to the front of the building.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.
- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

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

W2 – Town Centres and Retail

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

L8 – Planning Obligations

### **PROPOSALS MAP NOTATION**

Town and District Shopping Centre

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

S13 – Non-shop Service Uses within Town and District Shopping Centres

ENV21 – Conservation Areas

### **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP3 – Promote Sustainable Economic Development

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP5 – Manage Travel Demand, Reduce the Need to Travel and Increase Accessibility

DP6 – Marry Opportunity and Need

DP7 – Promote Environmental Quality

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

75291/FULL/2010 - Change of use of ground floor and lower ground floor of existing building from offices (Class B1) to tea rooms (Class A1 and A3); erection of front and rear extensions and other external works. Dismissed on appeal on 10 Nov 2010.

H/68662 - Erection of three storey side extension to form additional office accommodation. Appeal allowed on 13 January 2009 and development now largely completed.

H/43684 – Erection of 2 storey front extension to form covered stairway; erection of rear porch and associated external alterations including enlargement of existing dormer window following demolition of existing. Granted on 26 March 1997.

H/39441 - Change of use from flat and storage to offices (Renewal of planning permission H/29976). Granted on 14 September 1994.

H/29976 – Change of use from flat and storage to offices. Granted on 27 October 1989.

## **APPLICANT'S SUBMISSION**

The applicant submitted a Design and Access statement. Points raised include:-

- The proposed retail unit is a speculative development in response to the continued high demand for quality retail space within Hale District Centre
- This would be a unique retail opportunity within the fabric and character of the existing Victorian building
- The anticipated opening hours are 9.00am – 5.30pm Mondays to Fridays, 9.00am – 5.30pm Saturdays and 11.00am to 5.00pm Sundays
- No more than one delivery per day would be anticipated and this would use the dedicated service bay in front of the property
- Refuse will be collected and stored internally
- 

## **CONSULTATIONS**

**LHA** - The proposals look to convert 165 sq m of the existing 447 sq m of floorspace from office use to A1 non-food retail. On parking grounds this increases the requirements from 5 car parking spaces to 8 car parking spaces for this element of the building. No additional car parking spaces are provided for the site which already falls short of the Council's car parking standards for the building uses overall.

The LHA is concerned that that the proposals will lead to an increase in parking on-street in an area that regularly experiences high levels of parking stress. Cambridge Road is regularly heavily parked on both sides of the road and whilst there is a turning head at the end of the cul-de-sac it is limited in size and therefore any additional vehicles attracted to the proposed site on Cambridge Road may find it difficult to turn on the road.

The cycle parking requirements of the site are unchanged by the proposals and it is considered that there is adequate provision within the building.

No details have been submitted in terms of the proposed servicing of the site, however, it is considered that servicing could be undertaken within the 15m servicing bay that was recently installed in front of the building.

## **REPRESENTATIONS**

**Cllr Mrs Young and Cllr Candish** – raise objections to the proposed development on the following grounds:-

- A commercial development, if allowed in Cambridge Road, will result in the roads and driveways of residents being clogged up
- Cambridge Road is a residential road with a small Tesco on the corner with Ashley Road and two professional sites, a dentist and an architects' office opposite Tesco, granting the proposed change of use will make existing problematic situation worse
- Local Councillors and residents have raised concerns over the years about nearby developments and those concerns have proved to be right in respect of traffic and increased parking on local residential roads
- Planning permission recently refused and dismissed at appeal for a tea-rooms at the property and the same concerns apply to this proposal
- What was a relatively quiet part of Hale is now busy and residents are being continually disturbed at night

**Neighbours** – 19 letters of objection received raising the following concerns:-

- Whilst there are shops on the corner of Ashley Road a shop on Cambridge Road itself would be out of character with the residential street
- Previous large extension to the property was intended to be for increased space for the existing architects practice not to allow for a retail premises
- No justification for retail in a residential street
- Cambridge Road residents already have to suffer inconvenience from traffic associated with shops on Ashley Road and also deliveries to Tesco made worse as the road is a cul-de-sac
- Likely that vehicular and pedestrian traffic would increase as a result of the proposal resulting in further inconvenience to residents
- pedestrian safety would be further compromised
- there would be more deliveries and more congestion on the road
- the proposal would cause further disturbance to neighbours
- further congestion could hamper emergency vehicles
- the applicants are trying to play the system by getting permission by increments and they are showing no concern for residents of Cambridge Road
- the property doesn't have any car parking for customers which is contrary to the Council's policies this would result in any customers to the shop parking on local roads close to the shop – experience tells that customers do not park further away in the village
- the area cannot take increased commercial use
- road is already fully parked during the day by workers and shoppers often parking on double yellow lines and across peoples driveways
- there would be serious conflict between users/deliveries to Tesco with those of the proposed shop
- any problems will be added to by the as yet unoccupied new office space at the site
- the proposed shop is bound to fail as it is isolated from the main Ashley Road shopping area and there is no adjacent retail space, this would result in an unattractive vacant unit and subsequent pressure for change of use
- the use of the property as any form of commercial use other than offices is not acceptable – it would be contrary to Trafford policies, contrary to previous appeal decision, negative impact on character and appearance of the area, negative impact on residential amenity, negative impact on highway/pedestrian safety
- to allow a shop here would set a dangerous precedent
- the new entrance would become an area for young people to congregate with a negative impact on the amenity of the area
- the Inspector on the previous appeal recognised that whilst a commercial use may be acceptable regard had to be given to the impact on surrounding uses
- granting A2 use would mean that a change to A1 would not necessarily require planning permission and an A1 use could include an internet café or sandwich bar which is very similar to the previously refused use
- contrary to Core Strategy on car parking
- previous development proposals have put forward unmonitored statements about limited harm to be caused by parking and servicing which have proved to be incorrect in practice

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The application site is within the identified boundary of Hale district centre. It is not within an identified main or other important shopping frontage and the site is currently occupied by a non-retail use.
2. Policy W2 in respect of District Centres states that within these areas 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. The proposal for Class A1 retail or Class A2 Financial/Professional Services would be in accordance with this policy.
3. UDP Proposal S13 relates to proposed changes of use from Class A1 to Classes A2 and A3 within town and district shopping centres. As such Proposal S13 does not directly apply to the current proposed development which seeks a change of use from B1 office use to add a further retail unit in the centre.
4. The proposed use does not conflict in principle with Trafford Core Strategy W2 or the Trafford's Revised UDP in relation to non-shop service uses in district centres (Proposal S13). As such it is considered that the proposal is acceptable in principle.

### TRAFFIC, PARKING AND DELIVERIES

5. The proposed development does not alter the level of car parking provision within the site which was accepted as part of the Inspectors consideration of the earlier appeal into the office extension which has now been implemented.
6. The proposal would result in a change of use of some 165 sq.m of floorspace from B1 office use to A1/A2 uses. Noting the LHA comments this increases the car parking requirement for this element of the building by up to 3 spaces which are not provided for in the development.
7. The issue of car parking has been raised as part of two appeals at this site. In the decision on the office extension, the Inspector commented that the sites accessibility to public transport is one of its attractions and also that the proposed parking provision was within the maximum standards and that a large public car park is close at hand.
8. In the appeal decision on the proposed A1/A3 use the Inspector looked at the impact on road safety and car parking. He recognized that cars would need to reverse out of the site leading to the possibility of collisions with vehicles on Cambridge Road (though as it is not a through road, traffic movements would be limited), together with the presence of the service bay in front of the building, the Tesco store opposite, the proximity to the junction with Ashley Road and that there are likely to be a significant number of pedestrian movements past the appeal site. The Inspector in that case, having regard to those factors, concluded that road safety and the safety of pedestrians would be compromised by the proposal. In respect of car parking, however, the

Inspector, whilst noting the Council's concerns regarding the effect of the scheme on car parking in the locality concluded that the site's proximity to public car parks within the centre and its accessibility to public transport was such that there would be no material harm arising from the shortfall in parking.

9. In this case, the parking on site is retained as previously approved, the proposal is unlikely to generate a significant increase in the number of vehicle movements in and out of the site and as such the level of conflicts in the vicinity is unlikely to change significantly. As noted in the Inspectors appeal decisions, the location of the site and the presence of a nearby public car park are such that the proposed development would not give rise to any material harm arising from any shortfall in parking provision on site.

#### RESIDENTIAL AMENITY

10. The property has an existing commercial use. It is considered that the proposed A1 and A2 uses would not in themselves cause any disruption that would harm the amenities of local residents and the proposal is considered to be acceptable in principle as outlined above. The restriction to daytime hours would mitigate any potential impact as would conditions to prevent use for food retail and café/sandwich bar use and any outdoor display areas, seating areas and the like. Whilst the applicants do suggest Sunday opening it is considered that given the residential nature of the street, any opening should not include Sundays or Bank Holidays.
11. The level of comings and goings during the day may be likely to be higher than would be the case with a B1 office but it is considered that given the location of the site close to the junction with Ashley Road, within the identified district centre, that these comings and goings would not cause an unacceptable level of harm to the amenities of local residents.

#### VISUAL AMENITY

12. The proposed alterations to the front elevation would be relatively minor and it is considered that they would not cause any material harm to the visual amenity of the area including the adjacent conservation area.

#### DEVELOPER CONTRIBUTIONS

13. If minded to grant the proposal would be subject to s106 for tree planting under the requirements of Core Strategy policy L8 and SPD1: Planning Obligations.

The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below; the same calculations apply whether the proposed use falls within Class A1 (Except food retail which would result in a considerably higher figure) or Class A2:

TDC category.	Gross TDC required for proposed development.	Contribution to be offset for existing building/use or extant planning permission (where	Gross TDC required for proposed development.

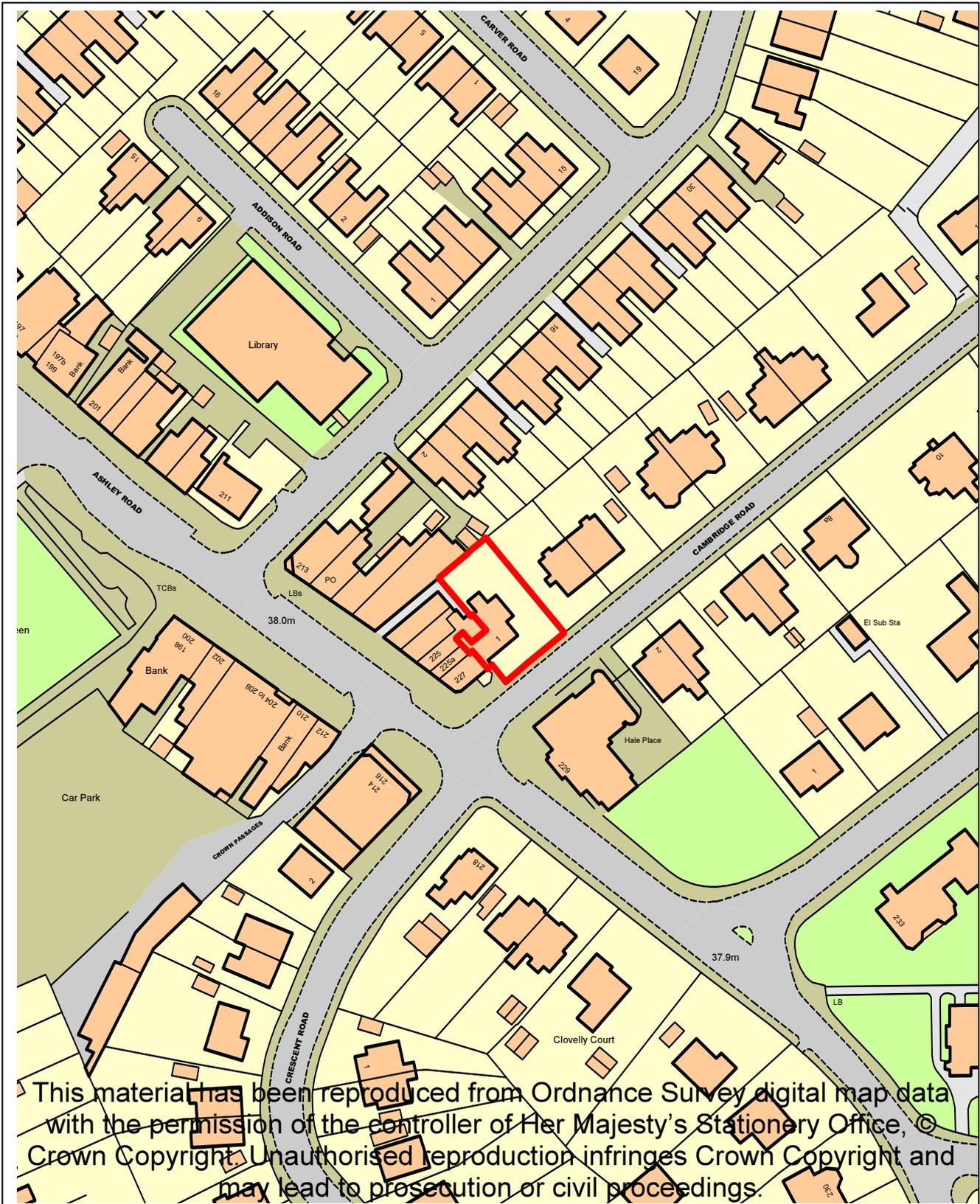
		relevant).	
Affordable Housing	0	0	0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	2288	408	1880
Public transport schemes (including bus, tram and rail, schemes)	1994	1088	906
Specific Green Infrastructure (including tree planting)	930	1860	0
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	0	0	0
Education facilities.	0	0	0
<b>Total contribution required.</b>			<b>£2786.00</b>

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

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to seek a maximum financial contribution of £2,786.00 split between: £1880.00 towards Highway and Active Travel infrastructure; £906 towards Public Transport Schemes; and
- (B) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
1. Standard
  2. List of approved plans
  3. Materials to match
  4. Restriction of use – Classes A1 and A2 only and not to include food retail, sandwich bar, coffee shop, internet café uses
  5. Hours of opening - 9.00am – 5.30pm Mondays to Fridays, 9.00am – 5.30pm Saturdays and not at all on Sundays or Bank Holidays
  6. No external storage
  7. No outdoor display areas, seating areas or other such areas relating to the use of the premises

GE

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**LOCATION PLAN FOR APPLICATION No: - 79615/FULL/2012**  
 Scale 1:1250 for identification purposes only.  
 Chief Planning Officer  
 PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
**Top of this page points North**

**WARD: Hale Barns**

**79620/HHA/2012**

**DEPARTURE: No**

**ERECTION OF A PART SINGLE, PART TWO STOREY SIDE AND REAR EXTENSION TO FORM ADDITIONAL LIVING ACCOMMODATION.**

4 Leighs Cottages , Wellfield Lane, Timperley, WA15 7AE

**APPLICANT:** Ms Anne Lloyd-Williams

**AGENT:**

**RECOMMENDATION: REFUSE**

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**Councillor Dylan Butt has requested that the application be determined by the Planning Development Control Committee on behalf of the applicant.**

**SITE**

The application relates to a two storey semi-detached property located within an area designated as Green Belt and in a row of 5 dwellings, one of which is a bungalow.

There is a low level fence to the rear of the property which provides open views towards the west and over the adjacent Greenbelt.

**PROPOSAL**

Permission is sought for the erection of a single storey side and two storey rear extension to form an enlarged kitchen, WC and "snug" at ground floor level and an enlarged bedroom at first floor level.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The Trafford Core Strategy, adopted 25<sup>th</sup> January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The Revised Trafford Unitary Development Plan (UDP), adopted 19<sup>th</sup> June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF; and
- The Regional Spatial Strategy for the North West of England, adopted September 2008. The Secretary of State for Communities and Local Government has signaled that it is the intention of the Government to revoke all Regional Spatial Strategies so that they would no longer form part of the

development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore would no longer be a material consideration when determining planning applications. Although the Government's intention to revoke them may be a material consideration in a very limited number of cases, following a legal challenge to this decision, the Court of Appeal has determined their continued existence and relevance to the development plan and planning application decision making process until such time as they are formally revoked by the Localism Act. However, this will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the environmental assessments of the revocation of each of the existing regional strategies.

- The Greater Manchester Joint Waste Plan, adopted 01 April 2012. On 25<sup>th</sup> January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L5 – Climate Change

L7 - Design

R2 – Natural Environment

R4 – Green Belt, Countryside and Other Protected Open Land

## **PROPOSALS MAP NOTATION**

Green Belt

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

None relevant

## **PRINCIPAL RSS POLICIES**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP7 – Promote Environmental Quality

EM1 – Integrated Enhancement and Protection of the Region's Environmental

Assets

MCR1 - Manchester City Region Priorities

MCR3 – Southern Part of the Manchester City Region

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005: Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### **The Bungalow (5 Leighs Cottages)**

H/70499 - Erection of bungalow (amendment to approval ref H/63503 to incorporate additional windows and rooflights and new porch). Approved January 2009.

H/63503 - Erection of bungalow following demolition of existing bungalow. Allowed at appeal. Appeal reference: APP/Q4245/A/06/2012878/WF

### **1 Leighs Cottages**

H/61760 - Erection of first floor rear extension over existing ground floor kitchen extension with insertion of new bathroom window in east elevation. First floor extension over existing garage incorporating 2 no. dormers in west elevation to provide new study/studio. Refused May 2005.

### **4 Leighs Cottages**

77360/HHA/2-11 – Erection of a part single, part two storey side and rear extension to form additional living accommodation – Withdrawn November 2011

76259/HHA/2011 – Erection of a part single storey, part two storey side and rear extension to form additional living accommodation – Appeal dismissed (June 2011) (Inspector's report attached to file)

H/22927 - Erection of first floor extension to form bedroom and bathroom – Approved April 1986

### **3 Leighs Cottages**

H/29441 - Erection of first floor rear extension – Approved August 1989

## **CONSULTATIONS**

No comments received

## **REPRESENTATIONS**

1 letter and two emails received in support of the proposed development.

## **OBSERVATIONS**

### BACKGROUND

1. Planning application 76259/HHA/2011 was submitted to the Council in December 2010 and refused in February 2011. A revised scheme (77360/HHA/2011) was submitted in August 2011 and subsequently withdrawn by the applicant following discussions with the Council. Councillor Hyman has discussed the matter with officers and has requested that the current application (same design as 77360/HHA/2011) be viewed by Councillors at the next available Planning and Development Committee Meeting. The main considerations with regard to this application relate to whether the development proposed is appropriate to the Green Belt (and if not, whether the appellant has demonstrated that there are

very special circumstances to justify such a development), and the effect of the development on the amenities of occupants of the adjoining dwellings.

## IMPACT ON THE OPENNESS OF THE GREEN BELT

2. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Section 88 of the NPPF states that when considering any planning application, local 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, is clearly outweighed by other considerations".
3. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions of this are:
  - Buildings for agriculture and forestry;
  - Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
  - The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
  - Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
4. The Council's Supplementary Planning Guidance (SPD4 – A Guide For Designing House Extensions & Alterations (February 2012) for house extensions advises that extensions to properties within the Green Belt which would increase the size of the dwelling to more than 30% above its original floorspace will not normally be acceptable. The resulting increase in height, overall bulk, massing and siting would also need to be assessed in close proximity to neighbouring residential properties and its appropriateness cannot be based on floorspace calculations alone.
5. Paragraph 4.2.2 of the Guidelines states that "with regard to householder development, this means that only limited extensions of existing dwellings are considered appropriate to ensure that the development would adversely affect the surrounding rural character. Within green belt designations, extending a domestic property to an extent that would significantly alter the scale, character and appearance of the house, appear disproportionately larger or significantly increase its impact on the surrounding rural character will not normally be permitted".
6. Paragraph 4.2.3 of the Guidelines states that "An extension necessary to make reasonable use of accommodation or to bring it up to modern standards will normally be looked upon favourably in principle. An extension which would

increase the size of the dwelling to no more than 30% above the original floor space would not normally have an undue impact because of its limited extent. However this addition is subject to appropriate scale and design, its relationship with the host dwelling and the visual impact on the surrounding area. In calculating this floor space the cumulative effect of any previous extensions will be taken into account. Much larger extensions than this are unlikely to be acceptable due to the harmful visual impact on the rural vernacular of disproportionately large extensions. For example, an extension that would change a small cottage into a large house would be a significant change in character, and even if well designed and screened, would still have a strong visual impact upon the rural character. The creation of a basement extension may count towards the addition of floor space where it would have external implications, such as the extension or associated works would be visible”.

7. The applicant has confirmed that the original total floor area was 68 sqm and the existing property as currently extended is 96sqm. The proposed development has been calculated to be 121sqm and therefore 26% above the existing floorspace of the property and 77% more than the original property. If a proposed development is calculated to be 77% more in floor space than the original property, regardless of its design, would be a significant increase and would be detrimental to the character and appearance of the original property. Although the proposed development has been reduced in size from the 82% increase as within the dismissed appeal 76259/HHA/2011, this marginal reduction is not considered to overcome the Inspector’s concerns and be sufficient to recommend approval of the proposed scheme.

#### PREVIOUSLY DISMISSED APPEAL (76259/HHA/2011)

8. The extension, due to its 77% increase in floorspace from the original dwellinghouse is therefore viewed to be in excess of what may be considered reasonable when updating this semi-detached property to modern day living standards. The formation of a 5.5m by 4.8m kitchen area (including WC) is regarded as not being considerate to the character of the original dwellinghouse, with the original rear elevation being entirely obscured by the proposed development, which would be highly visible when viewed from the rear and from the side of the property. The introduction of a lean-to roof at the side of and towards the rear of the property would be incongruous to the character and appearance of the original dwellinghouse and therefore detrimental to it. Furthermore, the neighbouring property, “The Bungalow” (5 Leighs Cottages) is subordinate in size and design to the application property and would not be able to screen the development when viewed from within the Greenbelt. As such, the visual impact of the extension upon the openness of the Greenbelt would not be mitigated by this neighbouring property.
9. The Inspector, within paragraph 6. of his report (relating to 76259/HHA/212) states that “the proposal would increase its size to 124sqm, an increase of 82% over the size of the original property. I consider that this would represent a disproportionate addition to the original cottage, significantly greater than the guidelines in the SPG. It would amount to inappropriate development within the Green Belt.” Furthermore, within paragraph 8, the Inspector states “I am also concerned that because of its bulk and size, the proposed extension would appear as an over-dominant element in terms of the cottage, substantially hiding its original simple character and appearance” which, although the submission is reduced in size, scale and massing within the current application, would still screen the original character of the dwellinghouse and thereby this view is still a material consideration.

10. Regarding the presence of the other three cottages being extended, they are considered to impact upon the character of the original cottages and the openness of the Green Belt. The Inspector gave this element limited weight within the appeal and therefore provides guidance for the Council in defending this issue. It is considered that any further development would therefore further harm the openness of the Green Belt, which would be also harmful of the original character and appearance of the host building.

#### IMPACT ON RESIDENTIAL AMENITY

11. The proposed development would have its rear elevation aligned with the habitable room windows to the rear of the connecting property, 3 Leighs Cottages and therefore no loss of outlook or amenity would occur. Similarly, the neighbouring bungalow, (5 Leighs Cottages) has no habitable room windows within its elevation facing the application property and would not therefore be detrimentally harmed by the proposal, which has indicated that obscure glazing would be inserted within the side elevation at first floor level to enlighten a proposed bathroom.

#### ACCESS, HIGHWAYS AND CAR PARKING

12. The proposed single storey extension would not affect the current provision of off street car parking. Sufficient off street car parking provision would remain and therefore considered acceptable.

#### CONCLUSION

13. The proposal is considered not to adhere to the Council's guidelines regarding design, but would not cause overlooking or loss of privacy to neighbouring properties. The openness of the Green Belt would be further detrimentally harmed as a result of the proposed development and would as a result of this be contrary with the NPPF and Core Strategy policies relating to Green Belt areas.

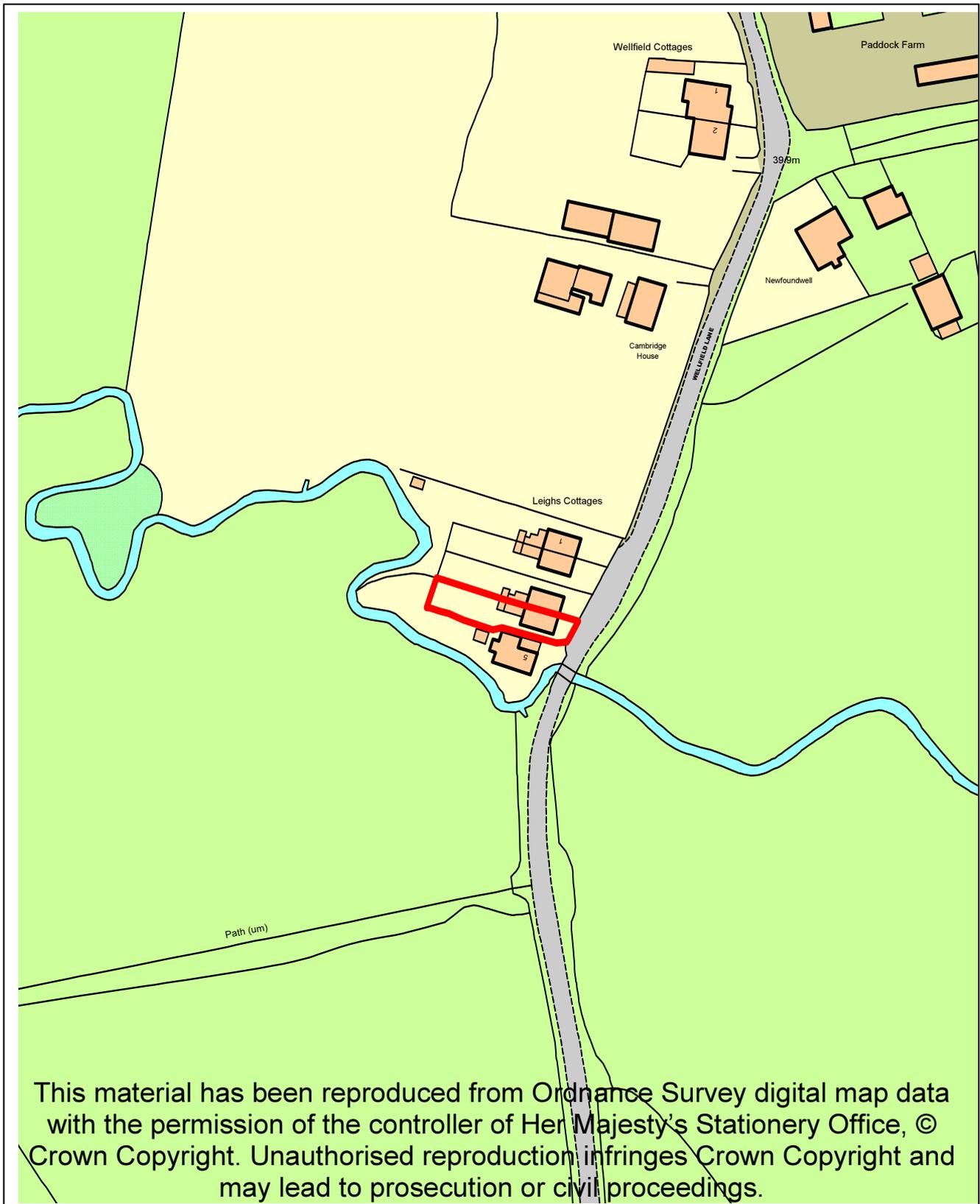
#### **RECOMMENDATION: REFUSE**

#### REASON:

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development and where development will only be allowed if it for an appropriate purpose or where special circumstances can be demonstrated. The proposed development by virtue of its siting, size and design represents inappropriate development within the Green Belt and it would detract from the openness and character of the Green Belt. As such the proposed development is considered to be contrary to Government advice contained within the National Planning Policy Framework with relation to Green Belts, Proposals L7 and R1 of the Trafford Core Strategy and related supplementary planning guidance entitled SPD4: A Guide for Designing House Extensions and Alterations.

GD

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*LOCATION PLAN FOR APPLICATION No: - 79620/HHA/2012*  
Scale 1:1250 for identification purposes only.  
Chief Planning Officer  
PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF  
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