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TRAFFORD
COUNCIL

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 9 May 2024

Time: 6.30 pm

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford, Manchester
M32 0TH**

AGENDA

PART I

ITEM

5. ADDITIONAL INFORMATION REPORT

To consider the attached report of the Head of Planning and Development, tabled at the meeting.

5

SARA TODD

Chief Executive

Membership of the Committee

Councillors B.G. Winstanley (Chair), Babar, M. Cordingley, Z.C. Deakin, P. Eckersley, W. Hassan, D. Jerrome, S. Maitland, M. Minnis, T. O'Brien, S. Procter and M.J. Taylor.

Further Information

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Agenda Item 5

AGENDA ITEM 5

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 9th May 24

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

1.0 INTRODUCTION

1.1 This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

1.2 Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

2.0 ITEM 4 – APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

REVISED ORDER OF AGENDA (SPEAKERS)

Part 1 Applications for Planning Permission					
Application	Site Address/Location of Development	Ward	Page	Speakers	
				Against	For
<u>111026</u>	Dunham Forest Golf Club, Oldfield Lane, Altrincham WA14 4TY	Bowdon	1	✓	✓
<u>112477</u>	Land Off Barton Road, Davyhulme, M41 7NL	Davyhulme	33		✓
<u>112795</u>	Ross Mill Farm, Rossmill Lane, Hale Barns, Altrincham, WA15 0EU	Hale Barns and Timperley South	121		
<u>113092</u>	35 Green Drive, Timperley Altrincham, WA15 6JW	Timperley North	138		

Page 1 111026/FUL/23: Dunham Forest Golf Club, Oldfield Lane, Altrincham, WA14 4TY

**SPEAKER(S) AGAINST: Joanne Kinny
(Neighbour)
Written Statement**

**FOR: Julian Austin
(Agent)**

OBSERVATIONS

Following further consideration of the Environmental Health Officer's comments, it is considered that the wording of Condition 7 should be amended to include restriction of the hours of use of the courts as well as the floodlighting.

RECOMMENDATION

That the wording of Condition 7 is amended as follows: -

7. The floodlighting to the padle courts hereby permitted shall not be illuminated at any time outside of the hours of 09:00 to 21:00 on any day and there shall be no use of the padel courts at any time outside the hours of 09:00 to 21:00 on any day.

Reason: To safeguard the amenities of the area including the residential amenity of nearby properties and to limit the impact of the development on protected species, having regard to Policies L7 and R2 of the Trafford Core Strategy, PFE Policy JP-G8 and the National Planning Policy Framework.

Page 33 112477/FUL/23: Land Off Barton Road, Davyhulme, M41 7NL

SPEAKER(S) AGAINST:

**FOR: Rebecca Hilton
(Agent)**

The purpose of this additional information report is to provide an update to the Planning and Development Management Committee in respect of matters that have arisen in the period since the original officers' report was prepared.

REPRESENTATIONS

In objection

A further representation, in opposition to the application and from a local resident, has been received, and this representation was forwarded directly to a number of Councillors. The main issues cited can be summarised as follows:

- Despite previous representations regarding this application to provide active travel infrastructure as part of this development, the officer report dismisses it;
- This part of Davyhulme already has major problems with standing traffic;
- The section of Barton Road between the Nag's Head Roundabout and Broadway is dangerous for cyclists;
- An additional junction at this section of the road could make it even more dangerous;
- Transport for Greater Manchester's (TfGM) Transport Strategy 2040 gives a commitment to working with developers to ensure new developments are accessible by sustainable modes of travel/transport, and also to improve walking and cycling facilities;
- The Transport Strategy makes no reference to only some developments having to fulfil this requirement;
- Has TfGM been consulted on this application?;
- In 2020 Trafford Council was awarded the Mayor's Cycling and Walking Challenge Fund to create Trafford's first active neighbourhood, and it is disappointing that the Council is not better utilising this application to support these aims; and
- This proposal presents an opportunity to start the development of sustainable routes along Barton Road. If the Council cannot fund such infrastructure, then the developer should.

The total number of objections is now 9.

OBSERVATIONS

Highways Matters

Whether there is scope for this proposal to incorporate active travel infrastructure was raised in representations received earlier in the application process, and it was also debated (and discounted) as part of the last application. The reason for not pursuing active travel infrastructure is covered in paragraph 134 of the original officers' report. This content has been informed by up-to-date discussions with the local highway authority (LHA), including the Council's Active Travel officer. The main reason for not requiring the applicant to make such provision (either directly as part of the design of the development or via a commuted sum financial contribution) is because there is no legitimate, valid planning reason to do so. This is when having regard to the relevant regulations (Part 11, Section 122 of the CIL (Community Infrastructure Levy) Regulations 2010 which provide limitations on the use of planning obligations. In essence, as confirmed in consultation with the LHA and in the context of the modest scale of the development, there is no evidence or concern that this proposal would generate a level of vehicular traffic that could have significant adverse/severe impacts on the highway network. If it did, there would be a case to request improvements to alternative modes of transport and/or highways mitigation as a means of correcting the problem and in order to enable planning permission to be

granted. The level of highways impact that may be experienced as a consequence of this proposal is not material and is thus not of an order to warrant such a request.

There are further reasons for not requiring active travel provision in the manner suggested in the recent representation, as also covered in the original officers' report at paragraph 134. This includes the absence – to date - of any detailed investigative work regarding the appropriateness, feasibility, safety and deliverability of a new active travel corridor specifically in this location. Such work would need to have been progressed – in conjunction with the existence of harm referred to above - to justify a request being made in relation to this application.

What this proposal would provide, however, are new cycling (along with walking) routes intended for recreational (rather than commuter) use, including new offsite connections. Thereby, the development would still support more cycling opportunities in the manner envisaged by the Transport Strategy 2040; the intended cycling function is fully aligned with the site-specific mitigation strategy in seeking to contribute for the loss of open space and in providing social benefits associated with improved access to green infrastructure.

It can be confirmed that TfGM was consulted on the application and their position is reported in the original officers' report. No concerns were raised regarding the absence of active travel infrastructure. In addition, it is confirmed that this application would not introduce a further vehicular access.

Design and Visual Amenity

The original officers' report explained in some detail the efforts that have been made in ensuring a well-designed scheme for this site, and positive weight has been afforded to the quality of the scheme in the planning balance and the subsequent recommendation. In view of this and in reflecting this Council's commitment to securing good design, it is considered appropriate to use a mechanism to ensure that the design intent of the applicant's architect - as envisaged in the scheme drawings - is fully delivered in the built development. This approach is consistent with other recent approvals for major residential development, and on re-examination should be applied here. It is also supported by the NPPF which, at paragraph 140, advises local planning authorities of the importance of ensuring that the quality of approved development is not materially diminished between permission and completion. In this case it is proposed that this would be achieved via a new condition which would require the appointment of a 'design certifier' (and a qualified architect). The intention is that the appointed design certifier would be retained to oversee the construction process to ensure that the development is in full accordance with the design quality reflected within the approved drawings.

Further to this, and again associated with the renewed emphasis on design, a further condition is needed (which did not feature in the original officers' report) which would request a detailed façade schedule of all building elevations.

It is important to record that, by means of a formal letter issued today, the applicant disputes the need for the design certifier condition. The letter refers to the condition not meeting the tests of a planning condition (as set out in paragraph 56 of the NPPF) on the grounds that the condition is unreasonable and unnecessary. The letter references the applicant's commitment to good design, as reflected in the extensive collaboration with Council officers to produce a quality scheme and its acceptance of several other design-related conditions. Accordingly, from the applicant's position, there are already appropriate measures in place to ensure that the high quality design is delivered. However, in drawing upon experience of other developments and when having regard to the NPPF advice at paragraph 140, officers maintain that the design certifier condition is entirely reasonable and necessary in order to provide the additional safeguard to ensure quality in execution. Moreover, the condition has been specifically worded not to be unduly onerous and to reflect the applicant's stated intentions – and its continued commitment to design quality - during the build-out stage.

CONDITIONS

As referred to in the design discussion above, there is a need for a further condition to request the appointment of a design certifier (which has been inserted as a new condition no. 3) and a further new condition to ask for a detailed façade schedule (which has been inserted as a new condition no. 5). In addition, the wording of some other design-related conditions has been changed to allow for the submitted details to be approved in writing by the local planning authority 'in conjunction with the design certifier'. In view of the insertion of this new condition and the knock on implications with ordering and content, for the purposes of this additional information report, the full suite of recommended conditions to be imposed on any decision notice is provided below. This exercise has also allowed for an update to the condition regarding window reveals to refer to a minimum depth of 175mm (previously 100mm minimum) which is now consistent with the Design and Access Statement, and also to address some numbering errors in the original officers' report.

RECOMMENDATION

The recommendation is unchanged, subject to the additional condition and minor revisions to other conditions, as all referred to above:

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:

- The provision (and retention) of affordable housing on site of 14no units (comprising 8no shared ownership units and 6no units for affordable rent);
- A financial contribution of £10,000 to support a Traffic Regulation Order to introduce parking restrictions;
- A financial contribution of £73,017 to offset the loss of POS/PLOL and to contribute towards offsite recreational and greenspace enhancements;
- A financial contribution of £190,950 to offset the loss of identified wildlife corridor/area of local conservation value and to contribute towards offsite habitat creation and long-term management and monitoring; and
- To provide for the management for the lifetime of the development of all publicly accessible external areas within the site (including public open space and natural greenspace, and all vehicular, pedestrian and cycling roads and routes).

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

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

(iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions (unless amended by (ii) above):

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

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

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

- Location plan: ref. 22142 (SU) 001
- Proposed demolition plan: 22142 (SU) 002
- Proposed site plan: ref. 22142 (PL) 101 M
- Proposed house types A and B: ref. 22142 (PL) 201 A
- Proposed house type C1: ref. 22142 (PL) 202 D
- Proposed house type C2: ref. 22142 (PL) 203 D
- Proposed house type C3: ref. 22142 (PL) 204 D
- Proposed house type D: ref. 22142 (PL) 205 C
- Proposed house type E: ref. 22142 (PL) 206 C
- Proposed house type H: ref. 22142 (PL) 208 B
- Proposed house type J: ref. 22142 (PL) 209 B

Proposed house type K: ref. 22142 (PL) 214 C
Apartment block 1 – proposed floor plans: ref. 22142 (PL) 210 C
Apartment block 1 – proposed elevations: ref. 22142 (PL) 211 B
Apartment block 2 – proposed floor plans: ref. 22142 (PL) 212 B
Apartment block 2 – proposed elevations: ref. 22142 (PL) 213 B
Proposed detached single garage: ref. 22142 (PL) 215
Proposed site section AA: ref. 22142 (PL) 150 B
Proposed site section BB: ref. 22142 (PL) 151 B
Proposed site section CC: ref. 22142 (PL) 152 B
Proposed site section DD: ref. 22142 (PL) 153 B
Proposed site section EE: ref. 22142 (PL) 154
Proposed site section FF: ref. 22142 (PL) 155
Façade analysis 1: ref. 22142 (PL) 300
Façade analysis 2: ref. 22142 (PL) 301
Proposed lighting plan ref. 25310-D-01 A

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

3. No development shall take place (excluding demolition and vegetation clearance), unless and until the appointment of a design certifier on the part of the developer has been confirmed in writing to, and approved in writing by, the local planning authority. The appointed design certifier shall be a qualified architect registered with the UK Register of Architects and responsible for the approved architectural drawings (as referred to at condition no. 2), or an alternative qualified architect registered with the UK Register of Architects as approved in writing by the local planning authority. The appointed design certifier shall be retained throughout the construction of the development hereby approved to ensure that the design intent reflected in the approved drawings referred to at condition no. 2 is delivered.

Reason: In order to ensure a high quality appearance in the interests of visual amenity and to ensure that the quality of the approved development is not materially diminished between permission and completion, having regard to Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

4. Notwithstanding any description of materials in the application, no development shall take place (excluding demolition and vegetation clearance) unless and until samples and full specifications of all materials and surface finishes to be used externally on the new buildings hereby approved have been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of the proposed brickwork illustrating the type of joint, the type of bonding, examples of brick eaves detailing (as shown on plan ref. 22142 (PL) 300), examples of brick feature panels (as shown on plan ref. 22142 (PL) 208 B), window and door examples, and the colour of mortar to

be used, and with these sample panels available on site for inspection. Development shall be carried out in full accordance with the approved details.

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

5. No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the buildings hereby approved has first been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). The schedule shall be provided in tabulated form with cross referencing to submitted drawings, and it shall include the provision of further additional drawings (at a scale of no more than 1:20) illustrating the following:

- (i) All brickwork detailing and stone cills;
- (ii) all fenestration details and external reveals;
- (iii) all entrances into the buildings (including garage doors), and external reveals;
- (iv) the siting of any equipment on the roofs of the development;
- (v) the means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building; and
- (vi) balcony details and fixings.

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

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

6. No development shall take place (excluding demolition and vegetation clearance but including any ground levelling works and/or engineering operations), unless and until full details of all existing and proposed ground levels and existing and proposed finished floor levels have been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no.3). Development shall be carried out in full accordance with the approved details.

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

7. Notwithstanding the approved plans referred to at condition no. 2, all windows (excluding rooflights) and external doors provided within the new buildings throughout the development shall be installed to provide a minimum of 175mm recess from the outer skin of the building façade. Such a recess shall thereafter be retained.

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

8. Notwithstanding the approved plans referred to at condition no. 2, no utility meter boxes to serve the development shall be installed unless and until a scheme for the provision of utility meter boxes has first been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). Development shall be carried out in full accordance with the approved details.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof) (i) no external alterations shall be carried out to the dwellings hereby approved; (ii) no extensions shall be carried out to the dwellings hereby approved; (iii) no garages or carports shall be erected within the curtilage of the dwellings hereby approved; (iv) no vehicle standing space shall be provided within the curtilage of the dwellings hereby approved; and (v) no windows or dormer windows shall be added to the dwellings hereby approved other than those expressly authorised by this permission, unless planning permission for such development (as covered by items i to v) has first been granted by the local planning authority.

Reason: In order to maintain a high quality appearance in the interests of visual amenity, and to ensure an effective system of car park use and to prevent unauthorised car parking in the interests of the accessibility of the development, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-P1, Policy JP-C5 and Policy JP-C6 of Places for Everyone, and the National Planning Policy Framework.

10. Notwithstanding the approved plans referred to at condition no. 2, no development associated with the provision of new hard landscape works shall take place unless and until samples and/or full specifications of all new hard landscaping to be used throughout the development have been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). The details shall include: materials for all vehicle, pedestrian and cycle routes; all other hard surfacing materials; means of enclosure and boundary treatments (including gates); refuse compound, cycle and other stores; any free-standing cycle parking facilities; seating furniture; signage structures; and an implementation programme for the provision of all hard landscape works. The submitted details shall include product dimensions, full details regarding appearance, materials and finishes, and it shall indicate the location of their provision within the site. Development shall be carried out in full accordance with the approved details.

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

11. Subsequent repair and maintenance work to the hard landscape works within all publically accessible external areas of the development (including within areas of public open space and to vehicular, pedestrian and cycle routes as shown on approved site plan ref. 22142 (PL) 101 M) shall be completed and delivered in accordance with the materials and details approved via condition no. 10.

Reason: In order to ensure a high quality appearance in the longer term in the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

12. The development hereby approved shall be planted in full accordance with the submitted landscape plans (Landscape general arrangement plan ref. 3946-LB-ZZ-ZZ-D-L-200000 C05; Illustrative landscape masterplan ref. 3946-LB-ZZ-ZZ-D-L-100000 C02; and Landscape planting plan ref. 3946-LB-ZZ-ZZ-D-L-210000 C05). No planting or works of planting preparation shall take place unless and until the following additional soft landscaping details have been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3): a planting implementation programme; confirmation that all below-surface utilities and services would be laid to avoid conflict with the approved locations for tree planting support systems (as shown on plan ref. 3946-LB-ZZ-ZZ-D-L-210000 C05); and details of additional planting within the development site to provide visual screening to the approved acoustic fencing referred to in condition no. 29. Development shall be carried out in full accordance with the approved details.

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

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

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

14. The development shall be implemented in strict accordance with the tree protection measures as identified in the submitted Arboricultural Impact

Assessment, prepared by Ascerta, dated 8th November 2023, ref. P.1359.20, rev. B.

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

15. No above-ground-construction works shall take place unless and until full details of the proposed Local Area of Play (as shown on plan ref. 22142 (PL) 101 M) have been submitted to and approved in writing by the local planning authority. The details shall include full specifications of the play equipment to be incorporated. Development shall be carried out in full accordance with the approved details prior to any residential use commencing, and thereafter the play equipment shall be retained and maintained.

Reason: To ensure that the development makes appropriate open space and recreational provision, having regard to Policy R5 of the Trafford Core Strategy, Policy JP-P7, Policy JP-D1 and Policy JP-D2 of Places for Everyone, and the National Planning Policy Framework.

16. No occupation of the development shall take place unless and until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. The submitted Landscape and Ecological Management Plan, which shall be based upon the approved landscape plans referred to at condition no. 12, shall contain a scheme for the landscape and ecological management of all landscaped areas within the development hereby approved (including areas of hard and soft landscaping, tree planting, and the Local Area of Play but excluding private gardens). The submitted Landscape and Ecological Management Plan shall include:

1. A description and evaluation of features within the site to be managed;
2. Ecological trends and constraints on site which may influence management;
3. Aims and objectives of management (which shall include the achievement of biodiversity net gain in accordance with the approved Biodiversity Impact Assessment, prepared by Ascerta, ref. P.1359.20 version D, dated 25th March 2024);
4. Appropriate management options for achieving aims and objectives;
5. Prescriptions for management actions;
6. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period);
7. Details of the party/parties responsible for the implementation of the plan;
8. Arrangements for all ongoing monitoring and long-term review mechanisms;
9. Details of how contingencies and/or remedial action will be identified, agreed, and implemented in order to meet the objectives of the plan (including, but not limited to, biodiversity net gain); and

10. Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured.

The Landscape and Ecological Management Plan shall be implemented as approved and shall remain in force throughout the lifetime of the development.

Reason: To ensure that landscaping, open space and biodiversity interests at the site are satisfactorily managed and maintained to a high quality including in the longer term, having regard to the requirements of Policy L7, Policy R2, Policy R3 and Policy R5 of the Trafford Core Strategy, Policy JP-G8 and Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

17. The development shall be implemented in strict accordance with the submitted Method Statement for Felling Trees with Bat Potential, prepared by Ascerta, dated February 2024, ref. P.1359.20.

Reason: In order to provide protection to protected species and their habitats which may exist on site, having regard to Policy R2 of the Trafford Core Strategy, Policy JP-G8 of Places for Everyone, and the National Planning Policy Framework.

18. In the event that building demolition and vegetation clearance of those buildings and that vegetation identified in the submitted Bat Nocturnal Surveys report (prepared by Ascerta, ref. P.1359.20, version D, dated 5th June 2023) as having moderate or high bat roost potential has not taken place by 1st June 2024, building demolition and vegetation clearance of relevant buildings/vegetation shall not take place unless and until an updated bat survey of such locations has been submitted to and agreed in writing. The updated survey, which shall follow the survey methods and practices undertaken within the original Bat Nocturnal Surveys report, shall establish whether there have been any changes in the presence and/or existence of bats and their roosts, and shall identify any new ecological impacts that may arise from any changes, and any mitigation that may be required. Building demolition, vegetation clearance and construction of the development shall take place in full accordance with the recommendations of the updated bat survey.

Reason: In order to provide protection to protected species and their habitats which may exist on site, having regard to Policy R2 of the Trafford Core Strategy, Policy JP-G8 of Places for Everyone, and the National Planning Policy Framework.

19. No clearance of trees, hedgerows or shrubs, or demolition of buildings, shall take place during the bird nesting season (March to August inclusive) unless and until a competent ecologist has undertaken a careful, detailed check of the vegetation/buildings for active birds' nests immediately before the works commence. Should the check reveal the presence of any nesting birds, then no such works shall take place during the period specified above unless and until a mitigation strategy has first been submitted to and approved in writing by the local planning authority which provides for the protection of nesting birds during the

period of works on site. The mitigation strategy shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds, having regard to Policy R2 of the Trafford Core Strategy, Policy JP-G8 of Places for Everyone, and the National Planning Policy Framework.

20. REDACTED

21. REDACTED

22. The development shall be implemented in strict accordance with the submitted Invasive Species Method Statement, prepared by Ascerta, dated February 2024, ref. P.1359.20 A.

Reason: To ensure that invasive species identified on site are appropriately dealt with and to enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy, Policy JP-G8 of Places for Everyone, and the National Planning Policy Framework.

23. No above-ground construction works shall take place unless and until full details of biodiversity enhancement measures to be provided within the development, as outlined in the submitted Preliminary Ecological Appraisal, dated 13th November 2023, prepared by Ascerta, ref. P.1359.20 rev. H, have been submitted to and approved in writing by the local planning authority. The approved enhancement measures shall be provided in full prior to any residential use commencing and shall thereafter be retained and maintained.

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

24. No development shall take place (including vegetation clearance or building demolition) unless and until the implementation of a programme of archaeological works has been secured. The works shall be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:
 - a. Archaeological evaluation trenching across previously demolished 19th century farm buildings and accessible areas;
 - b. Historic building recording to Historic England Level 2/3 for both Brook House and Willowbank;
 - c. Informed by the above, a soft-strip/demolition watching brief to record concealed historic fabric;
 - d. Informed by the historic building recording, further archaeological evaluation across the footprints of Brook House

- and Willowbank post-demolition to establish the presence of earlier archaeological remains (subject to an updated WSI);
- e. Informed by the above, more detailed targeted excavation (subject of a new WSI).
2. A programme for post investigation assessment to include:
 - a. Analysis of the site investigations records and finds;
 - b. Production of a final report/s on the investigation results.
 3. Deposition of the final report/s with the Greater Manchester Historic Environment Record.
 4. Dissemination of the results commensurate with their significance.
 5. Provision for archive deposition of the report/s and records of site investigation.
 6. Nomination of a competent person/s or organisation to undertake the works set out within the approved WSI.

Reason. To record and advance the understanding of heritage assets impacted upon by the proposed development and to make information about the heritage assets publicly available, having regard to Policy R1 of the Trafford Core Strategy, Policy JP-P2 of Places for Everyone, and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse, irreversible heritage impacts.

25. No occupation of the development shall take place unless and until a Car Park Management Plan has been submitted to and approved in writing by the local planning authority. The submitted plan shall cover (although shall not be limited to) the following matters:

1. Confirmation regarding the car parking allocation per residential unit (accounting for private garages, private driveways, non-curtilage parking bays, and parking courts);
2. Details of how residents will be informed of the site-wide terms and conditions of parking within the development (including by motor vehicles, cycles and motorcycles);
3. Details of how residents will be informed of parking allocations per residential unit;
4. Details of how residents will be informed of the shared use of visitor parking spaces;
5. Details of how accessible spaces will be allocated and used;
6. Details of any parking space notification measures to be installed;
7. Details of the party/parties responsible for the implementation of the plan;
8. Arrangements for ongoing monitoring and review mechanisms;
9. Details of a reporting/complaints procedure (including contact details); and
10. Arrangements for how breaches of the plan by residents and their visitors, and/or instances of indiscriminate parking, will be dealt with.

The approved Car Park Management Plan shall be strictly adhered to throughout the lifetime of the development.

Reason: To ensure an effective system of car park use and to prevent unauthorised car parking in the interests of the accessibility of the development, the free-flow of traffic and to promote safe conditions by all site-users, having regard to Policy L4 of the Trafford Core Strategy, Policy JP-C5 and Policy JP-C6 of Places for Everyone, and the National Planning Policy Framework.

26. No occupation of the development shall take place unless and until a full Travel Plan, which shall include measurable targets for reducing car travel, has been submitted to and approved in writing by the local planning authority. On or before the first occupation of the development, the approved Travel Plan shall be implemented and shall thereafter continue to be implemented throughout a period of ten years commencing on the date of this first occupation.

Reason: To reduce care travel to and from the site in the interests of sustainability and highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-Strat14 and Policy JP-C6 of Places for Everyone, and the National Planning Policy Framework.

27. Prior to occupation of the final residential unit within the development hereby approved, a verification report which demonstrates that all internal carriageways, roads, footways, footpaths, cycle-paths and all vehicular parking spaces (including non-curtilage parking bays, private driveways, parking courts, visitor parking, and accessible parking) and cycling and other parking facilities, as indicated on site layout plan (ref. 22142 (PL) 101 M), have been laid out and are available for use shall be submitted to and approved in writing by the local planning authority. The submitted verification report shall provide full details regarding the quantity and type of cycle parking for each residential unit. All such infrastructure and facilities, as referred to in the approved verification report, shall thereafter be retained and maintained for the lifetime of the development.

Reason: To ensure that the development is satisfactorily provided for in terms of access, servicing and parking in the interests of highway safety, and to reduce care travel to and from the site in the interests of sustainability, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-Strat14 and Policy JP-C6 of Places for Everyone, and the National Planning Policy Framework.

28. No development (including vegetation clearance or building demolition) shall take place unless and until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The submitted Construction Environmental Management Plan shall provide for (although shall not be limited to):

1. Suitable hours of construction and pre-construction (including demolition) activity;
2. The parking of vehicles of site operatives and visitors (all within the site);
3. The loading and unloading of plant and materials (all within the site), including times of access/egress;

4. The storage of plant and materials used in constructing the development;
5. The erection and maintenance of security hoardings;
6. Wheel washing facilities;
7. Measures to control the emission of dust and dirt during demolition and construction, and procedures to be adopted in response to complaints of fugitive dust emissions;
8. A scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);
9. Measures to prevent undue impact of disturbance from noise and vibration in accordance with the principles of Best Practicable Means as described in BS 5228: 2009 (parts 1 and 2), including from piling activity and plant including generators;
10. Information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors;
11. Contact information to be made available for members of the public;
12. A risk assessment of potentially damaging construction/demolition activities to habitats/species on and adjacent to the site (which shall account for English bluebell which has been identified on site);
13. Identification of 'biodiversity protection zones' within the site;
14. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to habitats/species during construction/demolition;
15. The location and timing of sensitive works to avoid harm to biodiversity features;
16. The times during construction when specialist ecologists may need to be present on site to oversee works;
17. The role and responsibilities on site of an ecological clerk of works or similarly competent person; and
18. Details of the use of protective fences, exclusion barriers and warning signs.

The approved Construction Environmental Management Plan shall be implemented in full throughout the vegetation clearance, demolition and construction process.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and to users of the highway, and to minimise harm to biodiversity interests, having regard to Policy L4, Policy L7 and Policy R2 of the Trafford Core Strategy, Policy JP-G8 and Policy JP-C8 of Places for Everyone and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity, highway and ecological impacts.

29. Notwithstanding the approved plans referred to at condition no. 2, no acoustic fencing shall be installed at the site, in accordance with the recommendations of the submitted Noise Impact Assessment (prepared by Professional Consult,

dated 17th November 2023, ref. 23.184.1.R1), unless and until full details of the acoustic fencing have been submitted to and approved in writing by the local planning authority. The submitted details shall include the fencing's specification and performance, appearance, materials and finish, dimensions and the proposed location within the site. Prior to occupation of the final residential unit within the development, a verification report shall be submitted to and approved in writing by the local planning authority which shall confirm that all recommendations contained within the submitted Noise Impact Assessment (prepared by Professional Consult, dated 17th November 2023, ref. 23.184.1.R1), including but not limited to the acoustic fencing, have been implemented in accordance with the approved details. Thereafter such features shall be retained and maintained.

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

30. Notwithstanding the approved plans referred to at condition no. 2, upon first installation the four windows in the east-facing side elevation of residential Block A/B (which forms part of plots 10-13) and which are angled towards plots 1 and 2 as identified on approved site plan ref. 22142 (PL) 101 M, shall be fitted with non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be retained as such thereafter.

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

31. No above-ground construction works shall take place unless and until a scheme detailing all external lighting equipment to be installed within the development has been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). The scheme shall include details of the hours of operation, the location, size and design of luminaries and fittings, the type/output of light sources with lux levels (together with isolux drawings to demonstrate the levels of illumination within the site and the amount of overspill of lighting beyond the site boundaries), and the location, design and colour of associated equipment. The submitted scheme shall demonstrate that all external lighting associated with the development would be designed and installed in order to minimise impacts on sensitive residential receptors within and adjacent to the site, it would also avoid negative impacts on bats and other nocturnal wildlife, including their breeding sites, resting places and movement corridors, and it would provide an appropriate level of lighting for motorists, pedestrians and cyclists to ensure safety. External lighting shall be installed and operated in accordance with the approved scheme prior to any residential use commencing, and shall thereafter be retained and maintained.

Reason: In order to minimise the impacts upon residential amenities, to ensure a high quality appearance in the interests of visual amenity, to create a safe night

time environment for users of the development including in the interests of highway safety, and to prevent unnecessary disturbance to wildlife, having regard to Policy L5, Policy L4, Policy L7 and Policy R2 of the Trafford Core Strategy, Policy JP-C8, Policy JP-P1 and Policy JP-G8 of Places for Everyone and the National Planning Policy Framework.

32. The development hereby approved shall be implemented and operated in full accordance with the submitted Waste Management Strategy prepared by Eccleston Homes, as supplemented by the bin storage information contained on approved site plan ref. 22142 (PL) 101 M, for the lifetime of the development.

Reason: In the interests of highway safety and residential amenity and to ensure that satisfactory arrangements are in place for the disposal of refuse (including recyclables), having regard to Policy L4 and Policy L7 of the Trafford Core Strategy, Policy JP-S6 and Policy JP-C8 of Places for Everyone, and the National Planning Policy Framework.

33. Before the development is first occupied, electric vehicle charging infrastructure, in accordance with the details shown on submitted plan ref. 22142 (PL) 101 J, shall be provided and shall be made available for use. Thereafter the infrastructure shall be retained and maintained.

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

34. The development hereby approved shall be progressed and constructed in order to meet the objectives for achieving carbon minimisation contained within the submitted Carbon Budget Statement (prepared by Element Sustainability, dated 14th March 2024, ref. 2023.231, rev. 1.3). Prior to first occupation, a verification report shall be submitted to and approved in writing by the local planning authority which shall confirm the final package of technologies, infrastructure and measures implemented within the development to achieve the objectives. Thereafter the technologies, infrastructure and measures shall be retained and maintained.

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

35. No photovoltaic solar panels shall be installed at the site unless and until full details of a proposed photovoltaic solar panel scheme have been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). The submitted scheme, which shall be based upon the details contained in the Carbon Budget Statement referred to at condition no. 34 and as indicated on submitted plan ref. 22142 (PL) 102 A (proposed photovoltaic positions) and which show roof-mounted provision, shall confirm the proposed location of the infrastructure; the dimensions of the panels;

the appearance, materials, colour and finish of the panels; full details of fixtures and fittings (including the appearance, materials, colour and finish); how the junctions of the panels would be treated; the appearance of any other associated equipment and installations; product specifications; proposed electricity distribution and storage systems; the methods of installation; and procedures for maintenance and management. Development shall be carried out in full accordance with the approved details.

Reason: In the interests of reducing carbon emissions and in combating and adapting to climate change, and in the interests of visual amenity, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S1, Policy JP-S2 and Policy JP-P1 of Places for Everyone, and the National Planning Policy Framework.

36. No development (including vegetation clearance or building demolition) shall take place unless and until an updated remediation strategy which shall address in full the risks associated with contamination at the site has been submitted to and approved in writing by the local planning authority. The submitted updated strategy shall include the following elements:

1. It shall be based upon the documents submitted at application stage (including Desk Study Report prepared by Betts Geo Consulting Engineers and dated February 2021, ref. 20ECH022/DS Rev A; Ground Investigation Report prepared by Betts Geo Consulting Engineers and dated February 2021, ref. 20ECH022/GI Rev 4; and Remediation Strategy prepared by Betts Geo Consulting Engineers and dated January 2023, ref. 20ECH022/RS Rev B);
2. Additional site investigation to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
3. The results of the site investigation and the detailed risk assessment referred to in item 2 and, based on these, a more detailed options appraisal and remediation strategy giving full details of the remediation measures required and how they would be undertaken; and
4. A verification plan providing details of the data that would be collected in order to demonstrate that the works set out in the remediation strategy in item 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future site occupiers, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse environmental and health impacts.

37. No occupation of the development shall take place unless and until a verification report demonstrating the completion of the works set out in the approved updated remediation strategy referred to in condition no. 36 and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority. The submitted report shall include the results of sampling and monitoring carried out in accordance with the approved verification plan referred to at condition no. 36 to demonstrate that the site remediation criteria have been met.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future site occupiers, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework.

38. No piling shall take place as part of the development hereby approved unless and until a piling method statement has been submitted to and approved in writing by the local planning authority. The submitted statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise any pollution risks to groundwater. Any piling activity shall be undertaken in strict accordance with the approved piling method statement.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future site occupiers, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy, Policy JP-S4 of Places for Everyone, and the National Planning Policy Framework.

39. No development shall take place (excluding vegetation clearance and building demolition) unless and until full details of a surface water drainage scheme and foul water drainage scheme, which is consistent with the submitted Flood Risk Assessment (prepared by RSK LDE Ltd, dated 29th November 2023, ref. 681091-R1(02)-FRA version 02) and the Proposed Drainage Strategy Plan 'Engineering Appraisal' (prepared by RSK LDE Ltd, dated 16th February 2024, ref. 10-01 LDE, DR D 10-01, rev. P5), has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include:

1. Confirmation that finished floor levels within the development shall be set in accordance with plan ref. 10-01 LDE, DR D 10-01, rev. P5;
2. Foul and surface water drained on separate systems;
3. A timetable for implementation of the drainage systems; and
4. A management and maintenance plan for the surface water drainage system which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company, and/or any other arrangements to secure the operation of the surface water drainage system throughout its lifetime.

The approved surface water drainage scheme and foul water drainage scheme shall be installed prior to any residential use commencing and shall thereafter be

operated and retained throughout the lifetime of the development in full accordance with the approved management and maintenance details.

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

40. The development shall be implemented and operated in strict accordance with the submitted Crime Impact Statement (version 1.1, dated April 2024) for the lifetime of the development. No external communal cycle stores shall be provided unless and until full design and specification details of the cycle stores, which shall offer maximum security standards, have been submitted to and approved in writing by the local planning authority (in conjunction with the design certifier referred to at condition no. 3). External communal cycle store provision shall be delivered, retained and maintained in accordance with the approved details.

Reason: In the interests of crime prevention and the enhancement of community safety, and in order to ensure a high quality appearance in the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy, Policy JP-P1 of Places for Everyone and the National Planning Policy Framework.

**Page 121 112795/HHA/24: Ross Mill Farm, Rossmill Lane, Hale Barns
WA15 0EU**

The application has been withdrawn by the applicant.

AGENDA ITEM 7

111172/OUT/23: 9 Bow Green Road, Bowdon, WA14 3LX

APPLICANT'S SUBMISSION

The applicant's agent has submitted a letter making the following comments: -

- The Committee report contains inaccuracies and is misleading, potentially prejudicing the Members and hindering a fair and transparent decision making process. The applicant should be given an opportunity to address these matters.
- The agent has found no correspondence indicating that the Arboriculturist requested updated information showing the full extent of trees on the site. The comprehensive details of the trees were submitted in three documents: a tree constraints plan, development layout plan, and a tree protection fencing plan.
- A similar application was previously refused by the Committee in line with the officer recommendation but was allowed on appeal.

- The lawful commencement of the previous appeal scheme, 96397/FUL/18, constitutes a very significant material consideration giving rise to a fallback argument. The current proposal, being only 1 metre wider, is not materially different. Therefore, it would not have a significantly greater impact on the character and visual appearance of the street scene and the surrounding area.
- The agent requests the opportunity to speak at the Committee meeting or that the application is deferred to the June meeting to allow more consideration of these matters.

APPEAL TIMESCALES

Appeal documentation has been received from the Planning Inspectorate confirming that the appeal will be dealt with by the Written Representations procedure, the deadline for the return of the LPA's Questionnaire and supporting information is Tuesday 14 May 2024 and the deadline for the submission of the Council's Statement of Case to the Planning Inspectorate is 11 June 2024.

OBSERVATIONS

Given the appeal timetable set out above, any deferral of this item to the June Committee meeting would mean that the LPA would not meet the deadlines set by the Planning Inspectorate.

The applicant has had sufficient time and numerous opportunities to address any inadequacies in the application and to respond to officers' requests for further information. He has not done so. In making an appeal against non-determination of the application, the applicant has forfeited his right to make further submissions to the Council. Any further information he wishes to be considered should be submitted to the Planning Inspectorate who are now the decision maker in this case.

The LPA has records of when additional information was requested. The tree information referred to by the agent was received with the application but additional information was requested. However, as the applicant has not responded to officers regarding these matters since September 2024, the time has passed for further discussion regarding this issue.

The question of whether there is any fallback position in this case is addressed in the main report.

There is no change to the recommendation.

RICHARD ROE, CORPORATE DIRECTOR, PLACE

FOR FURTHER INFORMATION PLEASE CONTACT:

Rebecca Coley, Head of Planning and Development, 1st Floor, Trafford Town Hall, Talbot Road, Stretford, M32 0TH. Telephone 0161 912 3149