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**TRAFFORD**  
**COUNCIL**

## **AGENDA PAPERS FOR PLANNING DEVELOPMENT CONTROL COMMITTEE**

**Date: Thursday, 10 December 2015**

**Time: 6.30 pm**

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

| <b>AGENDA</b>   | <b>ITEM</b> |
|---|-------------|
| <b>1. ATTENDANCES</b>   |             |
| To note attendances, including Officers and any apologies for absence.  |             |
| <b>2. MINUTES</b>   |             |
| To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 12 <sup>th</sup> November, 2015.  | 2           |
| <b>3. ADDITIONAL INFORMATION REPORT</b>   |             |
| To consider a report of the Interim Head of Planning and Development, to be tabled at the meeting.  |             |
| <b>4. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.</b>   |             |
| To consider the attached reports of the Interim Head of Planning and Development.   | 4           |
| <b>5. URGENT BUSINESS (IF ANY)</b>  |             |
| Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency. |             |

**THERESA GRANT**  
Chief Executive

## Planning Development Control Committee - Thursday, 10 December 2015

### Membership of the Committee

Councillors Mrs. V. Ward (Chairman), D. Bunting (Vice-Chairman), Dr. K. Barclay, N. Evans, T. Fishwick, P. Gratrix, D. Hopps, E. Malik, D. O'Sullivan, Mrs J. Reilly, J. Smith, L. Walsh and M. Whetton

### Further Information

For help, advice and information about this meeting please contact:

Michelle Cody, Democratic & Scrutiny Officer

Tel: 0161 912 2775

Email: [michelle.cody@trafford.gov.uk](mailto:michelle.cody@trafford.gov.uk)

This agenda was issued on **Wednesday, 2 December 2015** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

Any person wishing to photograph, film or audio-record a public meeting are requested to inform Democratic Services in order that necessary arrangements can be made for the meeting.

Please contact the Democratic & Scrutiny Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

## **PLANNING DEVELOPMENT CONTROL COMMITTEE**

**12<sup>th</sup> NOVEMBER, 2015**

### **PRESENT:**

Councillor Mrs. Ward (In the Chair),  
Councillors Dr. Barclay, Bunting, N. Evans, Fishwick, Gratrix, Hopps, O'Sullivan,  
Mrs. Reilly, Smith, Stennett MBE (Substitute), Walsh and Whetton.

In attendance: Interim Head of Planning & Development (Mr. D. Pearson),  
Senior Planning Officer (Mr. J. Pennick),  
Planner (Ms. O. St-Amour),  
Principal Highways & Traffic Engineer (Amey) (Mr. J. Morley),  
Director of Legal & Democratic Services (Ms. J. le Fevre),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors Acton, Stephen Anstee, Baugh, Cordingley, Duffield, Freeman,  
Holden, Hyman, Myers and Procter.

### **APOLOGY**

An apology for absence was received from Councillor Malik.

### **MS. OLIVIA ST-AMOUR**

The Chairman announced to the Committee that this would be the final meeting for Olivia, as she was leaving the Authority. The Chairman thanked Olivia for her support to Officers and the Committee and added Trafford's loss would be her new employer's gain.

### **39. MINUTES**

RESOLVED: That the Minutes of the meeting held on 8<sup>th</sup> October, 2015, be approved as a correct record and signed by the Chairman.

### **40. ADDITIONAL INFORMATION REPORT**

The Interim Head of Planning and Development submitted a report informing Members of additional information received regarding applications for planning permission to be determined by the Committee.

RESOLVED: That the report be received and noted.

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**41. APPLICATIONS FOR PERMISSION TO DEVELOP ETC.**

- (a) Permission granted subject to standard conditions prescribed by statute, if any, and to any other conditions now determined

| <u>Application No., Name of Applicant, Address or Site</u>  | <u>Description</u>   |
|---|--|
| 84587/VAR/14 – Mrs. Kehoe – 19 Fraser Avenue, Sale.   | Variation of condition 2 and removal of condition 5 of planning permission 80225/HHA/2013 (Erection of part single storey/part two storey side extension and single storey rear extension to provide additional living accommodation) to allow a new window in the ground floor side elevation and clear glazing to the utility room window. |
| 84668/OUT/15 – The PCC of Christ Church – Holy Cross Church, Park Road, Timperley.  | Outline planning application for the demolition of the existing Vicarage to allow for the erection of up to 4no. dwellings.  |
| 85302/FUL/15 – J W Lees (Brewers) Ltd – King George, Moss Lane, Hale.   | Increase to existing external 'beer garden' area to include provision of artificial grass and stone paving, erection of parasol with LED lighting and heating under canopy and associated works thereto.   |
| 85822/FUL/15 – Rowlinson and Peel Holdings Limited – Development Site, Pomona Strand, Old Trafford.   | Erection of 11 storey building of 86 apartments and 10 storey building of 78 apartments with ground floor link, provision of car parking, access from Hulme Hall Road, new landscaping and refurbishment of footpath alongside Manchester Ship Canal/River Irwell.   |
| [Note: In respect of Application 85822/FUL/15 Councillor Stennett MBE stated that although he had visited the site and met with objectors to the scheme, some present at the meeting, he had kept an open mind with regard to the application and would listen fully to the debate on the matter before determining how to vote on it.] |  |
| 85971/FUL/15 – Trafford Housing Trust – 1-14 Field Walk & land between rear of 1-4 Field Walk & playground Clarke Crescent, Hale.   | Creation of 7 no. new car parking spaces, with dropped kerb and new boundary fencing to open space to flats.   |
| 86031/FUL/15 – Arcon Housing Association Ltd – 43-49 Humphrey Road, Old Trafford.   | Erection of 4 no. two storey dwellings.  |

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|--|--|
| 86090/FUL/15 – Patidar Ltd – 2<br>Deansgate Lane, Timperley.   | Erection of a proposed single storey rear extension for storage use.   |
| 86139/HHA/15 – Mr. Ross – 24<br>Wood Lane, Timperley.  | Demolition of attached garage and rear conservatory and erection of part single part two storey rear and side extension.   |
| 86196/FUL/15 – THT<br>Developments Ltd – Land at Cross<br>Street, Sale.  | Erection of a part three, part four/five storey building to provide 1036 square metres (GIFA) of retail/commercial floorspace (Use Classes A1, A2, A5, B1, D1 and/or D2) and 34 no. residential apartments with associated car parking, cycle storage and landscaping.   |
| 86288/VAR/15 – Acre Hall Primary<br>School – Acre Hall Primary School,<br>Irlam Road, Flixton.   | Application for variation of conditions 3 and 4 on planning permission 81878/FULL/2013. (Demolition of existing school buildings with the exception of kitchen and dining hall, and construction of new 315 place school with nursery and additional teaching support facilities. Improvement of existing road junctions onto Irlam Road and Woodsend Crescent Road and adaptation of existing external areas to form new car park and minibus drop off). To retain existing front hall and re-clad. |
| 86349/HHA/15 – Mr. and Mrs.<br>Rigby – Coach House, 5 Sandiway<br>Road, Sale.  | Erection of a two storey rear extension following demolition of existing conservatory.   |
| [Note: All members of the Committee declared a Personal Interest in Application 86349/HHA/15, as the Applicant was a fellow Councillor.] |  |
| 86690/HHA/15 – Ms. Gemma Ives<br>– 318 Washway Road, Sale.   | Demolition of existing single storey rear extension, erection of two storey rear extension with other external alterations.  |

(b) Permission refused for the reasons now determined

| <u>Application No., Name of Applicant, Address or Site</u>                             | <u>Description</u>   |
|--|--|
| 85022/OUT/15 – Urban Surveying Limited – Land to the North of Station Road, Stretford. | Outline planning application for the erection of 2no. part two, part three storey apartment buildings (maximum height of 9.5m), comprising a total of 14no. apartments, together with associated car parking, bin storage and infrastructure (consent sought for |

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access, layout and scale with all other matters reserved).

85960/FUL/15 – JAM Properties Ltd  
– Land North West of the junction of  
St. Margarets Road and Groby  
Road, Altrincham.

Erection of detached dwelling and formation  
of vehicular access to Groby Road.

**42. APPLICATION FOR PLANNING PERMISSION 86034/FUL/15 – MR. CHRIS BOWMAN  
– FAIRBAIRN HOUSE, 21-25 ASHTON LANE, SALE**

The Interim Head of Planning and Development submitted a report concerning an application for planning permission for the erection of 8 no. residential penthouse apartments on the existing roof levels of Fairbairn House, consisting of 4no. 2 bedroom apartments at proposed fourth floor level and 4no. 2 bedroom apartments at proposed eighth floor level with associated car parking.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a commuted sum of £48,000 towards the delivery of off-site affordable housing provision.
- (B) In the circumstances where the S106 Agreement has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement / Undertaking, planning permission be granted subject to the conditions now determined.

**43. APPLICATION FOR PLANNING PERMISSION 86361/FUL/15 – MR. QAYYUM – 105  
WINSTANLEY ROAD, SALE**

The Interim Head of Planning and Development submitted a report concerning an application for planning permission for the change of use to a retail unit (A1) and installation of disabled access ramp.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

RESOLVED: That planning permission be granted subject to the conditions now determined.

**44. APPLICATION FOR PLANNING PERMISSION 86382/FUL/15 – BICKHAM HOUSE  
TRUSTEES – BICKHAM HOUSE, GREEN WALK, BOWDON**

The Interim Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a proposed single storey side

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extension. (Resubmission of 84981/FUL/15).

It was moved and seconded that planning permission be granted.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted for the reason given below and subject to the following conditions:-

1. Standard 3 year.
2. Development in accordance with the submitted plans.
3. Material samples to be submitted.

Reason for approval: The Committee acknowledged there would be some harm to the character of Bickham House and that of the Conservation Area, but the harm to the Conservation Area was considered to be less than substantial and this harm was outweighed by the public benefit that would result from the scheme.

**45. APPLICATION FOR PLANNING PERMISSION 86460/FUL/15 – THT DEVELOPMENTS LTD & POPECROWN LTD – FORMER BAYER SITE, OFF MANCHESTER ROAD, WEST TIMPERLEY**

The Interim Head of Planning and Development submitted a report concerning an application for planning permission for the erection of residential development comprising of 62 no dwellings including 29 apartments and 33 houses. Associated external work including car parking, access and landscaping.

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of a Legal Agreement which will secure a contribution of £10,000 towards the maintenance of the Slow Worm receptor habitat following their translocation to alternative site within Trafford Council boundaries.
- (B) In the circumstances where the Section 106 Agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

**46. APPLICATION FOR PLANNING PERMISSION 86507/FUL/15 – MR. BELLIS – LAND TO THE REAR OF 431-433 NORTHENDEN ROAD, SALE**

[Note: Councillor Gratrix declared a Personal and Prejudicial Interest in Application 86507/FUL/15, due to his association with an objector, and left the room during consideration of this item.]

The Interim Head of Planning and Development submitted a report concerning an

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application for planning permission for the erection of 2no. 3-bed semi-detached dwellings following demolition of the existing outbuildings.

RESOLVED: That planning permission be granted subject to the conditions now determined and to the following additional conditions:-

Prior to the commencement of the development hereby approved a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to prevent deliveries during the construction period via the Northenden Road access to the site.

Reason: To protect the residential amenities and privacy of the occupiers of the dwellings adjoining the Northenden Road access to the site (and in particular no. 431 Northenden Road) having regard to Policy L7 of the Trafford Core Strategy.

Prior to the first occupation of any of the dwellings hereby permitted, details of the gates hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the gates shall be retained as approved at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of crime prevention and security, having regard to Policy L7 of the Trafford Core Strategy.

**47. APPLICATION FOR VARIATION 86535/VAR/15 – YOURLIFE MANAGEMENT SERVICES LTD – OAKFIELD COURT, 44, 44A, 46 AND 48 CROFTS BANK ROAD, URMSTON**

[Note: Councillor Mrs. Reilly declared a Personal and Prejudicial Interest in Application 86535/VAR/15, due to a financial interest, she remained in the meeting but did not participate in the debate or cast a vote on the Application.]

The Interim Head of Planning and Development submitted a report concerning an application for variation of condition 2 on planning permission 81258/FULL/2013 (Demolition of existing dwellinghouses and erection of four storey block containing 51 units of extra care accommodation for the elderly, together with associated landscaping, car parking provision and alterations to vehicular access onto Crofts Bank Road.). To amend the approved plans.

RESOLVED –

(A) (i) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement to secure a maximum financial contribution of £93,493.00 split between: £9,992.00 towards Highway and Active Travel infrastructure; £34,831.00 towards Public Transport Schemes; £48,670.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme).

(ii) To secure agreement that the development is managed by a domiciliary care provider (registered by the Care Quality Commission).



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- (B) In the circumstances where the Section 106 Agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.
- (C) That upon the satisfactory completion of the above Legal Agreement, planning permission be granted subject to the conditions now determined.

**48. SECTION 106 AND CIL UPDATE: APRIL 2015 – SEPTEMBER 2015**

The Interim Head of Planning and Development submitted a report informing Members about the latest set of monitoring data for S106 Agreements and CIL Notices.

RESOLVED: That the contents of the report be noted.

**49. URGENT BUSINESS**

- (a) Supplemental Deed to the Section 106 Agreement relating to land at Deansgate Lane/Canal Road, Timperley, dated 30<sup>th</sup> May 2014

[Note: The Chairman agreed to allow consideration of this item as Urgent Business due to the need to avoid a delay in the sale of affordable housing.]

The Interim Head of Planning and Development submitted a report concerning a Supplemental Deed which varies Schedule 4 of the original Section 106 Agreement relating to the four affordable housing units provided on the site. The variation to the Section 106 Agreement is required to satisfy the lending requirements of financial institutions which provide finance to Great Places Housing Group and to meet the lending requirements of financial institutions providing mortgage credit to purchasers of the affordable housing units which will be offered for sale on a shared ownership basis.

RESOLVED: That approval be given to the Supplemental Deed to the Section 106 Agreement relating to land at Deansgate Lane/Canal Road, Timperley dated 30<sup>th</sup> May 2014.

The meeting commenced at 6.30 p.m. and concluded at 9.30 p.m.

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## **PLANNING DEVELOPMENT CONTROL COMMITTEE – 10<sup>th</sup> DECEMBER 2015**

### **REPORT OF THE INTERIM HEAD OF PLANNING AND DEVELOPMENT**

#### **APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.**

##### **PURPOSE**

To consider applications for planning permission and related matters to be determined by the Committee.

##### **RECOMMENDATIONS**

As set out in the individual reports attached.

##### **FINANCIAL IMPLICATIONS**

None unless specified in an individual report.

##### **STAFFING IMPLICATIONS**

None unless specified in an individual report.

##### **PROPERTY IMPLICATIONS**

None unless specified in an individual report.

Further information from: Planning Services

Proper Officer for the purposes of the L.G.A. 1972, s.100D (Background papers): Interim Head of Planning and Development

Background Papers:

In preparing the reports on this agenda the following documents have been used:

1. The Trafford Local Plan: Core Strategy.
2. The GM Joint Waste Development Plan Document.
3. The GM Joint Minerals Development Plan Document.
4. The Revised Trafford Unitary Development Plan (2006).
5. Supplementary Planning Documents specifically referred to in the reports.
6. Government advice (National Planning Policy Framework, Circulars, practice guidance etc.).
7. The application file (as per the number at the head of each report).
8. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
9. Any additional information specifically referred to in each report.

These Background Documents are available for inspection at Planning and Building Control, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, Manchester M32 0TH.

**TRAFFORD METROPOLITAN BOROUGH COUNCIL**

**PLANNING DEVELOPMENT CONTROL COMMITTEE – 10<sup>TH</sup> December 2015**

**Report of the Interim Head of Planning and Development**

**INDEX OF APPLICATIONS FOR PERMISSION TO DEVELOPMENT etc. PLACED ON THE AGENDA FOR DECISION BY THE COMMITTEE**

| <b>Applications for Planning Permission</b> |   |                     |             |                       |
|---|---|---------------------|-------------|-----------------------|
| <b>Application</b>                          | <b>Site Address/Location of Development</b>   | <b>Ward</b>         | <b>Page</b> | <b>Recommendation</b> |
| <a href="#"><u>86323</u></a>                | Cartwright Group, Atlantic Street, Altrincham, WA14 5BF   | Broadheath          | 1           | Grant                 |
| <a href="#"><u>86493</u></a>                | Sewage Works, Rivers Lane, Davyhulme, M41 7JB   | Davyhulme East/West | 8           | Grant                 |
| <a href="#"><u>86514</u></a>                | Land to the South of Manchester Ship Canal & West of Barton Bridge, Trafford Way, Trafford Park | Davyhulme East/West | 25          | Minded to Grant       |
| <a href="#"><u>86599</u></a>                | Bowdon C of E Primary School, Grange Road, Bowdon, WA14 3EX                                     | Bowdon              | 50          | Grant                 |
| <a href="#"><u>86699</u></a>                | 35 Dorrington Road, Sale, M33 5DX   | St Mary's           | 58          | Grant                 |
| <a href="#"><u>86768</u></a>                | 6 Leslie Grove, Timperley, WA15 6LY   | Timperley           | 65          | Grant                 |

**WARD:** Broadheath

**86323/FUL/15**

**DEPARTURE: No**

**Roof modifications including locally raising roof level between existing ridges and extension of existing canopy; enclosure of existing yard to create covered internal fabrication area and associated modifications to elevations.**

Cartwright Group, Atlantic Street, Altrincham, WA14 5BF

**APPLICANT:** Cartwright Group

**AGENT:** AUD Architects

**RECOMMENDATION: GRANT**

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## **SITE**

The application site is part of a wider site located between the south side of Atlantic Street and the Bridgewater Canal and occupied by The Cartwright Group, whom have been operating from the site for around 50 years. To the west is the main offices for The Cartwright Group and to the east is the Stag Industrial Estate and all the units within the estate have planning permission for light industrial (B1c), general industrial (B2) and Storage and distribution (B8). The land use in the vicinity of the application site on Atlantic Street are largely B1 and B2 industrial uses, however to the southern side of the Canal are residential properties.

## **PROPOSAL**

The application is for the modification of an existing building to facilitate the creation of a new production line within a covered building and to prevent noise break out from the site. The proposal involves increasing the height of the roof at the current low points with the extension of an existing canopy by approximately 1.2m, to enclose an existing external yard and various other elevational changes such as removing existing roller shutter doors and blocking up the existing openings in the south elevation and formation of replacement roller shuttered openings in the west elevation.

The increase in internal floor space of the proposed development would be 773 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

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

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

- The **Revised Trafford Unitary Development Plan** (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 1<sup>st</sup> April 2012 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 **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2013 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

W1- Economy

## **PROPOSALS MAP NOTATION**

Broadheath Industrial Area

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

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

H/64177 Erection of 2.5m high acoustic fence Approved 10/5/06

H/49177 Erection of single storey extension to existing industrial unit Approved 1/8/00

H/4876 Erection of 2 storey link extension to form office and storage areas Approved 2/3/00

H8651 Erection of new paint spray shop Approved 28/2/79

H/04640 New paint spray shop and vehicle repair shop Approved 23.12.76

### **APPLICANT'S SUBMISSION**

Design and access statement and Acoustic Report

The Design and Access statement makes the following points:-

- The proposal will result in the bringing together a number of operations under 'one roof'. It will also present the opportunity to acoustically enclose an area to house certain operations which create most noise.
- The current arrangement has the various operations involved in the manufacture of vehicle body and trailers being carried out at a number of locations within the site. This results in more vehicle movements around the facility and also the storage of part constructed elements in exposed conditions often resulting in additional works being required.
- The aim of the works is to create a new production line within a covered space and also seeks to address the problem of noise breakout from the site.
- Vehicle (forklift) movements along the southern boundary will be greatly reduced as a result of the reorganisation.
- It is proposed the fabrication of the trailers will begin at the eastern end of the new area within an enlarged covered area and will move through the buildings and emerge fabricated and painted at the western end.
- The shot blasting and painting processes will be housed within an acoustically improved area to prevent the breakout of excessive noise levels.
- The site has been subject to a noise survey and the proposals will meet the recommendations contained within the acoustic consultant's report.
- The recommendations propose the acoustic lining of the said area along with modifications to the existing elevations to reduce noise transmission through the fabric of the building. The exact detail of the acoustic containment will be subject to detailed design development by an acoustic consultant.
- It is proposed the additions/alterations will match the existing buildings and comprise powder coated square profile cladding.

## **CONSULTATIONS**

**Environmental Protection** – Recommends the following conditions should be attached to any decision regarding noise emissions from the new shot blasting process

Prior to development commencing:

- A British Standard 4142 noise assessment for the new garnet blasting process is required to assess noise impact at the nearest residential properties. The outcome of the assessment should be compared against guidance in the BS 4142 document and also with reference to the noise policy statement for England (NPSE). The assessment, including noise criteria, shall be confirmed in writing to the Council.
- Should noise mitigation measures be required a detailed scheme confirming these measures, including calculation of noise reduction, shall be provided to the Council for review. Required noise mitigation.

**LHA-** there are no highway issues with the proposed development and therefore the LHA would not object to this application.

## **REPRESENTATIONS**

23 letters of representation have been received raising the following issues:-

- Intended use of the building for 24 hour shot blasting is the main concern
- Environmental impact on residents and wildlife
- Increase in air pollution (paint dust and metal particles) and noise pollution.
- Already suffer from paint fumes cars being covered in yellow.
- Concerns about the accuracy of the “Environmental Noise Impact Assessment Report” e.g. when monitoring is taking place the level of noise is deliberately kept low. When working on a large order noise levels are much higher. Although statement suggests there will be a 33db improvement with peaks of over 100db that should be improved further. Numerous complaints have been made to the Council but failing to address the issue of noise.
- Abatement Notice under Section 80 of the Environmental Protection Act 1990 previously served.
- Limited effectiveness of noise reducing fence already in place.
- Application should only be approved if the noise levels can be demonstrated and guaranteed.
- Concerned about two large doors for access, what happens to noise levels when one of these is left open. Will this be adhered to and how will the Council monitor it.
- Existing Noise from loud speakers, shouting and hammering.
- The roof line of the existing building is already an ugly and visually imposing structure for local residents. An increase in size will only worsen the aspect for local people.
- Travelling down the road already have to slow down or stop many times to allow HGVs to reverse or overtake those parked dangerously at the side of the road. With the opening of ASDA and if Cartwrights expand their workforce this is only likely to get worse. Concerns about road safety.
- Whole estate should be notified of application, Concern that description of application doesn't refer to 24/7 shot blasting.

## **OBSERVATIONS**

### **BACKGROUND**

1. A section 80 noise nuisance abatement notice was served on Cartwright and Sons Coachbuilders Ltd on 20 April 2015. The notice was served in response to a demonstrated noise nuisance occurring to local residents from garnet blasting of trailers on the site throughout the night. The notice required the company to:

“Abate the nuisance from Garnet/shot blasting of trailers between the hours of 19.00 and 07.30 Monday to Saturday and the activity shall not be carried out on Sunday, nor Bank or Public Holidays”. In response to the notice served the company has carried out a range of noise insulation measures and changed the



times that the blasting occurs. The current application is intended as a longer term solution to this matter.

2. The use of this site for general industry (B2) is established and there are no existing conditions in relation to the hours of operation. Whilst the use of the site, including the operations that currently take place are lawful, the applicant is seeking to move some of these operations around within the site. It is important to note however, that in themselves, they do not require planning permission.
3. The main considerations are therefore the impact of the proposed building works on the design and appearance of the building and highway safety.

## **DESIGN AND APPEARANCE**

4. The proposal includes the raising of the roof canopy of the building between existing peaks by approximately 1.2m. This is intended to give sufficient head room for the new production line. Visually this will largely impact on the appearance from the south (canal) elevation. The areas where the roof height is increased in height will however remain below the highest part of the existing roof and will not have an undue impact on the external appearance of this industrial building.
5. The existing large openings in the same south elevation, currently fitted with roller shutter doors will be removed and replaced with masonry. The rear elevation of the building is currently screened from the residential properties on the south side of the Bridgewater canal by a 2.5m acoustic fence and the alterations will have limited impact when viewed from these properties. Two additional roller shutter doors will be formed in the west elevation. The proposed addition and removal of roller shutter doors is considered acceptable in visual terms on this type of industrial building in this location.
6. The proposal also includes the enclosing of an area of approximately 18m by 25m at the eastern end of the site. This area is currently used for open storage. The steel clad design with roller shutter reflects the character of the existing building and character of the site.

## **IMPACT ON RESIDENTIAL AMENITY**

### Height

7. The proposed increase in the height of the building would be about 1.2m and located approximately 35m from the nearest residential dwelling. It is considered that it would not have an impact on the light or outlook enjoyed by these properties.

### Noise

8. This application has attracted a significant number of representations in respect of Cartwright's activities, in particular noise and other forms of pollution emanating from the site. The application is an attempt by the Cartwright Group to address these issues by moving operations around and enclosing production within the building. With the reduction in the movement of fork lift vehicles along the southern boundary of the site and the acoustic treatment to the shot blasting and painting process areas, it is expected that noise levels will be reduced. Pollution and Licensing have advised that from a noise nuisance perspective, further work is required in respect of the analysis of noise through a further noise impact assessment. As the uses on site are currently lawful from a planning perspective and because Pollution and Licensing are confident that the applicants can adequately address the noise issues, it is considered that the matter can be addressed by way of a condition.

### **HIGHWAYS**

9. The proposal relates to existing uses on the site and is unlikely to generate additional movements of HGVs or on street parking of HGVs and cars such that it would be unduly detrimental to highway amenity safety. External movement of vehicles within the site should be reduced.

### **DEVELOPER CONTRIBUTIONS**

10. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of "industry and warehousing" development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014). No other planning obligations are required.

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

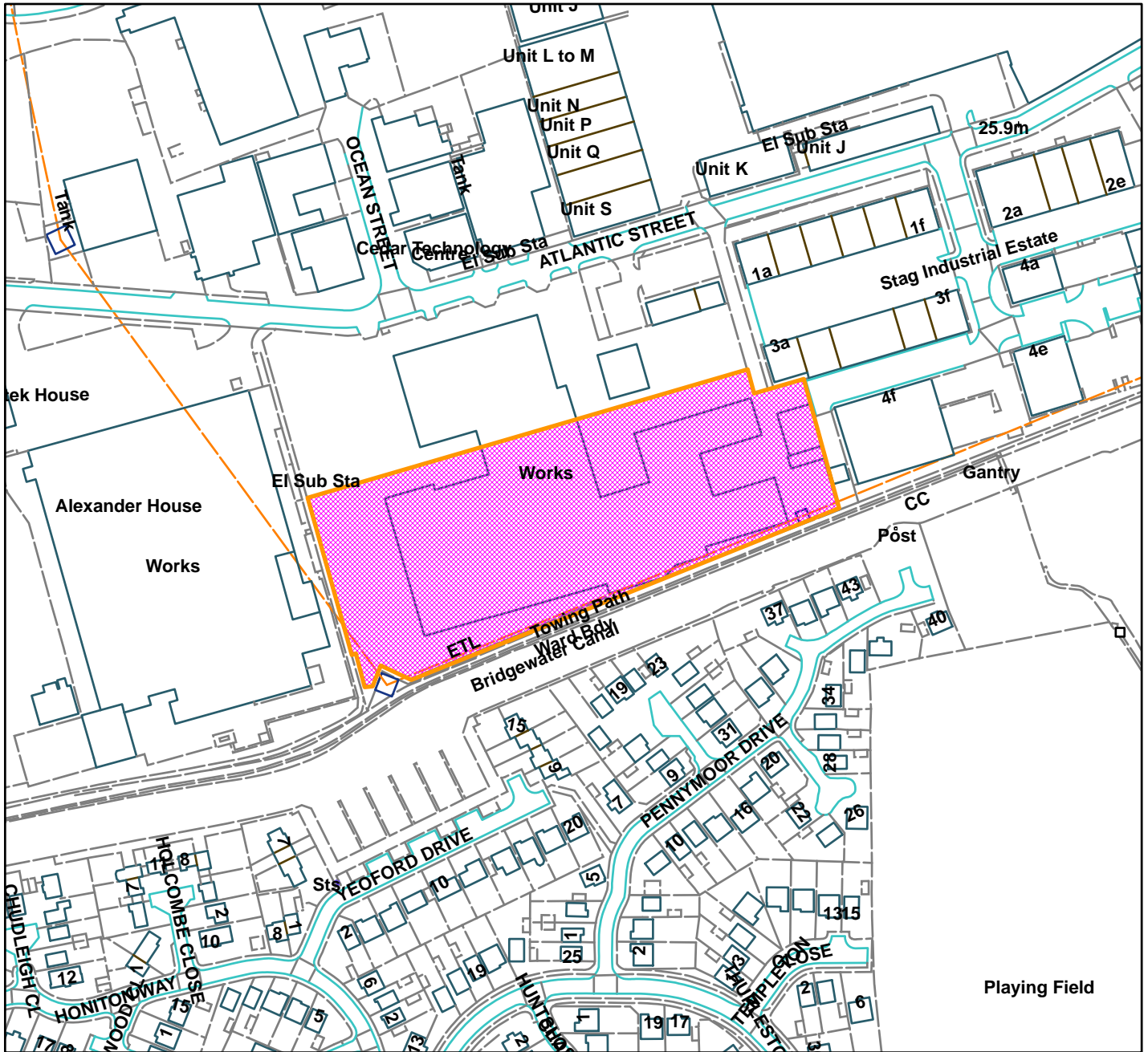
1. Standard 3 years
2. No development shall commence unless a British Standard 4142 noise assessment for the new garnet blasting process (required to assess noise impact at the nearest residential properties) has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include any necessary mitigation measures, including calculation of noise reduction, and a mechanism for reporting these measures to the Council for review. The outcome of the assessment should be compared against guidance in the BS 4142 document and also with reference to the noise policy statement for England (NPSE). Development shall proceed in accordance with the submitted scheme.
3. Compliance with plans
4. Matching materials

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CMR



Cartwright Group, Atlantic Street, Altrincham, WA14 5BF (site hatched on plan)



Scale: 1:2,500

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|              |                           |
|--------------|---------------------------|
| Organisation | Trafford Council          |
| Department   | Planning Service          |
| Comments     | Committee date 10/12/2015 |
| Date         | 30/11/2015                |
| MSA Number   | 100023172 (2012)          |

**WARD:** Davyhulme West

**86493/FUL/15**

**DEPARTURE: No**

**Application for proposed inlet works. Erection of 30 no. buildings and provision of new site entrance and landscaping works, all associated with Permitted Development works to improve the existing wastewater treatment process to allow compliance with final effluent consent requirements.**

Sewage Works, Rivers Lane, Davyhulme, M41 7JB

**APPLICANT:** United Utilities

**AGENT:** United Utilities

**RECOMMENDATION: GRANT**

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## **SITE**

The application site relates to Davyhulme Wastewater Treatment Works (DWwTW), which is a large facility for the processing of wastewater and sludge from the Greater Manchester area and beyond. It is located on a vast site, covering some 80 hectares with its boundaries defined by the Manchester Ship Canal to the north-west and the M60 motorway/Barton Bridge to the north-east. Barton Road extends southwards from Junction 10 of the M60 and provides access to the Trafford Retail Park which forms the eastern site boundary, whilst rows of residential properties associated with the Broadway and Bent Lanes estates back onto the facility's south-western and south-eastern edges. Access into the site is currently achieved exclusively via Rivers Lane to the east, which in turn extends from Barton Road.

To the site peripheries are belts of tree planting and mature landscaping which have been introduced to obscure views into the treatment works. In particular the boundaries which adjoin the housing estates and the ship canal benefit from particularly dense landscaped screening, up to 100m thick in places.

The land ownership of United Utilities in Davyhulme is not limited to that used as a Wastewater Treatment Works. Landholdings extending westwards along the southern bank of the ship canal, including a portion of the Davyhulme Millennium Nature Reserve, also fall under the applicant's stewardship and comprises of woodland, wetlands and open areas.

## **PROPOSAL**

As a sewage undertaker, United Utilities (UU) is obliged to provide the appropriate facilities for the treatment of wastewater to the required standard by the Water Resources Act 1991 and the Urban Wastewater Treatment Regulations 1994.

This application is for planning permission to accommodate revisions to an existing approved scheme (ref: 80920/FULL/2013) to construct 30no. buildings, provision of new site entrance and landscaping works, all associated with Permitted Development works to improve the existing wastewater treatment process to allow compliance with final effluent consent requirements. UU are seeking to undertake a major programme of works to provide new assets within Davyhulme Wastewater Treatment Works (DWwTW), together with refurbishing and upgrading existing assets also. DWwTW is of strategic importance for wastewater treatment provision for the Greater Manchester Area. The Wastewater Treatment Works receives storm water, domestic and industrial wastewater for treatment.

These works are proposed for two principal reasons. Firstly, in order to meet tighter limits on the final effluent consent for ammonia ( $\text{NH}_3$ ), which are imposed by the Water Framework Directive (WFD) and the EU Freshwater Fish Directive (FFD); and secondly to meet the demands of an increasing population within the local area.

In October 2013 UU obtained approval for a new Inlet Works, blower building, 14no. control kiosks, 2 no. substation buildings, 5no. skip buildings, gatehouse, access to the new site and landscaping (ref: 80920/FULL/2013). The footprint of buildings proposed in this subject application is largely unchanged from those in the previous approval; however the number of buildings has increased from 23 to 30 buildings in the subject application with the location and dimensions of some buildings changing. Thus planning permission is sought to regularise these changes to the proposal.

The proposed structures are located in the same general areas as the previous scheme; however some structures have been relocated in these areas or reconfigured. While the scheme is minimally different in terms of the number of structures compared to the previous permitted scheme (30 proposed in this scheme whereas 23 structures proposed in the approved scheme) this proposal is generally the same as the previous approval (ref: 80920/FULL/2013) with development again proposed in three distinct areas of the site known as the 'inlet works area' to the southern boundary, the 'sludge treatment area' to the west of the site and the 'primary and secondary treatment area' to the north end of the site. This proposal also includes a storage shed located centrally within a small part of the site, close to the 'primary and secondary treatment works' area. This is a new structure and did not form part of the previous approval.

This proposal seeks to construct a new treatment stream/inlet works, which would in future replace one of the two existing treatment streams. Inefficient process plant which is nearing the end of its useful life will also be replaced.

A significant proportion of the new/replacement plant and machinery required benefits from permitted development rights under Part 4 Class A and Part 13 Class B, of the Town and Country Planning (General Permitted Development) Order 2015.

However a series of buildings and associated structures would require consent, including:

- Erection of a 'blower room building', 6.5m in height, up to max. 265sqm in footprint;
- 19no. Control kiosks, up to 5m in height and up to max. 244sqm in footprint (previously 14no.);
- 3no. 'Skip' buildings, up to 7m in height, and up to max. 434sqm in footprint (previously 5no.);
- 2no. sub-stations, 6.25m in height and up to max 431.25sqm;
- Drainage Pumping Station building – 5m in height and 45.6sqm in footprint;
- A new gatehouse, 4m in height and 41.25sqm in footprint;
- A new storage shed 5.8m in height and 210sqm in footprint;
- A new Liquid Waste Tanker Import Reception Building, 5m in height and 45.6sqm in footprint;
- Muster building, 3.5m in height and 115.64sqm in footprint; and
- Access road within the site.

The proposed programme of works is set to take place in three distinct areas of the Treatment Works with the provision of a storage shed in a fourth small part of the site.

The main inlet works are to be installed at the southern end of the site. Until the mid-1990's Digestion Plant 1 used to occupy part of this area, above ground and adjacent to the site boundary with Amersham Close, but the land is now generally free of development and accommodates trees introduced to provide screening. A small proportion of this landscaping will be removed to make way for the proposed inlet works, including space required for their construction. This southern-most aspect of the development is set to be cut into the landscape.

The smallest development area is located to the western corner of the site, approximately 50m from the Ship Canal, and concerns proposed improvements to the existing sludge treatment area.

The third and largest of the three development sites occupies the northern corner of the site. The application proposes to install the primary and secondary treatment areas here. This area was formerly occupied by sludge-drying beds, although they ceased operations in the mid-1960's and the area has since been cleared and turned to scrubland.

The submitted plans indicate that a new access into the northern corner of the site would be created as part of these works, with vehicles entering from Trafford Park and under the M60. This access was approved in the previous approval (ref: 80920/FULL/2013). The intention is for this to become the primary means of access into the site, thus mitigating any existing impact with respect to disruption to traffic movements and residential amenity currently experienced around the Rivers Lane entrance.

In addition to the new and replacement infrastructure proposed within DWwTW, a comprehensive programme of landscaping works has also been set out. This will principally involve tree clearance along the south-western periphery of the site, to be replaced by new tree planting set upon landscaped mounds created from spoil associated with the proposed development works. The submitted landscaping plans show that a belt of trees would be retained along the length of this boundary so as to maintain a constant level of screening for facing residents. Further tree removal is proposed towards the centre of the site and towards the southern end to make way for the proposed treatment area and inlet works respectively.

Since initial submission, an amended plan has been received. The amended Demolition Drawing shows an additional existing building proposed to be demolished within the site as part of the overall scheme.

The increase in floor space of the proposed development would be 3908 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy** adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 1<sup>st</sup> April 2012 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 **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2013 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

R2 – Natural Environment

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

The tree belt that separates the Treatment Works from the Bent Lanes Estate is designated as an area of Protected Linear Open Land and a Wildlife Corridor. Meanwhile the adjacent Davyhulme Millennium Nature Reserve has been designated as an Area of Conservation Value, Tree and Hedgerow Protection and Special Landscape Features.

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### DWwTW

**85454/VAR/15** - Variation of Condition 2 (approved plans) of planning permission 80920/FULL/2013 (Proposed inlet works, erection of blower building, control kiosks, substations, skip buildings and gatehouse. Provision of access to new site entrance and landscaping, all associated with permitted development works to improve the existing wastewater treatment process) to allow for amendments to the arrangement and scale of the approved operational development. Withdrawn by applicant. The subject application is a result of discussions following submission of this application. May 2015

**80920/FULL/2013** - Proposed inlet works. Erection of blower building, 14 no. control Kiosks, 2 no. substation buildings, 5 no. skip buildings and gatehouse. Provision of access to new site entrance and landscaping, all associated with permitted development works to improve the existing wastewater treatment process to allow compliance with final effluent consent requirements. Approved with conditions October 2013

**79026/FULL/2012** – Construction of a new Process Treatment Facility (to achieve reduced final effluent Ammonia consent) – Approved with Conditions, January 2013

**H/70123** – Construction of advanced sludge treatment facility to include combined heat and power plant, gas holders, silos and other associated buildings, plant and hard and soft landscaping works – Approved with Conditions, January 2009

Prior to the above, a significant number of applications for planning permission have been submitted throughout the history of the site, relating to various structures in connection with the site operations. Such applications have included proposals for buildings and structures associated with ammonia removal, sludge screening, control kiosks, dispersion stacks and telecommunications equipment.



Land to south of JJB Soccerdome, Trafford Way

**80829/FULL/2013** – Construction of new vehicular access road to DWwTW and Barton Renewable Energy Plant from the western Gateway Infrastructure Scheme. Approved with Conditions, June 2014.

Land to the South of Manchester Ship Canal and West of Barton Bridge, Davyhulme

**86514/VAR/15** - Variation of Conditions 2, 7, 11, 17 and 19 of planning permission 76153/VAR/2010 (erection of a 20MW biomass fuelled renewable energy plant with associated access, car parking, internal roads, canal side mooring and landscaping) to vary the approved plans to allow alterations to the design, layout, access arrangement and the specification of plant including further details relating to the development's use as a Combined Heat and Power Plant. Decision pending.

**76153/FULL/2012** - Erection of a 20 megawatt biomass fuelled renewable energy plant with associated access, car parking, internal roads, and canal side mooring and landscaping – Refused, December 2011 – Allowed on appeal, May 2013

Land Adjacent To The M60 High Level Bridge And Davyhulme Waste Water Treatment Works And To The South Of Trafford Soccer Dome.

**81446/RENEWAL/2013** - Application to extend the time limit of planning permission 74681/FULL/2010 (Construction of site for exploration, production testing and extraction of coal bed methane, transmission of gas and generation of electricity, erection of temporary 34m high drilling rig, formation of two exploratory boreholes, installation of wells, erection of portacabins, storage containers and ancillary plant and equipment, creation of a new vehicular access road, erection of 2.4m high perimeter fencing and restoration of site following cessation of use). Approved with Conditions October 2015.

**74681/FULL/2010** - Construction of site for exploration, production testing and extraction of coal bed methane, transmission of gas and generation of electricity including combined heat and power facility, erection of temporary 34m high drilling rig, formation of two exploratory boreholes, installation of wells, erection of portacabins, storage containers and ancillary plant and equipment, creation of a new vehicular access road, erection of 2.4m high perimeter fencing and restoration of site following cessation of use. Approved with Conditions September 2010.

**APPLICANT'S SUBMISSION**

The applicant has produced a suite of documents in support of this application, including an Air Quality Assessment together with updated AQ Technical Note dated September 2015; Odour Impact Assessment; Habitat Mitigation Plan; Tree Survey Report; Ecology Survey Report; Flood Risk Assessment; Gas Monitoring Data and Risk Assessment; Ground Investigation Survey; and a Planning/Design and Access Statement with updates regarding Odour and Noise Assessment and Landscaping. The

findings from these various reports and surveys are summarised and discussed, where relevant, in the 'assessment' section of this report.

## **CONSULTATIONS**

**LHA** – No objections subject to pedestrian footpaths being installed as part of the proposed new highways within the site.

### **Pollution & Licensing -**

Air Quality – No objections, subject to condition.

Odour – It is noted that the odour assessment provided is based upon a conceptual design and layout of the process that could be subject to change as final design of equipment is completed. The assessment acknowledges this and confirms that a revised assessment will be required when the final design is approved. This re-assessment will be expected to demonstrate that the proposed odour impact objective will be achieved. Condition recommended.

Noise – No objections, subject to condition.

Contaminated Land – No objections, subject to conditions.

**GMEU** – No objections, subject to the same conditions being imposed as in planning permission ref: 80920/FULL/2013. Provided these are attached there should be no additional ecological issues.

**Environment Agency** – No objections, subject to condition regarding contaminated land.

**Natural England** - No objections

**City Airport** - No objections

**Health and Safety Executive** - No objections.

**Senior Arboricultural Planner** - No objections, subject to conditions.

## **REPRESENTATIONS**

Three letters of objection have been received from surrounding residents. Their concerns can be summarised as follows:

- The proposed development will exacerbate the existing high levels of odour disturbance currently experienced by residents.
- The proposal will result in an increase in noise. Since the previous approval and the 2013 Noise Assessment submitted with the application residents have noticed an increase in noise levels in back gardens following lopping of trees. These trees provided a natural screen between Woodhouse Road houses that back onto the site.

Due to changes in the landscape it is not considered the 2013 Noise Assessment is representative of current conditions.

- Proposed landscaping will take several years to mature.
- Since the removal of trees we have been overrun with pigeons. They have clearly been dislodged from their roosting areas.
- It is not considered any comments would change the scheme. United Utilities have already begun works.
- Sending these letters is a waste of Council resource when residents already know works have begun.

### Breathe Clean Air Group

A letter of objection has also been received from the Breathe Clean Air Group. This states that until it can be promised not a single tree will be removed, destroyed or moved as part of any UU application at DWwTW, they object. The letter demands all applications relating to DWwTW are put on hold and not determined and a Tree Preservation Order placed on all trees at DWwTW.

### Cheshire Wildlife Trust North Group

A letter of comment has been received from the Cheshire Wildlife Trust North Group. This states no objections to the scheme subject to the same conditions relating to landscaping and biodiversity.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. This application seeks consent to undertake a major programme of works in order to meet tighter limits on the final effluent consent for ammonia (NH<sub>3</sub>), which are imposed by the Water Framework Directive (WFD) and the EU Freshwater Fish Directive (FFD). The applicant has also recognised that the size of the local population and number of new businesses is forecasted to increase, quite significantly, over the next 15 years and that therefore the relevant infrastructure and capacity needs to be in place to deal with the wastewater that is produced from these additional developments. Both of these requirements are accepted and the proposals are subsequently considered to amount to important infrastructure improvements that will be of benefit to the Trafford community, and population of Greater Manchester also.
2. The tree belt that separates the Treatment Works from the Bent Lanes Estate is designated as an area of Protected Linear Open Land and a Wildlife Corridor. Meanwhile the adjacent Davyhulme Millennium Nature Reserve has been designated as an Area of Conservation Value, Tree and Hedgerow Protection and Special Landscape Features. The proposed development would have a short term impact on the quality of the Protected Linear Open Land but, in the long term, would result in potential improvements to this area and replacement

habitat would be provided to mitigate the impacts on the Wildlife Corridor. Therefore there are no objections to the principle of the development, subject to it adequately addressing the issues discussed in the following sections of this report.

## ASSESSMENT

### Amenity Considerations (Odour, Air Quality, Noise and Residential Amenity)

3. Objections received in response to the application express concerns about the existing and potential levels of odour disturbance generated by DWwTW. The resulting objective of the proposed works is to ensure that the resulting off-site odour impact does not increase from the current baseline condition, and where practicable, it is reduced. Future odour scenarios have been modelled at a number of receptors outside the site perimeter. The results when plotted demonstrates that the works off-site odour impact remains largely unchanged for locations to the east and south of the works and that to the south east there would be a noticeable reduction in the extent of off-site odour impact compared with the existing.
4. However, under future plant operations there will be a localised increased impact at a number of receptor locations to the north-east of the site. Whilst this impact is not acceptable, it is recognised that the offending aspect of the development (the Primary and Final Settlement treatment areas) are located the furthest away from the nearest residential properties. Furthermore, the assessment is based upon a conceptual design layout which is subject to change as the final design of equipment is completed. Therefore it is recommended that a condition be added to any approval which requires the applicant to demonstrate that the overall impact of odour from the DWwTW shall not increase at sensitive receptors following completion of this development. This would necessitate a further Odour Impact Assessment to be undertaken once the equipment/plant designs have been finalised. Subject to compliance with this condition, the Council's Pollution and Licensing Section has raised no objections to the development on the grounds of odour disturbance.
5. In relation to matters of Air Quality, the applicants submitted with this application a report and Technical Note (dated September 2015) to evaluate the potential air quality effects associated with the operation of DWwTW on implementation of the proposed development. This evaluation concludes air quality impacts associated with the permanent works proposed in this application will not affect nor increase nitrogen dioxide emissions. The air quality impacts of the development will be no greater than those already approved in relation to a previous planning application for the advanced sludge treatment facility at the site (ref: H/70123).
6. With respect to noise, both the submitted Noise Impact Assessment (dated May 2013), and the Council's Pollution and Licensing Section has concluded that

noise associated with the operation of the new development will not be likely to cause a disturbance at nearby residential properties. The Design and Access Statement (dated October 2015) submitted with this application states that the proposed changes to the development do not alter the findings of the original noise assessment and the noise mitigation measures are unchanged. Pollution and Licensing Section support this statement and further measures to attenuate noise from the development are therefore not required. Notwithstanding this conditions related to further noise assessments (upon completion of the works) and the setting of a maximum noise threshold, have been recommended.

7. The site is bound to the south-east and south-west by residential properties whose rear gardens back onto the Treatment Works; therefore consideration needs to be given to any impact on the outlook from rear windows to these properties, and their private amenity areas also. Many of the closest properties to the south-west of DWwTW benefit from a grassed 'no-man's land' between their rear boundaries and the perimeter boundary to the application site. Furthermore a dense tree belt, 40m-100m thick runs inside the confines of this site providing effective screening of the sludge treatment facility and other plant beyond. United Utilities have indicated that whilst this visual buffer is generally very successful, gaps are starting to appear as a result of older trees maturing and declining. Therefore UU feel that an opportunity exists as part of the current programme of works to create and secure a robust, long-term visual separation between neighbours and the Treatment Works through new landscaping works. This would be achieved by clearing an inner belt of established trees and replacing them with new tree planting, set upon a landscaped mound so as to increase their screening potential. A minimum tree belt depth of 20m would be retained along the south-western boundary of the site, and it is considered that this will be sufficient to continue screening the site from outside view during the construction/tree-felling phase of the works. As such the development will not be visible from the upper windows or gardens to residential properties backing onto the south-western boundary of the application site. The landscaping proposal is the same as that approved under application ref: 80920/FULL/2013.
8. To the south-east, the application site does not benefit from the same degree of boundary landscaping. Instead a thinner tree belt with a number of interruptions separates Bexley Close and Amersham Close from the UU storm tanks which sit 90m-160m away. However a mature hedgerow within the application site follows the length of this boundary and provides a significant level of screening in its own right, aided to a degree by the fact that the nearest rows of residential properties are set at a slightly lower level than DWwTW. At their closest point the proposed inlet works will be sited 35m away from residential rear gardens, however the landscape is set to be cut out, allowing them to be sunk 4m-5.5m below the existing ground-level. Thus the developments should not be visible from the existing houses on the opposite side of the hedgerow. In any event, it is worth noting that the majority of these works do not require planning permission. The submitted landscaping plan does indicate that some trees in this area would be

felled, however it is accepted that these relate to where the existing tree belt is at its thickest; that their removal is required to construct and install the new inlet works; and that a belt depth of at least 15m would still be retained. Therefore there are no concerns from a residential amenity perspective in relation to this particular aspect of the development.

### Visual Impact

9. Those buildings that require planning permission will extend up to a maximum height of 7m (the same as in the previous permission ref: 80920/FULL/2013). From the M60 - Barton Bridge, open views of the developments proposed to the northern portion of the site will be possible. However those works that do require planning permission are distributed around a series of large settlement tanks, some in excess of 40m in diameter, which are due to be installed as permitted development under Part 4 Class A and Part 13 Class B of the GPDO and that represent the more prominent additions to the landscape. It is therefore considered that the proposals which require permission will be seen from a non-sensitive location (the motorway) and viewed amongst a cluster of other works, and in the context of a large Wastewater treatment facility.
10. The buildings proposed over to the western corner will sit within the existing envelope created by the sludge treatment works, and should not be visible from the surrounding highway network. The difference in this application and the previous permission in this part of the site is that two kiosk structures will be relocated approximately 80m North West to the other side of the main sludge works plant and an existing building will be reused.
11. Similarly the proposed inlet works, in part due to their sunken construction, will be screened from view. The changes in the inlet works area include the reduction in the overall number of structures, minimal relocation of structures to accommodate an improved layout and introduction of a new kiosk towards the eastern end of the inlet works, close to the existing car park. Within the inlet works, the proposed screen skip buildings (located closest to the south eastern boundary) are sunken with a retaining wall to the landscaping and tree belt behind, as approved in the previous scheme. The height of the skip buildings here have increased minimally from 6.3m to 7m in height. Due to the sunken position of these buildings they will be screened from public view. A public footpath follows the length of the south-eastern boundary; however the previously referenced mature hedgerow would prevent this aspect of the scheme from being seen.
12. A new building, not previously included in the approved scheme (ref: 80920/FULL/2013), is proposed to be located centrally within the site close to the primary and secondary treatment area. The building would be a storage shed with a maximum height of 4.6m and length of 23.6m and 9m width. Given the

location within the site and proximity to large existing buildings and plant the proposed shed building is considered to be acceptable.

13. Within the primary and secondary treatment works area, the layout of the settlement tanks and associated structures has been amended since the previous approved scheme. Some new kiosk structures are proposed in the new layout and the majority of kiosks and plant associated structures have been located between the tanks and aeration lanes to reduce and condense the overall massing of the works in this part of the site. The main entrance gate house proposed in this scheme is now relocated closer to the site entrance in the north east corner, where previously it was located to the south east corner of the primary and secondary treatment works. A new muster building is proposed now where the previous gate house was proposed (south east corner of the primary and secondary treatment works area).

### Landscaping and Ecology

14. A comprehensive programme of tree felling and replacement planting has been proposed in parallel to the wastewater infrastructure improvements within the main development site, as approved in the previous permitted scheme. The approved tree removal and protection under application ref: 80920/FULL/2013 has largely been carried out at the site already. The landscaping scheme submitted with this application is the same in principle as that previously approved. UU's statement with this application, as with the previous permitted application, reports that over the years there has been a gradual transition and improvement of the landscape fabric associated with DWwTW; however the current project allows a more strategic approach to be adopted to meet neighbour, sustainability, and environmental, expectations for the site. As a result, an area of trees is set to be removed; a proportion of which is necessary to make-way for the new inlet works to the south of the site, and the primary and final settlement areas towards the northern end. It is recognised that the inlet works reasonably require siting in close proximity to the existing storm tanks as the greater the separation between the two, the deeper the inlet works would need to be to ensure that flows reach it without affecting levels in the nearby incoming sewer. The settlement tanks to the north have been sited on an area that had previously accommodated development until the 1960's, and which is located furthest away from residential properties. The remaining area of tree clearance relates to the dense tree belt along the south-western boundary. Here significant removal will take place to allow for landscaped mounds to be formed, upon which a more strategic arrangement of new tree-planting can be set. United Utilities have indicated that this new area of woodland will provide an improved visual buffer for neighbours by reason of its increased height (when mature) and introduction of a greater proportion of evergreen native species that will provide screening all year round. Introducing native species will also encourage the development of habitats for native fauna. The proposed mounds are set to comprise of surplus material from the site construction works. Having regard to

their company waste management plan, UU have stated that creating these mounds will allow 60,000 cubic metres of spoil (60% of the overall total) to be deposited within the application site. Replacement tree planting would be provided on the proposed mounds, whilst further trees would be introduced outside of the confines of the Treatment Works, but within UU land holdings along the Ship Canal.

15. As in the previous permitted scheme, a substantial area of woodland is set to be removed, something that will clearly alter the character of the landscape for a temporary period until the replacement planting matures and becomes established. However this detrimental impact should be confined to views within the site due to the tree belts that are set to be retained around its periphery, and therefore the surrounding streetscene and residences should remain unaffected. Whilst the loss of a significant number of existing trees is regrettable, the long-term benefits associated with the proposed programme of woodland planting that have been cited by the applicant are acknowledged and accepted. Furthermore the introduction of trees (and other landscaping discussed below) outside of the treatment works will enhance the enjoyment of the local woodland and green spaces for local residents and members of the public generally.
16. DWwTW currently comprises of many hectares of undeveloped land and woodland that supports semi-natural habitats. In addition to their function as providing a soft visual screen, the trees within the site also provide wildlife conservation and habitat creation. The areas of grassland, open water and swamp vegetation provide a mosaic of habitats that connect in with the wider landscape, including the Davyhulme Millennium Nature Reserve (DMNR) and adjacent Site of Biological importance. The value of these areas is heightened by the surrounding landscape which is generally highly urbanised.
17. The proposed tree-felling works will involve the loss of habitats of high biodiversity value, some of which were actually introduced as mitigation for previous UU development schemes. Therefore significant mitigation works, in the form of habitat creation, translocation of notable plant species, management of invasive species, and enhancement of less species rich areas that will not be lost to development, have been recommended by Greater Manchester Ecology Unit with the application, the same as the previous permitted scheme.
18. United Utilities have indicated that their woodland management proposals (for the areas of existing and proposed woodland around the site perimeters) will secure a diverse habitat and habitat connectivity. This is to be supported by a series of works within their other land holdings along the length of the Manchester Ship Canal (stretching down to Urmston WwTW), including within the Davyhulme Millennium Nature Reserve (DMNR). The proposed off-site improvements include the planting of approximately 2,845sqm of hedgerow and 2,742sqm of shrub planting, along with meadow conservation and grassland management. Within the DMNR suggested works include pond formation,



removing unwanted vegetation from wetlands, woodland management, and the removal of invasive species. A 10 year commitment has been made to implement and manage the works set out for the DMNR, whilst other off-site works would be managed over a period of 5 years.

19. The Greater Manchester Ecology Unit (GMEU) has assessed the proposal and updated landscaping plans and Biodiversity Assessment (dated September 2015) and has found the proposed mitigation measures to be generally acceptable. They have stressed the importance that the works are implemented in full, are managed in the long-term, and are subsequently protected from future developments. Given that all of the replacement tree planting and mitigation works fall on land within UU's ownership, it is considered that they can be adequately secured by conditions linked to comprehensive management plans and landscaping schemes, as approved in the previous scheme.
20. Overall it is considered that, on balance, the large extent of woodland and subsequent habitat loss from within the site can be justified and mitigated by the holistic approach adopted for on-site tree replacement; the public and ecological benefits that will be brought about by enhancing off-site habitats over a sustained period; and the lack of amenity impacts outside of the site confines. For these reasons there are no objections to this aspect of the scheme.

#### HIGHWAY SAFETY AND PARKING PROVISION

21. The Design and Access Statement submitted with the application confirms that the development should not result in the need for additional operational employees, and as such there should be no increase in the number of cars or vans accessing the site on an operational basis and therefore the current parking provision is acceptable.
22. The proposed site plan shows a new site entrance at the northern corner of the site, accessed under the M60 via Trafford Way. This application however proposes a shorter construction program and increased daily volume of construction traffic, both cars/LGVs and HGVs, requiring access to the site during the construction period. The application does state that the number of trips accessing via Rivers Lane will reduce and the new access from the new site entrance at the northern corner of the site will experience an increase in trips. The proposed access road was approved as part of a previous application and can accommodate the proposed increase in traffic volume during the construction period.
23. The LHA have confirmed that they are supportive of the principle of a new entrance in this location as it would reduce HGV traffic around the existing Rivers Lane entrance. With respect to the layout of the road within the site, there are no objections to this subject to it including a pedestrian footpath. Therefore there are no concerns with the developments on highways grounds.

## DEVELOPER CONTRIBUTIONS

24. The proposal is subject to the Community Infrastructure Levy. It is considered many of the proposed works would be considered exempt from CIL due to being classed as development of buildings and structures into which people do not normally go (e.g. pylons, wind turbines, electricity sub stations). Nevertheless Industry and Warehousing development would be liable to a CIL charge rate of £0 per square metre and revised SPD1: Planning Obligations (2014).

## CONCLUSION

25. The proposals would provide important infrastructure improvements that will be of benefit to the community and, subject to conditions, the development is considered to be acceptable in terms of impact on residential amenity, open space, ecology, visual amenity and highway safety. It is therefore recommended that planning permission should be granted, subject to conditions.

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

1. Standard Time Limit;
2. Compliance with all plans;
3. Materials Condition;
4. Landscaping (for DWwTW and surrounding land holdings, including DMNR)
5. Tree Protection;
6. The overall impact of odour from the DWwTW shall not increase at sensitive receptors following the completion of this development. Achievement of meeting this objective shall be confirmed in the submission of an updated odour impact assessment to the Local Authority. The assessment shall take into account the final design of the development, confirm the odour control measures to be utilised and confirm that the odour impact objective will be achieved. The approved odour control measures shall be implemented thereafter, unless agreed otherwise in writing by the LPA.
7. Prior to the first complete use of all aspects of this development, a noise assessment shall be undertaken. This assessment will confirm the noise levels associated with the operations approved under this development, which shall be measured at the nearest residential premises, and critically compared with the predictions in 'AMP5 WD Upgrades at Davyhulme WwTW noise assessment'. In the event that noise levels exceed those set out in the approved acoustics report, a further scheme of noise mitigation measures shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall not exceed the noise levels as calculated within 'AMP5 WD Upgrades at Davyhulme WwTW noise assessment'.
8. The ecological mitigation measures recommended within section 5 of the 'Davyhulme WwTW Ecology Survey Report' shall be implemented in full in

accordance with details and a timescale for implementation that have previously been approved in writing by the LPA.

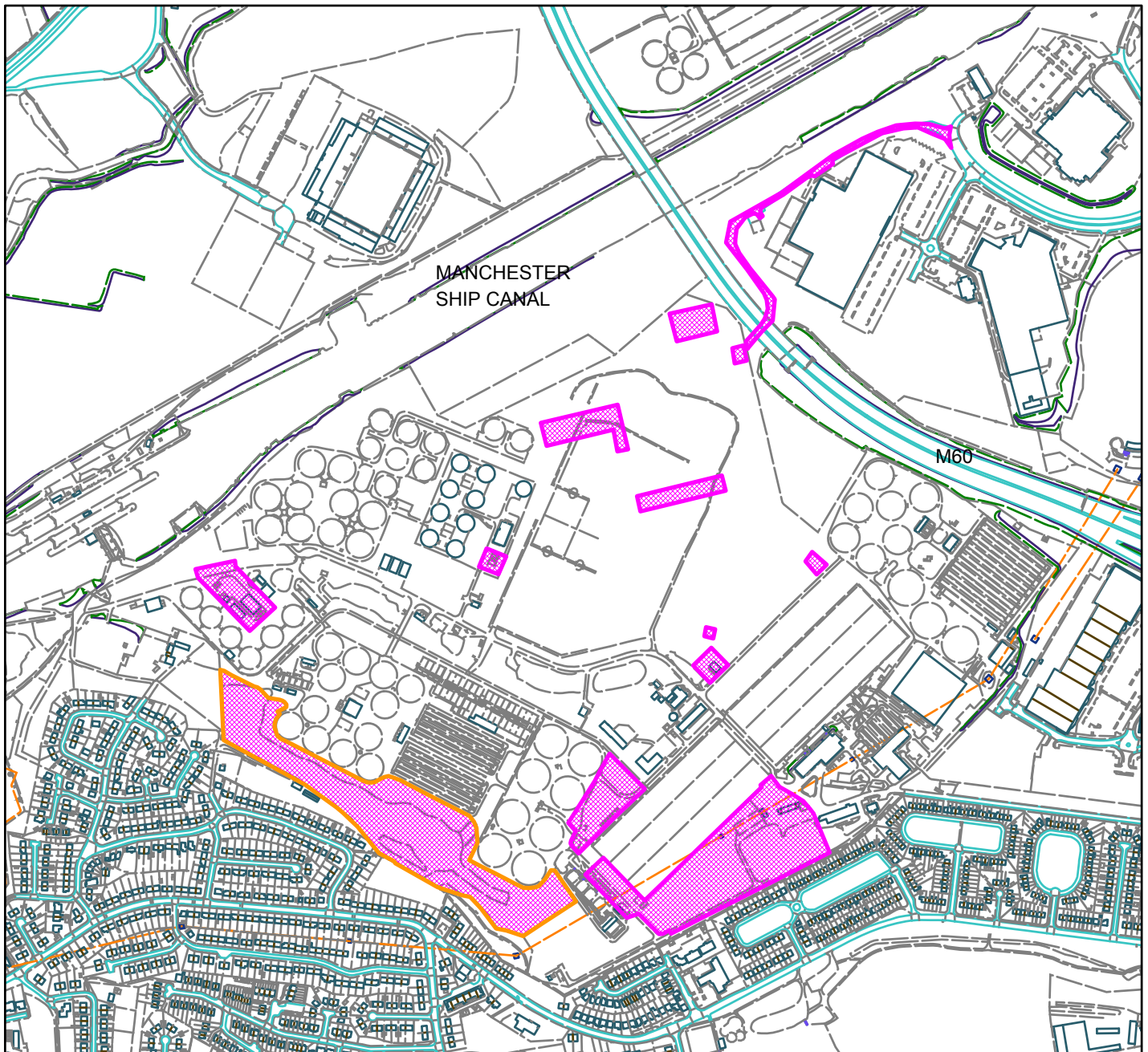
9. Submission and implementation of detailed management and maintenance plan for landscaping works and habitat enhancement, to include maintenance for a minimum period of ten years from the completion of the ecological and landscaping works
10. No occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of remediation has been submitted to and approved in writing by, the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to, and agreed in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.
12. Submission of a method statement and subsequent removal of invasive species;
13. No tree felling or removal of vegetation to take place during the optimum period for bird nesting (March to July inclusive);
14. Construction traffic to use temporary access route to site from Trafford Way;
15. Wheel wash condition.

LB

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Sewage Works, Rivers Lane, Davyhulme (site hatched on plan)



Scale: 1:8,500

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|              |                           |
|--------------|---------------------------|
| Organisation | Trafford Council          |
| Department   | Planning Service          |
| Comments     | Committee date 10/12/2015 |
| Date         | 30/11/2015                |
| MSA Number   | 100023172 (2012)          |

**WARD: Davyhulme West 86514/VAR/15**

**DEPARTURE: NO**

**Variation of Conditions 2, 7, 11, 17 and 19 of planning permission 76153/FULL/2010, (Appeal Reference APP/F5540/A/12/2174323) (erection of a 20MW biomass fuelled renewable energy plant with associated access, car parking, internal roads, canal side mooring and landscaping) to vary the approved plans to allow alterations to the design, layout, access arrangement and the specification of plant including further details relating to the development's use as a Combined Heat and Power Plant.**

Land to the South of Manchester Ship Canal and West of Barton Bridge, Trafford Way, Trafford Park

**APPLICANT: Peel Energy (Barton)**

**AGENT: Turley**

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

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### **Background**

Members will recall that an application for full planning permission for the development of Barton Renewable Energy Plant (BREP) was presented to the planning committee on 11<sup>th</sup> November 2011 where it was resolved to refuse planning permission. The decision was appealed and recovered for determination by the Secretary of State. A public inquiry was held in November 2013 and on 15<sup>th</sup> May 2013 a decision was issued by the Secretary of State upholding the appeal and granting planning permission in accordance with the recommendation of the Inspector, whose report is dated 8<sup>th</sup> February 2013. The issues identified for determination on the appeal were:

- (i) The effect of the proposal on air quality and perception of harm to health.
- (ii) The effect of the proposal on the vitality of, and the self-confidence of communities within the nearby established areas of Davyhulme, Urmston and Flixton.
- (iii) Whether the proposal would be sustainable development as defined in the NPPF.

This last issue was the subject of an application for Judicial Review by the Council and the challenge was unsuccessful.

It is important to note that the time period for implementation of the existing permission is extended as a result of the Judicial Review (JR).

Section 91(3A) and (3B) of the Town and Country Planning Act 1990 states:

*“(3A) - Subsection (3B) applies if any proceedings are begun to challenge the validity of a grant of planning permission or of a deemed grant of planning permission.*

*(3B) -The period before the end of which the development to which the planning permission relates is required to be begun in pursuance of subsection (1) or (3) must be taken to be extended by one year.”*

As a result the permission must be implemented within four years from the date of the decision letter rather than three (i.e. by 15th May 2017).

## **SITE**

The site comprises a roughly rectangular shaped parcel of previously developed land that sits alongside the south-east bank of the Manchester Ship Canal immediately to the south west of the M60 Barton Bridge. The north eastern edge of the site extends under Barton Bridge with a narrow spur projecting to the north east parallel with the Canal which links the main body of the site to Trafford Way adjacent to the Power League Soccerdome.

The land immediately adjoining the site to the south and west is occupied by United Utilities Davyhulme Waste Water Treatment Works with the residential neighbourhood of Davyhulme beyond. To the east beyond the M60 is located a mix of leisure and commercial uses including the Power League Soccerdome, a Travelodge Hotel, and Chill Factor-e and other retail outlets. To the north across the Ship Canal lies the rugby stadium (Salford Reds) and related commercial uses.

## **PROPOSAL**

This application has been made under Section 73 of the Town and Country Planning Act 1990. Section 73 allows applications to be made for permission to carry out a development without complying with a condition(s). It also allows applications to be made to vary condition(s) previously imposed on a planning permission. A Section 73 planning permission is the grant of a new planning consent. However, the original planning permission continues to exist whatever the outcome of the application made under Section 73.

The applicant has stated that, following consultation with the preferred development contractor, a detailed review of the development proposal has identified a series of detailed design changes that would improve the efficiency of the development layout and on site operation whilst reducing the scale and visual prominence of the development. These changes would be achieved without affecting the energy output of the development.

### **Exact changes in plans**

The key amendments to the scheme for which planning permission is sought through the Section 73 application can be summarised as follows:

- (i) Removal of easternmost fuel storage building which is no longer required. The majority of fuel processing will now take place off site and a 'just in time' system of delivery will be operated reducing the need for onsite storage. The revised design will allow for around 3 days of fuel storage on site at all times.

This will enable the plant to continue operating at capacity whilst allowing for small breaks in deliveries.

- (ii) Provision of 2 no external fuel unloading bays and associated fuel conveyer.
- (iii) Reduction in size (height and width) of turbine hall, boiler house and ash handling structure and addition of single storey service building.
- (iv) Reduction in size (height and width) of flue gas treatment structure.
- (v) Replacement of hybrid cooling towers with an Air Cooled Condenser (located in the approximate same position within the development site).
- (vi) Increase in length of exhaust from the emissions stack to the cooling towers/Air Cooled Condenser due to reduction in dimensions of main structures within the site.
- (vii) Detailed architectural and technical amendments associated within the above.
- (viii) Realigned access road to connect with a new access into the site located to the south of the previously approved access. The new access is subject to a separate planning permission (reference 80829/FULL/2013).
- (ix) Relocation of proposed surface car park area.
- (x) Provision of a single storey administration building.

An updated Environmental Statement/Planning Statement was submitted which states that the applicant has commissioned a number of studies to assess the local demand for and feasibility of capturing and distributing the heat created by the energy generation process to local users via a District Heating Network. Whilst this has always been the applicant's intention, as reflected in the original application submission, it has been necessary to commission additional work to ensure this would be feasible. The study has shown that heat recovery and localised distribution can be viably achieved. However, whilst the application proposals would be capable of producing renewable heat that could be exported to local businesses, the District Heat Network falls outside the scope of the current application and would require a separate permission.

The extant planning permission is subject to a total of 20 conditions, a number of which state the requirement for the development to be carried out in accordance with a specified suite of architectural, highway and ecological plans.

The proposed changes to the scheme are limited to its physical form, layout, architectural appearance and the specification of the technology which will be utilised for energy and heat generation. The fuel input and mix and energy output of the development will remain unaffected by the amendments.

This application seeks to vary conditions 2, 7, 11, 17 and 19 of planning permission reference 76153/FULL/2010 (APP/F5540/A/12/2174323). The table below sets out the existing conditions and the applicant's proposed amendments. The amendments would consist of an amended list of approved plans in relation to Condition 2, amended plan numbers in relation to the highway works in respect of Conditions 7 and 17, reference to the updated noise assessment in the Environmental Statement Update in respect of Condition 11 (noise management scheme) and reference to the updated Ecological Enhancement Plan in respect of Condition 19 (ecological mitigation measures).



| Condition number | Existing condition   | Proposed amended condition   |
|------------------|--|--|
| 2                | <p>Unless otherwise controlled by conditions attached to this permission or as agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>• Site Location Plan L(00)10 Rev C,</li> <li>• Existing Site Plan L(90)01,</li> <li>• Proposed Site Plan L(90)02 Rev A,</li> <li>• Ground Floor Plan L(00)11,</li> <li>• Level 1 Plan L(00)12,</li> <li>• Level 2 Plan L(00)13,</li> <li>• Staff Accommodation Ground and First Floor Layouts L(00)16,</li> <li>• Elevations L(00)15,</li> <li>• Sections L(00)14,</li> <li>• Use of Davyhulme WWTa Construction Track M10023-A-026 Fig 5.6,</li> <li>• Part WGIS and Biomass Access/Egress Constructed M10023-A-026 Fig 5.7,</li> <li>• Part WGIS/WGIS and Biomass Access/Egress M10023-A-026 Fig 5.8,</li> <li>• Integration into part WGIS during construction M10023-A-026 Fig 5.9,</li> <li>• Proposed Security and Access Measures M10023-A-32,</li> <li>• Vehicle Tracking Plan M10023-A-33.</li> </ul> | <p>Unless otherwise controlled by conditions attached to this permission or as agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>• Site Location Plan L(00) 10 Rev. C</li> <li>• Existing Site Plan L(90)01</li> <li>• Proposed Site Plan 1840-003 R3</li> <li>• Elevations 1840-010 R1</li> <li>• Sections 1840-008 R3</li> <li>• Full WGIS and Biomass Access / Egress constructed M15056-A-002 Rev. A</li> <li>• Part WGIS and Biomass Access / Egress constructed M15056 – A-001</li> <li>• Biomass visibility and safety fence arrangement M15056-A-004</li> <li>• Internal swept paths plan reference M15056-A-003</li> </ul> |
| 7                | <p>Prior to commencement of development, full design and construction details of the required highway works shown in outline on TTHC drawing no. M10023-A-32 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.</p>  | <p>Prior to commencement of development, full design and construction details of the required highway works shown in outline on TTHC drawing no. M15056-A-004 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details</p>  |



|    |   |  |
|----|---|--|
| 11 | <p>Prior to first occupation of the development, a Noise Management Scheme setting out all mitigation measures to be implemented during the operational phase of the development to meet the noise criteria set out in the Noise and Vibration Section (Chapter 7) of the Environmental Statement (Volume 1) shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter operated in accordance with the approved Noise Management Scheme</p>                           | <p>Prior to first occupation of the development, a Noise Management Scheme setting out all mitigation measures to be implemented during the operational phase of the development to meet the noise criteria set out in the Noise and Vibration Section (Chapter 7) of the Environmental Statement (Volume 1) and the Noise and Vibration Section of Chapter 5 of the Environmental Statement Update (August 2015) shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter operated in accordance with the approved Noise Management Scheme</p> |
| 17 | <p>No part of the development shall be brought into its intended use unless and until the highway improvements as shown in outline on TTHC drawing no. M10023-A-32, and agreed in detail in accordance with the condition no. 7 above, have been implemented in accordance with the agreed plans.</p>   | <p>No part of the development shall be brought into its intended use unless and until the highway improvements as shown in outline on TTHC drawing no. M15056-A-004, and agreed in detail in accordance with the condition no. 7 above, have been implemented in accordance with the agreed plans.</p>   |
| 19 | <p>The ecological mitigation measures, including the Ecological Enhancement Plan, shall be implemented in full as set out within Chapter 10 and Figure 10.2 of the Environmental Statement. Details, setting out the long term ecological maintenance and management of the site including the retained vegetation strip along the Manchester Ship Canal, shall be submitted to and be approved in writing by the Local Planning Authority prior to the carrying out of the mitigation measures set out in the Environmental Statement.</p> | <p>The ecological mitigation measures, including the Ecological Enhancement Plan reference DWG No 2 (submitted 28<sup>th</sup> August 2015), shall be implemented in full as set out within Chapter 10 and Figure 10.2 of the Environmental Statement. Details, setting out the long term ecological maintenance and management of the site including the retained vegetation strip along the Manchester Ship Canal, shall be submitted to and be approved in writing by the Local Planning Authority prior to the carrying out of the mitigation measures set out in the Environmental Statement.</p>                 |

## **THE DEVELOPMENT PLAN**

The Development Plan in Trafford Comprises:

- The **Trafford Core Strategy** adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 1st 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 Greater Manchester Joint Minerals Plan**, adopted 26th April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals 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 (Includes Air Quality and Noise)  
L6 – Waste  
L7 – Design  
L8 – Planning Obligations  
W1 - Economy  
SL4 – Trafford Centre Rectangle

## **GREATER MANCHESTER JOINT DEVELOPMENT WASTE PLAN**

Policy 8 – Requirement for Combined Heat and Power

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

National Planning Policy Framework (NPPF) published on 27 March 2012.

## **RELEVANT PLANNING HISTORY**

**76153/FULL/2010** - Erection of a 20 megawatt biomass fuelled renewable energy plant with associated access, car parking, internal roads, canal side mooring and landscaping. Application Refused 5<sup>th</sup> December 2011.

The reasons for refusal by the council were:

- 1) The proposed development of a facility which involves the incineration of biomass fuels would, by reason of its scale of operation, presence and location, have a detrimental impact upon the vitality and attractiveness of, and the self-confidence of communities within, the nearby established areas of Davyhulme, Flixton and Urmston and would thereby prejudice the continuing regeneration and improvement of these areas which have been identified by the Council as being in need of investment. The proposal would therefore be contrary to Policy WD5 of the Revised Trafford Unitary Development Plan.
- 2) The proposed development raises significant concerns amongst nearby communities that, on the basis of publicly available and respectable scientific evidence about possible adverse impacts of the incineration of biomass waste, it would contribute to a substantial reduction in air quality in an area which is already designated an Air Quality Management Area. As a result there is a widely held objective perception substantiated by independent objective scientific evidence that the development poses an unacceptable risk to the health and safety of those communities. Government guidance as set out in Planning Policy Statement 23 Planning and Pollution Control states that the objective perception of unacceptable risk to the health and safety of the public arising from a proposed development is a material consideration which should be taken into account when determining a planning application. The nature and extent of the perceptions held by people living in nearby communities with regard to the risk to health and safety arising from the proposed development is such that it has considerable weight when considered against the proposal and requires that the proposal should be refused.

Application granted on appeal 15<sup>th</sup> May 2013. Decision to grant permission upheld by High Court 24<sup>th</sup> February 2014.

There is no previous history for the site prior to the above. Other relevant local applications are:

86493/FUL/15 – Application for proposed inlet works. Erection of 30 no. buildings and provision of new site entrance and landscaping works, all associated with Permitted Development works to improve the existing wastewater treatment process to allow compliance with final effluent consent requirements – Davyhulme Wastewater Treatment Works – Current application

86404/FUL/15 - Construction of 4 no. buildings in association with scheme to export biomethane to the grid gas network Davyhulme Waste Water Treatment Works - Current application.

81446/RENEWAL/2013 – Application to extend the time limit of planning permission 74681/FULL/2010 (Construction of site for exploration, production testing and extraction of coal bed methane, transmission of gas and generation of electricity, erection of temporary 34m high drilling rig, formation of two exploratory boreholes, installation of wells, erection of portacabins, storage containers and ancillary plant and equipment, creation of a new vehicular access road, erection of 2.4m high perimeter fencing and restoration of site following cessation of use) – land adjacent to the M60 High Level Bridge and Davyhulme Waste Water Treatment Works - Application approved 13<sup>th</sup> October 2015.

80920/FULL/2013 – Proposed inlet works. Erection of blower building, 14 no. control kiosks, 2 no. substation buildings, 5 no. skip buildings and gatehouse. Provision of access to new site entrance and landscaping, all associated with permitted development works to improve the existing wastewater treatment process to allow compliance with final effluent consent requirements. Approved with conditions – 30<sup>th</sup> October 2013.

80829/FULL/2013 – Construction of new vehicular access road to Davyhulme Waste Water Treatment Works and Barton Renewable Energy Plant from the Western Gateway Infrastructure Scheme – Approved with conditions - 30<sup>th</sup> June 2014.

74681/FULL/2010 – Construction of site for exploration, production testing and extraction of coal bed methane, transmission of gas and generation of electricity including combined heat and power facility, erection of temporary 34m high drilling rig, formation of two exploratory boreholes, installation of wells, erection of portacabins, storage containers and ancillary plant and equipment, creation of a new vehicular access road, erection of 2.4m high perimeter fencing and restoration of site following cessation of use - land adjacent to the M60 High Level Bridge and Davyhulme Waste Water Treatment Works - Approved with conditions - 15<sup>th</sup> September 2010.

## **APPLICANT'S SUBMISSION**

The applicant has submitted a Covering letter, Planning Statement and Environmental Statement Update Report and an Ecological Survey. They have also submitted 9 plans:

- 1840-003 Rev R3, Proposed Site Plan
- 1840-005 Rev R3, Ground Floor/Site Plan
- 1840-008 Rev R3, Sections
- 1840-010 Rev R1, Elevations
- M15056-A-001, Part WGIS and Biomass Access/Egress Constructed
- M15056-A-002 RevA, Full WGIS and Biomass Access/Egress Constructed
- M15056-A-003, Internal Layout Swept Paths
- M15056-A-004, Biomass Visibility and Safety Fence Arrangements

## **CONSULTATIONS**

### **Pollution and Licencing –**

## Air Quality

It is confirmed that the proposed scheme will have a slightly lower release rate of pollutants than the consented scheme. If there were no changes to the building, this would result in lower predicted impact for the proposals over the consented scheme. Due to the application changing the building layout, an updated dispersion modelling has been provided.

Since the original planning application was assessed, new national air quality guidance for development control in England has been published by the Institute of Air Quality Management (IAQM). The IAQM 2015 guidance provides a framework for assessing the effect of changes in exposure of members of the public resulting from residential, commercial and industrial developments. The applicant's air quality assessment utilises this guidance and impact descriptors for sensitive receptors.

The air quality assessment confirms that for all pollutants, impact change on existing baseline conditions can be described as "negligible" with the exception of annual mean nitrogen dioxide levels. A detailed assessment has been carried out in relation to nitrogen dioxide levels, which has included an analysis of: -

1. The proposed scheme against the existing baseline (without the consented scheme);
2. The proposed scheme against the consented scheme;
3. The consented scheme against the existing baseline.

This concludes that the proposed development will have a negligible additional impact on air quality at sensitive receptors when compared against the consented scheme. No residential properties would be affected by a slight, moderate or substantial adverse impact due to the change from the permitted scheme to the proposed scheme.

Where the scheme is assessed against the existing background, without taking into account the projected levels for the consented scheme, there is slight or moderate adverse impact in certain areas. In one area, approximately 1 square kilometre around Junction 11 of the M60 and the A57 corridor in Salford, the proposed development would have a substantial adverse impact. This is because background Nitrogen Dioxide levels are already high in this area.

However, it must be understood that a similar conclusion would have been reached if the new assessment guidelines had been applied to the consented scheme. The moderate to substantial impact identified in some areas is a result of the change in the guidelines and is not a result of changes to the proposed development.

## Noise

Council Officers agree with the submitted noise assessment and conclusions of the report and advise that previous conditions are applicable.

**Local Highway Authority** – The LHA has reviewed the information submitted by the applicant relating to highways issues and confirm that there is no objection to this application on highway grounds.

**Greater Manchester Archaeological Advisory Service** – No comments received to date.

**Environment Agency** – Have no objection in principle to the proposed variation of conditions and no further comments to make.

**Greater Manchester Ecology Unit** – Comments on this plan are:

- The grassland seed mixes proposed are not locally native - the mixes therefore need to be amended to include only appropriate species for the area.
- The Enhancement Plan does not include any details of the control of invasive species.
- There is limited detail on the long term management and maintenance of the site.
- The works will include the removal of bird breeding habitat, there should be no clearance of or works to any scrub or trees during the main bird breeding season (March to July inclusive).

**Salford Council** – No objections raised, recommend planning conditions relating to noise and vibration are retained. Recommend updated wording for condition 20 to reflect updated version of BS4142 as follows:

*The rating level (LAeq,T) from all industrial and commercial type activities associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) by more than -5 dB during the night time period (23:00 to 07:00) and by +5 dB during the day time (07:00 to 23:00) when measured at the boundary of the nearest noise sensitive premises. Noise measurements and assessments shall be carried out according to BS 4142:2014 "Methods for rating and assessing industrial and commercial sound". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 15 minute period between 23.00hrs and 07.00hrs.*

**Greater Manchester Minerals and Waste Planning Unit** – No objections raised and notes that the heat recovery and localised distribution accords with the requirements under Policy 8 of the Greater Manchester Joint Waste Development Plan.

## **REPRESENTATIONS**

Site notices have been posted on Barton Road, Woodhouse Road (leading to Bent Lanes), Davyhulme Road, Trafford Boulevard and in the immediate vicinity of Junction 10 of the M60. Adverts have been placed in the press and neighbour notification letters have been sent out.

2 representations have been received from the Breathe Clean Air Group (BCAG) making the following comments: -

- BCAG have previously been given incorrect information that the time limit for the original permission (76153/FULL/2010) would expire in May 2016
- The level of neighbour notification is not the same as on the original application, the site notices were not erected in appropriate locations and that the press advert was placed in the Advertiser, which has not been delivered in the Wards of Davyhulme East and West for a period of over 6 months.

5 letters of support have been received, making the following comments: -

- The variations are beneficial as the plant will become more efficient as well as being less visible and will introduce the possibility of a district heating network.
- By using waste wood for energy, there will be less waste material being landfilled. The power plant will provide additional renewable electricity and heat and will increase local employment, both during construction and operational phases.
- Provision of low carbon electricity will assist with climate change targets.
- Provision of safe and reliable electricity will assist with energy security.
- Provision of more electricity generation will provide increased price competition for consumers.
- The plant will represent a significant investment in the local economy. Construction workers are likely to inject spending in the locality leading to a multiplier effect and opportunities could be available for local contracting companies.
- Trafford Council should support the variation proposal.

## **OBSERVATIONS**

1. Members will be aware that the approval of a Section 73 application grants a new planning permission in its own right. In terms of decision making, regard should be had to any changes on site or in the surrounding area and any changes to planning policy.
2. The Planning Practice Guidance states that *'In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application - it is not a complete re-consideration of the application.'*
3. On this basis, members should be aware that the issue of whether the development of a renewable energy plant in this location is acceptable in principle is not a material consideration in the determination of the Section 73 application. Moreover, any aspect of the development's design or operation which remains unchanged is similarly deemed to be acceptable and not a matter which should be reconsidered as part of the application's determination

and the relevant considerations in this application relate only to any differences in impact between the proposed scheme and the extant permission.

4. Notwithstanding the above, it is necessary to consider any material changes in circumstances since the previous permission was granted in May 2013. Since that time, there have been revisions to the British Standard BS4142 guidelines on noise (issued in 2014) and revised guidance issued by the Institute of Air Quality Management in respect of air quality.
5. In respect of site specific issues, the site has been upgraded to Flood Zone 2 and, given the passage of time since the previous permission was granted, a further ecological survey has been carried out. In addition, baseline air quality conditions have changed and this has been taken into account in the updated air quality assessment. However, there have been no other significant changes to the site or surrounding area since planning permission was granted.
6. The main planning issues considered by members in the determination of the previous application were:-
  - Visual Amenity
  - Health Issues
  - Pollution and Emission
  - Air Quality
  - Noise and Vibration
  - Ground Contamination
  - Ecology
  - Highways and Parking Provision
  - Archaeology
7. There is no requirement to revisit all of these issues when determining this application. The key issues in the determination of this application relate to the following matters outlined below:-
  - Impacts on the highway network and safety
  - Noise
  - Air Quality
  - Visual Impact
  - Ecology
  - Flooding
  - Developer contributions
8. The current application includes a Noise Assessment Update; a review of the original Flood Risk Assessment and an updated ecological survey and Ecological Enhancement Plan.
9. The original planning permission 76153/FULL/2010 would remain extant whatever the outcome of the current application but both schemes could not



be developed simultaneously. Therefore, the assessment of impact in relation to the current application is based on the points of difference between the consented scheme and the revised proposed scheme, rather than as an additional development to be delivered on top of the existing baseline. This particularly applies to the Traffic and Transport, Air Quality Impact and Landscape and Visual Impact chapters where the impacts are potentially 'felt' off site and where baseline conditions would be affected by the delivery of other developments for which planning permission has been approved.

10. Taking this approach, the applicant has stated that the appraisal of environmental issues did not identify any topic area where the changes to the development proposal and wider changes in circumstances would give rise to a change in the significance of environmental effects compared to the amended scheme.
11. The applicant concludes that the original Environment Statement (ES), supplemented by this ES Update report, demonstrates the environmental effects of the development will be limited and, where necessary, can be reduced to an acceptable level through employment of standard mitigation measures. Such mitigation measures are secured through appropriately worded conditions which would be carried forward onto the new planning permission, where necessary in a modified form. This report discusses each issue in turn.

#### **IMPACTS ON THE HIGHWAY NETWORK AND SAFETY**

12. The submitted Environmental Statement Update - Highways states that the suitability of the revised access arrangement to accommodate the type and volume of vehicles that the BREP development will generate has been tested through the determination of application 80829/FULL/2013.
13. This revised access arrangement does not alter the routing of BREP related vehicles on either the local or wider highway network. The access change is only in the immediate proximity of the site; a slight relocation of the point at which the access road leaves the adopted highway network and crosses under the M60 Motorway Viaduct to reach the development site.
14. The ES Update also concludes that the non-access related changes to the scheme's design, for which permission is sought through the Section 73 application, have no impact on the type and / or volume of vehicle movements generated by the development.
15. Therefore, there are no adverse changes to the traffic generation profile of the development as a consequence of the Section 73 application. The conclusions of the original Environmental Statement, in respect of traffic and transport, remain valid and up to date for the purposes of the Section 73 application, i.e. there are no transport or highway related issues that would prevent granting of planning permission.

16. The Environmental Statement Update includes an appendix no. 3 "Transport Assessment Update". Plans of the previous proposed layout with Part and Full implementation of the Western Gateway Infrastructure Scheme (WGIS) together with the current proposals to suit both Part and Full WGIS are presented and discussed. The predicted traffic flows to and from the proposed development have not been altered.
17. The Local Highway Authority has reviewed the information submitted by the applicant relating to highways issues and confirms that there is no objection to this application on highway grounds.

## **NOISE**

18. The submitted ES Update – Noise Assessment assesses how the proposed modifications to the development could potentially affect the outcome of the original noise and vibration assessment. In relation to site operations, the assessment concludes in respect of the resultant residual impact, that with appropriate mitigation measures within the detailed design, there is likely to be a negligible impact and a neutral effect at noise sensitive receptors.
19. In summary, no significant noise effects have been identified by the updated noise assessment in relation to the amended scheme and subsequent operational noise levels.
20. The ES Update concludes that no changes to the residual impacts at the nearest noise sensitive receptors are therefore predicted with appropriate noise mitigation measures to be adopted at the detailed design stage. The conclusions in terms of impacts in respect of construction/de-commissioning noise and vibration, operational vibration and road traffic noise remain as originally assessed.
21. The applicant has submitted a Noise Assessment Update and the Council's Pollution Team have stated that the report details an appropriate scheme of mitigation, the implementation of which will ensure that the resultant impacts on the nearest noise sensitive receptors will be negligible and unchanged from the consented scheme.
22. Council Officers agree with the assessment and conclusions of the report and advise that previous conditions (updated as set out below) are applicable.
23. Salford City Council has suggested an amended condition on noise monitoring. The suggested condition updates the original condition to include the latest British Standard guidance (revision to BS4142 guidelines - 2014). However, it also widens the scope of the original condition that referred to "all fixed plant and machinery associated with the development" to include "all industrial and commercial type activities associated with the development".
24. The submitted Noise Assessment Update considers the latest 2014 version of BS4142 and concludes that there would be no change in predicted impacts. It is therefore considered that it would not be appropriate to increase the scope

of the condition set out by the Secretary of State, although it would be appropriate to update the condition to refer to the latest version of BS4142. It is therefore recommended that Condition 20 is amended accordingly.

## **AIR QUALITY**

25. Since the original planning application was assessed, new national air quality guidance for development control in England has been published by the Institute of Air Quality Management (IAQM). The IAQM 2015 guidance provides a framework for assessing the effect of changes in exposure of members of the public resulting from residential, commercial and industrial developments. The IAQM guidance sets a lower threshold for % changes in pollutant levels than the Environmental Protection UK (2010) guidance for situations described as substantial adverse and moderate adverse air quality impacts. Where pollutant changes are less than 0.5% of the air quality objective they will be described as negligible. The applicant's air quality assessment utilises this guidance and impact descriptors for sensitive receptors.
26. The submitted ES Update – Air Quality assesses the impact of the proposed changes to the building layout and emissions data for the BREP development and concludes that the change from the consented scheme is 'negligible'. Applying the recent IAQM guidance, the significance of effect for a small number of residential receptors within the Air Quality Management Area (AQMA) is deemed to be 'moderate to slight adverse'. The ES Update states that, applying this new guidance to the original application, the same conclusion would have been made. As such, the applicant's assessment concludes that the proposals do not change the overall significance of the effect of the BREP development on local air quality.
27. The Council's Pollution and Licensing Section has confirmed that the proposed scheme will have a slightly lower release rate of pollutants than the consented scheme. If there were no changes to the building, this would result in lower predicted impact for the proposals over the consented scheme. Due to the application changing the building layout, an updated dispersion modelling has been provided.
28. The air quality assessment confirms that for all pollutants, impact change on existing baseline conditions can be described as "negligible" with the exception of annual mean nitrogen dioxide levels. A detailed assessment has been carried out in relation to nitrogen dioxide levels, which has included an analysis of: -
  - The proposed scheme against the existing baseline (without the consented scheme);
  - The proposed scheme against the consented scheme;
  - The consented scheme against the existing baseline.

## 29. Analysis of the proposed scheme against existing baseline nitrogen dioxide levels

The assessment by the applicant states that the impact of the proposed scheme against existing nitrogen dioxide levels would be described as negligible to moderate adverse at sensitive receptors. The review and assessment undertaken by the Council's Pollution and Licensing Section has confirmed that, at certain sensitive receptor locations, the impact of the proposed scheme on nitrogen dioxide levels would be moderate adverse or slight to moderate adverse. Background levels of nitrogen dioxide in the vicinity of the M60 will result in a moderate adverse impact from the process in some smaller areas close to the M60 and a substantial adverse impact in one area.

### The consented scheme against the existing baseline

The impact of the consented scheme has been re-assessed using the IAQM air quality guidance and the assessment confirms that the significance of impacts of the consented scheme is the same as the proposed updated scheme.

### The proposed scheme against the consented scheme

No residential properties would be affected by a slight, moderate or substantial adverse impact due to the change from the permitted scheme to the proposed scheme. The proposed development will have a negligible additional impact on air quality at sensitive receptors when compared against the consented scheme.

## 30. Conclusion

In conclusion, the Council's Pollution and Licensing Section consider that the proposed development will have a negligible additional impact on air quality at sensitive receptors when compared against the consented scheme. No residential properties would be affected by a slight, moderate or substantial adverse impact due to the change from the permitted scheme to the proposed scheme.

31. Where the scheme is assessed against the existing background, there is slight or moderate adverse impact in certain areas. In one area, approximately 1 square kilometre around Junction 11 of the M60 and the A57 corridor in Salford, the proposed development would have a substantial adverse impact. This is because background Nitrogen Dioxide levels are already high in this area.

32. However, the Pollution and Licensing Section state that a similar conclusion would have been reached if the new assessment guidelines had been applied to the consented scheme. The moderate to substantial impact identified in some areas is a result of the change in the way the guidelines categorise

impacts and is not a result of any significant changes in the actual impacts of the proposed development.

33. As noted earlier in the report, the scope of the application does not allow a complete re-consideration of the original proposal and the relevant considerations in this application relate only to any differences in impact between the proposed scheme and the consented scheme. It is therefore concluded that given that any additional air quality impacts over and above the impacts of the consented scheme would be negligible, this application is considered to be acceptable in terms of air quality.

### **VISUAL IMPACT**

34. The ES Update - Visual Impact states that the changes to the scheme will result in an amended development form but one which sits entirely within the physical parameters of the approved scheme in terms of height, massing and footprint. The development will be substantially smaller in scale than the approved scheme. Its landscape and visual impact will be reduced in comparison with the approved plan.

35. Changes to design include:

- a. Removal of easternmost fuel storage building.
- b. Provision of 2 no external fuel unloading bays and associated fuel conveyor
- c. Reduction in size (height and width) of turbine hall, boiler house and ash handling structure and addition of single storey service building
- d. Reduction in size (height and width) of flue gas treatment structure
- e. Replacement of hybrid cooling towers with an Air Cooled Condenser (located in the approximate same position within the development site)
- f. Increase in length of exhaust from the emissions stack to the cooling towers/Air Cooled Condenser due to reduction in dimensions of main structures within the site

36. Overall, the size and footprint of the buildings has been reduced with one building at the eastern end of the site removed completely. The proposed chimney stack will remain unchanged from the original design although now further from the buildings, given their proposed reduced floor space. The ES Update concludes that the changes to the scheme will not give rise to any more significant landscape and visual amenity impacts than those identified in the original ES. This is accepted and it is therefore considered that the proposed amended scheme is acceptable in terms of visual amenity.

### **ECOLOGY**

37. The ES Update - Ecology states that, subject to the 24m buffer to the Canal and the implementation of the Ecological Enhancement Plan, no adverse impacts are anticipated with regards to statutory designated sites and habitats.

38. A management plan and method statement for protected species would be prepared and works undertaken by the appointed contractor.
39. In relation to the revised Ecological Enhancement Plan, the Greater Manchester Ecology Unit has raised concerns over:
- The proposed grass seed mixes
  - Lack of detail regarding control of invasive species
  - Limited detail of long term management and maintenance of the site
  - Removal of bird breeding habitat no clearance of or works between march to July inclusive
40. The applicant has been requested to provide an amended updated ecological enhancement plan in response to these comments and this is awaited. Further information will be provided on this issue in the Additional Information Report.

## **FLOODING**

41. Flood risk mapping has been revised since the time of the original application and as such the risk of inundation at the site has been reviewed. The site is now shown by Environment Agency mapping to be situated within Flood Zone 2 of the Manchester Ship Canal floodplain, indicating that there is a potentially increased risk of flooding from events with an annual exceedance probability (AEP) of between 1% and 0.1% (1 in 1000 year).
42. For planning purposes the proposed changes to the original application are not considered significant with respect to flood risk. The Environment Agency has not raised any new concerns with regards to the potential risk from flooding at the site and, with reference to the National Planning Policy Framework and accompanying Technical Guidance, the proposed development is considered appropriate development in Flood Zone 2. The proposed waste management use would be categorised as a “less vulnerable” use according to the Technical Guidance, and taking this into account and the fact that there is an extant permission and that the current proposal is a variation of conditions in relation to that scheme and will not increase the area of hardstanding or the footprint of the buildings, it is considered that it would not be appropriate to require a sequential test in respect of the current application.

## **SUSTAINABILITY**

43. Paragraph 629 of the Inspector’s report in relation to the original permitted scheme (76153/FULL/2010) states that “the climate change benefits of the scheme would be greater if Combined Heat and Power (CHP) had been designed as an integral part of the scheme” although the Inspector did accept that the location offered opportunities for co-locating potential heat customers and suppliers and did not consider that the lack of specific proposals should stand in the way of granting planning permission. The proposed amended scheme now includes specific details of CHP and would support potential

future heat distribution via a District Heat Network. It is therefore considered that the amended scheme would provide greater sustainability benefits and would comply more fully with Policy 8 of the Greater Manchester Joint Waste Plan, which states that “Applications for waste management facilities that have the potential to utilise...energy from waste fired technologies will be required to provide combined heat and power unless it can be demonstrated that this would prevent the development of waste management facilities that have the potential to deliver important waste infrastructure”.

## **DEVELOPER CONTRIBUTIONS**

44. A Section 106 legal agreement was entered into in relation to the previous application to secure a financial contribution of £16,740 towards the provision of green infrastructure, a financial contribution of £4,257 towards highways and active travel and a financial contribution of £7,310 towards public transport provision. As the grant of planning permission under Section 73 of the Town and Country Planning Act 1990 results in the creation of a new planning permission, a supplemental agreement will need to be entered into in order to ensure that these obligations relate to this new grant of permission.

## **CONCLUSIONS / SUMMARY**

45. The Planning Practice Guidance states that *'In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application - it is not a complete re-consideration of the application.'*
46. As set out previously in the report, the issue of whether the development of a renewable energy plant in this location is acceptable in principle is not a material consideration in the determination of the Section 73 application. Moreover, any aspect of the development's design or operation which remains unchanged is similarly deemed to be acceptable and not a matter which should be reconsidered as part of the application's determination and the relevant considerations in this application relate only to any differences in impact between the proposed scheme and the extant permission.
47. The proposed variation of conditions 2, 7, 11, 17 and 19 of the original consent will allow changes to the approved design, layout and access of the renewable energy plant. The height and footprint of the structures would be reduced and there would be no significant additional adverse impacts in terms of air quality (any additional impact would be negligible). There would also be no significant adverse impacts in terms of noise, highway issues, visual amenity, ecology or flood risk. Furthermore, the amended scheme would provide greater sustainability benefits through the inclusion of CHP. It is therefore considered that, subject to the submission of a satisfactory amended Ecological Enhancement Plan, the proposed scheme and amended conditions would be acceptable in terms of policies in the National Planning Policy Framework and Policies L4, L5 and L7 of the Trafford Core Strategy.

48. The wording of conditions is reproduced in the recommendation section with the revised conditions in **bold** for clarity.

**RECOMMENDATION:**

**MINDED TO GRANT SUBJECT TO A LEGAL AGREEMENT** and subject to the following conditions:

- (A) That the application will propose a satisfactory form of development for the site upon completion of a supplemental agreement to the legal agreement associated with planning permission 76153/FULL/2010.
- (B) In the circumstances where the S106 Agreement has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning Services; and
- (C) That upon satisfactory completion of the above legal agreement, planning permission be **GRANTED** subject to the following conditions: -
  - 1) The development hereby permitted shall begun not later than three years from the date of this decision.
  - 2) **Unless otherwise controlled by conditions attached to this permission or as agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the following plans:**

|  |                           |
|--|---------------------------|
| <b>Site Location Plan</b>                              | <b>L(00)10 Rev C</b>      |
| <b>Existing Site Plan</b>                              | <b>L(90)01</b>            |
| <b>Proposed Site Plan</b>                              | <b>1840-003 R3</b>        |
| <b>Ground Floor/site plan</b>                          | <b>1840-005 R3</b>        |
| <b>Elevations</b>                                      | <b>1840-010 R1</b>        |
| <b>Sections</b>  | <b>1840-008 R3</b>        |
| <b>Full WGIS and Biomass Access/Egress constructed</b> | <b>M15056-A-002 Rev A</b> |
| <b>Part WGIS and Biomass Access/Egress constructed</b> | <b>M15056-A-001</b>       |
| <b>Biomass visibility and safety fence arrangement</b> | <b>M15056-A-004</b>       |
| <b>Internal swept paths plan reference</b>             | <b>M15056-A-003</b>       |

**Details Required prior to the Commencement of development**

- 3) Prior to the commencement of development, samples of all materials to be used on the exterior of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 4) Prior to the commencement of development, a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of vegetation to be retained and its means of protection during construction, earthwork materials, proposed finished levels



or contours, proposed plant species, plant mixes and location, planting density and sizes, timescales for implementation and provision for long term maintenance and management. The soft landscaping scheme shall thereafter be implemented in accordance with the approved scheme. If within a period of five years from the date of any tree planted that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5) Prior to development commencing, full details of hard landscaping works shall be submitted to and approved by the Local Planning Authority and the works shall be carried out in accordance with the approved plans. The details shall include proposed finished levels or contours; means of enclosure (i.e. perimeter and security fencing); security and operational lighting; hard surfacing materials and a programme for implementation and maintenance.
- 6) Prior to the commencement of development, a scheme to deal with contamination of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the environment when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.
- 7) **Prior to commencement of development, full design and construction details of the required highway works shown in outline on TTHC drawing no. M15056-A-004 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 8) Prior to the commencement of development, full details of site foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full.
- 9) No development shall take place, other than the carrying out of site clearance and preparatory works, until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works 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:
  - i. A phased programme and methodology of site investigation and recording to include:
    - Geoarchaeological evaluation, which shall then inform the need for;
    - Palaeoenvironmental assessment and analysis

- A comprehensive archaeological watching brief, which shall then inform the need for;
  - Targeted evaluation trenching and/ or open excavation.
- ii. A programme for post investigation assessment to include:
- Analysis of the site investigation records and finds
  - Production of a final report on the significance of the archaeological interest represented.
- iii. Provision for publication and dissemination of the analysis and report on the site investigation.
- iv. Provision for archive deposition of the report, finds and records of the site investigation.
- v. Nomination of a competent person or persons/organization to undertake the works set out within the approved WSI.

The development shall be carried out in full accordance with the agreed provisions of the WSI.

- 10) No development shall commence until a Construction Environmental Management Plan (CEMP), detailing control measures in relation to noise, dust and waste during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall also include measures to protect the water environment and include measures to control and manage silt-laden runoff and mud deposition on local roads. The CEMP as approved shall be operated during the construction phase.

#### **Details required prior to first operation**

- 11) **Prior to first occupation of the development, a Noise Management Scheme setting out all mitigation measures to be implemented during the operational phase of the development to meet the noise criteria set out in the Noise and Vibration Section (Chapter 7) of the Environmental Statement (Volume 1) and the Noise and Vibration Section of Chapter 5 of the Environmental Statement Update (August 2015) shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter operated in accordance with the approved Noise Management Scheme.**
- 12) Prior to first operation of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented within 6 months of occupation of any part of the development hereby approved.
- 13) Prior to first operation of the development, a Crime and Risk Prevention Plan (CRPP) shall be submitted and approved in writing by the Local Planning Authority. The plan should include:

- an assessment of the risk, and any necessary mitigating measures, to contain the effects of a
- fire in the fuel stores;
- perimeter security, security to individual buildings (including details of a security lodge) and
- plant; and
- an ongoing-security management plan for the site (to include site access controls, lighting,
- CCTV and manned security provision).

The approved CRPP shall be implemented in full and subsequently retained.

- 14) Prior to first operation of the development, details of external lighting (including security lighting) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

#### **Details required prior to decommissioning**

- 15) Prior to decommissioning, a Decommissioning Method Statement (DMS) shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details concerning the required decommissioning works including the dismantling and removal of the biomass plant and associated structures and restoration of the site upon cessation of operations. It shall also provide consideration of impacts identified within the Environmental Statement and guidance on how the above will address any identified impacts. The applicant shall decommission and restore the site in accordance with the approved DMS in accordance with a programme to be agreed with the Local Planning Authority.

#### **Other Conditions**

- 16) No construction (and demolition) works shall be permitted outside the following hours:

Monday to Friday 08.00 to 18.00

Saturdays 08.00 to 13.00

Access and egress for delivery vehicles during the construction phase shall be restricted to the working hours indicated above. Construction work or delivery vehicles shall not be permitted on Sundays or Bank or Public Holidays.

- 17) **No part of the development shall be brought into its intended use unless and until the highway improvements as shown in outline on TTHC drawing no. M15056-A-004, and agreed in detail in accordance**

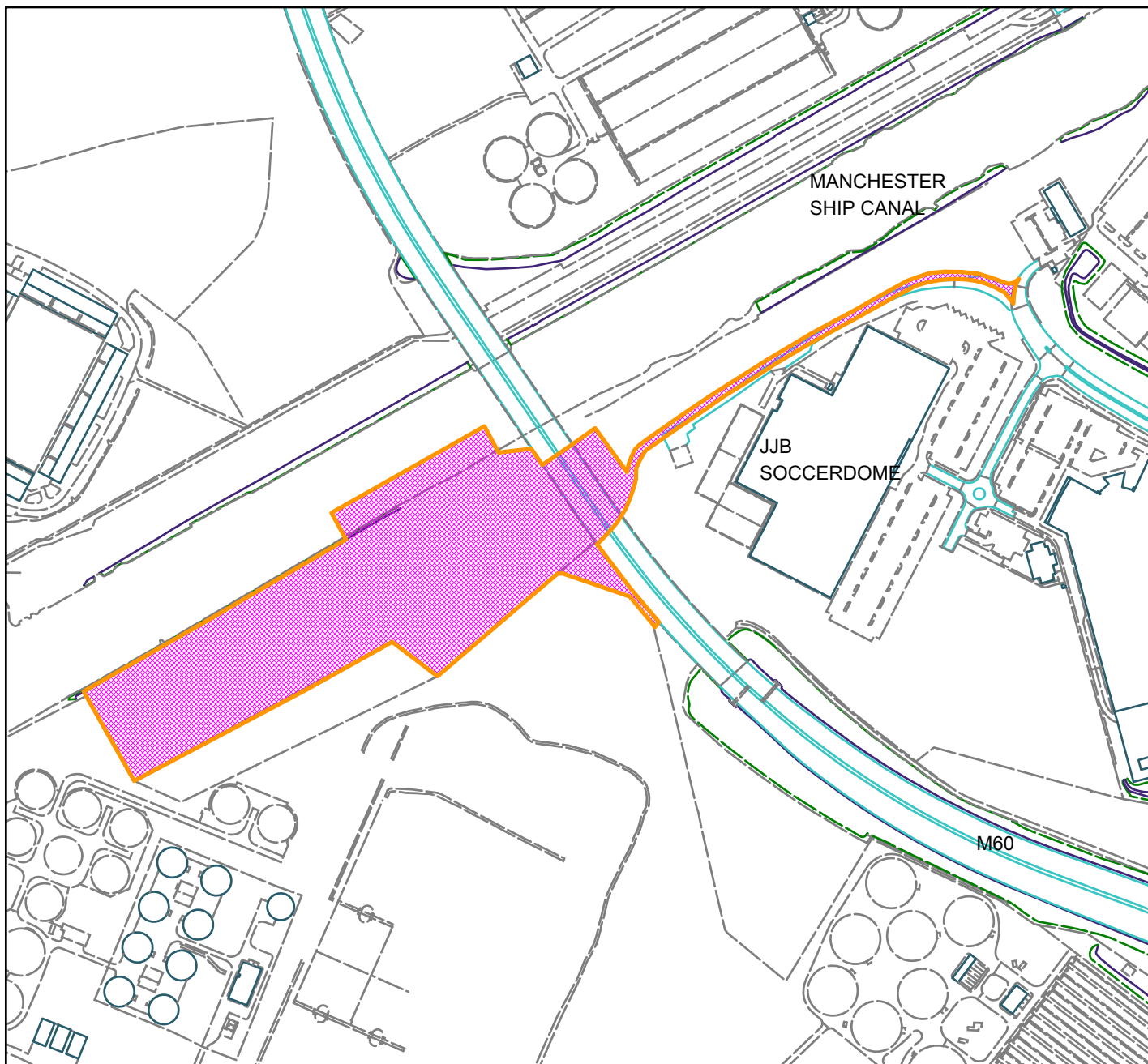
**with the condition no. 7 above, have been implemented in accordance with the agreed plans.**

- 18) Development shall be carried out in accordance with the mitigation measures proposed by the Flood Risk Assessment (Ref. JL30072fin\_rep\_FRA) dated 12 Oct 2010.
- 19) **The ecological mitigation measures, including the Ecological Enhancement Plan reference DWG NO. xxxx, shall be implemented in full as set out within Chapter 10 and Figure 10.2 of the Environmental Statement. Details, setting out the long term ecological maintenance and management of the site including the retained vegetation strip along the Manchester Ship Canal, shall be submitted to and be approved in writing by the Local Planning Authority prior to the carrying out of the mitigation measures set out in the Environmental Statement.**
- 20) **The rating level (LAeq,T) when assessed in accordance with BS 4142:2014 “Methods for rating and assessing industrial and commercial sound”, from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) by more than -5 dB during the night time period (any 15 minute period between 23:00 to 07:00) and by +5 dB during the day time (any 1 hour period 07:00 to 23:00) when measured at the boundary of the nearest noise sensitive premises.**

**SD**



Land to S of Manchester Ship Canal & W of Barton Bridge, Trafford Way, Trafford Park (site hatched on plan)



Scale: 1:5,000

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|              |                           |
|--------------|---------------------------|
| Organisation | Trafford Council          |
| Department   | Planning Service          |
| Comments     | Committee date 10/12/2015 |
| Date         | 30/11/2015                |
| MSA Number   | 100023172 (2012)          |

**WARD:** Bowdon

**86599/VAR/15**

**DEPARTURE: No**

**Application for variation of condition 11 on planning permission 82725/FULL/2014 (Erection of new two storey school building incorporating new carpark (including the erection of floodlighting columns), cycle & scooter parking, internal access road with drop off area and formation of new vehicular access with associated security barriers. Provision of new multi-use games area (MUGA) and all weather pitch with retention and realignment of existing 2 x grass pitches, cricket wickets and running track area and provision of new junior grass pitch. Provision of new bin storage area, relocation of existing before and after school building and relocation of ancillary storage structures/storage containers. Associated landscaping throughout including provision of new security fencing. Demolition of existing school building.). To allow 107 cycle spaces instead of 210.**

Bowdon Church of England Primary School, Grange Road, Bowdon, WA14 3EX

**APPLICANT:** Trafford Council

**AGENT:** Ansell & Bailey LLP

**RECOMMENDATION: GRANT**

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## **SITE**

The application site comprises a recently constructed two storey primary school building, replacing the previous single storey school building; the site is located on the east side of Grange Road.

To the north side of the site is a public footpath leading to York Drive, beyond the footpath to the north side is the Bowdon Cricket, Hockey & Squash Club. To the east side of the site are residential properties on Theobald Road and York Drive; to the south side of the site is public recreational land, beyond which is the Lady of the Vale nursing home. Grange Road is located to the west side of the site leading to a number of residential side roads such as Fletcher Drive, Weaver Close, Thatcher Close and York Road. The area to the south side of the school buildings is allocated as Protected Open Space within the Revised Unitary Development Plan.

## **PROPOSAL**

This application seeks a variation of condition 11 of planning approval 82725/FULL/2014. Condition 11 stated

*'Prior to the first occupation of the development hereby approved, a scheme for cycle, scooter and motor cycle parking and storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.*

The applicant is proposing a total of 107 cycle, scooter and motor cycle spaces instead of 228 cycle, scooter and motor cycle spaces which is the figure required under the Councils parking standards as detailed within Supplementary Planning Document 3:- Parking Standards and Design.

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 1<sup>st</sup> April 2012 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 **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2013 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

R2 – Natural Environment

R3 – Green Infrastructure

R4 – Green Belt, Countryside and Other Protected Open Land

R5 – Open Space, Sport and Recreation

## **PROPOSALS MAP NOTATION**

Protected Open Space

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

OSR5 – Protection of Open space

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

86583/NMA/15 – Application for non-material amendment to 82725/FULL/2014 for an additional canopy to the external play area adjoining the infants classroom – Approved 06/10/2015

84948/ADV/15 - Advertisement consent sought for display of externally illuminated individual lettering and cross, on main north facing elevation of school building – Approved 15/04/2015

82725/FULL/2015 - Erection of new two storey school building incorporating new carpark (including the erection of floodlighting columns), cycle & scooter parking, internal access road with drop off area and formation of new vehicular access with associated security barriers. Provision of new multi-use games area (muga) and all weather pitch with retention and realignment of existing 2 x grass pitches, cricket wickets and running track area and provision of new junior grass pitch. Provision of new bin storage area, relocation of existing before and after school building and relocation of ancillary storage structures/storage containers. Associated landscaping throughout including provision of new security fencing. Demolition of existing school building. – Approved 04/09/2015

### **APPLICANT'S SUBMISSION**

The applicant has submitted a covering letter justifying their reduction in cycle/scooter provision, stating that on the first two dry days of the new school year only 32 cycles/scooters were noted using the facilities.

### **CONSULTATIONS**

**Local Highway Authority (LHA)** - The LHA accept the reduced provision of secure cycle storage, reducing from 210 cycle spaces to 107 cycle spaces, provided the school agrees to increase this number should the demand for cycling approach the number of spaces provided, the cycle and scooter spaces should be secure spaces (i.e something that a cycle or scooter can be locked too). This should be monitored by the school's Travel Plan coordinator.

The LHA do not object to this application provided the above issues are considered.



**Greater Manchester Fire and Rescue service** – Standard informatives relating to fire prevention measures and emergency vehicular access requirements.

## **REPRESENTATIONS**

**Neighbours:-** 4 letters of objection have been received from local residents, citing the following concerns:-

- Traffic has increased with the school expansion, local roads congested; emergency vehicle access restricted during start and finish of school day.
- Parents use residents driveways to turn around on, mount pavements
- This is a reduction in sustainable method of transport
- Applicants supporting letter states 'only 32 people' used cycle/scooter spaces, they are using this as a justification on the downward variance rather than saying 32 is very poor and they are going to promote this method of sustainable transport.
- The cycle/scooter provision needs to be in place for a significant amount of time to educate children on using cycles to travel to school.
- School management appears to have made little or no management to promote cycling before requesting this reduction in parking provision.
- A reduction of 103 spaces will result in a further 103 cars requiring access to the school(this would be an acceptance by Trafford Planning that their estimates of traffic were far too low i.e. there will be an increase in traffic taking children to and from school).
- This reduction questions the heads commitment to promoting children's overall health and well being.
- As a parent who cycles to school with my child every day there are numerous days when there are very limited spaces left; halving the provision sends the wrong message from Trafford Council and the school.
- The planning application submitted just as the school opened

## **OBSERVATIONS**

1. Members will be aware that the approval of a Section 73 application grants a new planning permission in its own right. In terms of decision making, regard should be had to any changes on site or in the surrounding area and any changes to planning policy.
2. There have been no significant changes to the site or surrounding area since planning permission was granted, save for the implementation of the permission. The application was determined previously in accordance with the Core Strategy, the saved policies of the Revised Trafford Unitary Development Plan, relevant supplementary planning documents, all of which are still part of the Development Plan for the Borough and the National Planning Policy Framework.
3. The main planning issues considered under the original application were:-

- Principle of development
  - Need for Additional School Spaces
  - Design, Visual Amenity and Impact on Streetscene
  - Traffic Generation and Highway Issues
  - Landscaping
  - Developer contributions
  - Drainage/Flooding
4. No further information has been submitted in support of the planning application, save for the submission of revised plans and drawings. Information submitted in support of planning application 82725/FULL/2014 remains relevant to the determination of this application.
  5. The matters listed above were considered by Members in the determination of the original application. There is no requirement to revisit these issues through the determination of this application other than where they are affected by the proposed variation. The main change proposed under this application is the proposed reduction in parking provision for cycles and scooters. The key issues in the determination of this application relate to the following matters are discussed below.

## PARKING

6. As reported on the previous application 82725/FULL/2014 which was determined at planning committee on the 14<sup>th</sup> August 2014, the new school redevelopment included an increase of students from 420 to 630 with the addition of 14 extra staff. The increase in student numbers was described by the applicant as occurring over a six year period as the school went from a two form entry to a three form entry school.
7. With regards the parking provision for cycle parking it was reported that cycle parking spaces should be provided at a rate of 1 space per five staff plus 1 space per three students, therefore 13 cycle parking spaces should be provided for staff and 210 cycle parking spaces provided for students. The Local Highway Authority stated that the cycle parking provision could be provided as a range of scooter and cycle parking, although a fair split between the two should be provided. It was determined that six motorcycle parking spaces should be provided in line with the adopted parking standards.
8. The submitted plans indicated provision of 60 scooter spaces and 30 cycle spaces for pupils 12 cycle parking spaces for staff and visitors and 6 motorcycle spaces for staff and visitors. Therefore 108 spaces appear to be indicated on the submitted plan as opposed to the 107 spaces as indicated on the application form.

9. The applicant has accepted that whilst the level of provision currently on site is sufficient for their requirements; an update to the approved Travel Plan is to be conditioned in order to allow for the provision of additional cycle and scooter parking provision if demand dictates more provision to be made. One parent has stated that they have experienced a shortage of cycle/scooter spaces, however it should be noted that of the 107 spaces to be provided, secure stands for 40 scooter spaces and 20 cycle spaces located to the north east side of the site are not yet operational as the overall landscaping works are still being undertaken; these works are expected to be completed by the end of December 2015.
10. The applicant has not provided any survey information to support their contention regarding the level of provision. It is considered that an overprovision of cycle and scooter parking provision is preferable as this promotes and encourages more staff and pupils to use sustainable forms of transport if the parking provision is sufficient. An updated travel plan will include amongst other things, details of monitoring sustainable forms of transport by students and staff, as well as the commitment to providing extra cycle/scooter parking capacity when required.
11. This approach of conditioning an updated travel plan is accepted by the LHA, however any further provision must be secured cycle stands or scooter stands as currently provided on site (i.e. a stand that a scooter or cycle can be secured too).

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

1. Approved Plans
2. Use Class Condition (no other use within D1)
3. Landscaping as per approved details
4. Landscape maintenance
5. Tree Protection as approved plans
6. Retention of access and parking facilities as approved
7. Management plan for indoor and outdoor sports provision as per approved details.
8. Construction traffic management plan as per approved details
9. Wheel wash facilities as per approved details
10. Permeable surfacing as per approved details
11. Lighting scheme in accordance with the approved details
12. Development in accordance with approved Kitchen Plant Noise Assessment Report.
13. Development in accordance with the approved details relating to the scheme of extract and ventilation of cooking odours.
14. Development in accordance with approved details relating to disposal of foul and surface water.
15. Development in accordance with the approved details relating to traffic regulation orders and pedestrian improvements

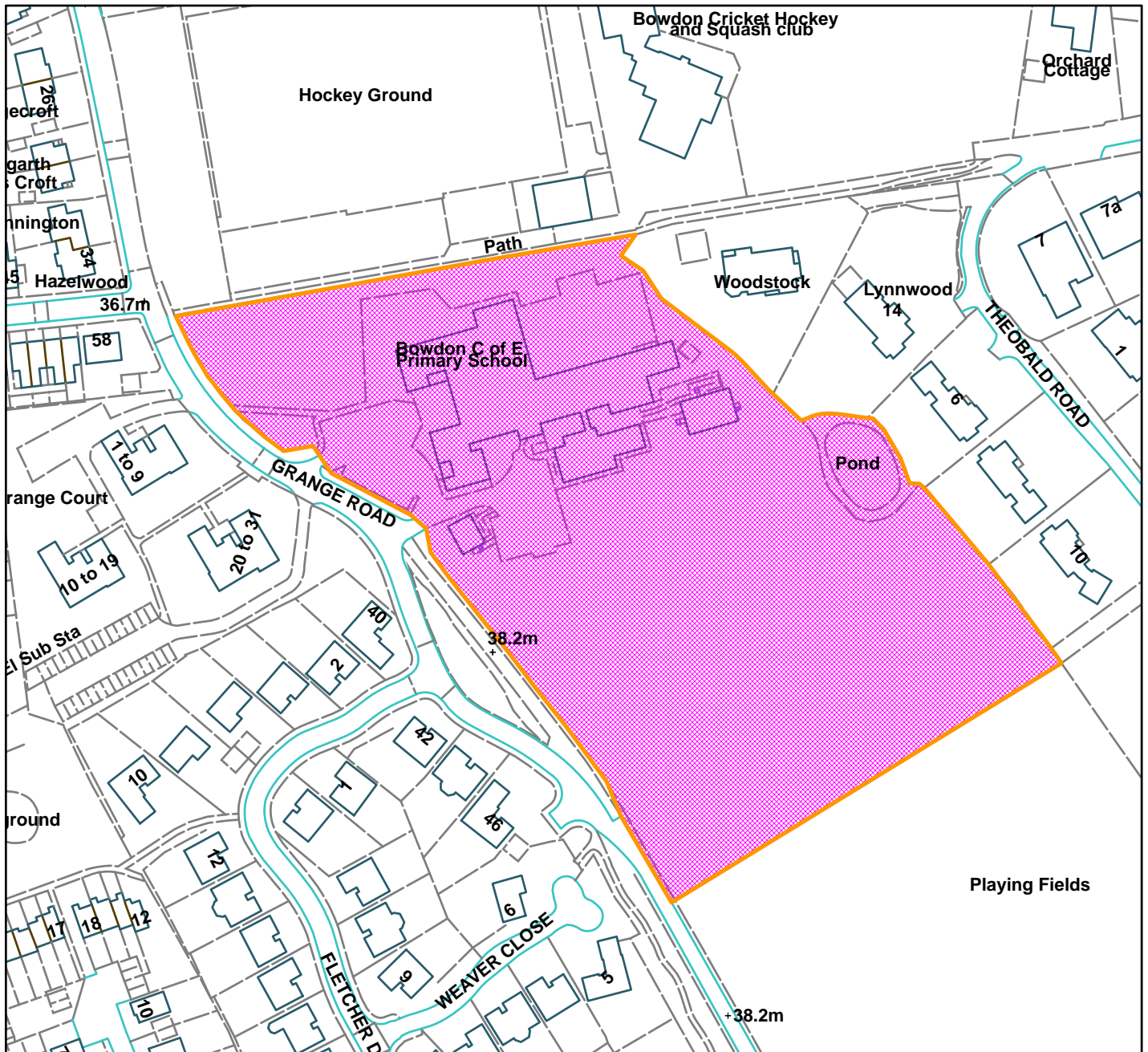
16. No deliveries/servicing/collections including waste collections shall be taken at or dispatched from the site outside the hours of 0730 to 2000 hours Mondays to Saturdays only nor at any time on Sundays, Bank or Public Holidays.
17. Within 2 months from the date of this permission, details of an updated Travel Plan shall be submitted to the Local Planning Authority (which shall include details of additional cycle and scooter secure parking to be provided when demand requires).
18. Development in accordance with the approved details relating to the Multi Use Games Area (MUGA)
19. Details of Community Use Agreement (awaiting Sport England approval)
20. Details of Community Use Scheme (awaiting Sport England approval)

CM

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Bowdon C of E Primary School, Grange Road, Bowdon (site hatched on plan)



Scale: 1:1,750

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| Organisation | Trafford Council          |
| Department   | Planning Service          |
| Comments     | Committee date 10/12/2015 |
| Date         | 30/11/2015                |
| MSA Number   | 100023172 (2012)          |

**Demolition of existing garage and erection of two storey side/rear extension and single storey side extension to eastern side.**

35 Dorrington Road, Sale, M33 5DX

**APPLICANT:** Mr & Mrs Horridge

**AGENT:** EBR Designs

**RECOMMENDATION: GRANT**

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**SITE**

The application relates to a two storey detached dwelling sited to the southern side of Dorrington Road, Sale; situated within a large residential area, the application dwelling has other residential properties of a similar style and type located to all sides. The main dwelling itself has a hipped roof design, with bay windows sited within its main front principal elevation. The dwelling has single storey additions to its western side and rear, and also has a detached garage sited within its rear garden area.

**PROPOSAL**

The proposal details the erection of a single storey side extension to the eastern side of the dwelling, alongside the erection of a two storey rear extension. The proposal has been amended since its original submission due to concerns raised by officers in relation to its overall size, scaling and design.

[FLOORSPACE]

The increase in floor space of the proposed development would be approximately 80m<sup>2</sup>.

**DEVELOPMENT PLAN**

**The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the

Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

- The **Greater Manchester Joint Waste Plan**, adopted 1<sup>st</sup> April 2012 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 **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2013 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

L4 – Transport and Accessibility

## **PROPOSALS MAP NOTATION**

None

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

None

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

**Neighbours** - 7 objections were received on the following grounds:

- Impact views through the site
- Impact on the visual appearance of the wider street scene
- Works remain out of keeping with other dwellings within the area
- Loss of spaciousness
- The works are not compliant with the Councils householder extension guidelines - SPD4
- The extensions would be overbearing and result in loss of light and outlook
- Overlooking related concerns from the proposed openings
- The loss of a tree may be required to accommodate the works

## **OBSERVATIONS**

1. The original submission detailed the application dwelling to be extended at two storey level, both to the rear and eastern side. The application has now however been revised to detail a smaller scale extension to the rear and a single storey extension to its eastern elevation, in order to address the concerns raised above and those discussed with officers. The revised scheme has been considered in the sections below.

## **VISUAL AMENITY**

2. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area
3. The proposed works would see the erection of a single storey side extension to the eastern side of the dwelling. This extension would be stepped back from the main front elevation and would have a width, far less than that of the host dwelling; therefore appearing as a subsequent, subordinate addition. The extension would be erected from matching materials and have a hipped roof design, in line with that of the host dwelling. The extension would have a width of 2.15m, retaining a small break of 150mm from the adjoining boundary. Given that the extension would be built at single storey level, with a relatively low height of 3.5m it would still allow for views over and as such is not considered to materially harm the spacious nature of the site itself and wider street scene. The proposed extension is therefore considered to be appropriate in terms of its scale, height and form and as such is considered acceptable.
4. To the rear, the proposal would see the demolition of the existing single storey additions, to allow for the erection of a two storey rear extension. This would have a width equal to that of the main house and have a projection of 5.5m and 6m at first floor level, given that the host dwelling is set back at the rear, at first floor level. Although this would represent a large extension to the original property, it is recognised that both numbers 37 and 33 Dorrington Road, to either side of the application dwelling, have been extended significantly to the rear, at two storey level, and as such there remains no consistent building line to the rear of the properties. It is therefore considered that the scale of the proposed extension would not be out of keeping with the immediately surrounding area and that the relationship between the proposed extension and the neighbouring dwellings and wider street scene is considered acceptable in this regard.



5. The proposed extension would have a hipped roof design. The ridge height of this would be 0.35m higher than that of the host dwelling. The proposed increase in the ridge height in this instance is considered to be marginal and given that there already lies a small degree of variation within the street scene, in terms of building height, this increase is not considered to give the dwelling an overly dominant presence within the street scene. The proposed roof design would also be in line with that of the host dwelling and would be erected from matching materials and as such is considered acceptable. To the rear the proposed two storey rear extension would be flush with the single storey side extension.
6. Two sets of by fold doors and two first floor openings are proposed within the rear elevation of the works, these are considered acceptable given their appropriate size and scale. The proposed side extension would not have any side facing openings. The works would however propose 3 small openings within the west facing existing elevation, at first floor level; these window openings would be small in their size and scale and as such are considered acceptable.
7. It should be noted that the proposed two storey extension would be erected to the rear of the dwelling and as such would not be clearly visible from any clear public vantage point. It is therefore considered to have a very limited presence in the street scene, with the main focus being the hipped roof, which is considered to be acceptable. Although the building depth would be increased through the proposed works, this depth would not be materially different to properties to either side of the dwelling which have also been extended at two storey level and, as such, this is considered acceptable.

## **RESIDENTIAL AMENITY**

8. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
9. The proposed single storey extension would act as a storage room and have a roller shutter opening sited within its front elevation, considered not to pose any new amenity related concerns. The extension would not have any side facing openings. The two storey side extension proposes a number of openings to the rear at both ground and first floor level. The sites side and rear boundaries are formed from 1.8m timber fencing and as such the proposed ground floor openings are not considered to pose any new material overlooking related concerns. At first floor level, the Council's adopted SPD4 householder extension guidelines detail a distance of at least 10.5m to be retained to rear boundaries of the site, to limit any overlooking potential; the proposed extension would exceed this and as such the proposal is considered acceptable in this respect.

10. To the western side of the site a number of new openings are proposed at first floor level, two of these would however be for bathrooms and a third would be a secondary opening for the proposed bedroom. These openings will be conditioned to be both obscure glazed and non-opening for a height of at least 1.7m above internal floor level, and are therefore considered acceptable.
11. The dwellings to either side of the application site have been extended. To the eastern side number 33 has been extended at two storey level to the rear, this dwelling has no sole habitable room side facing openings. The proposed extensions would project beyond the rear wall of number 33 for a distance of 3.8m, in line with the SPD4 guidelines, which detail single storey extensions to project no further than 4m beyond their rear wall, in order to limit any overbearing related concerns. The first floor extension would be sited 2.3m away from the side boundary and again project 3.8m beyond the rear wall of number 33. This would be in-line with the Councils guidelines which detail first floor extensions to have a projection of 1.5m, plus the distance to the boundary.
12. The proposed two storey extension is not considered to have any material overbearing related concerns for number 37 to the west of the site, as the extension would not project beyond their rear elevation. Number 37 has no sole main habitable room openings within its side elevation. There does however lie a small existing opening towards the front of the dwelling, relating to a large kitchen through room. This room has by fold doors and a window opening sited to the rear. The area of the room to which the opening relates acts as a small study area, it is considered there would be some impact on this opening, with the increased projection to the rear, however this is not considered to be material enough to justify the refusal of this application.
13. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy.

## **TREES**

14. The applicants have not stated that any trees would need to be removed on site, in order to accommodate the proposed extensions. The site is also not within a Conservation Area or covered by a TPO.

## **PARKING AND HIGHWAY SAFETY**

15. The existing dwelling on site has 3 bedrooms; the proposal would see this increased to 4. The applicant has shown that that site would be able to accommodate 2 vehicles within the front drive area of the site. These would retain a distance in excess of the required 5m to the front of the property and as such are considered acceptable. The Councils Core strategy policy L4 would

require 3 parking spaces for a 4 bedroom property within this area. Dorrington Road is not considered to have any clear on street parking related concerns and given that there is scope to create an additional parking space within the front of the site, the application is considered to be acceptable. A condition requiring the retention of at least two parking spaces is recommended in order to limit any parking related concerns within the area.

## **BIN STORAGE**

16. The proposed works would not impact the existing access to the rear of the application site from its western side and as such there would be scope to store waste bins within the sites rear garden area. There would also be scope to store waste bins within the proposed store to the eastern side of the site and as such the works are not considered to pose any such concerns.

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

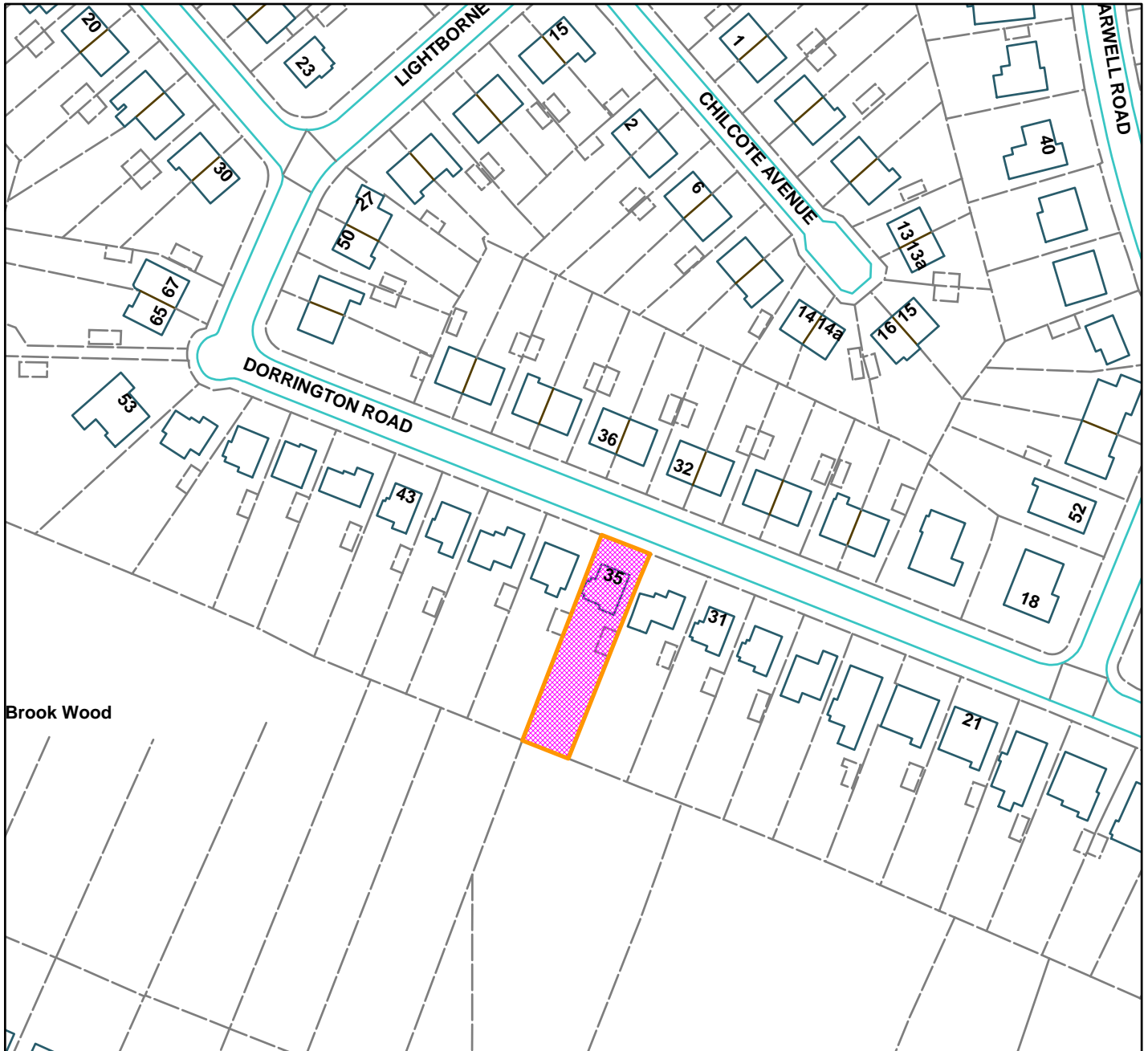
1. Standard
2. Details – compliance with plans
3. Matching materials
4. Obscure glazing
5. Removal of PD to insert window openings
6. Retention of two parking spaces

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IG



35 Dorrington Road, Sale (site hatched on plan)



Scale: 1:1,250

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| Organisation | Trafford Council          |
| Department   | Planning Service          |
| Comments     | Committee date 10/12/2015 |
| Date         | 30/11/2015                |
| MSA Number   | 100023172 (2012)          |

**Retrospective application for the erection of an outbuilding.**

6 Leslie Grove, Timperley, WA15 6LY

**APPLICANT:** Mr Cooke

**AGENT:** DAC Design

**RECOMMENDATION: GRANT**

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**Councillor Bruer-Morris has called in this application for the reasons set out in the report.**

**SITE**

The application site comprises a two-storey semi-detached dwelling within a cul-de-sac of characterised by similar properties accessed off Bloomsbury Lane and within a predominantly residential area. The properties on the north eastern side of Leslie Grove have rear gardens that rise in height by approximately 0.5m towards their rear boundaries and back onto the substantial private rear garden of 27 Bloomsbury Lane.

Adjacent to the side boundary and within 27 Bloomsbury Lane, there is a row of mature planting that provides both privacy and screening to the benefit of adjoining residents, with planting within No.8 rear garden along the common boundary further to a 1.4m fence. A 1.8m fence forms the common boundary between 4 and 6 Leslie Grove.

A flat roof detached garage is to the rear of the dwelling adjacent to the common boundary with 4 Leslie Grove which has a detached shed within a similar position and there are a number of detached outbuildings to the rear of adjacent properties within this row of houses.

**PROPOSAL**

Permission is sought for the retention of a single storey detached outbuilding sited approximately 540mm from the rear and side boundaries at its closest point following the demolition of 3no timber outbuildings in the rear garden.

The proposed outbuilding has a maximum width of 8270mm and a depth of 3270. The building has a pitched roof with a maximum height of 3245 metres to the ridge above eaves having a height of 2105mm. It is substantially completed with a tiled roof and the side elevations, although constructed of breeze blocks, are proposed to be K rendered to be similar to the rendering of neighbouring properties.

There are two elements to the outbuilding; a kennel and a storage area with electricity to plug sockets and lighting which utilised the supply cable within the original shed.

The increase in floor space of the proposed development would be 21.24m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 1<sup>st</sup> April 2012 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 **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2013 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

### **PROPOSALS MAP NOTATION**

None

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

None relevant

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

The applicant has submitted a statement in support of the application.

## **CONSULTATIONS**

None received

## **REPRESENTATIONS**

**Councillor Bruer-Morris** has objected, raising concerns with regard to the dominance of the outbuilding as viewed from neighbouring properties and its size compared to the rear garden of the property.

**Neighbours** - 4 letters of objection have been received from neighbouring residents. The main points raised are summarised below:

- Overly large outbuilding close to shared boundary;
- Loss of privacy from the garden room;
- Questions whether the owner is carrying out work in respect of his own business from the property.

## **OBSERVATIONS**

### **Principle of Development**

1. Householder extensions are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas.
2. The proposed outbuilding would have a relatively large footprint however it is considered to be of a design and size appropriate to its siting within the plot, with a separation distance of approximately 13m between it and the main rear elevation of the host building and neighbouring properties. Taking into consideration the number of existing outbuildings to adjacent properties within Leslie Grove, the historical use of the site and the relatively low height of the proposed building, it is considered that there would be no undue impact on the character of the area.

### **Residential Amenity**

3. The applicant has stated that they did check if planning permission was required and miss-interpreted the guidance provided and has apologised for this. The outbuilding has a maximum of 3.25m and eaves height of 2.1m. It is sited approximately 0.54m from the side and rear boundaries at its closest point and if the maximum height was not in excess of 2.5m, it would be permitted development. Nevertheless, the provision of planting along the north eastern and

northern western boundaries, and a 1.8m fence along the south eastern boundary, mitigates its visual impact from adjacent rear gardens, although it is still visible from adjacent habitable rooms both at ground and first floor levels. However, the building is located approximately 13m away from the rear of the adjacent dwellings and it is considered that, on balance this distance is sufficient to prevent undue harm to the main amenity space of the neighbours.

4. Planning permission is sought for the erection of an outbuilding indicated on the plans as a kennel and storage ancillary to the enjoyment of the dwellinghouse. It is not a separate dwelling, nor is there a business operating from it. This application should therefore be determined on this basis. Any future changes to the use of the building as a separate dwelling or otherwise would be subject to a separate planning application. The building could however be used as ancillary accommodation to the main house without separate planning approval.

#### Highways and Parking

5. The proposals would not result in any increase in the number of bedrooms nor impact upon any existing parking spaces at the property. There are therefore no highways concerns.

#### **DEVELOPER CONTRIBUTIONS**

6. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, and apartments will be liable to a CIL charge rate of £0 / £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014). No other planning obligations are required.

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

1. Standard
2. Compliance with all plans
3. Materials condition

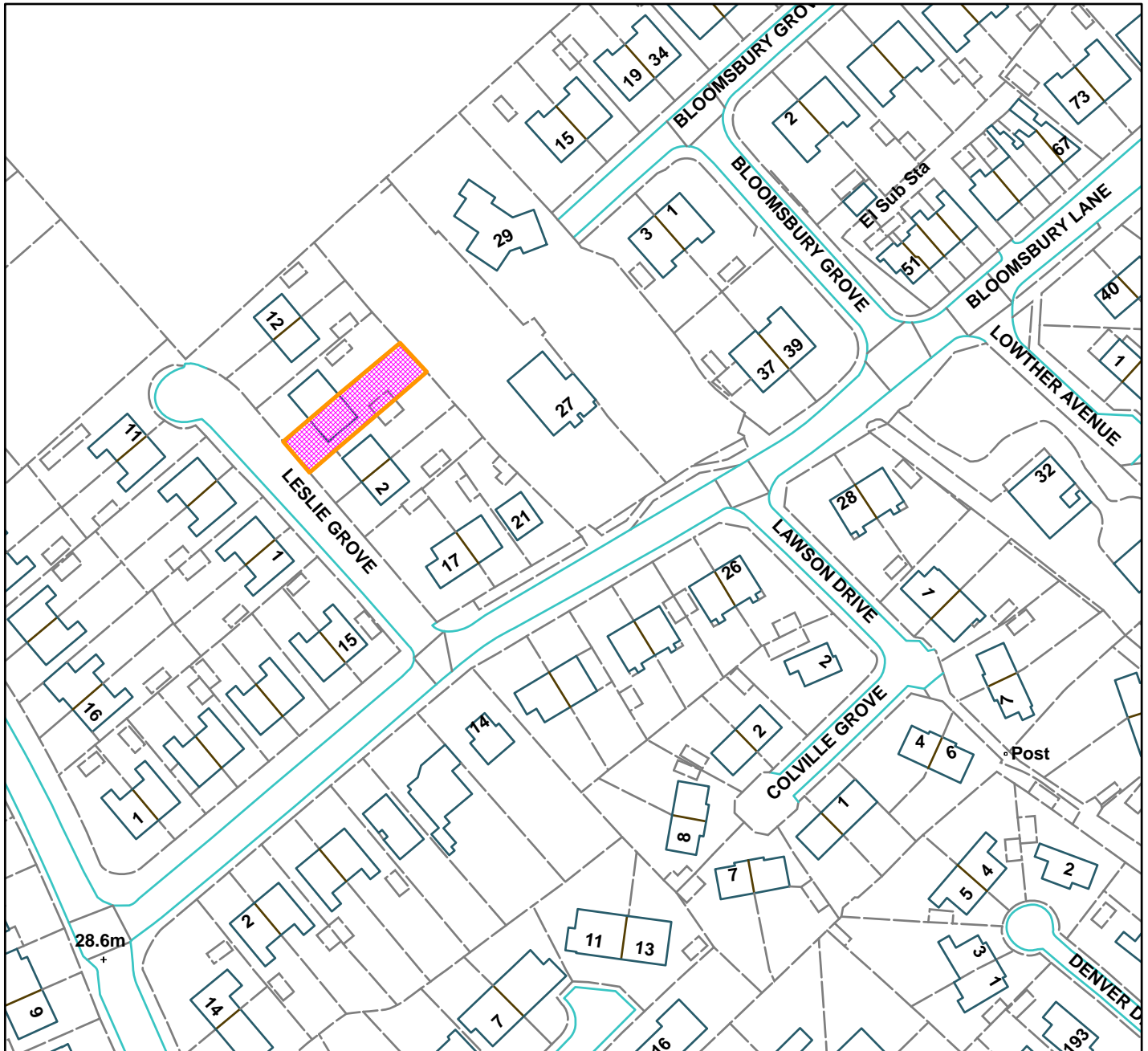
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GD





6 Leslie Grove, Timperley (site hatched on plan)



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| Organisation | Trafford Council          |
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