



**TRAFFORD  
COUNCIL**

**AGENDA PAPERS FOR  
PLANNING AND DEVELOPMENT MANAGEMENT  
COMMITTEE MEETING**

**Date: Thursday, 10 November 2016**

**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 meetings held on 13 <sup>th</sup> and 20 <sup>th</sup> October, 2016.	2
<b>3. ADDITIONAL INFORMATION REPORT</b>	
To consider a report of the 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 Head of Planning and Development.	4
<b>5. SECTION 106 AND CIL UPDATE: APRIL 2016 - SEPTEMBER 2016</b>	
To note the attached report of the Head of Planning and Development.	5
<b>6. PROPOSED STOPPING UP OF HIGHWAY AT MERCURY WAY, TRAFFORD PARK, MANCHESTER M41 7PA</b>	
To consider the attached report of the Director of Growth and Regulatory Services.	6

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**7. URGENT BUSINESS (IF ANY)**

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

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, B. Sharp, J. Smith, L. Walsh and J.A. Wright

Further Information

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

Michelle Cody, Democratic & Scrutiny Officer

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This agenda was issued on **1<sup>st</sup> November, 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

**13<sup>th</sup> OCTOBER, 2016**

### **PRESENT:**

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

In attendance: Head of Planning and Development (Mrs. R. Coley),  
Planning and Development Manager Major Projects (Mr. D. Pearson),  
Senior Planning and Development Officer (Mr. J. Ketley),  
Principal Highways & Traffic Engineer (Amey) (Mr. J. Morley),  
Team Leader – Housing & Pollution (Mr. R. Pollitt),  
Director of Legal & Democratic Services (Ms. J. le Fevre),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors S.K. Anstee, Miss Blackburn, Cawdrey, Cordingley, Cornes  
and Whetton.

### **APOLOGY**

An apology for absence was received from Councillor Wright.

### **29. MINUTES**

RESOLVED: That the Minutes of the meeting held on 8<sup>th</sup> September, 2016, be approved as a correct record and signed by the Chairman.

### **30. ADDITIONAL INFORMATION REPORT**

The 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.

### **31. APPLICATION FOR OUTLINE PLANNING PERMISSION 85282/OUT/15 – PEEL INVESTMENTS (NORTH) LIMITED – TRAFFORD WATERS, LAND BETWEEN THE MANCHESTER SHIP CANAL AND TRAFFORD BOULEVARD/OLD BARTON ROAD, URMSTON**

The Head of Planning and Development submitted a report concerning an application for outline planning permission for up to 3000 dwellings; 80,000sqm (GEA) of office floor space (Use Class B1); 6,700sqm of commercial accommodation (to be used flexibly within Use Classes A1, A2, A3, A4, A5, D1 and D2); hotels (up to an overall total of 300 bedrooms); a carehome (Use Class C2, up to 150 beds/units) and a primary school. Construction of a pedestrian footbridge over Trafford Boulevard; provision of access roads, car parking, public realm and landscaping works and other associated

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development and supporting infrastructure. Details provided for access, with all other matter reserved.

RESOLVED: That the Council is minded to grant planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development subject to the following provisions and granting the following powers:-

- (i) To complete a suitable Legal Agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure the ongoing review of scheme viability and, if appropriate, affordable housing provision to a maximum of 40% in any one phase of development.
- (ii) To continue to explore the opportunity to enable development to come forward in phases alongside a similarly phased programme of highway works in conjunction with Highways England and the LHA. Alternative conditions, in accordance with subsequent advice and / or recommendations from Highways England / the LHA may be imposed and relevant conditions in the recommendation below amended or deleted as necessary. [N.B. If the Head of Planning and Development is minded not to take the advice of Highways England the application would need to be referred to the Secretary of State for Transport and will be returned to the Planning and Development Management Committee for Members' consideration].
- (iii) To carry out minor drafting amendments to any other planning condition.
- (iv) To have discretion to determine the application appropriately in the circumstances where a S106 Agreement has not been completed within six months of the resolution to grant planning permission.
- (v) That upon the satisfactory completion of the above Legal Agreement planning permission be granted subject to the conditions now determined (unless amended by (ii) or (iii) above).

The meeting commenced at 6.30pm and concluded at 8.14pm.

## PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

20<sup>th</sup> OCTOBER, 2016

### PRESENT:

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

In attendance: Head of Planning and Development (Mrs. R. Coley),  
Planning and Development Manager – West Area (Mrs. S. Lowes),  
Senior Planning and Development Officer (Mrs. A. Crowe),  
Principal Highways & Traffic Engineer (Amey) (Mr. J. Morley),  
Solicitor (Ms. J. Cobern),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors Mrs. Bruer-Morris and Jarman.

### APOLOGY

An apology for absence was received from Councillor Wright.

### 32. ADDITIONAL INFORMATION REPORT

The 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.

### 33. 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>
75863/FULL/2010 – Mr. Faizan Islam – 235 Ayres Road, Old Trafford.	Erection of first floor extension to building with associated external alterations to form extension to existing Islamic Centre.
88063/LBC/16 – National Trust – Dunham Massey Mill, Woodhouse Lane, Dunham Massey, Altrincham.	Listed building consent for the installation of new door and doorframe at first floor.

[Note: Councillor Gratrix declared a Personal Interest in Application 88063/LBC/16, being a member of the National Trust.]

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88369/FUL/16 – Danimore  
Construction – Land to the side of  
1-3 Harboro Grove, Sale.

Erection of a detached two storey dwellinghouse with associated landscaping and parking following demolition of existing garages.

88799/FUL/16 – Mr. McNeillie – 21  
Rivington Road, Hale.

Demolition of existing bungalow and erection of 2no semi-detached houses with attached single garages.

88812/HHA/16 – Mr. Lawton – 8  
Beeston Avenue, Timperley.

Erection of a single storey rear extension following demolition of existing single storey rear extension.

88891/FUL/16 – St. Michael's C.E.  
Primary School – St. Michael's  
Church of England Primary School,  
The Grove, Flixton.

Erection of single storey infill extension (retrospective).

89103/FUL/16 – Mr. Gartside –  
Altrincham Boys Grammar School,  
Marlborough Road, Bowdon.

Erection of a two storey educational building.

[Note: Councillor Dr. Barclay declared a Personal and Prejudicial Interest in Application 89103/FUL/16, being a Governor of the school, after making her representation to the Committee she remained in the meeting but did not participate in the debate or cast a vote on the Application.]

The meeting commenced at 6.30pm and concluded at 7.04pm.

# Agenda Item 3

## AGENDA ITEM 3

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10<sup>th</sup> November 2016

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

### 1.0 INTRODUCTION

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

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

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

#### REVISED ORDER OF AGENDA (SPEAKERS)

Part 1 Applications for Planning Permission					
Application	Site Address/Location of Development	Ward	Page	Speakers	
				Against RECOMMENDATION	For REC.
<a href="#">88540</a>	1A Catterick Avenue, Sale, M33 4GQ	St Mary's	1		
<a href="#">88646</a>	3 Winmarith Drive, Hale Barns, WA15 8TJ	Hale Barns	12		✓
<a href="#">88899</a>	Simpson Ready Foods Ltd, Stretford Road, Urmston, M41 9WH	Urmston	23		✓
<a href="#">88965</a>	Bollindale, South Road, Hale Barns, WA14 3HT	Hale Central	43	✓	
<a href="#">89194</a>	Land at corner of Northenden Road & Gratrix Lane, Sale Moor, M33 2QA	Sale Moor	55		
<a href="#">89209</a>	Essoldo Buildings, 1123 Chester Road, Stretford	Longford	73	✓	
<a href="#">89210</a>	Essoldo Buildings, 1123 Chester Road, Stretford	Longford	85	✓	
<a href="#">89303</a>	Proposed Extension, Altrincham Crematorium, Whitehouse Lane, Dunham Massey	Bowdon	95		
<a href="#">89448</a>	35 Bamber Avenue, Sale, M33 2TH	Sale Moor	113		

**Page 1 88540/FUL/16: 1A Catterick Avenue, Sale**

This application has been withdrawn from this month's agenda as the description of the development was factually incorrect and a re-consultation is required to clarify this.

**Page 12 88646/HHA/16: 3 Winmarith Drive, Hale Barns**

**SPEAKER(S) AGAINST:**

**FOR: Liam Donnelly  
(Agent)**

**REPRESENTATIONS**

The neighbour at No. 2 Winmarith Drive has submitted further comments summarized below but, on the basis that the proposed extension would comply with the SPD4 guidelines and subject to factual amendments to the report, he has confirmed that he has no objections. He states that:

- The proposed distance of the single storey element of the extension further to the original rear wall of his property is not 4.763m and that the correct measurement should be 5.15m.
- The 3.763m measurement (from the original rear wall of the application property) as annotated on the plans should be clarified.
- There are errors in the description of the application property in the report and its relationship with No.2:
  - i) "There is a mature hedge along western boundary in common with No.2" – there is actually a low level privet hedge between the driveways of the two properties. Hedging to the rear has been removed by previous owner however recent discussions with the agent has agreed in principle that planting 1.8m high shall be planted within the curtilage of the application site to all rear boundaries to provide screening.
  - ii) "No.2 has 2no. dormers to its rear" - there are no dormers to the rear or in the eastern elevation facing the side boundary of the site.
  - iii) "...the property (is) positioned behind No.2" The property is sited forwards of No.2 by 1.4m.
- The position of a 3.9m long east elevation at ground floor located 763mm from the common boundary with No.2 should be referred to in the Proposals section for clarity purposes.
- The statement in paragraph 3 that "unlike several of the surrounding properties, No.3 has not been extended" is incorrect - there has been a ground floor flat roof extension behind the garage.



## **OBSERVATIONS**

Given the above comments made by the neighbour, the report is amended in the following respects: -.

The wording of the "Site" section of the report is amended to read:

*The frontages between the properties are relatively open with a low hedge, with a fence forming the boundary between the rear gardens of the two properties with a height of approximately 1.8m with additional planting within the curtilages of both adjoining properties.*

*To the rear of No.2, there are 2no. single storey gables with habitable room windows at ground floor only with the rear elevation facing north towards The Greens, a 3no. storey building containing 10no. apartments with access from Hale Road.*

*The main body of the application property is set slightly further back than no.2 and at right angles to No.4 Winmarith Drive.*

The second paragraph within the "Proposal" section is amended to include the following: -

*The existing attached garage is to remain in situ, but would be extended with a continued flat roof towards its rear, with a small roof pitch to allow it to link with the proposed rear projection. This element would project 5.15m further than the original rear corner of the adjacent property, No.2 Winmarith Drive, at ground floor level and 3.15m to the rear of the single storey extension to that property and would be 763mm from the common boundary. The length of the proposed development would increase the depth of the property from 10.9m to 14.5m, with the main two storey body of development being approximately 4m from the common boundary with No.2 and 5.3m from the eastern elevation of that property also.*

The wording within paragraph 3 of the report is amended to read: -

*Unlike several of the surrounding properties, the existing property has not been significantly extended from its original design.*

The applicant has annotated the plan to state that the single storey element of the extension would project 3.763m to the rear of the original rear elevation of the application property. However, the neighbour has stated that the position of the original rear wall of the application property is shown inaccurately on the plan in relation to the rear elevation of his own property and that the projection of the single storey element to the rear of his (the neighbour's) original rear wall would therefore be 5.15m rather than 4.76m as stated in the report.

The position of the application dwelling and the neighbouring dwelling have been measured on site and it is confirmed that the position of the original rear wall of

the application dwelling is shown incorrectly on the submitted plan and that the extension would project approximately 5.15m past the original rear wall of the neighbour's dwelling. However, the neighbouring property has had a previous single storey extension that projects 2m further to the rear and the currently proposed extension would therefore only extend approximately 3.15m past this existing rear elevation. In any case, with respect to a detached property, the SPD4 guidelines normally allow an extension of 4m from the original rear elevation of the application property plus the gap to the boundary. (In this case, this would equate to approximately 4.7m whereas the extension will project a further 3.7m). Furthermore, the applicant could build a single storey extension 4m from the original rear elevation of their own dwelling under permitted development rights without needing planning permission.

The projection of the single storey element of the extension is therefore considered to be acceptable in relation to the SPD4 guidelines and would be approximately 3.15m beyond the neighbour's existing rear wall with a gap of approximately 0.76m to the common boundary and approximately 3.7m beyond the original rear wall of the application property.

**Page 23 88899/OUT/16: Simpson Ready Foods Ltd, Stretford Road, Urmston**

**SPEAKER(S)      AGAINST:**

**FOR:                      Gary Earnshaw  
   (Agent)**

**OBSERVATIONS**

Insert following paragraph after paragraph 5:

6. The applicants have however, in this case, failed to demonstrate that they have considered other suitable available housing sites within the wider vicinity, as set out in policy W1.2.

Replace paragraph 7 with:

7. It is therefore considered that in this instance the proposed change of use of the site to residential is considered acceptable. The application site has not been identified as a site for future employment provision, and is in fact identified in the Council's SHLAA for housing development. The applicants have demonstrated that a sufficient number of alternative employment sites can be found within the Trafford Park area, in close proximity to the site, where future industrial development could be focused. Furthermore the primary function of the sites wider area remains residential and the development would aid in the provision of additional housing. Whilst the applicant has not demonstrated that they have considered other alternative sites as required by W1.12 this policy is afforded less weight given the lack of 5 year supply of housing. Therefore the development should be considered in accordance with paragraph 14 of the NPPF. The development is in a suitable location, would reuse a brown field site and

would provide additional housing within the borough, therefore is considered to be an acceptable form of development and in accordance with paragraph 14 of the NPPF.

Delete Paragraph 22 and replace with:

22. It is therefore considered that in this instance, a 10% contribution for affordable housing will be applied to the development proposals, given that the Borough is currently experiencing poor market conditions. If a lesser or alternative contribution is put forward by the applicant, this will need to be justified through the submission of a site specific viability scheme, submitted in support of any subsequent reserved matters application. The 10% contribution will need to be in line with the above criteria mentioned within policy L2 of the TBC core strategy and will be secured by way of a 106 Agreement. The proposals are therefore considered to be in line with policy L2 of the TBC Core strategy.

Delete Paragraph 40 and replace with:

40. The submitted transport statement further demonstrates that the erection of up to 58 housing units within the site would actually generate less 2 way traffic flows than an operations employment use. The application site is currently vacant however it could be used for an employment use at any time. The change of use would reduce the potential for heavy industrial vehicles within the local highway network and parking congestion associated with an industrial use during peaks hours would also benefit the amenity of existing local residents.

Insert following paragraph after Paragraph 50:

51. The proposed development would be liable to an affordable housing contribution. This contribution will be secured by way of a 106 Agreement, as discussed within the Affordable Housing section of this report. The 106 Agreement will be used to secure an on-site method of delivery for the proposed affordable housing units, in this case, at least 50% of which are to be provided in the form of family housing. In addition the tenure split should be 50:50 between shared ownership and social/affordable rented housing, in line with policy L2 of the TBC Core strategy,

## **RECOMMENDATION**

Please insert the following within the Recommendation:

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT and subject to the following conditions:-

(A) That the application will propose a satisfactory development for the site upon completion of a legal agreement which will secure affordable housing provision, in accordance with Policy L2 of the Core Strategy.

(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 and Development; and

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

### **CONDITIONS**

Replace condition 2 with:

2. No development for which outline planning permission has hereby been granted shall be started until full details of the following reserved matters, in respect of the development, have been submitted to and approved in writing by the Local Planning Authority:
  - a) appearance;
  - b) scale
  - c) layout; and
  - d) landscaping

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the details of the matters referred to in the condition have not been submitted for consideration.

Replace condition 3 with:

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number: OP001.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

Replace condition 8 with:

8. Any application for reserved matters which includes layout shall include details (including calculations and reasoning) of the architectural sound mitigation, relevant to the control of external noise. The assessment scheme shall demonstrate that the noise criteria of BS 8233:2014 (or the prevailing guidance of the time) can be achieved and identify noise attenuation where necessary. Development shall be implemented in accordance with the approved measures and shall be maintained thereafter.

Reason: It is necessary for this information to be submitted and approved prior to commencement of the development to ensure that the site area meets national standards, ensuring sufficient amenity for future occupiers. In accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Replace condition 14 with:

14. No development shall take place on site until a detailed method statement for demolition has been submitted to and approved in writing by the Council. The approved statement shall detail a demolition strategy which entails the removal of all slate roof coverings by hand during the winter period (November – March). The approved method statement shall then be implemented in full on site during the course of the works.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to safeguard any roosting Bats on this site in accordance with Policy R2 of the TBC Core strategy and the relevant sections of the NPPF.

**Page 43 88965/HHA/16: Bollindale, South Road, Hale Barns**

**SPEAKER(S)**      **AGAINST:**      **Stuart Vendy**  
(Recommendation to Refuse)      **(Agent)**

**FOR:**

**PROPOSAL**

Insert additional paragraph into proposal section:

Should planning permission be granted for the retention of the access, legal have advised that a separate S73 application would not be subsequently required.

**DESIGN AND IMPACT ON HERITAGE ASSES**

Consideration of Harm

Para 18 – The following to be added at the end of the Inspector’s quote:-

It should be noted that the Bowdon CAMP and the Ashley Heath CAMP contain very similar policies to each other in relation to the importance of boundary treatments and therefore the appeal decision is comparable to the current application.

Additional comments received from the Local Highway Authority in regards to highway safety:

The following comments were made by the LHA in regards to a previous application 82091/HHA/2013 on the site. I've extracted the relevant paragraph below.

*“However, the LHA is concerned regarding the proposed second access. The LHA only supports second accesses in locations where they provide a valid highway safety benefit. The proposed second access would create an additional pedestrian – vehicular conflict point on the public highway and would remove kerbside parking space, the LHA would therefore recommend the removal of the second access point.”*

Although the LHA did not object to the current application which proposes to keep the existing access, and therefore would provide 2 accesses to the property, the LHA can confirm that there would not be any benefit to highway safety by keeping this access and there would therefore be no public benefit to keeping this access, although it is accepted that there may be some benefit to the occupier of the premises.

## **RECOMMENDATION**

Replace reason for refusal with:

The proposal by virtue of the retention of the existing access would result in an unacceptable loss of boundary treatment and enclosure which would have been mitigated by its closure. The retention of the access would have a detrimental impact on the character and appearance of the area, would interrupt the rhythm of openings within the existing boundary treatment and would fail to provide adequate mitigation for any loss of the original boundary treatment. The proposal would therefore fail to preserve or enhance the character and appearance of the Ashley Heath Conservation Area or better reveal the significance of the heritage asset. The proposal is considered to result in less than substantial harm to heritage assets and no public benefits have been identified which would outweigh this harm. As such, it would be contrary to Policies R1, L5 and L7 of the Trafford Core Strategy, Policies 18, 23 and 33 of the Ashley Heath Conservation Area Management Plan and relevant policies in the NPPF.

**Page 55 89194/FUL/16: Land at corner of Northenden Road & Gratrix Lane, Sale Moor**

**SPEAKER(S)      AGAINST:**

**FOR:**

## **OBSERVATIONS**

DEVELOPER CONTRIBUTIONS

Delete Paragraph 37 and replace with:

37. Following assessment of the submitted viability appraisal the Council's Estates Section (Amey) concluded it is viable for the development to provide affordable housing in the form of a commuted sum towards the provision of off-site affordable housing provision. Consequently a commuted sum of £85,000 has been agreed between the parties to deliver new affordable homes, and will be secured via a S106 Agreement.

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

Delete Condition 5 and replace with:

5. No clearance of trees and shrubs in preparation for (or during the course of development shall take place during the bird nesting season (March - July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site

Reason: In the interests of protecting the ecology of the area and having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure the protection of nesting birds.

Delete Condition 6 and replace with:

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

Reason: This is required prior to the commencement of development to ensure the protection of the existing trees on the site in the interests of the amenities of the area and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

Delete Condition 14 and replace with:

14. The apartments hereby approved shall not be occupied unless and until a scheme for secure cycle storage for the apartment building has first been submitted to and approved in writing by the Local Planning Authority. Cycle parking infrastructure and its layout should meet the requirements of SPD3

Parking Standards and Design for Trafford. The approved scheme shall be implemented before the development is brought into use and retained at all times thereafter for its intended use.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

**Page 73 89209/FUL/16: Essoldo Buildings, 1123 Chester Road, Stretford**

**SPEAKER(S)**      **AGAINST:**      **Mrs Angela Lowry  
(Neighbour)**

**FOR:**

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

Delete Condition 2 and replace with:

2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 56058 01 Rev K; 02 Rev K; 03 Rev K; 04 Rev K; 05 Rev K; 06 Rev K; 07 Rev K; 08 Rev K; 12 Rev K; 13 Rev K; 14 Rev K; 15 Rev K; 16 Rev K; 17 Rev K and 18 Rev K received by Local Planning Authority 25/10/2016.

Reason: To clarify the permission, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

**Page 85 89210/LBC/16: Essoldo Buildings, 1123 Chester Road, Stretford**

**SPEAKER(S)**      **AGAINST:**      **Mrs Angela Lowry  
(Neighbour)**

**FOR:**

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

Delete Condition 2 and replace with:

2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 56058 01 Rev K; 02 Rev K; 03 Rev K; 04 Rev K; 05 Rev K; 06 Rev K; 07 Rev K; 08 Rev K; 12 Rev K; 13 Rev K; 14 Rev K; 15 Rev K; 16 Rev K; 17 Rev K and 18 Rev K received by Local Planning Authority 25/10/2016 and 19 Rev L received by Local Planning Authority 28/10/2016.

Reason: To clarify the permission, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.



**SPEAKER(S)      AGAINST:**

**FOR:**

## **OBSERVATIONS**

Replace paragraph 9 with:

Although the construction of new buildings for cemetery facilities are listed here as being an exception to inappropriate development it has been established by case law that this is not applicable to a change of use application for new cemetery space. Therefore new cemetery space is deemed inappropriate development in the Green Belt and is therefore considered to be harmful in principle.

Replace paragraph 10 with:

It is noted the application does not propose any new buildings and thus is considered to have very little effect on openness. However, in order to satisfy paragraph 88 of the NPPF, which states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”. Very special circumstances therefore need to be demonstrated in order for inappropriate development in the Green Belt to be considered acceptable.

Replace the second sentence of Paragraph 14 with:

- Stretford Cemetery and Sale Cemetery border the Mersey Valley Floodplain and would have the potential to pollute the ground water.

Replace paragraph 16 with:

Paragraph 87 of NPPF states that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. The applicant has demonstrated there is a lack of burial space within the borough and that there are no other alternative sites which could accommodate a similar development. It is therefore considered that very special circumstances have been demonstrated which would outweigh the identified harm to the Green Belt from that inappropriate development. However, the very special circumstances are also required to be weighed against ‘any other harm’ i.e. other material considerations such as visual harm to the openness of the green belt, impact on residential amenity, ecological and highways issues before an overall conclusion can be reached.

Insert to the beginning of paragraph 37:

The applicant confirms that....

Add an additional paragraph after paragraph 37:

Objectors reference an existing Jewish burial ground within the cemetery being underused, however the applicant has advised that this does not form part of the application site and is a private burial space which is not managed by Bereavement Services. Therefore the allocation of burial spaces within this application does not take account of this existing space as it not within the control of the applicant and in this regard is not a material planning consideration; it is for the applicant to manage this on the basis of demand.

**Page 113 89448/HHA/16: 35 Bamber Avenue, Sale**

**SPEAKER(S) AGAINST:**

**FOR:**

**HELEN JONES, DEPUTY CHIEF EXECUTIVE AND CORPORATE DIRECTOR,  
ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE**

**FOR FURTHER INFORMATION PLEASE CONTACT:**

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



## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10<sup>th</sup> NOVEMBER 2016**

### **REPORT OF THE 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. Planning conditions referenced in reports are substantially in the form in which they will appear in the decision notice. Correction of typographical errors and minor drafting revisions which do not alter the thrust or purpose of the condition may take place before the decision notice is issued.

##### **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):  
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 Services, 1<sup>st</sup> Floor, Trafford Town Hall, Talbot Road, Stretford, Manchester M32 0TH.

**TRAFFORD METROPOLITAN BOROUGH COUNCIL****PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10<sup>th</sup> November 2016****Report of the Head of Planning and Development****INDEX OF APPLICATIONS FOR PERMISSION TO DEVELOP 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="#">88540</a>	1A Catterick Avenue, Sale, M33 4GQ	St Mary's	1	Grant
<a href="#">88646</a>	3 Winmarith Drive, Hale Barns, WA15 8TJ	Hale Barns	12	Grant
<a href="#">88899</a>	Simpson Ready Foods Ltd, Stretford Road, Urmston, M41 9WH	Urmston	23	Minded to Grant
<a href="#">88965</a>	Bollindale, South Road, Hale Barns, WA14 3HT	Hale Central	43	Refuse
<a href="#">89194</a>	Land at corner of Northenden Road & Gratrix Lane, Sale Moor, M33 2QA	Sale Moor	55	Minded to Grant
<a href="#">89209</a>	Essoldo Buildings, 1123 Chester Road, Stretford	Longford	73	Grant
<a href="#">89210</a>	Essoldo Buildings, 1123 Chester Road, Stretford	Longford	85	Grant
<a href="#">89303</a>	Proposed Extension, Altrincham Crematorium, Whitehouse Lane, Dunham Massey	Bowdon	95	Grant
<a href="#">89448</a>	35 Bamber Avenue, Sale, M33 2TH	Sale Moor	113	Grant

**WARD:** St Marys

**88540/FUL/16**

**DEPARTURE:** No

**Erection of extension to the north side elevation to provide a new shop unit (Use Class A1) at ground floor level with a residential apartment above.**

1A Catterick Avenue, Sale, M33 4GQ

**APPLICANT:** Mr Ahmed

**AGENT:** Holborow & Ormesher

**RECOMMENDATION: GRANT**

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**This application has been called in by Councillor Chilton on the grounds of the proposal being out of keeping with the street scene and having a detrimental impact on residential amenity.**

### **SITE**

The application site is located on the north west side of Catterick Avenue and comprises a freestanding shop building with residential accommodation above and associated car parking to the south west of the building. The south west corner of the site is grassed and the site is open fronting Firs Way and Catterick Avenue to the front of the building. There is a low fence adjacent to the street to the rear of the building although parts of this are missing.

The character of the area is predominantly residential with flats to the north of the site and housing to the south on the opposite side of Catterick Avenue.

### **PROPOSAL**

Permission is sought to erect a two storey extension to the existing building to the east elevation to provide a new shop unit (Use Class A1) at ground floor with a 2 bedroom apartment above. The ridge to the roof of the existing building is to continue across to the extension with 2 no. additional rooflights to each of the front and rear elevations and a dormer is proposed to the side elevation.

**Value Added:-** The plans have been amended to incorporate a dormer window in the side facing elevation. This creates an improved standard of accommodation to the residential dwelling at first floor level.

The CIL form submitted with the application suggests that the increase in floor space of the proposed development would be approximately 165m<sup>2</sup>.

## **DEVELOPMENT PLAN**

**For the purpose of this application 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.

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

L1 – Land for New Homes

L2 – Meeting Housing Needs

L7 – Design

W2 – Town Centre and Retail

### **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

79282/FULL/2012 – Installation of shop front and roller shutters to side and front elevations and access ramp to side elevation (amendment to approved plans 78468/FULL/2012). Approved with conditions 20<sup>th</sup> November 2012

78468/FULL/2012 – Change of use of part of ground floor to hot food takeaway (Use Class A5). Installation of extract flue and associated external alterations. Approved with conditions 22<sup>nd</sup> June 2012

H/04679 – Erection of public house with car park.  
Approved with conditions 1976

### **APPLICANT'S SUBMISSION**

A Design and Access Statement has been submitted as part of the planning application.

### **CONSULTATIONS**

**LHA** – The proposals have no highway implications; the LHA has no objections to this application on highway grounds.

**Drainage** – Condition regarding Sustainable Urban Drainage (SUDs) scheme required.

### **REPRESENTATIONS**

1 Councillor and 2 neighbours have made representations raising the following issues:

- The shop is an eyesore and attracts litter and speeding cars;
- Existing parking on the pavement has damaged the kerbs;

### **OBSERVATIONS**

#### **PRINCIPLE OF DEVELOPMENT**

1. The application site is currently located outside of an adopted town centre. Policy W2.12 of the Core Strategy states that “outside of the identified centres there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance.” Current Government Guidance, the NPPF (paragraph 24), states that “Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.”
2. A sequential test has not been submitted with the application and, as set out above, this would ordinarily be required. However, it is considered that in this specific case to insist on a sequential test being carried out would be unreasonable. NPPF sets out in paragraph 26 that “When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). The proposed development is less than 2.500 sq m and therefore no impact assessment is required in this case.

3. There is already an established retail use at this location and the proposal would be an extension of this. It is therefore considered that an additional retail unit would not be harmful to the vitality and viability of Sale Town Centre or Coppice Avenue Local Centre. The development is small scale and is likely to meet local need, serving the local population rather than being a destination in its own right which would draw trade away from other centres. In addition the demolition of the Sale West Local Centre has led to a loss of local services in this area which this application would help to address. Sale West is an identified Regeneration Area and as such this is also in accordance with Core Strategy Policy L3.8 which states that “Outside any identified Regeneration Area the ability of a development proposal to provide facilities that would be of significant benefit to one or more of the identified regeneration areas, would be a material consideration in the determination of that application.”
4. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
5. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
6. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council’s ability to contribute towards the government’s aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government objective of securing a better balance between housing demand and supply.
7. Whilst the Council’s policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the proposed development achieves many of the aspirations which the Plan policies seek to deliver. The application proposes a new 2-bed residential apartment above the shop unit. This would be in accordance with Policy L1 and L2 of the Core Strategy.
8. Taking the above points into conclusion it is considered that on balance there is no objection to the proposal with regard to the provision of a new retail unit (use class A1) and residential apartment above in principle, subject to compliance with Policies L4 and L7 of the Core Strategy. It is considered appropriate however to restrict the



use of the shop to A1 convenience to prevent the unit becoming combined with the existing shop to become a shopping destination that could attract a wider reaching customer base and the associated increase in traffic and activity that this could result in.

9. Other matters to be considered relate to design, impact on residential amenity and parking and highways.

## DESIGN AND IMPACT ON THE STREETSCENE

10. Policy L7 states that in relation to matters of design, development must:

- Be appropriate in its context;
  - Make best use of opportunities to improve the character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
11. The proposal has been designed to match the existing building with a continuation of the roof line and the use of matching materials to the building and shop front. The extension would be flush with the front elevation of the existing buildings. The design and materials are therefore considered to be appropriate to and in keeping with the character of the existing building and the streetscene.
  12. The proposed new dormer has a pitched roof and is set down from the ridge of the building. It sits centrally within the side elevation and is considered to be appropriate in terms of size, design and siting.
  13. The application site is positioned on a bend on Catterick Avenue, the development would result in the building being sited closer to the road. The extension would be approximately 0.5 metres from the back of the pavement at its closest point. Given that the existing boundary fence to Catterick Avenue is missing in part and the piece of land between the building and the road is currently overgrown and in a poor state, it is considered that the proposal would result in an improvement to this site.
  14. The proposed development is considered to result in an appropriate addition to the streetscene and would enhance the visual amenity of the local area. The proposal is therefore considered to be acceptable in design terms and would comply with Policy L7 of the Core Strategy.

## RESIDENTIAL AMENITY

15. Policy L7 states that in relation to matters of amenity protection, development must:
  - Be compatible with the surrounding area; and

- Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
16. Number 1 Catterick Avenue the nearest residential property to the application site has a blank gable elevation facing the site. The main rear elevation has a south east outlook and does not therefore have any main habitable windows facing the application site. It is therefore considered that there would be no undue overshadowing or undue loss of light caused by the proposed extension to the existing building. In addition given the position of the extension in relation to this property, it is considered that it would not appear overbearing or visually intrusive,
  17. Numbers 30 and 31 Catterick Avenue are located to the south east of the application site on the opposite side of the road. Given the offset position of these buildings in relation to the proposed extension, it is considered that there would be no loss of light or harm to outlook. The first floor rooflight would face south in the direction of no.31 and 32 however it is considered that there is sufficient distance in order to mitigate any potential harm through overlooking.
  18. The proposed development would include a side dormer within the side elevation of the proposed extension facing toward the front elevations of 12-15 Catterick Avenue. The frontage of no.12 Catterick Avenue (which is set forward of the other properties within the terrace row) to the side boundary of the site is approximately 25m, this distance is considered to be sufficient in order to limit any potential overlooking or undue harm to privacy.
  19. To the rear of the building, the proposed rooflights would serve a bathroom and kitchen of the proposed first floor apartment. The footprint of the ground floor of the building itself would only be approximately 9 metres from the garden boundary of 1 Catterick Avenue to the rear (west) of the site. However given the position of the rooflight within the roofslope at first floor level, it is considered that an overall distance of at least 10.5 metres is achieved and in addition this roof light would serve a bathroom and not a main habitable room. As such the proposal would not result in unacceptable harm to the privacy levels of residential occupiers of no.1 Catterick Avenue. There are no new windows proposed at ground floor level.
  20. Given the proximity of the adjacent dwellings and the residential character of the surrounding location, it is considered appropriate to restrict the hours of opening of the new shop unit to no later than those of the adjacent take away which are 23:00 Monday-Friday, 23:30 Saturday and 22:30 Sunday and Bank Holidays.

## PARKING & HIGHWAYS

21. Policy L7 states that in relation to matters of functionality, development must:

- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
  - Provide sufficient off-street car and cycle parking, manoeuvring and operation space;
22. The two existing accesses from Catterick Avenue are to be retained and the Local Highway Authority considered this to be acceptable.
  23. The existing servicing arrangements are to be extended to include the new shop and apartment. The proposals include a new bin store area at the rear of the site, which is considered to be appropriate in this location.
  24. SPD3 Parking Standards and Design for Trafford states that for Use Class A1 in this area, one car parking space per 14 sqm (food retail) / 20 sqm (non-food retail) is required. This equates to six/four parking spaces respectively for the proposed additional retail floor space. The site benefits from a large un-demarcated car park to the side and front of the existing shop unit. The LHA accept that the existing parking provision is adequate for the additional retail area.
  25. SPD3 requires two spaces for a two bedroom dwelling. The proposals include the formation of two new spaces on the existing hardstanding area to the rear of the property and therefore parking provision for the apartments is adequate.
  26. It is therefore considered that there are no highway implications arising from the proposal and the LHA raise no objections to the application on highway grounds.

#### DEVELOPER CONTRIBUTIONS

27. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' for residential development, consequently apartments 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).
28. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'all other' 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).
29. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. Tree planting on the site will be secured by way of condition as part of the landscaping proposals.

## CONCLUSION

30. The application would provide an additional unit as an extension to an existing retail use and as such it is considered that there would be no harm to the vitality or viability of Sale Town Centre or Coppice Avenue Local Centre. In addition the proposal would result in the creation of an additional dwelling and therefore contributes to the Council's identified housing shortfall.
31. It is considered that the parking provision is adequate and the proposal would be acceptable in terms of design and impact on residential amenity. The proposal complies with the development plan and where that is silent or out of date, the NPPF. Approval is therefore recommended.

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

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1656/16/02 Rev B and site location plan received 25 May 2016.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a convenience store and for no other purposes within Class A1 of the above Order and there shall be no sale of comparison goods unless this is ancillary to the use as a convenience store and for no other purposes within Class A1 of the above Order and there shall be no sale of comparison goods unless this is ancillary to the use as a convenience store.

Reason: The use of the premises for any other purpose within Class A1 may not be acceptable in this location in the interests of the vitality and viability of designated retail centres and in compliance with Trafford Core Strategy Policy W2 and the National Planning Policy Framework.

4. The retail use (Use Class A1) hereby approved shall not be open to the public outside the following hours:-

07:00 - 23:00 Monday – Friday  
07:00 – 23:30 Saturday and Sunday

Reason: To protect the residential amenity of neighbouring occupants, having regard to Policy L7 of the Trafford Core Strategy.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

- 6 The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

- 7 Notwithstanding the plans hereby approved and before any development takes place, a scheme to limit the peak discharge of storm water from the development in accordance with the limits indicated in the Guidance document "Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment" March 2010/March 2011 and the accompanying "User Guide" May 2010 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first use

of the development hereby approved and shall be retained and maintained thereafter.

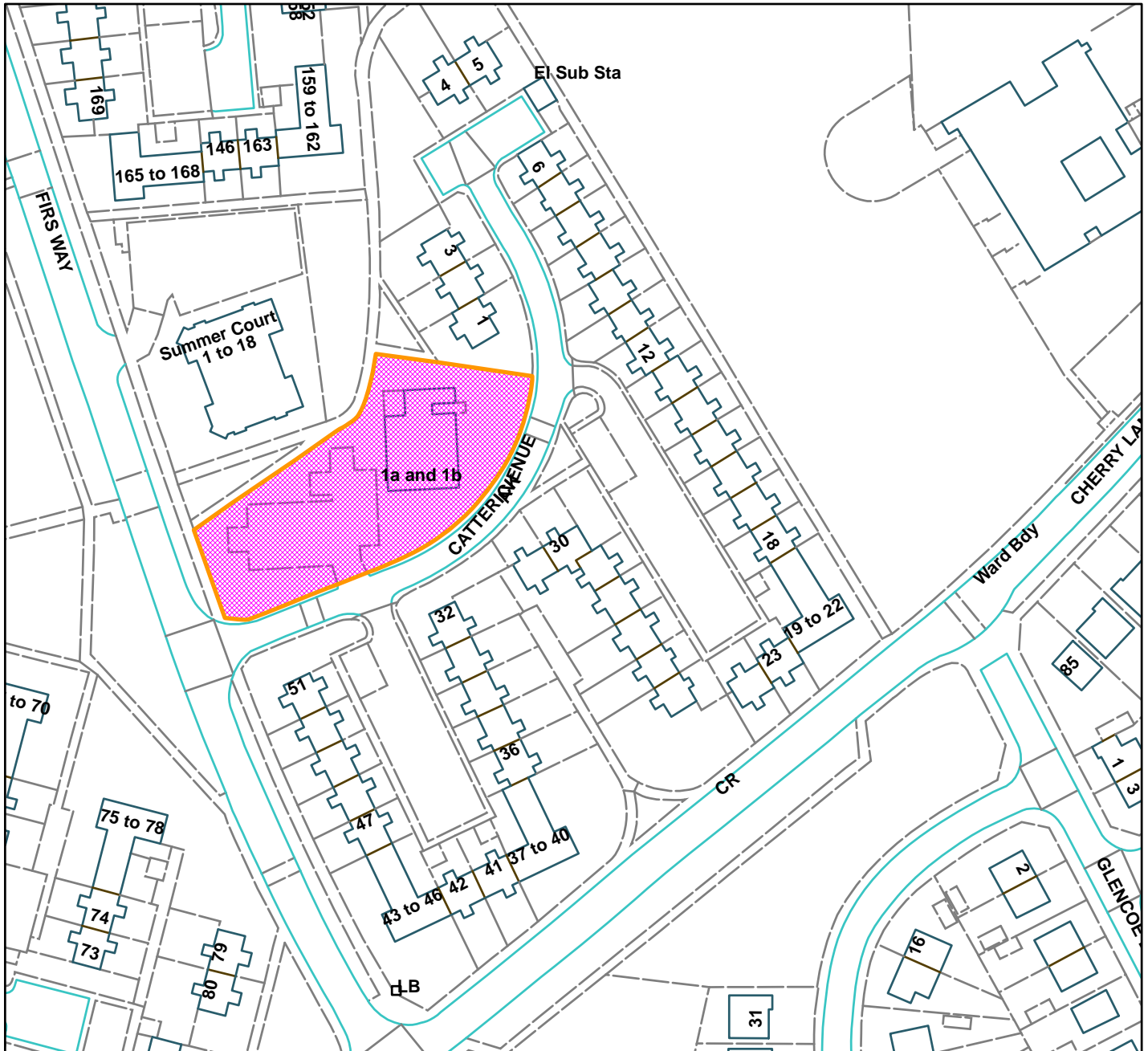
Reason: To prevent localised flooding in accordance with Policies L5 and L7 of the Trafford Core Strategy and relevant guidance in the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the final scheme.

JE

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1A Catterick Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

**Remodelling of existing dwelling to include part single, part two storey front side and rear extensions including increase in roof height by 450mm. Proposed partial rendering and timber cladding of external elevations.**

3 Winmarith Drive, Hale Barns, WA15 8TJ

**APPLICANT:** Dr. Amin

**AGENT:** Mimar Architects

**RECOMMENDATION: GRANT**

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## **SITE**

The application site is of irregular configuration and comprises a four bedroom detached property that appears to be a bungalow from its frontage, but in reality is a two storey dwellinghouse with bedroom windows to both side elevations at first floor level, and a velux window within the rear roof slope to provide light and ventilation to a centrally located bathroom.

The property is open fronted like the majority of properties within this cul de sac, with low level planting and landscaping in front of its gabled principal elevation and has an open driveway leading towards an attached garage with flat roof. There is a mature hedge along the western boundary in common with No.2 Winmarith Drive. That property has been substantially extended at both ground and first floor levels in a sympathetic manner predominantly towards its western boundary and has 2no. dormers to its rear elevation facing north towards The Greens, a 3no. storey building containing 10no. apartments with access from Hale Road. The Greens itself is a substantial building, whose plot is across both the rear of No.2 and No.3 Winmarith Drive and whose rear elevation is sited between 15m and 17m from the rear boundary in common with these properties. Planting within the rear garden of the application site has recently been reduced, although there is some planting to all boundaries of the rear garden in addition to a boundary fence.

The area is predominantly residential and characterised by a variety of housing types and designs, with several properties within Winmarith Drive having been extended or remodelled both at ground and first floor levels. Properties are not regimented in their siting or appearance, with the application property being positioned behind no.2 and at right angles to No.4 Winmarith Drive. The overall design theme within the cul de sac is one of gabled frontages that creates visual harmony within the streetscene.



## **PROPOSAL**

The applicant proposes the extension and remodelling of an existing two storey property by increasing the maximum ridge height by 450mm, increasing the front gable to a lounge area by 300mm and a forward projection of 2m is proposed across the property's frontage to accommodate increased floor space at both ground and first floor levels.

The existing attached garage is to remain in situ, but would have a small roof pitch towards its rear to allow it to link with the proposed rear projection that would project 4.76m further than the original rear corner of the adjacent property, No.2 Winmarith Drive at ground floor level, 700mm from the common boundary with that property. The length of the proposed development would increase the depth of the property from 10.9m to 14.5m, with the main two storey body of development being approximately 4m from the common boundary with No.2 and 5.3m from the eastern elevation of that property also.

The proposed rear dormers would be inset from the east and west elevations by approximately 0.7m and recessed from the ground floor rear elevation by approximately 1.2m. The proposed master bedroom dormer closest to the western boundary would have half its width to be permanently fitted with obscure glazing, with the remainder of the fenestration detail being clear glazed due to separation distances being proposed between it and the northern boundary shared with The Greens. The proposed ground floor would provide a separation distance of between approximately 8.3m and 11.8m from the rear boundary which is not parallel to the rear elevation of the application property. A separation distance of 25.18m has been measured between the proposed ground floor element and the rear elevation of The Greens.

The proposed eastern side of the property would retain a minimum distance of 1.5m between it and the common boundary with No.4, and the ground floor element would be sited to be aligned with the northern/side elevation of that property. A revised gable is also proposed on this elevation with a projection of 1.8m and with a set back from the frontage of the property of approximately 2m. its rear elevation would align with the rear of the property, with a proposed chimney stack thereto. The proposed front dormer would be recessed from the ground floor elevation by approximately 1.1m, with the main body of the first floor element being approximately 2.4m recessed back from this position.

The proposed remodelling would remove the 2no. existing bedroom windows within the side elevations at first floor level, with no first floor openings proposed within the eastern and western elevations. 3No. off-street car parking spaces are proposed in addition to hard and soft landscaping. Amended details have also included additional dense screening along the side and rear boundaries to a height of 1.8m to replace foliage that has been cleared from within the curtilage of the application site.

The increase in floor space of the proposed development would be less than 100m<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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD4: A Guide for Designing House Extensions and Alterations (adopted February 2012)

## **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None

## **CONSULTATIONS**

Drainage - Standard comments regarding peak discharge etc.

## **REPRESENTATIONS**

1 objection has been received from the occupier of 2 Winmarith Drive and 1 collective objection has been received on behalf of all 10 apartments within The Greens that backs onto the application site.

The main concerns raised are listed below:

- Objections raised regarding the proposed development increasing in maximum height and coming closer to the common boundary shared between the application site and The Greens.
- The proposed boundary fence and associated planting would not be sufficient to ensure security following the removal of original trees along the boundary.
- Negative impact via loss of light and an overbearing impact upon window to bedroom at first floor within eastern elevation of 2 Winmarith Drive (measured as 5.2m NOT 5.4m as per architect's site plan.).
- The site plan illustrating 2 Winmarith Drive is out of date
- Overlooking and loss of privacy
- Loss of sunlight to rear garden area of No.2 Winmarith Drive

## **OBSERVATIONS**

1. The key issues for consideration in this application are the design and appearance of the development and its impact on residential 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. Unlike several of the surrounding properties, the existing property has not been extended from its original design. The eaves height of the property would be retained to both front and rear elevations (2.5m), with the 450mm increase in maximum ridge height being accommodated by a 2m forward projection with a shallower pitch than the existing property. The proposed development would therefore be approximately 6.4m in maximum height and approximately 0.4m higher than No. 2 Winmarith Drive. This is considered to sit comfortably within the middle of Nos. 2 and 4 Winmarith Drive and within the streetscene where there are a variety of property designs and associated heights within the cul de sac.
4. The existing front gable would be increased in maximum height by approximately

0.3m with a marginal increase in eaves height but would still appear subordinate to the overall massing of the proposed dwelling. The remaining 3no. dormers are considered to be appropriately designed with space provided above and below them so as not to appear over dominant within their relative elevations.

5. In terms of the proposed development and its siting with relation to its own plot and its juxtaposition with neighbouring properties, it is considered that it would not appear unduly cramped or create a visually intrusive feature within closely spaced properties, particularly the neighbouring properties, 2 and 4 Winmarith Drive. The scale of the proposed development is not considered to be disproportionate to the application site, or in relation to the host dwelling. The original property's character would essentially be retained, whilst the external materials proposed (brickwork, timber cladding and render) would not appear incongruous to the general rhythm of development within the streetscene.
6. The development is therefore considered to be in line with Policy L7 of the Trafford Core Strategy and the policies within the Council's adopted SPD4 in terms of its design and appearance.

## **RESIDENTIAL AMENITY**

7. 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.

## **IMPACT UPON 4 WINMARITH DRIVE**

8. The proposed extension would project 2m forward of the front elevation adjacent to the common boundary with No.4, whose front elevation is off-set from, but faces the eastern boundary of the application property. The proposed development, maintaining the same eaves height as existing, with the proposed dormer further back is considered not to have any significant impact on the windows of No. 4. The main window in the front lounge of that property would not directly face the main part of the extension and this room also has an additional window of a similar size within the northern/side elevation to provide a second source of light to that room and additional visual relief for the occupants. It is considered therefore, that the proposed development would not cause any significant harm to the occupiers of No.4 Winmarith Drive.

## **IMPACT UPON 2 WINMARITH DRIVE**

9. Paragraph 2.17.1 of the Council's adopted SPD4 states that the positioning of an extension too close to a neighbouring boundary can result in an uncomfortable sense of enclosure for the neighbouring property and that windows and gardens

of neighbouring properties will be protected from undue overbearing. The maintenance of adequate separation distances may help to avoid overbearing relationships between properties.

10. Paragraph 3.4.2 of the Council's adopted SPD4 allows for single storey rear extensions projecting up to 4m on detached properties, although where the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the distance from the boundary. In this case, the principle would be to allow a projection of up to 4m further than an adjacent habitable room at the same level in addition to any separation distance between the development and the common boundary. Therefore, in this instance a 763mm gap is provided between the proposed development and the western boundary and therefore a projection of up to 4.76m further than the ground floor rear habitable room of No.2 would be acceptable and would be in accordance with the guidance contained within SPD4 (subject to design considerations). Furthermore, the rear main habitable room window of No. 2 is set approximately a further 2m away from the common boundary. Given the modest height of the proposed extension (2.5m to eaves) and a maximum projection of 4.76m further than the original footprint of No.2, it is considered that the proposed extension at ground floor level would not have a significant additional overbearing impact, nor would it overshadow or result in a loss of light which would be unduly harmful to the occupiers of no.2 Winmarith Drive.
11. With regards to the proposed development at first floor level towards the rear of the property, the proposed dormers would be sited approximately 4.3m from the western boundary in common with No.2 and project approximately 3.8m further than the rear elevation of the adjacent property. The SPD4 guidelines would allow a maximum projection of 5.8m at first floor level and therefore the proposed development would comply with this guidance and would not have a significant additional overbearing impact, nor would it overshadow or result in a loss of light which would be unduly harmful to the occupiers of no.2 Winmarith Drive. As the siting of the existing bedroom window at first floor level within the eastern elevation is forward of the roof ridge of the application property, it is considered that the proposed development towards the rear of the property would not cause detrimental harm to the existing outlook of this window. Furthermore, the removal of an existing bedroom window located almost directly opposite would increase the privacy of this habitable room to the benefit of the occupiers.
12. Whilst the first floor bedroom window in the side elevation of No. 2 would face the gable end of the remodelled dwelling at approximately 5.3m, this would be only approximately 450mm higher than the existing gable end. In addition, the maximum height of the existing front gable would increase by 300mm to approximately 4.7m and this would be positioned approximately 5.9m from the common boundary. The orientation and design of the application property would allow for sunlight to reach the bedroom window throughout much of the day following some limited impact in the early morning. The window is at first floor

level and will continue to benefit from light and outlook from above and to the side of the roof of the application property. It is therefore considered that any additional impact over and above that of the existing dwelling at the application property would not be sufficient grounds to justify a recommendation of a refusal of planning permission. As such, it is considered that the proposed development would be acceptable in terms of its relationship to No. 2.

### IMPACT UPON THE GREENS

13. The Council's SPD4 advises within paragraph 3.4.9 that extensions that reduce the distance between facing habitable room windows to less than 21m are unlikely to be acceptable. Paragraph 2.15.1 advises that "Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable, unless there is adequate screening such as significant mature evergreen planting or intervening buildings".
14. The submitted details indicate that a measurement of 24.84m would be provided between the proposed ground floor and the rear elevation of the Greens, increasing this distance by approximately 1.3m at first floor level to provide approximately 26.15m. A separation distance of 10.5m between the closest clear glazed window at first floor level and the rear boundary would also be provided with an appropriate obscure glazing condition to be attached to ensure that the proposed interface distances would adhere to, and be in excess of, this guideline and therefore it is considered that there would be no undue overlooking to the properties to the rear.
15. The proposed development is in accordance with Trafford Core Strategy Policy L7 and the aims of SPD4 and is therefore considered to be acceptable in terms of its impact on residential amenity relating to The Greens.

### VEHICLE PARKING AND HIGHWAY CONSIDERATIONS

16. The Council's car parking standards as set out in Policy L4 and Appendix 3 of the Trafford Core Strategy and the Council's Supplementary Planning Document 3: Parking Standards (SPD3), require the provision of three car parking spaces for dwellinghouses with four or more bedrooms. The proposed development would retain the property as a 4-bed dwellinghouse and provide a separation distance of approximately 8.6m between the proposed garage and the front boundary which is similar to neighbouring properties within Winmarith Drive and supported. Three off-street car parking spaces are proposed with access across an open driveway in addition to sufficient landscaping to contribute to the streetscene which would be compliant with the above guidance. This is recommended to be conditioned to ensure that this parking provision is retained indefinitely.

## DEVELOPER CONTRIBUTIONS

17. No planning obligations are required.

## CONCLUSION

18. The comments of local residents have been taken into consideration in the assessment of the application, however the external design of the proposed dwellings are considered acceptable, with the size, scale and massing of the development not causing undue residential harm or visual intrusion. The proposal is considered to be in compliance with guidance contained within SPD4 and recommended for approval, subject to appropriate conditions.

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

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P-01 REV K, P-02 REV J, P-03 REV H, P-04 REV I, P-05 REV I.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the part of the window shaded and annotated as "permanent obscure glazing" on drawing number P-03 REV H to the Master Bedroom in the first floor on the north elevation facing The Greens shall be fixed shut and fitted with textured

glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interest of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the garage hereby permitted shall not be converted to living accommodation and shall be kept available for the parking of motor vehicles at all times unless a further permission has first been granted on application to the Local Planning Authority.

Reason: To ensure adequate garaging/off street parking provision is retained and thereby avoid the harm to amenity, safety or convenience caused by on street parking, having regard to Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations

7. Prior to the first occupation of the extension hereby permitted, the 2no. off-street car parking spaces shown on plan P-01 REV K shall be provided and shall thereafter be retained for the parking of vehicles.



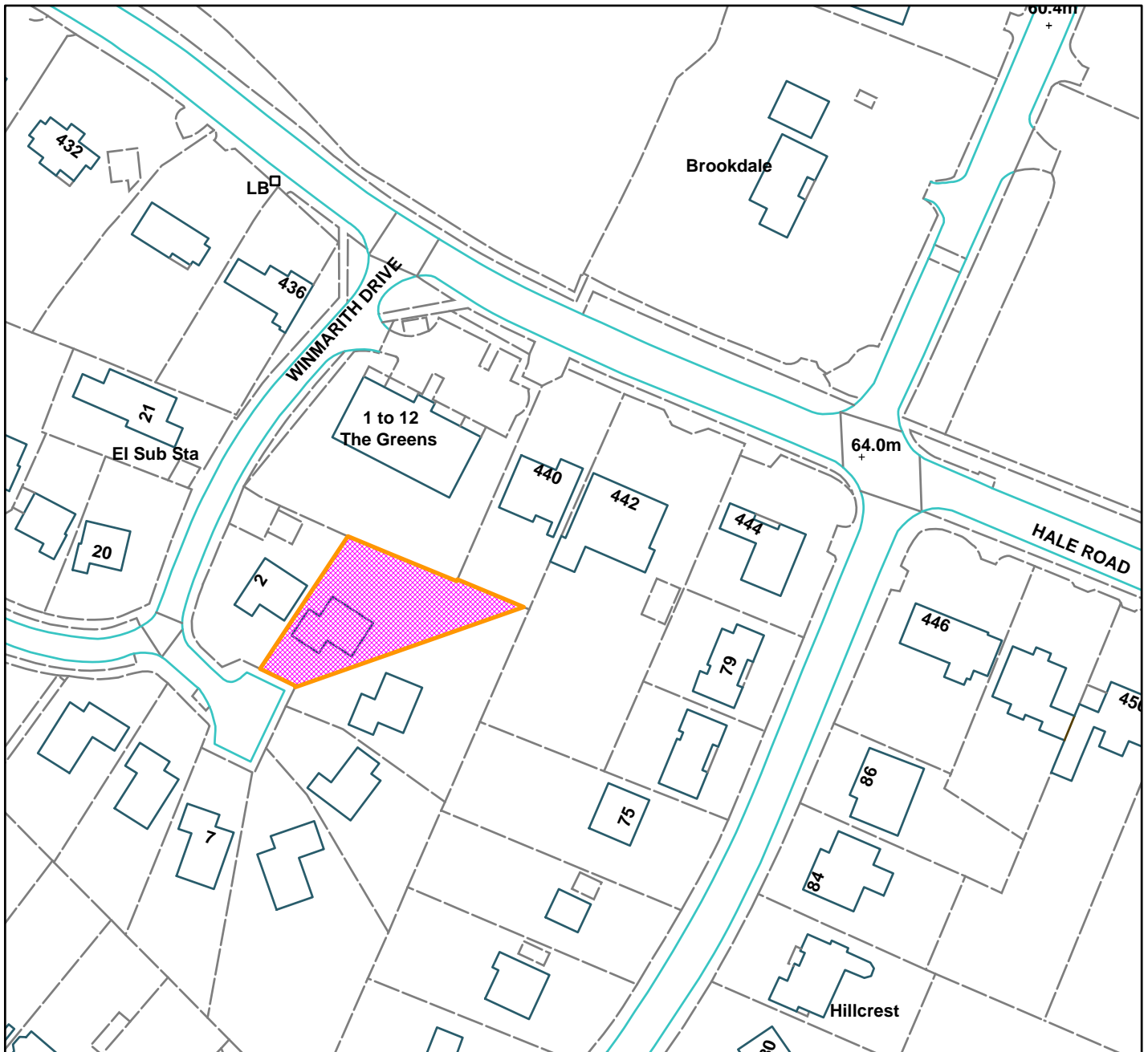
Reason: In the interests of highway safety and convenience and in accordance with Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations.

GD

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3 Winmarith Drive, Hale Barns (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

**WARD:** Urmston

**88899/OUT/16**

**DEPARTURE: No**

**Outline application for demolition of existing factory buildings followed by erection of two to three storey residential development (up to 58 units) with access onto Stretford Road and the provision of a turning area on Link Avenue. Approval sought for access with all other matters reserved.**

Simpson Ready Foods Ltd , Stretford Road, Urmston, M41 9WH

**APPLICANT:** Simpson Ready Foods Ltd

**AGENT:** Ludlam Associates

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

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## **SITE**

This application relates to the former “Simpsons Ready Foods Limited” site, located on the northern side of Stretford Road, Urmston. The application site is located within a residential area, bound by Firwood Avenue to its east and Link Avenue to its west. To the north of the site lie residential dwellings on Humphrey Park.

A small parade of shops and other commercial uses lie further down Stretford Road to the sites east and west. The site’s main access is off Stretford Road, with a second vehicle access point from Link Avenue, as well some smaller access points from Firwood Avenue. The existing site comprises a number of two and three storey units, which form the former factory and its various warehouses and work-shops. The main factory frontage currently adjoins the property to its east on the Stretford Road frontage.

## **PROPOSAL**

The application seeks outline planning consent for the demolition of all existing factory buildings on site, in order to allow for the development for up to 58 two and three storey residential units. Consent is sought for access and all other matters (appearance, scale, layout and landscaping) are reserved. Access into and out of the site is proposed via a single point, sited centrally, off Stretford Road. A turning head has also been proposed to the sites western side, on Link Avenue, replacing the existing site access within this location.

An indicative layout plan has been submitted in support of the application. This identifies a number of detached, semi-detached and apartment style dwellings. These are sited in a cul-de-sac lay out. Access details are provided which indicate that the proposed

dwellings would be accessed via private drives which would be serviced by an estate road which would lead off Stretford Road.

## **DEVELOPMENT PLAN**

For the purposes of this application 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for new Homes  
L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
W1: Economy  
R3: Green Infrastructure

## **SUPPLEMENTARY PLANNING DOCUMENTS**

New Residential Development – Supplementary Planning Guidance 1

## **PROPOSALS MAP NOTATION**

None

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

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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

To help demonstrate that the principle of residential development could be acceptable, the application has been accompanied by a range of supporting documents as follows: -

- Crime impact statement
- Statement of community involvement
- Bat and breeding bird survey
- Transport statement
- Planning statement
- Geological survey
- Flood risk assessment
- Design and access statement
- Carbon budget statement

## **CONSULTATIONS**

### Environmental Health – Pollution and Licensing

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### Environmental Health – Contaminated Land

Raised no objections to the proposals, however recommended the use of a planning condition, for any subsequent planning consent.

### Design For Security Team – Greater Manchester Police

Raised no objections in principle to the application, however recommended that the recommendations made within the submitted Crime Impact Statement be incorporated within the proposal.

### Local Highways Authority

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### Drainage Engineer

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### United Utilities

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### GMEU

Raised no objections to the proposal, however recommended the use of 2no. conditions, for any subsequent planning consent, further discussed below.

## **REPRESENTATIONS**

**Neighbours:** A total of 11 neighbours made the following representations to the Local Planning Authority, raising the following concerns and making these comments:

- Proposed development will have a negative impact upon the local highway network
- Affordable homes would need to be built as part of the scheme
- Parking provision should be adequate to improve existing issues within the area
- Privacy concerns from new 3 storey buildings overlooking garden areas of neighbouring dwellings
- Loss of light from proposed new dwellings
- Materials of new dwellings should be in keeping with existing dwellings within the wider area
- Additional traffic during the building works phase of the development would lead to increased traffic/highway concerns
- Noise and pollution from building works harming amenity of neighbouring occupiers
- Boundary treatment of the development is important for neighbours security and would be lost through this development
- Advance traffic management system should be used to manage traffic within the area post development
- Area already saturated with poor quality flats – any new flats should be of high quality
- Building height should be restricted to 2 storey's – in keeping with wider area
- Parking/delivery concerns during construction phase of development
- Pest control following the demolition of the factory
- Restrictions should be put in place to control working hours
- Overdevelopment of the site – with number of units proposed
- Lack of garden area/amenity space for residents of new development

- Lack of parking spaces for new development
- Form of the development as proposed, out of keeping with the wider area
- Character of space is eroded through the development as proposed
- Size of garden areas out of keeping with wider development of housing

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The application site comprises the former “Simpsons Ready Foods” factory site and its surrounding curtilage. The main factory building and other ancillary units are to be demolished as part of the application. The proposal result in a change of use of the site and this principle is the key consideration in this outline planning application.

### **Loss of Industrial (Use Class B2) use**

2. Being a former factory, the application site is considered to be a brownfield site, within the B2 use class (General Industrial). The current proposal would result in a change of use of the site to residential (use class C3). Policy W1.12 of the core strategy sets out in determining applications for non-employment uses on unallocated employment sites, developers will be required to provide a statement to the satisfaction of the Local Planning Authority demonstrating that:
  - There is no need for the site to be retained for employment purposes and it is therefore redundant;
  - There is a clear need for the proposed land use(s) in this locality;
  - There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;
  - The proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users; and
  - The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford.
3. In this instance the developers have submitted a supporting statement which highlights the fact that the application site was not identified as an allocated employment site within the Core Strategy.
4. With reference to Policy W1.12, the applicants have highlighted the fact that there are a large number of modern industrial premises, in close proximity to the application site within Trafford Park. Trafford Park is an allocated employment site and that is its primary function. The existing site does not meet present day expectations for industrial uses; given its aging nature and size and by virtue of being sited within a mainly residential area.

5. The primary function of the locality of the site is residential, with local shops and other services sited within the wider vicinity. Therefore the redevelopment of the site for residential purposes would further support the existing primary function of the area. The development would also remove what is seen as an un-neighbourly development from the vicinity, improving the amenity of neighboring land users.
6. It should further be noted that at present, the Council does not have a five year supply, of immediately available housing land. The Council has therefore been unable to identify a sufficient number of sites within the local vicinity for future housing provision, which the current proposals would help meet. This is further discussed in more detail below. In respect of employment land, however, recent case law has established that the definition of 'relevant policies for the supply of housing' should be defined in a 'wide' sense and include any policy which seeks to restrict housing on a particular site, not simply those which deal specifically with housing land. This would include policies for the protection of employment land. As such policy W1.12 is 'out of date' in the context of Paragraph 49 of the NPPF and can therefore be given less weight in the planning balance.
7. It is therefore considered that in this instance the proposed change of use of the site to residential is considered acceptable. The application site has not been identified as a site for future employment provision, and is in fact identified in the Council's SHLAA for housing development. The applicants have demonstrated that a sufficient number of alternative employment sites can be found within the Trafford Park area, in close proximity to the site, where future industrial development could be focused. Furthermore the primary function of the sites wider area remains residential and the development would aid in the provision of additional housing. As such the development is found to be in accordance within Policy W1 from the TBC Core strategy and the relevant sections of the NPPF.

### **Principle of Residential Development**

8. Core Strategy Policy L1.7 sets an indicative target of 80% of new housing provision within the borough to be built upon brownfield land. In order to achieve this, the Council has stated that it will release previously developed land and sustainable urban area greenfield land, in order of priority. As this development would involve the use of a large brownfield site, the development is considered to make a positive contribution to the Councils brownfield land target, in accordance with Policy L1.7 of the Adopted Core Strategy.
9. It should further be noted that the site has been identified within the Councils Strategic Housing Land Availability Assessment (SHLAA) as having the potential to provide up to 29 houses (based on 30 dph) as a single housing type site or 39 units (based on 50 dph) as a mixed housing type site, including the erection of apartments.



10. It should be noted however that the density assumptions used in the SHLAA were used for guidance purposes only and are not a target or a limit to the number of residential units which could be accommodated on the site. The current application proposes development at a higher density, including the erection of a number of 2 and 1 bedroom apartments. The current application only seeks outline consent therefore the number and size of the units as proposed, has not been finally determined, however an indication of what the development could comprise of has been provided. The units proposed are as follows:
- 24 x 1 bed apartments
  - 12 x 2 bed apartments
  - 20 x 3 bed semi-detached housing
  - 2 x 4 bed detached housing
11. Policy L2.6 from the TBC core strategy states that such residential schemes should put forward a good mix of dwelling types and sizes, which will in turn help meet the housing needs of the Borough. In this instance, it is considered that the site could accommodate a good mix of units with housing types ranging from 1 bedroom apartments, to large 4 bedroom family housing, therefore the proposal is considered to comply with this policy and is acceptable in principle.
12. Policy L2.7 further states, with reference to 1 bedroom apartments, that 1 bed general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. The current scheme however is not located within a town or regional centre, being located within the outer area of Stretford.
13. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
14. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
15. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning

application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply, whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites.

16. Paragraph 47 of the NPPF identifies a clear policy objective to, “*boost significantly the supply of housing*”. In order to meet future housing needs, Core Strategy Policy L1 also seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
17. The application site is located on a local bus route, with services connecting into Stretford, Sale and Manchester. The site is also sited within 1km of Humphrey Park railway station, with Metrolink stops also being accessible from the nearby bus network. Being situated within a well-established residential area, the site also remains sited within a short range of schools, shops and other local community facilities and as such its location is considered to be sustainable.
18. The proposed development inclusive of the proposed 1 bedroom units is considered to be acceptable. The application site is considered to be sustainable and the development would provide a good mix of new residential dwellings to the benefit of the borough and its housing stock.
19. The current application would significantly add to the Council's aim of meeting its new homes target and would make good use of a large vacant brownfield site. The current scheme would help address the identified housing shortfall within the borough, alongside assisting the Council in meeting the Government's objective, of securing a better balance between housing demand and supply. The proposed development is therefore considered to be in line with policies L1 and L2 from the TBC Core strategy and the relevant sections of the NPPF and as such is considered to be acceptable.

### **Affordable Housing**

20. Within ‘moderate’ market locations, a 20% affordable housing target will normally be applied to applications for housing, with a flexibility to increase this to a 25% requirement under ‘good’ market conditions and decreased to 10% under poor market conditions. The State of the Economy report, dated August 2015, concluded that regarding the affordable housing requirements the economy was returning to normal conditions, but as full data for 2015 was not available there would be no change in the policy approach, which identified poor market conditions, until it had been established that this improvement had been sustained throughout the year of 2015. The affordable housing contribution sought for this scheme would therefore be 10%. If a lesser amount than this is

proposed, it should be determined and justified by a site specific viability study, alongside the submission of any Reserved Matters application. This would be secured by way of a S106 legal agreement.

21. Policy L2 of the Trafford Core Strategy highlights the following key principles with regards to affordable housing:

- The expected method of delivery will be on site.
- At least 50% of the affordable housing provision will be required to be suitable for families.
- The affordable housing element should reflect the overall mix of unit types on site; and
- A split of 50:50 in the affordable housing units should be provided between intermediate (commonly shared ownership) and social/affordable rented housing units.

22. It is therefore considered that in this instance, a 10% contribution for affordable housing will be applied to the development proposals, given that the Borough is currently experiencing poor market conditions. If a lesser contribution is put forward by the applicant, this will need to be justified through the submission of a site specific viability scheme, submitted in support of any subsequent reserved matters application. The 10% contribution will need to be in line with the above criteria mentioned within policy L2 of the TBC core strategy and will be secured by way of a 106 Agreement. The proposals are therefore considered to be in line with policy L2 of the TBC Core strategy.

## **DESIGN AND STREET SCENE**

23. 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.

24. Paragraph 2.2 of the New Residential Development SPD indicates that development will not be accepted at the expense of the character of the surrounding area. It states that the resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.

25. The main factory, an early 20<sup>th</sup> century building, is considered to hold no significant architectural or historical merit and is not considered to be a non-designated heritage asset, as defined by the NPPF. As such its demolition in this

instance, to allow for the erection of a new residential development, for up to 58 new units, is considered to be acceptable.

26. The design of the proposed development is a matter for consideration at the Reserved Matters stage of the application; however under the current application it is relevant to assess the relationship that the proposed residential scheme would share with the wider area, particularly properties sited on Firwood Avenue, Link Avenue, Stretford Road and Humphrey Park.
27. An indicative layout has been submitted providing a general idea of the type of development that could be seen within the site.
28. A total of 58 units are proposed within the application site. The proposed layout, presents an acceptable form of development, whereby the access would run centrally through the site, with small drives leading off into the individual units. The indicative layout shows that the dwellings would be sited on as similar layout to surrounding properties, with adequate amenity space and parking to all sides. As such it is considered that the site has the potential to accommodate up to 58 units without leading to undue harm to visual amenity or the wider character and appearance of the surrounding area.
29. The frontage of the site along Stretford Road is current formed by 3 – 4 storey units of varying architectural styles and types. Although no formal details have been submitted, the indicative layout proposes 2no. three storey apartment blocks to the front of the site, with space retained to the sites eastern and western side boundaries. This would provide the site with a much more open frontage and would allow views down the side of the blocks into the site, making the site much more permeable and creating an element of space and openness within the site, in line with the wider area. Given that buildings to either side of the site have a 3 storey form, the principle of such a development within this location is considered to be acceptable. The specific layout, scale and external appearance will be determined through a reserved matters application.

## **RESIDENTIAL AMENITY**

30. 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.
31. The layout as submitted with the application is only indicative therefore a full assessment in terms of the impact in residential amenity cannot be taken at this stage. The principle of residential development on the site is considered to be appropriate given the existing residential use surrounding the site. The development of the schemes design and layout would need to take account of

the existing residential development adjoining the site along with the Council's guidance set out in SPD1.

32. The main access to the site is off Stretford Road and the existing access from Link Avenue is proposed to be removed, this is considered to be to benefit of the residential occupiers of Link Avenue as this would reduce vehicle movements along this residential street minimise noise and disturbance.

### **Noise and disturbance**

33. It is considered that as the site lies in close proximity to a number of residential dwellings, a Construction Management Plan be conditioned as part of any subsequent planning consent. This will require the Construction Management Plan to be submitted to the Council prior to any works taking place on site. The Construction Management Plan will be conditioned to ensure that appropriate steps be implemented on site, ensuring any impacts from the development on adjacent sensitive receptors (from noise, vibration, dust, waste handling etc.) are managed appropriately, following national standards and guidelines (e.g. BS 5228, IAQM Guidance on the assessment of dust from demolition and construction).
34. The noise environment within the site, for future occupiers of the scheme, can be controlled by a suitable planning condition.

### **PARKING AND HIGHWAY SAFETY**

35. The current application is for outline consent only, with all matters other than access reserved. The submitted plans detail that the proposed development will be accessed via a new site entrance from Stretford Road, located approximately 2m east of the existing site access. The achievable visibility splays at this proposed access have been identified as 43m in both directions on the submitted plans; and are therefore in accordance with the visibility requirements set out in the Manual for Streets, for a 30 mph road. The existing site access will be made redundant and footpath reinstated, ensuring a single entrance point into and out of the site for the movement of vehicles.
36. The existing site also has smaller service access points from Link Avenue and Firwood Avenue. The current proposals would see the removal of these, with the creation of a turning area at the existing location of the Link Avenue access. The turning point will allow residents on Link Avenue, a cul-de-sac, to turn their cars around, prior to leaving the street, considered a benefit of the proposed scheme and as such is considered acceptable.
37. An internal road, with a turning head is detailed to provide access to the proposed dwellings, with private drives leading off into the individual units and various parking areas, considered acceptable. The submitted transport statement

details that such driveways and parking areas will be built to be in compliance with the Councils adopted SPD3 standards and as such on this basis are considered acceptable.

38. The transport statement submitted by the applicant contains a swept path analysis drawing, which demonstrates that a refuse vehicle is able to use the proposed site access and the proposed turning heads adequately.
39. The proposed parking provision within the site will be designed to be in accordance with Trafford Council's requirements as set out in SPD3: Parking Standards and Design for each of the individual housing units, although this will be dependent upon the number of units applied for at the Reserved Matters Stage of the development. As such it is considered that the site is capable of providing sufficient car parking and cycle parking for up to 58 dwellings.
40. The submitted transport statement further demonstrates that the erection of up to 58 housing units within the site would actually generate less 2 way traffic flows than the current industrial site within peaks hours. In addition, it is stated that the removal of heavy industrial vehicles from the local highway network and reduced parking congestion during peaks hours would also benefit the amenity of existing local residents.
41. The development is also recognised to be sited within a sustainable location, encouraging the use of sustainable transport modes. The site is in walking distance from Urmston and Stretford Town centres and is sited in close range to a number of bus stops, which provide further options for rail and tram travel.
42. The proposed site access as shown on the submitted plans is considered to be acceptable and adequate visibility splays would be provided to allow for two way traffic entering and leaving the site. The site would also be able to safely accommodate servicing vehicles and the applicants have further demonstrated that the site is capable of accommodating parking for up to 58 housing units. The application site is located within a sustainable location and is not considered to pose any undue impacts upon the local highway network or pedestrian and highway safety. As such the development is considered to be in line with policy L4 from the TBC Core strategy and the relevant policies within the Councils adopted SPD3 guidance.

## **TREES AND LANDSCAPING**

43. The existing site offers very little in terms of the number of trees on site or areas of landscaping. The current application therefore provides opportunities to provide soft landscaping and add to the visual amenity of the local area. It is likely that the proposed dwellings would benefit from private areas of open space along with communal areas for any flatted development, which would allow for

soft landscaping and tree planting, improving the ecological foot-print of the site. This would be considered through a reserve matters application for landscaping.

## **AIR QUALITY**

44. The application site is sited in close proximity to an air quality management area. Given the form and scale of the development, there remains potential for elevated traffic pollution concentrations within the site. As such it is recommended that an air quality assessment be conditioned as part of any subsequent consent at this outline stage, to establish the impacts of any existing sources on the development site and the impact of the development itself on the local area. Any such report can then be conditioned to be submitted to the Council, prior to any works commencing on site, and detail any mitigation measures. These can then be controlled and managed by the Council.

## **CONTAMINATED LAND**

45. As the application relates to a vacant factory, it is recommended that a contaminated land investigation and risk assessment take place prior to any works taking place on site. A condition to this effect therefore is recommended to be attached onto any subsequent outline planning consent, ensuring that the survey assess the nature and extent of any contamination on site and the findings of this report be submitted to and approved in writing by the Council, along with any mitigation measures.

## **DESIGN FOR SECURITY**

46. A crime impact statement was submitted in support of this application, detailing a number of measures that would be installed on site in order to make the site secure. A condition to this effect is therefore recommended to be attached this outline consent, ensuring that these measures be incorporated within design of the proposals and that these measures are then retained and maintained thereafter, ensuring the safety of any future occupiers of the site and the wider area.

## **ECOLOGY**

47. A preliminary Bat Assessment of the application site was submitted in support of the application, comprising details of the various visual assessments carried out of the different buildings within the site. The assessment had found no direct evidence of the site supporting bats, however it has been found that certain sections of the site, especially those which make up the Stretford Road frontage, to the southern side of the site have moderate potential to host Bats.
48. It has therefore been recommended that a condition requiring that all demolition works for the roof structures formed by slate are carried out by hand, within the

months of November to March. A further condition has also been recommended detailing that should the works not be carried out prior to March 2018, a further assessment be carried out on site, in order to survey the site for bats, details of this would be secured by way of condition. This will ensure that any internal/external changes within the environment of these buildings over this period can be assessed for supporting bat activity.

## **DEVELOPER CONTRIBUTIONS**

49. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre and apartments will be liable to a CIL Charge rate of £0, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
50. As this application is only seeking Outline consent for Access, the full details of any affordable housing contribution for the site cannot be calculated. As such, any such details will need to be assessed during the Reserved Matters stage of the application.
51. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary that the development provide an element of green infrastructure. It is considered that the development site has the capacity to comply with the requirements of SPD1, which could include the planting of trees within the sites boundaries. A landscaping condition is therefore recommended to ensure that the required specific green infrastructure is provided in accordance with SPD1 and Policy L8.

## **CONCLUSION**

52. The proposed development could provide up to 58 new residential units on site, improving the quality and quantity of the housing stock in this part of the Borough. The principle of the change of use and principle of residential development on this site is acceptable. The proposed access, as shown on the submitted plans would be an acceptable way of accessing the site which would not result in harm to highway or pedestrian safety. All other matters relating to layout, scale, appearance and landscape are reserved for subsequent approval and further reserved matters applications will be required, however the indicative plans demonstrate that a development of up to 58 dwellings could be accommodated on the site. Various planning conditions are proposed to mitigate and control other matters. Therefore in accordance with paragraph 14 of the National Planning Policy Framework, it is considered that the proposed development represents a sustainable form of development which complies with all relevant policies set in the Trafford Core Strategy and, where the development plan is silent or out of date, the relevant sections of the NPPF.



## **RECOMMENDATION**

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

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development for which outline planning permission has hereby been granted shall be started on any phase within the development until full details of the following reserved matters, in respect of that phase within the development, have been submitted to and approved in writing by the Local Planning Authority:
  - a) appearance;
  - b) scale
  - c) layout; and
  - d) landscaping

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the details of the matters referred to in the condition have not been submitted for consideration.

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:OP001, OP002 and SCP/16252/ATR01 Rev. D.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans,

specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby approved shall not be occupied until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that a satisfactorily landscaped scheme is secured on site for the long term, having regard to its location and the nature of the proposed development, with reference to Policies L7, R2 and R3 of the Trafford Core Strategy.

6. Any application for reserved matters which includes 'layout' shall be accompanied by an assessment of air quality for sensitive receptors within these uses. The assessment shall include details relating to the presence and location of Air Quality Management Areas as an indicator of local hotspots where air quality objectives may be exceeded. It shall also provide an assessment of the impact of the development on air quality in the surrounding area. Where necessary, the assessment shall provide details of mitigation measures to improve air quality at sensitive receptors. Thereafter development shall proceed in accordance with the recommendations and timescales contained within the approved assessment and shall be retained and maintained thereafter.

Reason: It is necessary for this information to be submitted and agreed prior to commencement of the development to ensure safe air quality environments for the site and wider area. In accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: It is necessary for this information to be submitted and agreed prior to commencement in to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L5 and L7 of the Trafford Core Strategy.

8. Any application for reserved matters which includes layout shall provide details (including calculations and reasoning) of the architectural sound mitigation, relevant to the control of external noise. The assessment scheme shall demonstrate that the noise criteria of BS 8233:2014 (or the prevailing guidance of the time) can be achieved and identify noise attenuation where necessary. Development shall be implemented in accordance with the agreed measures and shall be maintained thereafter.

Reason: It is necessary for this information to be submitted and agreed prior to commencement of the development to ensure that the site area meets national standards, ensuring sufficient amenity for future occupiers. In accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

9. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:
- i) a survey of the extent, scale and nature of contamination
  - ii) an assessment of the potential risks to:
    - human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,

- adjoining land,

- groundwaters and surface waters,

- ecological systems,

- archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy L7 of the TBC Core strategy and the National Planning Policy Framework.

10. The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement dated (26/07/2016 - URN: 2016/0554/CIS/01 Version A).

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

11. Foul and surface water shall be drained on separate systems.

Reason: to secure proper drainage and to manage the risk of flooding and pollution, having regard to Policy L5 and L7 of the Trafford Core Strategy.

12. No development shall take place until a surface water drainage scheme, based on the hierarchy of the drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the non-statutory technical standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

13. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

Reason: To prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development.

14. No development shall commence on site until a detailed method statement from demolition has been submitted to and approved in writing by the Council. The approved statement shall detail a demolition strategy which entails the removal of all slate roof coverings by hand during the winter period (November – March). The approved method statement shall then be implemented in full on site during the course of the works.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to safeguard any roosting Bats on this site in accordance with Policy R2 of the TBC Core strategy and the relevant sections of the NPPF.

15. Notwithstanding the development hereby approved, should demolition works not be completed for any part of the application site by March 2018, a full Bat survey and assessment should be submitted to and approved in writing by the Local Planning Authority. The Assessment should include any mitigation measures required on site and any such mitigation measures must then be implemented in full on site and retained thereafter.

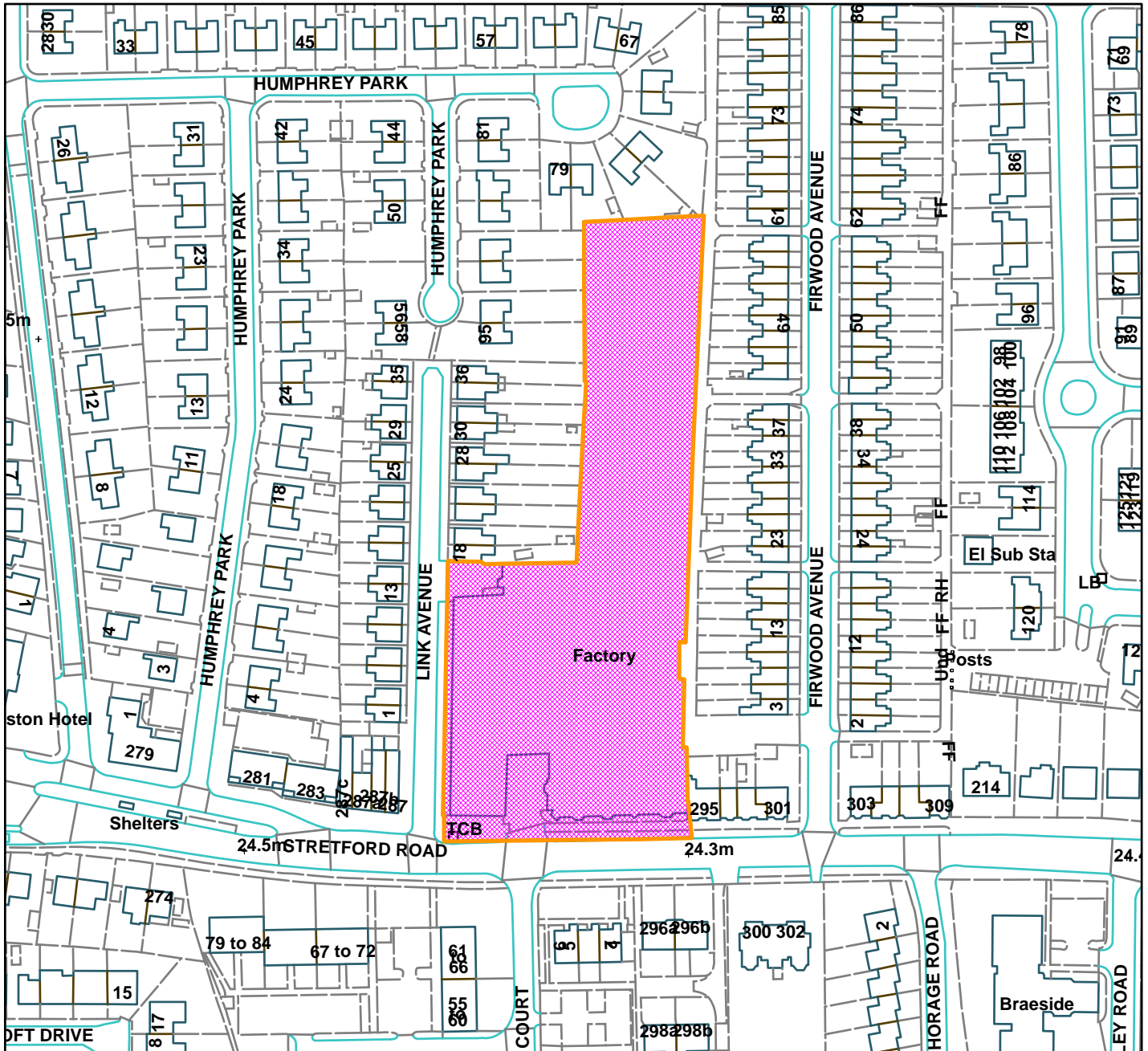
Reason: To safeguard any roosting bats on this site in accordance with Policy R2 of the TBC Core strategy and the relevant sections of the NPPF.

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IG



Simpson Ready Foods Ltd, Stretford Road, Urmston (site hatched on plan)



Scale: 1:1,750

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

**WARD:** Hale Central

**88965/HHA/16**

**DEPARTURE:** No

**Retention of existing gateway and access.**

Bollindale, South Road, Hale Barns, WA14 3HT

**APPLICANT:** Mr Chae

**AGENT:** Cunnane Town Planning LLP

**RECOMMENDATION: REFUSE**

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**This application has been called to the Planning and Development Management Committee in by Councillor Mitchell and Councillor Mrs Young on the grounds that there is insufficient turning space within the site and that there is a satisfactory impact on the street scene.**

**SITE**

The application site relates to a residential dwelling recently constructed following planning approval in 2015. The site is sited on the south side of South Road within the Ashley Heath Conservation Area. The dwelling is two storeys with habitable roof accommodation.

The site has an existing access point located adjacent to Greystead to the east.

**PROPOSAL**

Planning permission is sought for the retention of the existing gateway and access to allow for a separate entrance and exit to the site.

Planning permission was granted in February 2015 for the erection of a two storey detached dwelling with additional accommodation within the roofspace following demolition of the existing property and creation of a new vehicular access (84266/FUL/2014). Condition 6 of that approval required the existing redundant access to be closed. This application now seeks permission for the retention of the original gateway and access to be used in conjunction with the new access approved under 84266/FUL/2014.

The applicant has been advised that a S.73 application to remove condition 6 of the above permission would have been the most appropriate route and that in the event that planning permission is granted for the retention of the existing access; this condition will remain on the application associated with the granting of permission for the replacement dwelling. A subsequent S.73 application would be therefore be required. The applicant

has however confirmed that they wish to proceed with the application as a standalone matter.

## **DEVELOPMENT PLAN**

**For the purpose of this application 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Parking

L7 – Design

R1 – Historic Environment

## **PROPOSALS MAP NOTATION**

Ashley Heath Conservation Area

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

ENV21 – Conservation Areas

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD3: Parking Standards and Design

SPD4: A Guide for Designing House Extensions and Alterations, adopted Feb 2012

SPD5.8: Ashley Heath Conservation Area Appraisal, adopted July 2016

SPD5.8a: Ashley Heath Conservation Area Management Plan, adopted July 2016

## **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.



## **OTHER LEGISLATION**

Planning (Listed Buildings and Conservation Areas) Act 1990

## **RELEVANT PLANNING HISTORY**

84266/FUL/14 – Erection of two storey detached dwelling with additional accommodation within the roofspace following demolition of existing property; creation of new vehicular access.

Approved with conditions 5 February 2015

83618/FULL/2014 – Demolition of specific parts of dwelling and rebuilding behind retained façade to South Road.

Approved with conditions 6 October 2014

82091/HHA/2013 – Remodelling and extensions to property at ground, first and second floor to front, side and rear elevations. Works to include raising height of main dwelling, creation of balcony and erection of attached garage; creation of new vehicular access.

Approved with conditions 12 February 2014

81380/HHA/2013 – Remodelling and extensions to property at ground, first and second floor to front, side and rear elevations. Works to include raising height of main dwelling, creation of balcony, installation of solar panels and erection of attached garage; creation of new vehicular access.

Refused 30 October 2013

H/23218 – Demolition of existing garage and erection of a new detached double brick garage and resiting of vehicular access onto South Road. Approved 5 June 1986

## **APPLICANT'S SUBMISSION**

Supporting information has been submitted with the application which provides an assessment of the proposal on the Conservation Area. This will be referred to further in the main observations section of the report where relevant.

## **CONSULTATIONS**

LHA – No objection to the application on highway grounds

## **REPRESENTATIONS**

Representations have been received from 2 Councillors in support of the application. The main points raised are summarised below:

- The two gates are essential for safety and to prevent having to reverse onto the road;
- New piers replicate the original;
- Other houses of a similar size in South Road also have two gates.

## **OBSERVATIONS**

### **BACKGROUND**

1. This application relates to a replacement dwelling given approval in February 2015 (84266/FUL/14). As part of the application, a new access and entrance to the site was created to the western side of the South Road frontage. The existing entrance was to be blocked up with treatment to match the existing front boundary materials and hedge and a condition (6) to require the closing up of the access prior to the development being brought into use was imposed.

### **PRINCIPLE OF DEVELOPMENT**

2. The application site is an existing residential property and this will remain, the proposal does not result in any change of use.
3. The application site is located within the Ashley Heath Conservation Area, The importance of preserving the historic environment is reflected in the National Planning Policy Framework (NPPF) and supporting Guidance (NPPG).
4. The impact on the designated heritage asset along with the impacts on highway and pedestrian safety and residential amenity are therefore the principal considerations for this proposal.

### **DESIGN AND IMPACT ON HERITAGE ASSET**

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area" in the determination of planning application.
6. Paragraph 132 of NPPF establishes that when considering the impact of a proposed development of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building should be exceptional.
7. Paragraph 133 of NPPF advises that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
  - The nature of the heritage asset prevents all reasonable uses of the site; and

- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - The harm or loss is outweighed by the benefit of bringing the site back into use.
8. The NPPF sets out that harm can either be substantial or less than substantial. Case law has established that there can be degrees of less than substantial harm. There will also be cases where development affects heritage assets but from which no harm arises. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 134).
9. In relation to matters of design, Policy L7 of the Core Strategy states development must:
- Be appropriate in its context;
  - Make best use of opportunities to improve the character and quality of an area;
  - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment.
10. Policy R1 states that:-

*All new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets.*

#### The significance of the designated heritage asset

11. The significance of the Ashley Heath Conservation Area derives from the former agricultural settlement that was substantially developed for residential use over a short time period from the 1850s to 1908. The prevalence of large detached properties in substantial grounds charts the influx of the upper and middle class population in the area. Many of the properties in the Conservation Area retain a high level of historic architectural detail including original windows, doors, ridge tiles, finials, black and white timber detailing and polychromatic brick work.
12. There are attractive views of the area from Ashley Mill Lane North looking across pasture land. There are also attractive views along the north section of South Downs Road. These views are limited to certain areas, as the topography of the area affects the views along the road. However, the rise in the road to the northwest and the winding nature of the road adds to the secluded character of the

area. The size, maturity and quality of the many gardens and the plants and trees they contain are a significant asset to the views from the street. Particularly along South Downs Road, where the trees create a rural, secluded character.

#### Proposal and impact on significance

13. With specific regard to boundary treatment, paragraph 3.12.3 of SPD4 states that “..large parts of Trafford are defined by low boundary walls with planting behind, and in such areas, boundary treatment proposals should be in keeping with this prevailing type of boundary. Any development proposals should as far as practicable retain as much as possible of existing characteristic boundary treatments and/or re-create the predominant type of boundary treatment.”
14. The Ashley Heath Conservation Area Appraisal, July 2016 identifies in paragraph 6.1.2 that “*The stone boundary walls, with hedges and shrubs planted above and behind are a characteristic of the local area, including the Conservation Area.*” Paragraph 2.4.1 of The Ashley Heath Conservation Area Management Plan, July 2016 states that “*The traditional treatment, both in Ashley Heath and also the wider Trafford area, comprises roughly-hewn local stone built to a low height and supplemented with planting. Where these survive it is important that they are retained for the benefit of the Conservation Area’s character.*” Paragraph 2.7.3 identifies the “removal of and/or alterations to historic boundary walls, gate posts and/or gate openings as harmful development.”
15. The application property and the surrounding areas of South Road and South Downs Road are examples where the traditional stone boundary walls remains for the majority of properties within the streetscene. It is this feature of the Conservation Area that is of main consideration in the determination of this application.
16. The following policies of the Ashley Heath Conservation Area Management Plan, July 2016 are considered to be relevant to the determination of this application:

**Policy 18** – The characteristic historic low-level front with hedges and shrubs planted above and behind and other principal boundary walls should be retained.

**Policy 23** – Gate openings should not be widened or re-positioned unless it can be proven that access is unsafe. Where gate openings are to be widened or re-positioned on the grounds of highways safety, Trafford Council will require the applicant to submit a highway consultant’s report to demonstrate highway safety implications.

**Policy 33** – The Council will seek to avoid opening up frontages by new or wider access and avoid the siting of any new buildings or other development close to trees or boundary planting.

## Consideration of Harm

17. During the consideration of earlier applications at this site fundamental concerns were raised by the planning officer with regard to the creation of a second access which involved the removal of part of the traditional stone boundary wall. It was considered that removing a second section of the traditional stone boundary wall would be harmful to this important feature of the Conservation Area, be out of keeping with the existing rhythm of openings within the streetscene, result in an unacceptable increase in the amount of hardstanding associated with the dwelling and open up the site with the resulting loss of planting and the sense of enclosure that is characteristic of the area. This issue formed part of the refusal of planning application 81380/HHA/2013 as follows:

*“The proposed remodelling and extensions to the existing property by virtue of design, scale, height and massing together with the loss of a section of the sandstone boundary wall would not enhance or better reveal the significance of the heritage asset and would fail to preserve or enhance the character or appearance of the Ashley Heath Conservation Area. As such, it would be contrary to Policies R1, L5 and L7 of the Trafford Core Strategy, Proposal ENV21 of the Revised Trafford Unitary Development Plan and relevant parts of the NPPF and Supplementary Planning Guidance: The Downs, The Devisdale, Bowdon, Ashley Heath Conservation Areas (Approved June 1992).”*

18. A recent Inspector’s decision on an application relating to a property within Bowdon Conservation Area addresses the creation of 2 no. new accesses to a site with to serve a single dwelling (1 vehicular and 1 pedestrian) (APP/Q4245/D/16/3151080). The report states that:

*“The Council have also raised concerns in relation to the number of proposed entrances to the site shown on the submitted plans. I noted on site that the boundaries to properties in the area were typically low stone walls with established landscaping which had limited openings along their length. The proposal would have the effect of diminishing the sense of enclosure which is typical of residential plots in this part of the Conservation Area, and would thereby erode its established character.*

*As such, the proposal would fail to preserve or enhance the character or appearance of this part of the Bowdon Conservation Area. The proposal would thereby conflict with Policies R1 and L7 of the Trafford Core Strategy which together seeks to ensure that new development complements and enhances the character of the area including the historic environment.”*

19. Following negotiations between the agent and case officer within the consideration of the previous scheme, the amount of hardstanding within the site was reduced and the second access was proposed as a new position for the only access to the

site rather than a secondary, additional access. Condition 6 was therefore imposed to ensure that the original access was closed and the stone boundary wall reinstated in order to protect the character of the Conservation Area and bring the approval in line with policy. It is considered that there have been no changes in circumstances on site since the approval of planning application 84266/FUL/2014 that would justify a change in approach. The adoption of the Ashley Heath Conservation Area Appraisal (SPD5.8) and the Ashley Heath Conservation Area Management Plan (SPD 5.8a) which makes specific reference to the importance of the traditional stone boundary walls and the above appeal decision further support and give greater weight to the Council's justification for imposing this condition. In this regard the principle of two access points within this site is unacceptable and would fail to preserve or enhance the character and appearance of the conservation area.

20. Whilst the parking provision will be unchanged by the scheme, the applicant's justification for the proposal is that there is currently insufficient turning space within the site to enable users to leave in a forward gear. The retention of the original access would allow them to drive into the site and continue through in the same direction to leave at the adjacent exit.
21. With regard to highway safety and convenience to other road users, the access is considered satisfactory in highway terms, sufficient visibility splays are afforded to traffic entering and leaving the development by the proposed vehicle access/egress arrangements.
22. Consideration of parking and highways should not be limited to highway safety, accessibility and parking provision however. A lack of objection from Highways simply means that an access can operate safely and gives no consideration to other issues. Paragraph 6.3.1 of SPD3 deals with the matter of design and advises that "The character of an area will be given considerable weight in the determination of planning applications." Paragraph 6.3.2 continues that "with this in mind, parking areas should:
  - Maintain the character and setting of an area;
  - Be sensitively located so as not to dominate space;
  - Strike a balance between the needs of the end-users and the need to respect the street scene;
  - Avoid large unbroken areas of hard surfacing including tarmac;
  - Incorporate hard and soft landscaping;
  - Retain importance existing boundary and landscape features;
  - Incorporate appropriate boundary treatments that complement both the proposal and the wider setting;
  - Take account of important built and natural features, including listed buildings, conservation areas, local topography and green spaces
  - Avoid remote areas that do not benefit from natural surveillance."

23. Whilst the approved parking arrangements may leave it a bit tight for three vehicles to park within the curtilage and manoeuvre out in a forward gear, there would be some scope to extend the hardstanding to the boundary wall up to the 'old' entrance which would make manoeuvring easier for vehicles leaving the parking area. It is therefore considered that there are suitable alternatives that would have a lesser impact on the character and setting of the Conservation Area and the streetscene more generally. There is therefore no highway requirement for the proposed second access, given that South Road is not a classified road there is no requirement to leaving in a forward gear and the proposal is considered to be contrary to CAMP Policies 18, 23 and 33.
24. The proposal would result in harm to the significance of the conservation area and would fail to preserve or enhance the character and appearance of the conservation area. The harm caused is not considered to be substantial as it does not result in the complete loss or destruction of the heritage asset, therefore the proposal is considered to result in less than substantial harm. Case law sets out that there can be varying degrees of less than substantial harm and the impacts of this development are considered to be at the higher end of this scale given the conflict with the policies set out in the Ashley Heath Conservation Area Management Plan.
25. Where less than substantial harm arises to heritage assets, this should be weighed against the public benefits of the proposals in accordance with Paragraph 134 of the NPPF. Great weight should be given to the asset's conservation. The applicant has not set out any public benefits for the proposal, with the only benefits arising being the improvement to manoeuvring within site which is considered to be private benefit for the applicant. In this regard it is considered that there are no public benefits which outweigh this less than substantial harm to the significance of the Ashley Heath Conservation Area.
26. The applicant's supporting information states that "*The dwellings in the area are typically large detached houses set within their own generous gardens, many display two access points onto the road.*" This statement is misleading. The only other property within the immediate vicinity (on South Road, South Downs Drive and South Downs Road) which has a second vehicular access is 1 South Downs Drive. Whilst there is therefore one example nearby, this does not provide sufficient justification for allowing the current proposal.

### **Impact on residential amenity**

27. 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.

28. The retention of the existing access from South Road would not result in any undue harm to the residential amenity of the neighbouring and surrounding residential properties. The access is existing and in this regard would not cause harm to the outlook, privacy or light levels received to neighbouring residential properties.

### Conclusion

29. The removal of sections of low boundary wall and planting is specifically identified in the Ashley Heath Conservation Area Appraisal as being harmful to the special interest of the heritage asset. The proposed development, by virtue of not closing the original entrance and replacing the section of the traditional stone boundary wall and the sense of enclosure that this provides, would therefore fail to preserve or enhance the character and appearance of the Conservation Area and would have an unacceptable impact on the street scene leading to less than substantial harm to the heritage asset. No public benefits have been identified which would outweigh this less than substantial harm. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Ashley Heath Conservation Area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990.

### DEVELOPER CONTRIBUTIONS

30. No planning obligations are required.

### CONCLUSION

31. The proposal is considered to be unacceptable and would result in unacceptable harm to the character and appearance of the conservation area. Considerable importance and weight has been given to the desirability of preserving the character and setting of the Ashley Heath Conservation Area. The public benefits of the proposal are not considered to outweigh the less than substantial harm identified. The development is contrary to the development plan, including the Conservation Area Appraisal and Management Plan for Ashley Heath Conservation Area, and also specifically restricted by the NPPF. Refusal of this application is therefore recommended.

### **RECOMMENDATION: REFUSE for the following reasons:**

1. The proposal by virtue of the retention of the existing access would result in an unacceptable loss of low historic stone wall with planting behind which would impact on the rhythm of openings and would fail to respect the sense of enclosure created by the historic boundary treatment. The proposal would fail to preserve or enhance the character and appearance of the Ashley Heath Conservation Area or better reveal the significance of the heritage asset. The proposal is considered to result in less than substantial harm without any public benefits which would outweigh this harm. As such, it would be contrary to Policies R1, L5 and L7 of the Trafford Core



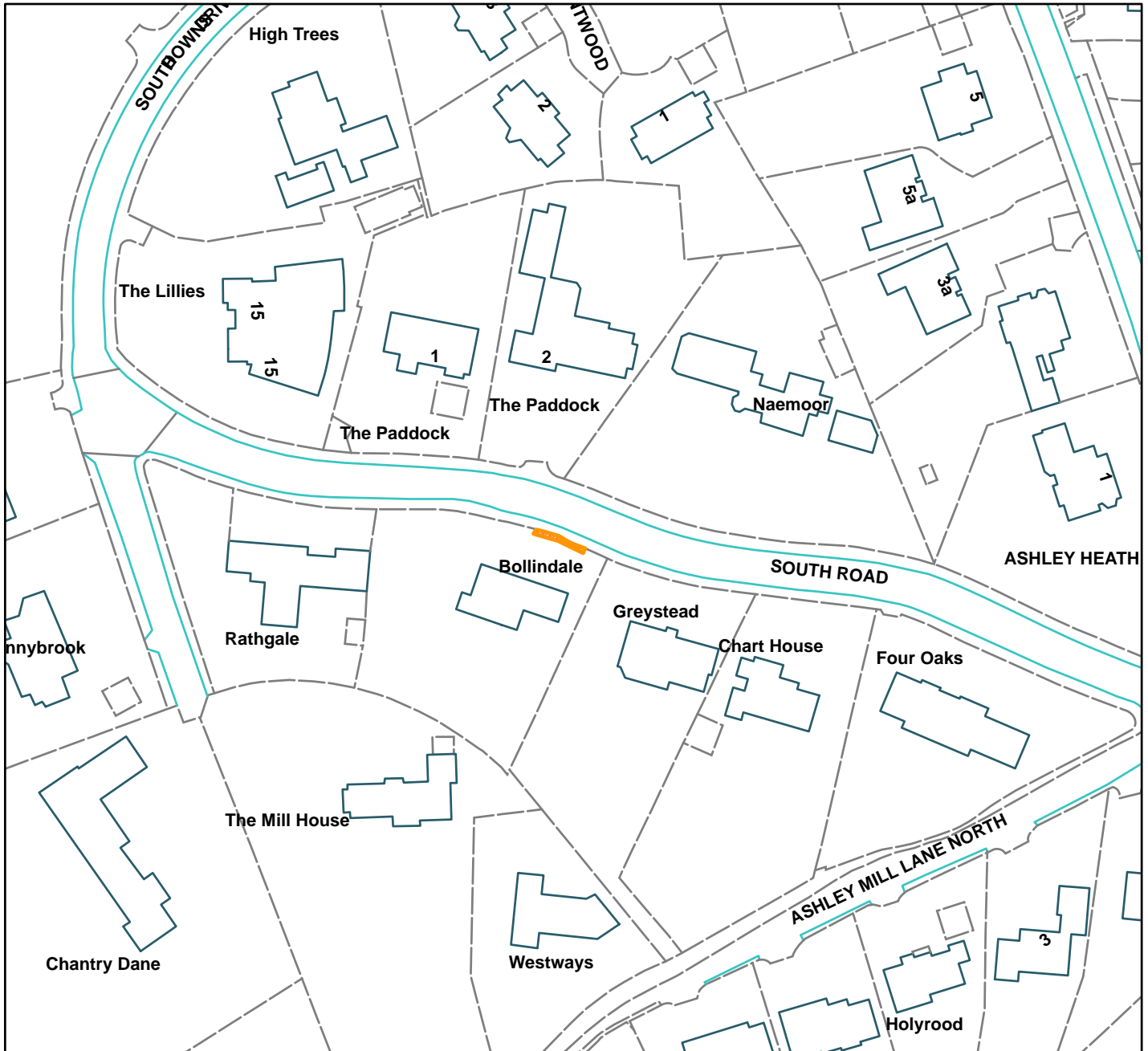
Strategy, Policies 18, 23 and 33 of the Ashley Heath Conservation Area Management Plan and relevant parts of the NPPF

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Bollindale, South Road, Hale Barns (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

**WARD:** Sale Moor

**89194/FUL/16**

**DEPARTURE: No**

**Erection of 19no. dwellings including 4no. apartments & 15no. houses, access road and associated external works**

Land At Corner Of Northenden Road , And Gratrix Lane, Sale Moor, M33 2QA

**APPLICANT:** Gratrix Lane Homes Ltd

**AGENT:** Howard & Seddon ARIBA

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

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**The application has been “called in” for consideration by the Planning and Development Management Committee by Councillor Freeman who has raised concerns about over development of the plot and the number of units proposed.**

**SITE**

The application site is located on the corner of Northenden Road and Gratrix Lane. The land is currently vacant and grassed, having been formerly occupied by the Northlea Residential Care Home and Day Centre. The site is approximately 0.4 hectare in area.

The boundary to Northenden Road and the northern part of the Gratrix Lane frontage is formed by 1m high wooden picket fencing with 1.8m high green metal railings at the southern end. These railings extend around onto part of the southern boundary. There are also 1.8m high railings and a hedge along the rear (western) boundary of the site. The boundary to the houses to the north-west of the site is formed by timber fencing and cement boarding.

There are a number of trees around the perimeter of the site and outside the site on the highway verge at Gratrix Lane and on the land to the rear (west) of the site. There is also a relatively short length of hedge set between 1m and 3m inside the rear boundary. There are no protected trees on the site.

The main existing vehicular access is from Gratrix Lane towards the southern end of the frontage. There is also an existing vehicular access leading into the site from the residential road at the rear. There are double yellow lines on both sides of Gratrix Lane and a bus stop in front of the site on Northenden Road.

The character of the surrounding area is wholly residential. The surrounding properties include two storey semi-detached dwellings to the north and west, terraced dwellings to the south and a more recent development of two storey flats and houses on the opposite side of Gratrix Lane with bungalows to the south of these. On the opposite side

of Northenden Road, to the north, there are semi-detached bungalows and detached dwellings.

## **PROPOSAL**

The application proposes the redevelopment of the site and erection of 19no. residential units each with associated off road car parking. The proposed accommodation mix includes 4no. apartments (2 x 1 bedroom apartments and 2 x 2 bedroom apartments) and 15no. 4 x bedroom dwellinghouses. The proposed dwellinghouses would be 2.5 storeys in height comprising a mix of terraced, semi-detached and detached dwellings. The apartment building would be 2 storeys in height and accessed predominantly from Northenden Road with some vehicle parking accessed off Gratrix Lane.

The proposal includes the creation of vehicular accesses off Gratrix Lane and Northenden Road, with associated landscaping and fencing.

The increase in floor space of the proposed development would be 1708.13 m<sup>2</sup>.

## **VALUE ADDED**

Since initial submission the applicant has submitted amended drawings to overcome issues raised. The amendments include minor changes to parking layout and dropped kerbs to Gratrix Lane and additional information regarding refuse vehicle tracking in relation to the proposed access road. The proposed location of the bin storage for the apartment block has also been amended relocating it away from the boundary with the existing neighbouring property No. 364 Northenden Road.

## **DEVELOPMENT PLAN**

**For the purposes of this application 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation  
Place Objective – Sale

## **PROPOSALS MAP NOTATION**

The proposal site is unallocated within the Unitary Development Plan Proposals Map

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

H3 – Land Release for New Housing Development  
H4 – Release of Other Land for Development

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

Planning Guidelines: New Residential Development  
SPD1: Planning Obligations  
SPD3: Parking Standards and Design

## **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

74214/FULL/2009 - Erection of part two storey, part three storey building to provide 66 bedroom residential care home; erection of 2 no. two storey, semi-detached houses; new vehicular accesses, associated parking provision and landscaping – Approved - 9th March 2011 (not implemented)

## **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement, Ecology Report, Crime Impact Statement, Statement of Community Involvement, Travel Plan and Carbon Budget Statement with the application. Information provided is referred to where relevant in the Observations section of this report.

## **CONSULTATIONS**

**Local Highway Authority** – No objections in principle. Further comments are discussed in detail in the Observations section of the report.

**Pollution & Licensing (Contaminated Land)** – No objections. A contaminated land condition is recommended.

**Lead Local Flood Authority** – No objections, subject to a drainage condition.

**United Utilities** – No objections, subject to drainage conditions.

**Greater Manchester Ecology Unit (GMEU)** - No objections, subject to bird breeding and tree protection conditions.

**Greater Manchester Police** - No objections, subject to a condition requiring the physical security specification listed in the Crime Impact Statement to be implemented.

## **REPRESENTATIONS**

Four letters of objection have been received for this application. These letters raise the following concerns: -

- The proposal represents over development and the number of units should be reduced.
- The proposed development would result in disruptive traffic related to the development works and vehicles parked on Gratix Lane and/or the private car park that serves the houses opposite the site on Gratix Lane.
- Insufficient parking for residents and visitors proposed.
- The introduction of two and a half storey dwellings is unacceptable and would set a dangerous precedent.
- The proposal for two and a half storey houses would detrimentally affect the strength and quality of the TV signal received by existing neighbouring households.
- The proposal may result in the removal of the bus stop on Northenden Road and this is unacceptable. This is a well-established bus stop and serves many residents in the community.
- The applicants' ability to deliver the scheme has been questioned.

## **OBSERVATIONS**

### PRINCIPLE OF RESIDENTIAL DEVELOPMENT

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
3. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.
4. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver a mix of dwelling size, which predominantly includes family housing in a sustainable location. The site was previously developed brownfield land and in a sustainable location consequently the proposal would contribute towards the Council's target of locating 80% of new housing provision on previously developed brownfield land. Overall the scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The principle of the development is therefore considered to be acceptable.

### RESIDENTIAL AMENITY

5. Policy L7 of the Adopted Core Strategy requires new development to not prejudice the amenity of occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion or noise and disturbance. Residential dwellinghouses on Northenden Road, Gratrix Lane and Sandbach

Road bound the site to the north, east and west. To the southern boundary of the site are the gable elevations of 51 Rostherne Road and 72 Sandbach Road.

6. Trafford Planning Guidelines: New Residential Development states that for new two storey dwellings in cases where special provisions for creating internal and external privacy are not employed, the minimum distance between dwellings which have major facing windows is 21m across public highways and 27m across private gardens. These distances are increased to 24m and 30m respectively for three storey dwellings or above. The guidelines further state that where privacy and visual amenity is achieved by permanent screening, such as walls or fences, or by window design and location, these distances may be reduced. The guidelines also acknowledge that a rigid adherence to spacing standards can stifle creativity in design and result in uniformity of development. It states that the Council is looking to encourage imaginative design solutions and in doing so accepts the need for a flexible approach to privacy distances between buildings within a development site, where good design or the particular circumstances of the site allow this.
7. To the north of the site, between the proposed two storey apartment building and the existing single storey residential dwellings on the north side of Northenden Road, a separation distance of approximately 35m would be retained. This distance is considered to be acceptable and in excess of the abovementioned guidelines.
8. Immediately to the western boundary of the proposed apartment building is no.364 Northenden Road. The single storey side extension of this property would be located 2m from the side elevation of the proposed two storey apartment building and it would project 1.2m forward of no.364 Northenden Road. The side elevation of no.364 does not feature any habitable room windows (the windows serve a hallway, bathroom and staircase). There would be no windows to the western side elevation of the apartment building closest to no.364 and the proposed building would not project beyond the rear elevation of no.364. Furthermore at first floor level the windows in the south western elevation facing west towards the rear amenity space of no. 364 would be obscurely glazed. A bicycle store is proposed to the boundary with no.364 and a condition is recommended requiring details of this to be submitted. Consequently the proposal is not considered to result in a detrimental impact to the residential amenity enjoyed by the occupants of no. 364 Northenden Road, in compliance with CS Policy L7.
9. To the east, opposite the proposed apartment building is an existing two storey terrace of residential properties. A separation distance of 26.2m would be established between the proposed apartments and these properties opposite, compliant with the Trafford Planning Guidelines: New Residential Development.



10. A terrace of five dwellings (Plots 5-9) is proposed fronting onto to Gratrix Lane to the north side of the new internal access road. Plot 5 would be two storeys and Plots 6 to 9 would be 2 ½ storeys high. Windows in the front elevations would be at ground and first floor levels only and between 25-27.8m separation distances would be provided between the proposed dwellings and those opposite (88-94 Gratrix Lane). The proposal is therefore compliant with guidelines in this respect.
11. To the rear of Plots 5-9 each dwelling would have its own private amenity space with external access. The distance to rear garden boundaries from the main rear elevation windows would be 13.5m for Plots 6-9 and 15.4m for Plot 5. Where rear elevations would face blank gable elevations a separation distance of 15m is recommended. Plots 6 and 7 would overlook the blank side elevation of Plot 10, however while the separation distance would be only 14.4m this minimal shortfall within the development is considered to be acceptable. This shortfall is limited and only affects dwellings proposed within the development; therefore the future occupiers would be aware of the situation before choosing to live here. As such, it is considered that the proposal would provide a satisfactory level of amenity for future occupiers.
12. Within the development and accessed from the new internal access road, Plots 10 and 11 would be 2 ½ storey detached properties each with their rear elevations facing north towards 362 and 364 Northenden Road. The rear elevations of these two new dwellings would feature only obscurely glazed windows at first floor level and only rooflights above.
13. Plot 10 would be positioned between 17.5m - 15.5m from the rear elevation of No. 364 Northenden Road. This would fall short of the guidelines; however as the guidelines state imaginative design solutions can enable a flexible approach to privacy distances between buildings. In this case the rear elevation of the proposed dwelling would feature only obscurely glazed windows at first and second floor levels, the latter being a rooflight. The bedrooms at second floor level to Plot 10 would receive light from other front elevation windows which would be clearly glazed providing adequate light for future occupants. Furthermore, Trafford Planning Guidelines: New Residential Development states that where rear elevations would face blank gable elevations a separation distance of 15m is recommended. In this case the proposed separation distances would exceed 15m. Therefore given the design of Plot 10 and the fact it would feature only obscurely glazed windows at upper levels it is not considered the occupants of No. 364 would suffer a loss of privacy as a result of this proposal.
14. The adjacent detached dwelling, Plot 11 would also feature only obscurely glazed windows in the rear elevation at upper levels and as above, it is considered the proposal would not have a detrimental impact to the residential amenity of the occupants of No. 362 Northenden Road. Separation distances of between 19m – 21m would be provided between Plot 11 and No. 362 at the rear and Plot 11 would benefit from an 18m garden to the west of the dwelling. A side

window is proposed at second floor, providing views towards 61-67 Sandbach Road however a separation distance of 30m would be proposed, compliant with the Council's guidelines for new residential development. A condition is recommended requiring all the upper floor level windows to the rear elevations of Plots 10 and 11 to be obscurely glazed.

15. To the western side of the site, Plot 12 would be positioned facing east/ west. To the rear, this property would face towards the front elevations of 61-67 Sandbach Road with separation distances between 24m – 26m. The rear elevation would also feature obscurely glazed windows only and as discussed above for Plots 10 and 11, given the design of the property and positioning of clearly glazed windows it is not considered the proposal would result in a detrimental impact to the occupants of 61-67 Sandbach Road.
16. Proposed Plots 13 and 14 is a semi-detached pair that would benefit from the front and side elevations providing the main outlooks. Their rear elevations would be blank albeit for cloakroom windows at ground floor level and 15m would be maintained between the dwellings and the nearest existing residential properties 57-59 Sandbach Road, compliant with the Council's guidelines for new residential development. Windows to habitable rooms in the northern side elevation of Plot 13 would face towards the amenity space of Plot 12 with a distance of approximately 13m between the side elevation and the shared boundary, thus representing an acceptable relationship. Plot 14 would have a garden depth of 14m and would face the blank flank elevation of No. 72 Sandbach Road with 22m privacy distance. This would exceed the council guidelines and is considered to be acceptable.
17. To the southern boundary of the site Plots 15 – 19 would be located south of the new internal access road. All of these Plots would comply with the Council's guidelines for new residential development in terms of their rear gardens and overlooking. Where new dwellings would directly overlook the blank gable elevations the adjacent terraces facing the application site, these would meet with the 15m separation distance guideline. There would therefore be no unacceptable overlooking or overbearing impact. The front elevations of Plots 17-19 would overlook the side elevation of Plot 9 across the new internal access road with a distance of 12m provided. This marginal shortfall would fail to meet the guidelines, however it is considered that within the context of this development overall this shortfall is not critical to the acceptability of the development and it would only affect dwellings proposed within the development; therefore the future occupiers would be aware of the situation before choosing to live here.
18. Plot 19 would have a dual frontage, addressing Gratix Lane and the new internal access road. A separation distance of 21m would be maintained between this dwelling and existing properties opposite on Gratix Lane. Windows would be located at only ground and first floor levels and therefore it is considered the

proposal would comply with the Council's guidelines for new residential development.

19. Overall, it is therefore considered that the proposed development would be acceptable in terms of the impact on the residential amenity of the occupiers of nearby properties. The separation distances referenced above are considered to be sufficient to prevent the proposed buildings from having an unreasonably overbearing or visually intrusive impact on existing neighbouring properties, and should ensure that it does not unduly overshadow them either. For the most part the proposed layout complies with the Council's guidelines for new residential development. Whilst there are some instances where proposed dwellings would fail to meet the guidelines with marginal shortfalls, it is considered that within the context of this development overall these shortfalls are not critical to the acceptability of the development. It is acknowledged that it may be appropriate to apply guidelines flexibly to facilitate development on a brownfield site and the design of certain dwellings ensures there would be no detrimental impact to residential amenity enjoyed by existing neighbouring properties. Furthermore where there are shortfalls these would only affect dwellings proposed within the development.
20. All the proposed houses would benefit from their own private amenity space with external access provided to all rear gardens. The proposed apartment building would benefit from a rear communal garden area and the site is in good proximity to existing public parks, including Bramhall Close and Norris Road play area to the south of the site. It is considered the proposal provides ample private and communal amenity space for the occupants of the proposed dwellings.

## DESIGN

21. Policy L7 of the Core Strategy requires new development to be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and make appropriate provision for open space.
22. The proposed layout includes relocating the vehicular access more centrally within the eastern boundary of the site with Gratrix Lane and forming an access road extending westwards into the site with a turning head.
23. A terrace of five dwellings (Plots 5-9 all four bedroom properties) are positioned fronting onto Gratrix Lane (to the north side of the new internal access road) and each of these dwellings will have a separate access onto Gratrix Lane with vehicle parking in front of each dwelling together with landscaping. Five properties will be located along the southern side of the site and three on the western boundary. Plots 13 - 16 are semi-detached dwellinghouses, Plots 17-19 form a short terrace and Plot 12 is a detached dwellinghouse. To the northern

boundary of the site are detached dwellinghouses Plots 10 and 11 and all are four bedroom dwellinghouses. All of these dwellings would be 2 ½ storey except Plot 5 which would be 2 storeys only, together with the proposed apartment building to the north of the site.

24. The immediate surrounding residential plots are either two storey dwellinghouses (a mix of terrace, semi-detached and detached) or single storey bungalows. The properties fronting Gratrix Lane would appear as two storey houses from the front elevation. These properties would include habitable third floors within the roof level however the dormer windows serving this level would be located at the rear only. Plots 6-9 would be approximately 0.6m higher than the two storey properties opposite in Gratrix Lane but as discussed above, windows would only be proposed at ground and first floor level in the front elevations. Plot 19, closest to adjacent property 51 Sandbach Road, would be approximately 0.9m higher. Given the separation distances proposed and the fact the proposed properties would appear as predominantly two storey when viewed along Gratrix Lane it is considered the new dwellings are appropriate in scale and size and would be in keeping with the general character and scale of existing neighbouring properties.
25. The proposed dwellings would feature traditional fenestration design with bay windows at ground floor level. Dwellings would be of brick construction with gabled roofs featuring dormers and rooflights and while the dwellings would have their own distinctive design they would be in keeping with other dwellings in the vicinity, in particular the development opposite on Gratrix Lane. Houses within the site would face one another positioned either side of the road with landscaped front garden areas.
26. The proposed apartment building to the north of the site would be positioned on the corner of Gratrix Lane and Northenden Road. This would be a two storey building and would be set back from the boundary behind landscaping and vehicle parking spaces. The design and footprint of the building would address the corner of the site and the building would be only marginally higher than the adjacent property 364 Northenden Road. Given the separation distance and the set back from the road the proposed building is considered to be acceptable in terms of scale and design.
27. It is considered the proposal would complement the character and appearance of the area. Soft landscaping is proposed to the edges of the site and will help to soften and screen the appearance of the hard landscape within the development from nearby properties and surrounding highways. A condition is recommended for a landscaping scheme to be submitted to safeguard adequate tree planting and appropriate hard and soft landscaping of the site together with a condition requiring details of external materials to be used at the site.

## ACCESS, HIGHWAYS AND PARKING

28. The proposed development provides 19 dwellings consisting of 2 x one-bed apartments, 2 x two-bed apartments and 15 x four-bed houses. The development proposes that a new site access road is constructed forming a priority junction with Gratrix Lane and vehicle accesses to serve private driveways also installed on Gratrix Lane and on Northenden Road. The new access road is to have a 5.5m wide carriageway with 2m wide footways and a turning head within its cul-de-sac.
29. The new private driveway accesses are considered appropriate in that they provide each dwelling with vehicle access to off-street parking. The properties on Gratrix Lane would result in dropped kerbs and an amended plan has been received to reduce the length of the dropped kerb section and to include appropriate pedestrian refuges. To Northenden Road the proposed vehicle access would be in relatively close proximity to an existing bus stop. This is considered to be acceptable and visibility splays have been included. Furthermore swept path details have been submitted to demonstrate a refuse vehicle can manoeuvre to enable it to leave the development in a forward gear.
30. Under the Council's Parking Standards a scheme of this size and mix generates a requirement for a maximum of 51 car parking spaces. The proposed parking at the development totals 36 spaces made up of 1 space for each 1 bed apartment (1 x 2 units), 2 spaces for each 2 bed apartment (2 x 2 units) and 2 spaces for each of the dwellinghouses (2 x 15 units).
31. The Local Highway Authority was consulted and considers the proposed car parking provision to be acceptable on the basis that the guidelines are maximum parking standards. Therefore the proposed deficit of one car parking space for each of the dwellinghouses is accepted and some of the excess could be accommodated on street within the development. Furthermore the site is in a sustainable location which is close to bus stops and Northern Moor Metrolink Station. Driveways and aisle widths are considered to be acceptable in terms of depth and width and 2m pedestrian footpaths would be provided either side of the cul-de-sac road.
32. Secure cycle parking can be accommodated at each dwelling comfortably in proposed sheds in the rear gardens and cycle parking for the apartment building is proposed to the rear of the building. A condition is recommended requiring details of the cycle storage for the apartment building to be submitted to the Council prior to occupation of the apartments.

## CRIME AND SECURITY

33. The applicant has engaged with GM Police Design for Security prior to submission and included a Crime Impact Statement as part of the application.

This explains the proposed layout is well considered from a crime prevention perspective. It is recommended details of boundary fencing be required by condition and a condition requiring the development to be constructed in accordance with the physical security specification listed in the Crime Impact Statement.

## FLOOD RISK AND DRAINAGE

34. The site is identified as being located within Flood Zone 1 (low risk) of the Environment Agency Flood Zones. Based on the available information the probability of the site flooding from surface water is low and the risk of flooding from other sources is also low. It is recommended any approval includes conditions relating to submissions of schemes to limit the surface water run-off generated by the proposed development and to manage the risk of flooding from overland flow of surface water. Subject to conditions, the proposal is considered acceptable in terms of flood risk and drainage.

## DEVELOPER CONTRIBUTIONS

35. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Consequently private market houses would be liable to a CIL charge rate of £40 per square metre and private market apartments are liable for a charge of £0 per sqm (GIA).

36. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Sale area is identified as a "moderate" market location where the affordable housing contribution set out in Policy L2 is 20%. Under poor market conditions this is reduced to 10% only. This equates to a requirement for 2 of the 19 dwellings to be affordable.

37. The applicant has submitted a viability appraisal in terms of affordable housing provision. This is being considered by the Council's Estates Section (Amey) and the outcome of their assessment will be reported in the Additional Information Report.

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

(A) That the application will propose a satisfactory development for the site upon completion of a legal agreement which will secure affordable housing provision, in accordance with Policy L2 of the Core Strategy.

(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 and Development; and

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

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 200 Rev M; 210 Rev A; 206 Rev J; 207 Rev E; 211 Rev A and 204 Rev B.

Reason: To clarify the permission, having regard to Policies L1, L2, L3, L4, L5, L7, L8, R2, R3 and R5 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. a) Notwithstanding the details shown on the approved plans, none of the residential units hereby permitted shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next

planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Trafford Core Strategy Policy L7 and the National Planning Policy Framework.

5. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In the interests of protecting the ecology of the area and having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,



- ecological systems,
  - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Trafford Council's Core Strategy policies L5 and L7 and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any risks are mitigated prior to any works commencing on site.

8. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

Reason: To prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development.

9. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement dated (13/07/2016 - URN: 2010/0057/CIS/01 Version A).

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

10. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with Trafford Core Strategy Policy L7 and the National Planning Policy Framework.

11. The residential units hereby permitted shall not be occupied until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the external lighting for the site (including its siting, height, design, illumination and hours of use). The lighting shall be installed in accordance with the approved details and thereafter retained and kept in working order at all times in accordance with the approved scheme.

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

12. The car parking, servicing and vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be provided and made fully available for use prior to any part of the development being first occupied and shall be retained thereafter for their intended purpose.

Reason: In the interests of amenity and in compliance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

13. Prior to works commencing on site, details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the means of access and the areas for the movement, loading, unloading and parking of construction vehicles within the application site, details of days and hours of construction and details of wheel cleansing facilities for heavy commercial/construction vehicles, and areas for the storage of building materials. The details / measures set out in the approved scheme shall be implemented and adhered to for the duration of the construction work on the development site.

Reason: In the interest of highway safety and residential amenity it is essential to receive this information prior to the commencement of development, having regard to Policies L4 and L7 of the Trafford Core Strategy. The condition requires the submission of information prior to the commencement of development because the management plan will need to be implemented throughout the construction process.

14. The apartments hereby approved shall not be occupied unless and until a scheme for secure cycle storage for the apartment building has first been submitted to and approved in writing by the Local Planning Authority. Cycle parking infrastructure and its layout should meet the requirements of SPD3 Parking Standards and Design for Trafford. The approved scheme shall be implemented before the development is brought into use and maintained at all times thereafter for its intended use.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification)

(i) No side extensions shall be carried out to the dwellings on areas where hardstanding for vehicle parking is provided

(ii) No dormer windows or 2 storey rear extensions shall be added to the dwellings shown as Plots 10, 11 and 12 on drawing number 200 M received by the Local Planning Authority on 27/09/2016

(iii) No additional windows shall be installed on the rear elevations at first and second floor level of the dwellings shown as Plots 10, 11 and 12 on drawing number 200 M received by the Local Planning Authority on 27/09/2016;

(iv) No second storey windows shall be added to the front elevation of the dwelling shown as Plot 19 on drawing number 200M received by the Local Planning Authority on 27/09/2016.

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

Reason: To protect the residential and visual amenities of the area, privacy, and/or public safety, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the first and second floor levels on the rear elevations of Plots 10, 11 and 12 hereby permitted and first floor level windows facing west towards 364 Northenden Road to the apartment building, shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

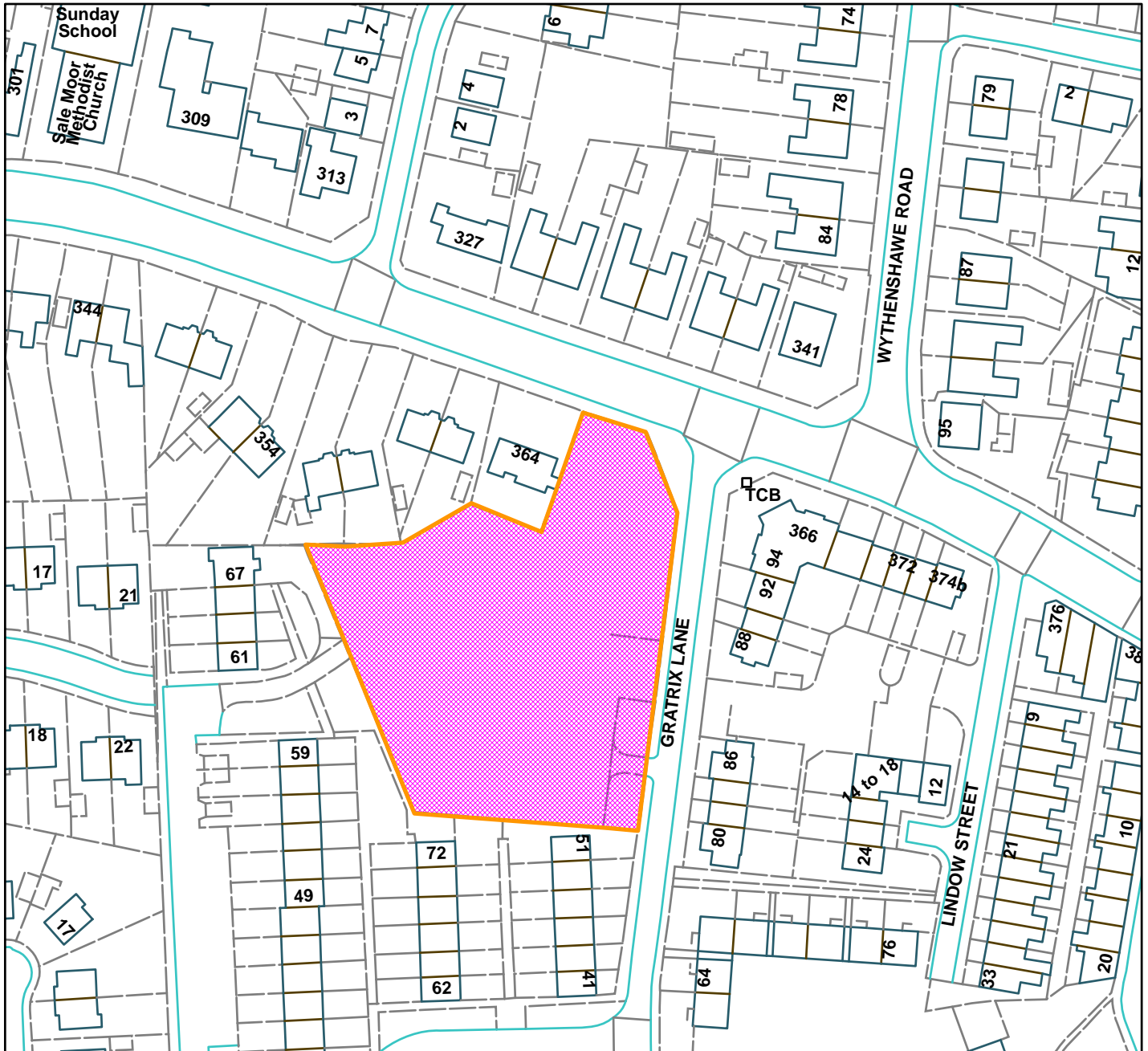
Reason: In the interest of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

LB

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Land at corner of Northenden Road & Gratrix Lane, Sale Moor (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

**WARD:** Longford

**89209/FUL/16**

**DEPARTURE: No**

**Upgrade of existing telecommunications installation at main roof level and associated works (re-submission of 88422/FUL/16).**

Essoldo Buildings, 1123 Chester Road, Stretford

**APPLICANT:** EE & Hutchinson 3G UK Ltd

**AGENT:** WHP

**RECOMMENDATION: GRANT**

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**This application has been called-in for determination by the Planning and Development Management Committee by Councillor Anne Duffield, for the reasons set out in this report.**

**SITE**

The application relates to the northern, eastern and western elevations of the Essoldo Building, situated at the corner of Chester Road and Edge Lane.

The Essoldo Building is Grade II listed and was originally a cinema, which was subsequently converted into a bingo hall. The building dates back to 1936, designed by architect Henry Elder.

The building has two feature elevations with two entrances of art deco style facing Chester Road and Edge Lane (between contemporary buildings No's 17 and 19 Edge Lane). It is constructed from narrow red brick with faience tiled façade. The faience has now been concealed with blue paint. Records indicate that this work has not been granted listed building consent.

The Chester Road entrance was designed to resemble a cash register, with stepped convex surfaces curving upwards and backwards, and an attached but advanced rib rising with less curvature designed to carry the vertically-displayed name of the cinema.

The side entrance on Edge Lane with tall convex brick wall above a semi-circular canopy, the two components forming a circular entrance area above which rises a substantial tall, grooved concrete column.

The listing description shows that the Essoldo was amongst the first, and is the only survivor of Elder's cinemas, a building in which the striking and explicit frontage motifs are held to represent his belief that the film industry of the day was primarily concerned with money and sex. The design represents a dramatic departure from theatre

influenced cinema planning, and acknowledged the different spatial and technical requirements of wide screen cinematography.

The northern elevation of the building faces towards Trafford Grove, the eastern elevation of the building faces towards the Bridgewater Canal and Stretford Metrolink station, the southern towards Edge Lane and the western towards Chester Road. A canal towpath runs immediately alongside the eastern boundary of the site. The canal is a non-designated heritage asset.

There are residential properties within the upper floors of 19 to 41 Edge Lane immediately to the south in front of the cinema building and residential properties to the north on Trafford Grove.

## **PROPOSAL**

The application seeks to upgrade existing telecommunications at main roof level to the building.

On the eastern elevation, closest to the Bridgewater Canal, it is proposed to replace an existing antenna with a new antenna to be mounted on the existing support pole with the antennae photo wrapped to match the existing building brickwork. The proposed antenna would measure 1499mm in length x 340mm width x 161mm depth.

Also facing eastwards and located on a corner with the southern elevation it is proposed to replace another existing antenna with a new antenna to be mounted on the existing support pole with the antenna photo wrapped to match the existing building brickwork. The proposed antenna would measure 1499mm in length x 349mm width x 161mm depth.

On the western elevation it is proposed to replace an existing antenna with a new antenna to be mounted on the existing support pole with the antenna photo wrapped to match the existing building brickwork. The proposed antenna would measure 1499mm in length x 349mm width x 161mm depth.

The proposed floorplans also show 3 x new free standing frames to accommodate 2 no. Small Radio Unit's (SRU) structures. Two are to be located on the main roof to the western and southern elevations and the other on a lower roof to the eastern elevation. These would be located behind the existing parapets to the building and each would measure 1100mm in height x 1285mm in width.

A separate application for listed building consent has been submitted 89210/LBC/16 and appears elsewhere on this agenda.

There would be no increase in floor space.

## **DEVELOPMENT PLAN**

**For the purposes of this application 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 - Design

Development must make best use of opportunities to improve the character and quality of an area and enhance the streetscene or character of the area

R1 – Historic Environment

Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings.

## **PROPOSALS MAP NOTATION**

None relevant

## **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

Since 1998 there have been a number of applications for telecommunications equipment at this site, which have mainly been approved. The most recent are as follows:-

### **88422/FUL/16**

Upgrade of existing telecommunications installation at main roof level and associated works.

Refused 22.07.2016

Reason for refusal:

*"1. The proposed telecommunications antennas and associated support poles, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of their cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would have a detrimental impact on the special architectural and historic interest and significance of the listed building and have a detrimental impact on the character and visual appearance of the surrounding area. This harm to the listed building is not considered to be outweighed by the public benefit that would result from the improved telecommunication equipment. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

### **88423/LBC/16**

Listed Building Consent for upgrade of existing telecommunications installation at main roof level and associated works.

Refused 22.07.2016

Reason for refusal:

*"The proposed telecommunications antennas and associated support poles, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of its cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would*

- a) have a detrimental impact on the special architectural and historic interest and significance of the listed building and*
- b) have a detrimental impact on the character and visual appearance of the surrounding area.*

*This harm to the listed building is not considered to be outweighed by the public benefit that would result from the improved telecommunication equipment. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*



**85263/FUL/15**

Upgrade of existing telecommunications installation at main roof level and associated works. Refused 06.07.2015

Reason for refusal:

*"1. The proposed telecommunications antennas and cable tray, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of their cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would have a detrimental impact on the special architectural and historic interest and significance of the listed building and have a detrimental impact on the character and visual appearance of the surrounding area. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

**85856/LBC/15**

Listed Building Consent for upgrade of existing telecommunications installation at main roof level and associated works.

Refused 06.07.2015

Reason for refusal:

*"1. The proposed telecommunications antennas and cable tray, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of their cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would have an unacceptable detrimental impact on the special architectural and historic interest and significance of the listed building. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

**81697/FULL/2013**

Replacement of 4 antennae to northern elevation and 2 antennae to southern elevation together with installation of ancillary rooftop equipment and 3 remote radio units. Approved with conditions 11/06/2014

**81698/LB/2013**

Listed Building Consent to replace four telecommunications antennae on northern elevation; replace two telecommunication antennae on the southern elevation; and to install three remote radio units and additional ancillary equipment. Approved with conditions 11/06/2014

**80066/FULL/2013**

Installation of wall mounted 300mm diameter telecommunications dish antenna to eastern elevation of building. Refused 18-04-2013

**80067/FULL/2013**

Installation of wall mounted 300mm diameter telecommunications dish antenna to eastern elevation of building. Refused 18-04-2013

**H/63239**

Replacement of three telecommunications antennas onto existing pole mounts and the installation of 1 no. 600mm dish onto a new support pole.

Approved With Conditions 15-12-2005

**H/LB/63240**

Listed Building Consent for the replacement of three telecommunications antennas onto existing pole mounts and the installation of 1 no. 600mm dish onto a new support pole and development ancillary thereto.

Approved with conditions 15/12/2005

**H/57471**

Installation of 3 no. antennae (2 face mounted on the building and the third mounted on a 5.5m climbable pole) together with ancillary equipment

Approved With Conditions 18-12-2003

**H/LB/57470**

Listed Building Consent involving the installation of 3 no. antennae (2 face-mounted on the building and the third mounted on a 5.5m climbable pole) together with ancillary equipment

Approved With Conditions 18-12-2003

**APPLICANT'S SUBMISSION**

A Design and Access & Heritage Statement was submitted with the application, containing a 'Listed Building Consent' Statement. The latter states *'special attention has been paid to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Particular regard has been had to the historic and special architectural importance of the building and particular physical features of the building that justify its designation as a listed building and the buildings setting.'*

**CONSULTATIONS**

None

## **REPRESENTATIONS**

A letter of objection has been received from residents at 82 Trafford Grove. The concerns raised include:

- Quality of life targeted by the applications
- The crane used to carry out the works causes distress from its associated noise. We are unable to open the windows to our house when the works are taking place as these directly overlook the site.
- The works required to implement the development would result in a direct loss of privacy to our house.
- The works required to implement the development would result in vibrations causing concern.
- The works required to implement the development would result in us being unable to leave our house for 1, 2 or 3 days impacting on our quality life.
- We suffer from Post-Traumatic Stress Syndrome and Asthma and the proposal would have a detrimental impact upon both these health conditions.
- If approved can the cherry picker used to erect these antennae's be accommodated wholly within the Essoldo grounds and not on Trafford Grove?
- Could we be informed of when exactly these works would take place if this application is granted?
- How are aerals turned off in an emergency?

Councillor Anne Duffield has called the application in for determination by the planning committee and has expressed that there is significant public concern about this application due to the iconic nature of the building and its role in the local community.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. Paragraph 46 of the NPPF explains that Local Planning Authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.
2. The applicant has provided a copy of their Declaration of Conformity with ICNIRP Public Exposure Guidelines to confirm that the telecommunications infrastructure that is the subject of this application accords with all relevant legislation and as such will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.

Therefore there are no objections to the principle of telecommunications equipment being installed, subject to them also meeting the relevant tests set out in Policies L7 and R1 of the Trafford Core Strategy, and other relevant sections of the NPPF.

## DESIGN AND IMPACT ON SIGNIFICANCE OF HERITAGE ASSET

3. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 sets out the general duty as respects listed buildings in the exercise of planning functions and states that "in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
4. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The NPPF goes on to explain, in Paragraphs 132-134, that an assessment will need to be made as to whether or not the development is considered to lead to substantial harm, or less than substantial harm. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
5. The former Essoldo cinema is Grade II Listed. Its architectural features of most significance are considered to be the intact plan-form of its interior, and the two art-deco feature entrances fronting Chester Road and Edge Lane. The main body of the building is comparatively simple and it is on the northern and southern faces of this that telecommunication antennae have historically been sited. Nevertheless the northern and eastern elevations that are primarily constructed from plain brick form an important part of the historic plan form of the cinema. It is noted that all elevations of the Essoldo are bold, stark and uncompromising and this very much reflects the architectural spirit of the building. Inspection of the site's planning history reveals that telecommunications infrastructure was first installed on the building in 1998, which post-dates its listing in 1994.
6. The existing equipment on the building has been positioned high above ground level, close to the eaves, so as to achieve the best possible signal
7. The three telecommunications replacement antennae proposed under this application would be sited in the same position as the three that they are set to replace. Their size would increase marginally and their design would change slightly compared to their predecessors but they would not project higher on the building than the existing. Furthermore the applicant has demonstrated that they would photo wrap the proposed antennae to match the existing building brickwork and they would

be fixed to existing support poles only. Given this, it is considered that the proposal will have no discernible additional impact on the listed building and its setting. It is considered the proposed photo wrapping would in fact result in an improvement on the existing situation whereby the antennae are contrasting in colour to the brickwork; this is thought to be as a result of non-compliance with conditions attached to previous permissions.

8. The proposed 3no. new freestanding frames for 2no. SRU's on each involves the installation of new, additional equipment on the roof of the building, rather than an upgrade of existing infrastructure already in place. However the impact of this aspect of the scheme on the significance of the listed building is again considered to be limited, given that it will not affect the fabric of the most architecturally important elements of the building, or views of it from street level and windows from the surrounding properties. Two are to be located on the main roof to the western and southern elevations and the other on a lower roof to the eastern elevation. All three would be located behind the existing parapets to the building.
9. The negligible detrimental impact that has been identified above equates to 'less than substantial harm' to the designated heritage asset, as set out in the NPPF, albeit there are degrees of less than substantial harm and this proposal would be at the lower end. In this instance this is considered to be sufficiently outweighed by the public benefits associated with the proposed upgrade in communications infrastructure, something which is recognised in Paragraph 42 of the NPPF as being essential for sustainable economic growth. The NPPF also advises at Paragraph 43 that where possible, existing buildings should be used to site equipment unless the need for a new site has been justified. The applicant's Design and Access Statement explains the development would aim to provide an efficient and competitive telecommunication system for the benefit of the community while minimizing visual impact. This current application proposes antennae that would be sited in the same position as the three they are to replace and the free standing frames would not affect the fabric of the most architecturally important elements of the building and would not be easily visible. It is considered that the public benefits outweigh the less than substantial harm posed to the heritage asset.
10. An assessment of the applicant's method of affixing the proposed equipment to the fabric of the building is covered under a separate application for listed building consent, which also sits on this Committee Agenda – ref: 89210/LBC/16.

#### IMPACT ON NON DESIGNATED HERITAGE ASSET

11. The building sits close to the Bridgewater Canal which is considered to be a non-designated heritage asset. However, given the location of the proposed equipment on the building and the fact that it replaces existing equipment, (with the exception of the SRU's), the development is considered to have a neutral impact on the setting of the canal.

## VISUAL AMENITY AND STREETSCENE

12. Chester Road, Edge Lane and Trafford Grove and the canal tow path are well used roads and public rights of way respectively. There are a number of vantage points where the elevations of the building are highly visible from these roads and path. The 3no. antennae will be visible at street level, from Edge Lane between the buildings of No. 17-19, from the A56 Chester Road and the canal tow path. As described above, the siting, size and design of the telecommunications equipment will align with that of the existing infrastructure attached to the building and would be photo wrapped to match the existing brickwork and therefore the impact of this aspect of the development on the visual amenities of the area is deemed to be acceptable.
13. The proposed 3no. new freestanding frames have been designed so as not to exceed the top of the parapet wall that encloses the relevant parts of the Essoldo roof. As such this aspect of the development will not be visible from the surrounding streetscene and will therefore not have a detrimental effect on the visual amenities of the area.

## DEVELOPER CONTRIBUTIONS

14. There is no change to the amount of floor space provided; neither would the proposed development result in a change of use of the site. Consequently the proposed development would not be liable for the Community Infrastructure levy.

## CONCLUSION

15. The replacement of telecommunications equipment at roof level on the Essoldo, and installation of new infrastructure behind the parapet wall to the roof, will not unduly harm the significance of the listed building, or the visual amenities of the area generally. The 'less than substantial harm' to the designated heritage asset, as set out in the NPPF is considered to be sufficiently outweighed by the public benefits associated with the proposed upgrade in communications infrastructure. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the significance of the listed building. The development is therefore considered to be in compliance with Policies L7 and R1 of the Trafford Core Strategy, along with national guidance contained within the NPPF.

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

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 56058 01 Rev K; 02 Rev K; 03 Rev K; 04 Rev K; 05 Rev K; 06 Rev K; 07 Rev K; 08 Rev K; 12 Rev K; 13 Rev K; 14 Rev K; 15 Rev K; 16 Rev K; 17 Rev K and 18 Rev K received by Local Planning Authority 25/10/2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To clarify the permission, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

- 3) No development shall be carried out unless and until samples and specifications of all materials to be used on the telecommunications antennae hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details and retained as approved thereafter.

Reason: In the interests of visual amenity and protecting the character of the listed building having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the design of the approved structures.

- 4) In the event that the telecommunications equipment hereby approved become redundant, they, and all equipment associated with them, shall be removed from the site within 1 month and the building reinstated to its former condition in accordance with a scheme of work which shall first be submitted to and approved in writing by the Local Planning Authority.

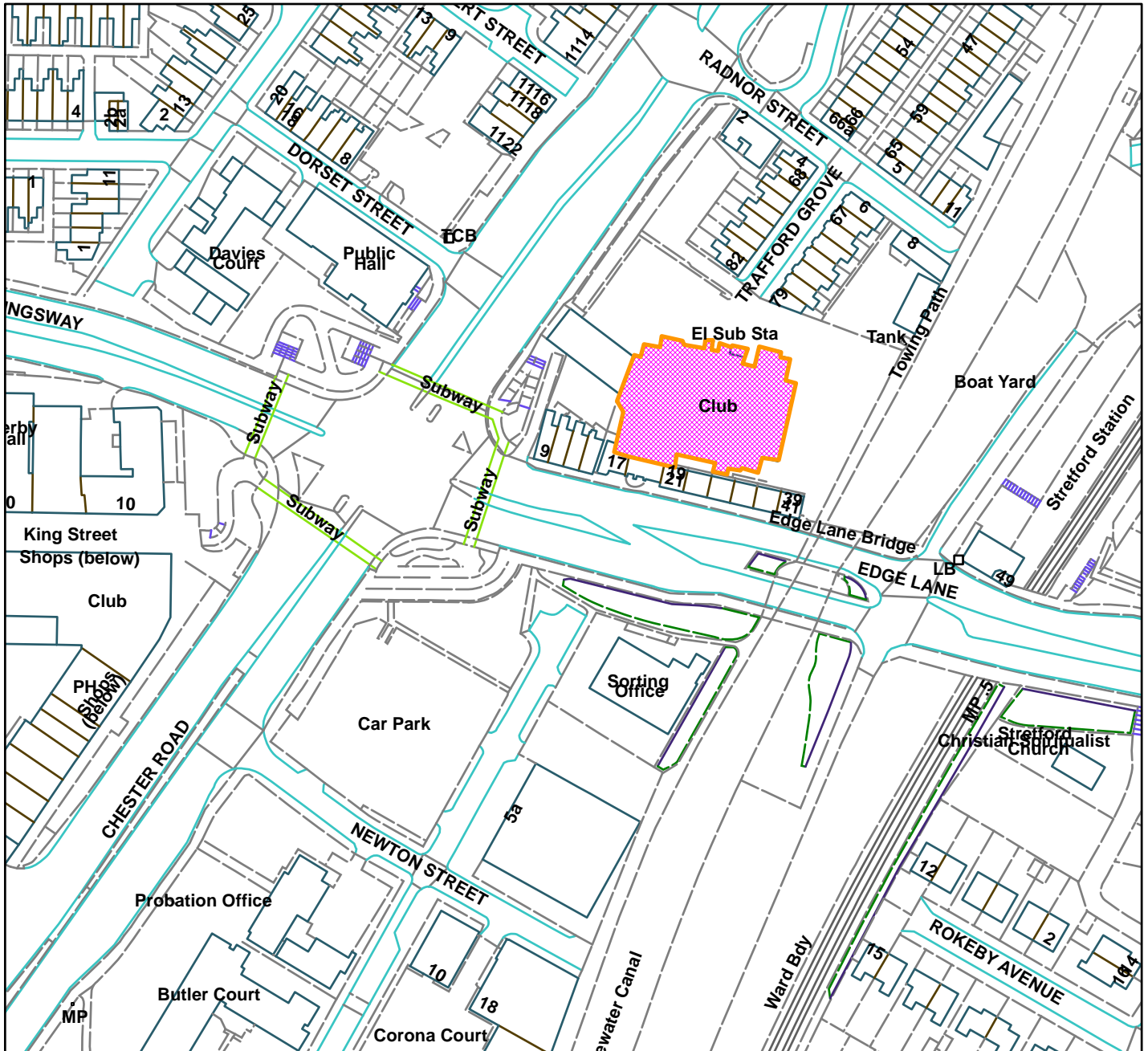
Reason: In the interests of protecting the character of the listed building and the visual amenities of the area generally, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

LB

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Essoldo Buildings, 1123 Chester Road, Stretford (site hatched on plan)



Scale: 1:1,750

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)



**WARD:** Longford

**89210/LBC/16**

**DEPARTURE: No**

**Listed Building Consent for upgrade of existing telecommunications installation at main roof level and associated works (resubmission of 88423/LBC/16).**

Essoldo Buildings, 1123 Chester Road, Stretford

**APPLICANT:** EE UK Ltd & H3G UK Ltd

**AGENT:** WHP

**RECOMMENDATION: GRANT**

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**This application has been called-in for determination by the Planning and Development Management Committee by Councillor Anne Duffield, for the reasons set out in this report.**

### **SITE**

The application relates to the Grade II listed Essoldo Building, situated at the corner of Chester Road and Edge Lane. Designed by architect Henry Elder, the building originally opened in 1936 as a cinema and was later converted into a bingo hall.

The building has two feature elevations with two entrances of art deco style facing Chester Road and Edge Lane (between contemporary buildings No's 17 and 19 Edge Lane). It is constructed from narrow red brick with faience tiled façade. The faience has now been concealed with blue paint. Records indicate that this work has not been granted listed building consent. The Chester Road entrance was designed to resemble a cash register, with stepped convex surfaces curving upwards and backwards, and an attached but advanced rib rising with less curvature designed to carry the vertically-displayed name of the cinema. The side entrance on Edge Lane comprises of a tall convex brick wall above a semi-circular canopy, the two components forming a circular entrance area above which rises a substantial tall, grooved concrete column.

The listing description describes that the Essoldo was amongst the first, and is the only survivor of Elder's cinemas. Its striking and explicit frontage motifs represent a dramatic departure from theatre influenced cinema planning.

The northern elevation of the building faces towards Trafford Grove, the eastern elevation of the building faces towards the Bridgewater Canal and Stretford Metrolink station, the southern towards Edge Lane and the western towards Chester Road. A canal towpath runs immediately alongside the eastern boundary of the site and the canal is a non-designated heritage asset.

There are residential properties within the upper floors of 19 to 41 Edge Lane immediately to the south in front of the cinema building and residential properties to the north on Trafford Grove.

The uppermost eaves level of the Essoldo currently houses telecommunications antennae.

## **PROPOSAL**

The application seeks to upgrade existing telecommunications at main roof level to the building.

On the eastern elevation, closest to the Bridgewater Canal, it is proposed to replace an existing antenna with a new antenna to be mounted on the existing support pole with antenna photo wrapped to match the existing building brickwork. The proposed antenna would measure 1499mm in length x 340mm width x 161mm depth.

Also facing eastwards and located on a corner with the southern elevation it is proposed to replace another existing antenna with a new antenna to be mounted on the existing support pole with antenna photo wrapped to match the existing building brickwork. The proposed antenna would measure 1499mm in length x 349mm width x 161mm depth.

On the western elevation it is proposed to replace an existing antenna with a new antenna to be mounted on the existing support pole with antenna photo wrapped to match the existing building brickwork. The proposed antenna would measure 1499mm in length x 349mm width x 161mm depth.

The proposed floorplans also show 3 x new free standing frames to accommodate 2 no. Small Radio Unit (SRU) structures. Two are to be located on the main roof to the western and southern elevations and the other on a lower roof to the eastern elevation. These would be located behind the existing parapets to the building and each would measure 1100mm in height x 1285mm in width.

A separate application for planning permission has been submitted 89209/FULL/16 and appears elsewhere on this agenda.

There would be no increase in floor space.

## **DEVELOPMENT PLAN**

**For the purposes of this application, 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

### L7 Design

Development must make best use of opportunities to improve the character and quality of an area and enhance the streetscene or character of the area

### R1 – Historic Environment

Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings.

## **PROPOSALS MAP NOTATION**

None relevant

## **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

Since 1998 there have been a number of applications for telecommunications equipment at this site, which have mainly been approved. The most recent are as follows:-

### **88422/FUL/16**

Upgrade of existing telecommunications installation at main roof level and associated works.

Refused 22.07.2016

Reason for refusal:

*"1. The proposed telecommunications antennas and associated support poles, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of their cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would have a detrimental impact on the special architectural and historic interest and significance of the listed building and have a detrimental impact on the character and visual appearance of the surrounding area. This harm to the listed building is not considered to be outweighed by the public benefit that would result from the improved telecommunication equipment. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

**88423/LBC/16**

Listed Building Consent for upgrade of existing telecommunications installation at main roof level and associated works.

Refused 22.07.2016

Reason for refusal:

*"The proposed telecommunications antennas and associated support poles, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of its cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would*

- a) have a detrimental impact on the special architectural and historic interest and significance of the listed building and*
- b) have a detrimental impact on the character and visual appearance of the surrounding area.*

*This harm to the listed building is not considered to be outweighed by the public benefit that would result from the improved telecommunication equipment. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

**85263/FUL/15**

Upgrade of existing telecommunications installation at main roof level and associated works. Refused 06.07.2015

Reason for refusal:

*"1. The proposed telecommunications antennas and cable tray, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of their cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would have a*

*detrimental impact on the special architectural and historic interest and significance of the listed building and have a detrimental impact on the character and visual appearance of the surrounding area. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

**85856/LBC/15**

Listed Building Consent for upgrade of existing telecommunications installation at main roof level and associated works.

Refused 06.07.2015

Reason for refusal:

*"1. The proposed telecommunications antennas and cable tray, by reason of their size, design and siting on prominent elevations of a Grade II listed building adjacent to a public right of way and main road and by reason of their cumulative impact when considered together with the existing telecommunications equipment on the building, would constitute visual clutter and unduly obtrusive features that would have an unacceptable detrimental impact on the special architectural and historic interest and significance of the listed building. As such, the proposed development would be contrary to Policies L7 and R1 of the Trafford Core Strategy and guidance in the National Planning Policy Framework."*

**81697/FULL/2013**

Replacement of 4 antennae to northern elevation and 2 antennae to southern elevation together with installation of ancillary rooftop equipment and 3 remote radio units. Approved with conditions 11/06/2014

**81698/LB/2013**

Listed Building Consent to replace four telecommunications antennae on northern elevation; replace two telecommunication antennae on the southern elevation; and to install three remote radio units and additional ancillary equipment. Approved with conditions 11/06/2014

**80066/FULL/2013**

Installation of wall mounted 300mm diameter telecommunications dish antenna to eastern elevation of building. Refused 18-04-2013

**80067/FULL/2013**

Installation of wall mounted 300mm diameter telecommunications dish antenna to eastern elevation of building. Refused 18-04-2013

**H/63239**

Replacement of three telecommunications antennas onto existing pole mounts and the installation of 1 no. 600mm dish onto a new support pole. Approved With Conditions 15-12-2005

### **H/LB/63240**

Listed Building Consent for the replacement of three telecommunications antennas onto existing pole mounts and the installation of 1 no. 600mm dish onto a new support pole and development ancillary thereto.

Approved with conditions 15/12/2005

### **H/57471**

Installation of 3 no. antennae (2 face mounted on the building and the third mounted on a 5.5m climbable pole) together with ancillary equipment

Approved With Conditions 18-12-2003

### **H/LB/57470**

Listed Building Consent involving the installation of 3 no. antennae (2 face-mounted on the building and the third mounted on a 5.5m climbable pole) together with ancillary equipment

Approved With Conditions 18-12-2003

## **APPLICANT'S SUBMISSION**

A Design and Access & Heritage Statement was submitted with the application, containing a 'Listed Building Consent' Statement. The latter states *'special attention has been paid to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Particular regard has been had to the historic and special architectural importance of the building and particular physical features of the building that justify its designation as a listed building and the buildings setting.'*

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Two letters of objection has been received from local residents. The concerns raised include:

- This historic listed building is in a landmark position on Chester Road and it has become an eyesore. The planting of antennae has provided income for the site yet there has been no sign or intent to redevelop and restore the building to a suitable standard using any of the revenue.
- The owners' intentions for the building should be ascertained before allowing any further antennae to blot its roofline.
- The antennae are ugly and are not in keeping with the area.
- We can already hear the fan cooling equipment from the site 24 hours a day 7 days a week.

Councillor Anne Duffield has called the application in for determination by the planning committee and has expressed that there is significant public concern about this application due to the iconic nature of the building and its role in the local community.

## **OBSERVATIONS**

### DESIGN AND IMPACT ON SIGNIFICANCE OF HERITAGE ASSET

1. Section 16 (2&3) of the Planning(Listed Building and Conservation Areas) Act 1990 advises 'in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any listed building consent shall (except in so far as it otherwise provides) ensure for the benefit of the building and of all persons for the time being interested in it.'
2. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
3. The former Essoldo cinema is Grade II Listed. Its architectural features of most significance are considered to be the intact plan-form of its interior, and the two art-deco feature entrances fronting Chester Road and Edge Lane. The main body of the building is comparatively simple and it is on the northern and southern faces of this that telecommunication antennae have historically been sited. Inspection of the site's planning history reveals that telecommunications infrastructure was first installed on the building in 1998, which post-dates its listing in 1994.
4. The means of affixing the antennae to the building, using support poles and brackets, will remain the same as that used for the equipment that they are set to replace. As such the development should not result in undue damage to the external fabric of the designated heritage asset. Given also that the siting of the antennae will match the existing equipment to be removed from the building, and their design improved through photo wrapping to match the existing brickwork, it is considered that this aspect of the proposal will have no discernible additional impact on the external appearance or subsequent significance and setting of the listed building. This equates to 'less than substantial harm' to the designated heritage asset, as set out in the NPPF. In this instance this is considered to be sufficiently outweighed by the public benefits associated with the proposed upgrade in communications infrastructure, something which is recognised in Paragraph 42 of the NPPF as being essential for sustainable economic growth.
5. The proposed 3no.new freestanding frames for 2no. SRU's on each will be positioned behind the existing parapets to the roof. They will consist of freestanding metal frames mounted on 4no. rubber feet and will not be fixed to the roof of the

listed building, merely sat upon it on compressible pads directly upon the existing roof covering. This is considered to be unobtrusive to the building fabric and it is recognised that the parapet roof is not an aspect of the Essoldo that has been identified as being of particular architectural significance. They have been designed so as not to exceed the top of the parapet wall that encloses the Essoldo roof. As such this aspect of the development should not have a detrimental impact on the significance of the designated heritage asset. This equates to 'less than substantial harm' to the designated heritage asset, as set out in the NPPF and is again considered to be sufficiently outweighed by the public benefits associated with the proposed upgrade in communications infrastructure.

## CONCLUSION

6. The replacement of telecommunications equipment on the facades of the Essoldo, and installation of new infrastructure behind the parapet wall to the roof, will not unduly harm the external fabric of the designated heritage asset, its setting, or its significance. The 'less than substantial harm' to the designated heritage asset, as set out in the NPPF is considered to be sufficiently outweighed by the public benefits associated with the proposed upgrade in communications infrastructure, in arriving at this decision, considerable importance and weight has been given to the desirability of preserving the significance of the listed building. The development is therefore considered to be in compliance with Policies L7 and R1 of the Trafford Core Strategy, along with national guidance contained within the NPPF.

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

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

Reason: To comply with the requirements of section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 56058 01 Rev K; 02 Rev K; 03 Rev K; 04 Rev K; 05 Rev K; 06 Rev K; 07 Rev K; 08 Rev K; 12 Rev K; 13 Rev K; 14 Rev K; 15 Rev K; 16 Rev K; 17 Rev K and 18 Rev K received by Local Planning Authority 25/10/2016 and 19 Rev L received by Local Planning Authority 28/10/2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To clarify the permission, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.



- 3) No development shall be carried out unless and until samples and specifications of all materials to be used on the telecommunications antennae hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details and thereafter shall be retained as approved.

Reason: In the interests of protecting the character of the listed building, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the design of the approved structures.

- 4) In the event that the telecommunications equipment hereby approved become redundant, they, and all equipment associated with them, shall be removed from the site within 1 month and the building reinstated to its former condition in accordance with a scheme of work which shall first be submitted to and approved in writing by the Local Planning Authority.

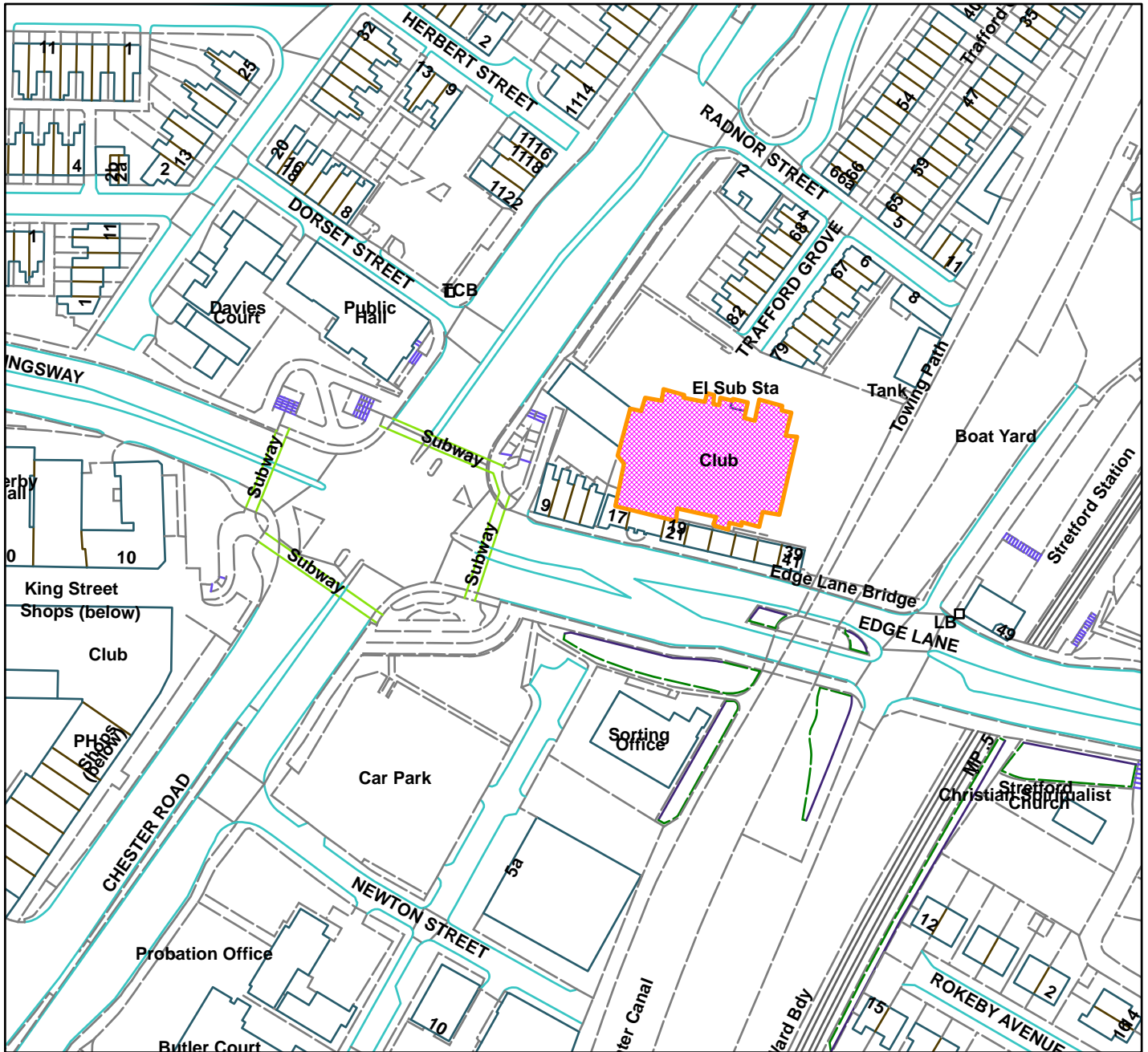
Reason: In the interests of protecting the character of the listed building having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

LB

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Essoldo Buildings, 1123 Chester Road, Stretford (site hatched on plan)



Scale: 1:1,750

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	01/11/2016
MSA Number	100023172 (2012)

**WARD:** Bowdon

**89303/FUL/16**

**DEPARTURE: Yes**

**Change of use from agriculture to allow for an extension to the existing cemetery along with increased visitor parking, changes to boundary treatment and associated landscaping.**

Proposed Extension, Altrincham Crematorium, Whitehouse Lane, Dunham Massey

**APPLICANT:** Trafford Council

**AGENT:** Amey Consulting & Rail - Property

**RECOMMENDATION: GRANT**

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**This application is to be reported to the Planning and Development Management Committee as there have been 6 or more representations contrary to the officer recommendation.**

### **SITE**

The application relates to a roughly rectangular 1.4 ha site adjoining the western boundary of the Altrincham Crematorium and Dunham Lawn Cemetery site which is situated on the western side of Whitehouse Lane. The site is currently open land used for arable farming. The existing Altrincham Crematorium and Dunham Lawn Cemetery share the same site which is approximately 8.2 ha in size. Dunham Lawn Cemetery opened in 1963 and contains 3000 graves with 4650 interments and approximately 200 additional graves set aside for future use. There are mature trees and hedgerows along the existing western boundary of the cemetery. The area of the cemetery to the east of the application site is used as a Jewish Burial area. There are a variety of buildings on the site associated with its function and the main access is off Whitehouse Lane. The main car park serving the site at the present time is on the Whitehouse Lane frontage comprising 27 spaces. There is also an unmarked overflow car park which can accommodate approximately 20 spaces adjacent to the northern boundary of the site.

Beyond the site to the north are fields extending up to Sinderland Lane. The area around the site is predominantly rural and agricultural in character. There are a number of farms and cottages to the south of the site on Red House Lane. A National Grid pylon crosses the northwestern corner of the site.

The site is located within the green belt and an area of landscape character.

### **PROPOSAL**

Permission is sought for the change of use from agriculture to cemetery (Sui Generis) to allow for an extension to the existing cemetery along with associated visitor parking, changes to boundary treatment and landscaping.

The proposed extended cemetery would cover an area of approx.1.4 ha beyond the existing western extent of the cemetery site and the stated aim of the application is to provide sufficient burial space, to separate cemetery and crematorium vehicular traffic, provide additional parking and improved pedestrian links and to integrate the site into its green belt setting and enhance the biodiversity value of the site. The cemetery extension would provide 741 single burial plots and 3550 double burial plots, a total of 4291 although the submitted layout plan is illustrative in terms of the specific allocations and arrangements of the plots.

The application proposes a new parking area comprising 20 spaces and 2 accessible spaces in the northwestern corner of the site. Outside the application site but within the existing cemetery site a new car park of 12 new spaces with 1 accessible space is also shown on the plans to be constructed under the permitted development rights for the site adjacent to the existing western extent of the cemetery. Cycle parking is proposed in the existing main car park and in the additional parking area.

The route of the existing Public Right of Way from the north western corner of the site has been maintained with provision made through the existing hedge and tree line to connect with the existing footpath network of the lawn cemetery.

The vehicular access route throughout the extended site would take the form of a buff gravel filled interlocking cellular paving grid system. The paving grids allow rainwater penetration, offering sustainable natural drainage. The new car parking areas would be finished in grasscrete.

No new floorspace would be created as no buildings are proposed as part of the development.

## **DEVELOPMENT PLAN**

**For the purposes of this application 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

R2 – Natural Environment

R3 – Green Infrastructure  
R4 – Green Belt, Countryside and Other Protected Open Land  
R5 – Open Space, Sport and Recreation  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations

### **PROPOSALS MAP NOTATION**

Green Belt  
Protection of Landscape Character

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

ENV17 - Areas of Landscape Protection  
C4 – Green Belt

### **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

88940/FUL/16 - Erection of a temporary portacabin in car park and external alterations to the main building including insertion of new windows and door and access ramp – Currently under consideration.

86921/COU/15 – Change of use from agriculture to an extension to Altrincham Lawn cemetery – Withdrawn Jan 2016

H/08253 – Use of land as extension to cemetery – Approved 1978

H/04361 - Use of agricultural land for garden of remembrance – Deemed Consent 1976

### **APPLICANT'S SUBMISSION**

The following reports have been submitted with the application and are referred to in the Observations section of this report where necessary: -

- Design and Access Statement
- Flood Risk Assessment
- Groundwater Audit

- Ecological Scoping and Assessment Report
- Site Investigation Report

## **CONSULTATIONS**

**Strategic Planning and Developments** – No objection in principle. Comments incorporated into the Observations Section of the report.

**LHA** - No objections to the development subject to conditions relating to car parking and cycle parking.

**PROW** – The application does not affect a definitive right of way so no comments to make.

**Pollution and Licensing** – No objections provided that the Environment Agency's requirements in respect of contaminated land are accommodated.

**Lead Local Flood Authority** – No objections subject to conditions

**Environment Agency** - Have no objection in principle to the proposed development subject to conditions. Comments incorporated into the Observations Section of the report.

**GM Police (Design for Security)** - No comments received at the time of writing. Any comments will be included in the Additional Information Report.

**GM Ecology Unit** - Overall the GMEU agree with the conclusions of the ecological surveys and assessments that have been carried out in support of the application and therefore have no overall objections to the proposal on nature conservation grounds. However, this development proposal presents opportunities to enhance the local landscape and to improve the site for wildlife and the GMEU therefore recommend that as a Condition of any permission that may be granted to the scheme a more comprehensive Landscape and Habitat Creation and Management Plan should be prepared for the site.

**GM Archaeological Advisory Service** - No comments received at the time of writing. Any comments will be included in the Additional Information Report.

**Ramblers Association** – Have reviewed the application and have no comment to make.

### **Peak and Northern Footpath Society – Pedestrian Access**

Strongly support the proposal to link the cemetery paths to the existing footpath, which we understand to be numbered Dunham Massy 17b on the Trafford MBC Definitive Map of Public Rights of Way. We would also support creating a link from the cemetery to footpath Dunham Massey 17a at the south eastern corner of the site.

### **Permissive Footpath**

Note that the site of the proposed development is crossed by a permissive footpath around Red House Farm established under a DEFRA farm conservation scheme. They would expect this access to be retained both during and after completion of the proposed development, but accept that this may mean diverting the route of the permissive footpath around the boundary of the proposed extension to the cemetery site.

**GM Pedestrians Association** - No comments received at the time of writing. Any comments will be included in the Additional Information Report.

**Public Health England** - Note that the site is not located on a major aquifer but that groundwater was encountered within all exploratory holes at a shallow depth. Based solely on the information contained in the application provided, PHE (CRCE) has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control environmental emissions, in accordance with industry best practice. Consideration should be given over the suitability of using this site as a burial ground due to the high water table and further advice on this should be sought from the Environment Agency.

**United Utilities** – No objection subject to a condition requiring a sustainable drainage system to deal with surface water drainage and that foul and surface water is drained on a separate system.

**National Grid** – National Grid has apparatus (electricity transmission overhead lines) in the vicinity of the site which may be affected by the activities specified. The contractor should contact National Grid before any works are carried out to ensure the apparatus is not affected.

**PADHI+ HSE** – No interest

**Dunham Massey Parish Council** – No comments received at the time of writing. Any comments will be included in the Additional Information Report.

### **REPRESENTATIONS**

**Neighbours:** 159 objections have been received. The grounds for objections are summarised below:

- **Lack of Clarification around the Use of Concrete:** From a religious perspective, Muslims would be severely compromising their religious obligations if the deceased was buried in a concrete burial chamber or laid on a concrete lined foundation pad. The Islamic requirement is for the body to decompose naturally and return to the earth. The planning application is not explicit in stating that concrete will not be used for the new Muslim burial plots.

- **Disproportionate Allocation of Burial Spaces for Muslims:** The provisional allocation of burial spaces amongst the minority religious groups is extremely disproportionate and unfair.
- **Inefficient Use of Existing Burial Space:** DLC already have a designated area for Jewish burials at the site, which is almost 90% empty.

The occupier of 2 Whitehouse Cottages has written in to state she has no objections to the proposal.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The applicant states that the Council has responsibility for ensuring adequate burial space for its residents and at present provides five cemeteries (four of which are pre 1914) at Stretford, Sale, Hale and Urmston. Dunham Lawn Cemetery represents the fifth and most modern of these. In common with most areas of the country, burial capacity in Trafford is limited, with current council provision scheduled to be exhausted in around five years and little provision available at other sites. Increased need is also likely, due in part to the growing requirement for Islamic and Jewish burial space.
2. The applicant has identified a need for new cemetery space indicating the existing provision would be likely to be exhausted in 5 years' time. Alternative options of extensions at the other Trafford cemeteries have been considered and are deemed to not be viable with various reasons stated. The proposed extension at Dunham is stated as giving an additional 20 years supply. The scheme proposes to mitigate against adverse visual impacts and enhance biodiversity value.
3. Core Strategy Policy R5 states under R5.2 'The Council will secure provision of cemetery and burial space in line with projected needs and improve the quality of existing sites.' In para 24.15 the capacity was set out for Dunham as 6 years. This was in 2012 when the Core Strategy was adopted. Therefore there appears to be a strong case demonstrating a need for new provision of cemetery space.
4. It should also be noted that the draft Land Allocations DPD 2014 proposed a policy on cemeteries and this is considered to have some material weight given that there were no consultation response received against the proposal.
5. The LADPD Policy OS3 – Cemeteries, identified new space for cemeteries in Trafford and stated:-

*“An opportunity exists in the early phase(s) of the Plan period to create an extension to the Dunham Cemetery.”* OS3.1 - An extension to Dunham Cemetery. The area proposed as an extension in the application is on the same piece of land as proposed in the Land Allocations Plan but covers a smaller area than that proposed in the LADPD Policies map.



6. The proposal relates to a change of use of agricultural land to cemetery. Para 112 of the NPPF states that *'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.'*
7. It is not considered that the area of land to be developed at 1.4 ha is 'significant'. The existing agricultural use of the associated farm would continue and for the reason set out under the 'Trees and Ecology' section below it is not considered that the proposals would have a detrimental impact on the ecology or landscape of the area. Other policies of the NPPF and Core Strategy are also considered below.
8. The application site is located within the green belt. Paragraph 89 of the NPPF sets out a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:
  - provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
9. However although facilities for cemeteries are listed here as being an exception to inappropriate development it has been demonstrated through case law that this is considered to only apply to existing cemetery space and is not applicable to a change of use application for new cemetery space. Therefore new cemetery space is deemed inappropriate development in the Green Belt and is therefore considered to be harmful in principle.
10. It is noted the application does not propose any new buildings and thus is considered to have very little effect on openness. However, in order to satisfy para 88 which states *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"*. Very special circumstances therefore need to be demonstrated in order for inappropriate development in the Green Belt, whether this includes built development or otherwise.
11. Although it does not specifically mention burial space NPPF para 70 could be considered to have some relevance as burial space is needed as a facility within communities. *"To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments"*.

12. A very special circumstances statement for the proposed development has been submitted and provides evidence for the need for the development. This states that Trafford is responsible for five cemeteries: Dunham Lawn, Hale, Sale, Stretford and Urmston. The Table below in shows the availability for graves in the main sections as at April 2016. The life span of each is based on the number of new graves available within that site.

<b>Cemetery</b>	<b>New 2013/14</b>	<b>New 2014/15</b>	<b>New 2015/16</b>	<b>Space April 2016</b>	<b>Life Span</b>
Dunham Lawn	37 +3 baby +5 Muslim	54 +3 baby +9 Muslim	51 +3 baby +12 Muslim	162 standard 7 Baby 12 Muslim	3 years 2 years 1.5 years
Hale	0	0	0	0	0 years
Sale	35	33	30	402	10 years
Stretford	46	34	51	30	>1 year
Urmston	36	22	22	73	2.5 years

13. In 2012 when the Trafford Council Core Strategy plan was introduced Policy R5.2 identified in para 24.15 that the projected capacity of the Dunham Lawn cemetery was 6 years. The table above shows that this has been depleted to between 3 years and 1 year 6 months of projected demand. However, if other sites become full the demand on the remaining sites increases thereby reducing their lifespan. Based on current demand Bereavement Services expect the current provision to be exhausted within 5 years. The proposed expansion has a projected lifespan of the at least 20 years. With careful management maximising capacity this may be extended further. Under R5.3 of the Trafford Council Core Strategy plan recognised there are no definitive national or local standards for cemeteries. However, back in 2012 the plan did recognise that *“The current level of provision and capacity has been identified to meet the burial ground need of all faiths and application of standards will therefore focus on improving the quality of existing sites.”* The table shows that Bereavement services have focused on maximising the existing sites. However, the ways of increasing capacity are finite. Inevitably the cemeteries will become full. With a view to extending burial provision beyond 5 years it has been necessary to look at ways of expanding existing burial sites. Therefore the applicant has looked to acquire land adjacent to these cemeteries.

14. Alternative options were considered adjacent to other cemeteries but were not considered viable for the following reasons:-

- Stretford Cemetery and Sale Cemetery border the Mersey Valley Floodplain

- Hale Cemetery is surrounded by residential properties with no scope for expansion
- Sale Cemetery is bounded by residential development to the north and west, the Bridgewater Canal to the east and Walton Park to the South.

15. The Dunham Lawn cemetery was identified as being having sufficient adjacent land available. Combined with the remaining burial capacity the proposed Dunham Lawn expansion will extend this service at least 25 years. Short of Trafford Council identifying a site for a new cemetery, which itself would be in contravention of Trafford Council Core Strategy plan policy under R5.3, the realistic alternative is to expand Dunham Lawn cemetery by taking advantage of the “very special circumstances” provision in para 87 of the National Planning Policy Framework.

16. Paragraph 87 of NPPF states that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is considered that the applicant in this instance has demonstrated very special circumstances which would outweigh the identified harm to the Green Belt from that inappropriate development. However, the very special circumstances are also required to be weighed against ‘any other harm’ i.e. other material considerations such as visual harm to the openness of the green belt, impact on residential amenity, ecological and highways issues before an overall conclusion can be reached.

#### IMPACT ON THE CHARACTER OF THE AREA

17. Policy L7 states that ‘In relation to matters of design, development must:

- Be appropriate in its context;
- Make best use of opportunities to improve the character and quality of an area;
- Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment;

18. No buildings are proposed within the application site although there would be an access road leading from the existing crematorium / lawn cemetery site to a car park in the northwestern corner of the proposed extension site. The car park would be surfaced in grasscrete.

19. The surface treatment of burial areas would be amenity grass turf to integrate the scheme into its surroundings. Each chamber would feature a memorial stone with a polished granite tablet and flower vase. The access route throughout the extended site will take the form of a buff gravel filled interlocking cellular paving grid system in order to provide an appropriate solution aesthetically, whilst also being able to withstand regular pedestrian and vehicle use. The paving grids also allow rainwater penetration, offering sustainable natural drainage. A condition is recommended to

ensure that the new car parking areas would be finished in grasscrete to minimise the impact on the green belt.

20. It is considered that the proposed development on the site would be very low level and additional landscaping is proposed around the northern edge of the site in the form of a native hedgerow. It is therefore considered that the visual impact of the development on the wider area and in particular the openness of the green belt would be very limited.

## RESIDENTIAL AMENITY

21. Policy L7 states that 'In relation to matters of amenity protection, development must:

- Be compatible with the surrounding area; and
- Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

22. The nearest residential properties are The Bungalow (adjacent to the Crematorium site access on Whitehouse Lane), Whitehouse Farm to the southeast and Sinderland House Farm, Red House Farm and Sinderland Cottages to the south. The Bungalow and Whitehouse Farm are separated from the application site by the existing Crematorium buildings and wider lawn cemetery development. The site would be situated immediately to the north of Sinderland House Farm which would largely screen Sinderland Cottages and Red House Farmhouse from the site.

23. No objections have been received from the occupiers of any of the nearby residential properties.

24. The proposed development is considered to be a low level use in terms of noise and disturbance with vehicular activity focused in the car park at the northwestern corner of the site away from residential properties. The visual impact would be minimal given the low level nature of the associated structures on the site and surrounding hedging proposed and existing. In addition the site would only be accessible to the public during the existing opening hours of the wider Crematorium and Lawn Cemetery site (hours vary throughout the year but the earliest opening time is 8am and latest closing time 7pm) Consequently it is not considered that the proposed development would result in any material impact on the residential amenity of occupiers of nearby residential properties.

## HIGHWAYS ISSUES

25. Policy L7 of the TBC Core Strategy states that 'In relation to matters of functionality, development must:

- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
- Provide sufficient off-street car and cycle parking, manoeuvring and operational space;

26. The existing access to the site from Whitehouse Lane is to be retained although the proposals do include a new section of internal access road to provide access to the extended area of the cemetery and proposed parking area in the northwestern corner of the application site. Servicing arrangements are not affected by these proposals.

27. The Council does not have parking standards relating specifically to crematoria/cemeteries however the existing parking provision comprises 45 spaces of which 4 are disabled spaces and the proposals include two additional car parking areas increasing total parking provision to 80 spaces including 7 spaces for disabled users. Cycle parking is also proposed in the existing main car park adjacent to Whitehouse Lane and the proposed car park serving the cemetery extension. Subject to a condition relating to the provision of cycle parking the LHA are satisfied with the overall parking provision at the site and have no objection to this application on highway grounds.

28. With regard to the permissive footpath issues raised by the Peak and Northern Footpath Society the applicant has confirmed that the new section of land has no impact on any of the footpaths in the area. The permissive path runs on the other side of the hedge on the Red House farm side so the proposal would not interfere with this. The highways section has confirmed that they have no objection in relation to this issue.

## TREES AND ECOLOGY

29. Ecological surveys and assessments have been submitted in support of the application and they conclude that *“the proposed site is not of substantive nature conservation value. The planned works will not cause harm to designated sites, important habitats or to priority and protected species. Localised losses of trees and hedgerows will not be significant and can easily be mitigated”*.

30. On this basis the GMEU have not raised any objections to the principle of the development on nature conservation grounds but do consider that the development proposal presents opportunities to enhance the local landscape and to improve the site for wildlife. In line with section 11 of the NPPF the condition suggested by the GMEU to require a comprehensive Landscape and Habitat Creation and Management Plan for the site is therefore recommended to be submitted and implemented prior to first occupation of the burial plots. This should include a new species diverse hedgerow to increase foraging opportunities for wildlife and sowing the unfilled burial areas with a wildflower mix during the years when they are not in use. It is considered that this should also include installation of bat and bird boxes at

the site as suggested in the supporting ecological information. A condition requiring that clearance of vegetation is carried out outside of the bird breeding season is also recommended.

31. A number of trees along the western boundary of the existing site would be removed to facilitate the access road. These trees are outside the application site and are not the subject of a Tree Protection Order. It is considered that the loss of trees is necessary to create access to the cemetery extension and could be mitigated for by additional landscaping and biodiversity improvements as part of the development. The proposal is therefore considered to be compliant with the requirements of Policies R2 and R3 of the Trafford Core Strategy.

## DRAINAGE AND GROUND CONTAMINATION

32. A number of supporting statements were submitted with the application including a Flood Risk Assessment, Groundwater Audit and site Investigation Report. In addition the advice of the Environment Agency was sought at pre-application stage by the applicant following the withdrawal of an earlier application for a larger proposed extension to Dunham Lawn Cemetery following concerns about the potential impacts on the water environment. A number of consultees have commented on the application in terms of drainage and ground contamination issues namely, the Environment Agency, Public Health England, United Utilities, the Lead Local Flood Authority and the Pollution and Licensing Section. The Environment Agency note that the scale of the cemetery expansion has been significantly scaled back since the withdrawal of the previous application (86921/COU/15) and that this reduction in the area of the development is a result of further site investigation across the wider site which has demonstrated that there is a shallow water table across much of the site rendering it unsuitable for use as a burial site.
33. This application proposes to only use land where it has been demonstrated that the water table is at least 2.4m below ground level in order to allow a sufficiently thick unsaturated zone below the base of all graves. The site has been split into two areas. The southern area is to be used for double burial plots and the northern area for single burial plots only. No objections have been received in relation to the principle of the proposals on this basis although the Environment Agency has recommended three conditions. These would require that there are no sealed burial chambers as part of the development and would also require the installation of groundwater monitoring wells as well as other detailed stipulations with regard to the plots to prevent pollution of the water environment. Subject to these conditions recommended by the Environment Agency and other consultees in relation to general drainage being attached it is considered that the development would not have a detrimental impact on flooding or pollution of the water environment.

## OTHER MATTERS

34. The objections received relate to 3 particular issues of concern as follows:

- Lack of Clarification Around the Use of Concrete
- Disproportionate Allocation of Burial Spaces for Muslims
- Inefficient Use of Existing Burial Space

35. These are not material planning considerations, rather management issues for the applicant. The planning consideration of the site is limited to the land use implications of a change of use from agricultural land to cemetery with associated parking and access. It is not a planning matter to determine what proportion of burial plots or space is allocated to different religious groups and the applicant will need to carry out their own assessment of need and equality in this regard. In addition, the nature of the means of burial is only relevant to the planning decision if it impacts on land use / environmental issues and the Environment Agency have been consulted in relation to his issue and have raised no objections subject to appropriate conditions. Notwithstanding this, the concerns raised have been passed on to the applicant for consideration and they have made the following comments.

36. The applicant has also stressed that the issues raised regarding plots allocations are management issues. The numbers shown on plan for the different burial areas are not set and there will be flexibility in managing these areas. In practice this would simply mean extending into adjacent areas as demand dictates.

37. The proposed extension to Dunham Lawn Cemetery has been designed to be fully inclusive so that it serves the community as a whole. As with ongoing burials in the existing cemetery, in these areas the practices associated with the faith of the internee takes precedence. A consultation meeting took place between Bereavement Services and the Muslim community on 20 October 2016. Direct liaison between the community and Bereavement Services is the appropriate way to manage these particular issues which are not material to the consideration of the planning application.

38. The proposals as submitted have the scope to achieve the proposed conditions from the Environment Agency and recommendations of the site investigation summary report without denying the public a choice of internment method or compromising any religious ideology.

## CONCLUSION

39. The change of use of the field site is inappropriate development in the green belt as defined by the NPPF, however the physical manifestations of the use would be limited and have no discernible effect on openness; the graves would be low level and grass covered and the vehicle access track and car park would be finished in grasscrete. Great weight is attached to the needs for burial space and the lack of alternative suitable sites within the Borough. It is therefore considered that these matters amount to very special circumstances which would outweigh the identified harm to the Green Belt by reason of inappropriateness and limited harm to openness. All other considerations either cause no harm, or any limited harm

identified can be appropriately mitigated by suitable planning conditions. The application therefore complies with the development plan and the National Planning Policy Framework and is therefore recommended for approval.

## **DEVELOPER CONTRIBUTIONS**

40. Not required.

## **RECOMMENDATION:**

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

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan ref. BN\_01\_01 07 Revision A and drawing no. 02 'Plan of New Plots Phase 2'.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

3. Before the development hereby approved is brought into use, the off-road car parking spaces shown on the approved plans shall be provided in accordance with the approved details and the parking spaces shall be retained for car parking and no other use thereafter.

Reason: In the interests of highway safety and convenience and in accordance with Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

4. Prior to first use of the development hereby permitted a scheme for cycle storage (4 spaces across the cemetery site) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be in accordance with the requirements set out in SPD3: Parking standards and Design for Trafford in relation to design, spacing and location and shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: In the interests of sustainable transport and accessibility in compliance with Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.



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

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

6. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

Reason: To prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development.

7. All burials in the cemetery shall be:
  - outside a source protection zone 1 or at least 250 metres from any well, borehole or spring supplying water for human consumption or used in food production;
  - a minimum of 30 m from any water course or spring;
  - a minimum of 10 m distance from field drains; All graves must:
  - have at least 1 metre clearance between the base of the grave and the top of the water table (taking into account seasonal variations).
  - not have any standing water in them when dug, or be dug in bedrock or areas susceptible to groundwater flooding
  - be deep enough so at least 1 metre of soil will cover the top of the coffin

Reason: To prevent pollution of the water environment in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development shall take place until details of a scheme to install groundwater monitoring wells and a monitoring regime has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved and retained thereafter.

Reason: To prevent pollution of the water environment in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure

that any requirements can be incorporated in the design of the final scheme.

9. Notwithstanding the details submitted for the proposed development of the site, there shall be no use of sealed burial chambers at the site.

Reason: To prevent pollution of the water environment in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: This is required prior to the commencement of development to ensure the protection the existing trees on the site in the interests of the amenities of the area and in accordance with Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

11. No development shall take place until a Landscape and Habitat Creation Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Plan should include details of –

- Proposed finished levels or contours.
- Means of enclosure.
- Hard surfacing materials (to include grasscrete for the parking areas)
- Minor artefacts and structures (eg furniture, refuse or other storage units, signs, lighting).
- Planting plans.
- Written specifications (including cultivation and other operations associated with plant, tree and grass establishment).
- Schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate.
- Implementation timetables.
- Management of new landscape and habitat features.

The development shall then take place in accordance with the approved details and retained thereafter.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and in the interests of enhancing biodiversity interests having regard to Policies R2 and R4 of the Trafford Core Strategy and the National Planning Policy

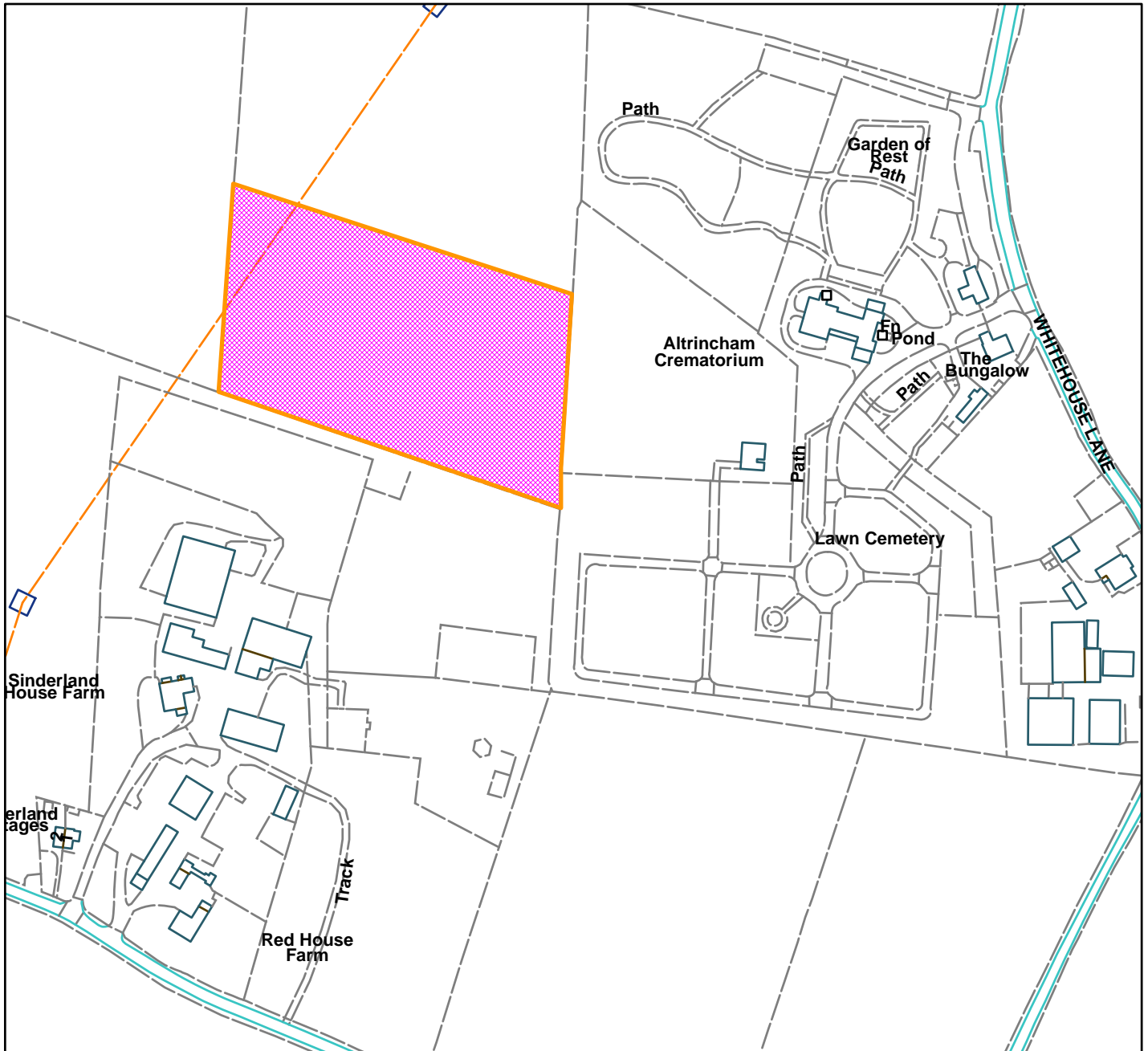
Framework. This is required prior to the commencement of development to ensure that any requirements can be incorporated in the design of the final scheme.

JJ

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Proposed Extension, Altrincham Crematorium, Whitehouse Lane, Dunham Massey (site hatched on plan)



Scale: 1:2,750

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

**WARD:** Sale Moor

**89448/HHA/16**

**DEPARTURE: No**

**Erection of single storey side and rear extension with other external alterations.**

35 Bamber Avenue, Sale, M33 2TH

**APPLICANT:** Mrs Kimmitt

**AGENT:** Cube Design Solutions

**RECOMMENDATION: GRANT**

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**The application has been reported to Planning and Development Management Committee as the applicant is employed by Trafford Council.**

**SITE**

The application site relates to a two storey semi-detached dwellinghouse situated on the eastern side of Bamber Avenue which is a cul de sac and characterised by similar properties. The property currently has a single storey flat roof rear extension and an original rear projection of approximately 0.5m to its lounge adjacent to the common boundary with the adjoining property, No.37 which has a similar original feature. No.33, which also shares a common boundary with the property, has a historical two storey rear extension with flat roof that projects approximately 2m from the main rear wall. A separation distance of 2.9m is currently provided between the northern/side elevation of the application property and the common boundary shared with No.33 which also has an attached garage to its side elevation that forms part of the boundary, with obscure glazing to a landing window and bathroom above.

The property currently has space for two off street car parking spaces and soft landscaping to its frontage. A 1.8m fence forms the rear boundaries, with Baguley Lane running along the rear of Bamber Avenue and Lime Tree Primary Academy beyond.

**PROPOSAL**

The applicant proposes the demolition of existing rear projections and the erection of a single storey side and rear extension that would be recessed from the front main wall of the property by approximately 4.2m, and would have a width of 2m to provide a 0.9m gap between it and the northern boundary with no. 33. The extension would project 3m from the main rear wall of the property, retaining 0.2m between it and the boundary with No.37.

The increase in floor space of the proposed development would be less than 100m<sup>2</sup>.

## **DEVELOPMENT PLAN**

**For the purposes of this application 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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility  
L7 – Design

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD4: A Guide for Designing House Extensions and Alterations (adopted February 2012)

## **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.

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

DCLG published the National Planning Practice Guidance on 6 March 2014, which replaced a number of practice guidance documents. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

The key issues for consideration in this application are the design and appearance of the development and its impact on residential amenity.

### **DESIGN AND APPEARANCE**

1. 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.
2. The proposed development would be set well back from the property's frontage and would maintain 150mm in excess of the minimum requirement of 750mm for external access between a single storey extension and a side boundary. The proposed development would thereby maintain sufficient spaciousness and circulation space that is characteristic of the streetscene.
3. The scale of the proposed extension is not considered to be disproportionate in itself or in relation to the host dwelling. The proposed development would effectively fill in a relatively small area to the rear of an existing projection and a historic kitchen extension and therefore the overall additional size and massing would be moderate to the extant situation, with a more holistic appearance including a lean-to roof, whilst all external materials would match those of the main house.
4. Although the property has been extended previously, the addition of a single storey rear extension in this position is not considered to have a detrimental cumulative impact on the property's character and appearance or that of the surrounding area. A reasonable amount of outdoor amenity space would be retained to the rear of the extension and the addition is not deemed to represent an overdevelopment of the site as a whole.
5. The extension would be sited to the rear and side of the host dwelling, replacing an existing single storey rear extension. The development would be able to be viewed from within the streetscene, however, being set back from the frontage of the property by approximately 4.2m and providing a separation distance of 0.9m between it and the side boundary, the proposed development would not cause harm to the character of the dwellinghouse or the wider area. Its design, materials, scale and proportions are considered to ensure that it respects local context.

6. The development is considered to be in line with Policy L7 of the Trafford Core Strategy and the policies within the Council's adopted SPD4 in terms of its design and appearance.

## **RESIDENTIAL AMENITY**

7. 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.
8. The proposed extension would project 3m from the main rear elevation of the host building and be sited 200mm from the common boundary with No.37 Bamber Avenue. This property has a an original lounge projection of approximately 0.5m, with an enlarged kitchen with lean-to roof further away from the common boundary.
9. Paragraph 3.4.2 of the Council's adopted SPD4 allows for extensions projecting up to 3m on semi-detached properties, although where the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the distance from the boundary. In this case, the principle would be to allow a projection of up to 3m further than an adjacent habitable room at the same level. Therefore, in this instance a projection of up to 3.5m would be allowable (given the neighbouring lounge projection of 0.5m) and be in accordance with the guidance contained within SPD4 (subject to design considerations). Given the modest height of the proposed extension (2.4m to eaves), it is considered that the proposed extension would not have a significant overbearing impact, nor would it overshadow or result in a loss of light to the detriment of the occupiers of that property.
10. The proposed development would project approximately the same projection as an existing two storey extension to the rear of No.33, with that property being sited approximately 2.9m from the common boundary. As such, no loss of privacy or harm would occur to no.33 due to the size, scale and massing of the proposed development.
11. The proposed extension would be approximately 7.9m away from the rear boundary, with no harm occurring to the neighbouring education facility.
12. The proposed development is in accordance with Trafford Core Strategy Policy L7 and the aims of SPD4 and is therefore considered to be acceptable in terms of its impact on residential amenity.



## **PARKING PROVISION**

13. The proposed development would not increase the number of bedrooms that the property would provide, with two off-street car parking spaces being retained. The proposed development would therefore comply with guidance contained within SPD3: Parking Standards.

## **DEVELOPER CONTRIBUTIONS**

14. No planning obligations are required.

## **CONCLUSION**

15. The development accords with the development plan and is recommended for approval subject to the conditions listed below.

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

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 499-03, 499-04, 499-05 and 499-06 received by the Local Planning Authority on 21<sup>st</sup> September 2016.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

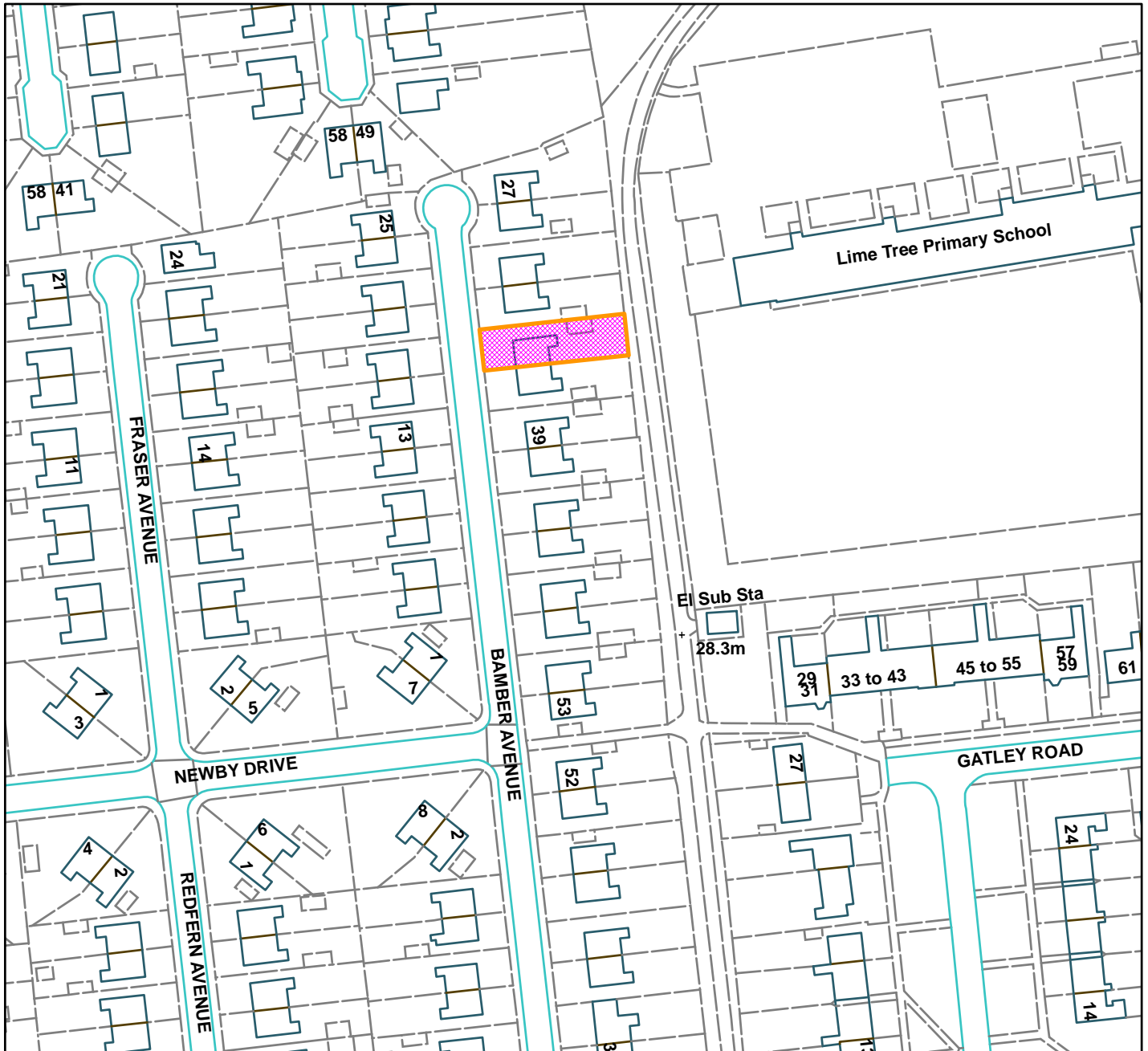
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

GD

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35 Bamber Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/11/2016
Date	31/10/2016
MSA Number	100023172 (2012)

## TRAFFORD COUNCIL

**Report to:** Planning and Development Management Committee  
**Date:** 10 November 2016  
**Report for:** Information  
**Report of:** Head of Planning and Development

### Report Title

**Section 106 and CIL Update: April 2016 – September 2016**

### Summary

This report is to inform Planning and Development Management Committee about the latest set of monitoring data for S106 agreements and CIL notices.

### Recommendation

That Planning and Development Management Committee note the contents of this report.

### Contact person for access to background papers and further information:

Name: Sarah Stansfield  
Extension: 1484

#### **1.0 Introduction**

- 1.1 The Community Infrastructure Levy (CIL) was created under the terms of the Planning Act 2008, and established a new system for collecting developer contributions, charged on a pounds (£) per square metre basis, to fund essential infrastructure. Trafford's Community Infrastructure Levy (CIL) was implemented on 07 July 2014.
- 1.2 Although the mechanism for securing contributions to deliver infrastructure to support growth has changed, there remain a large number of existing signed Section 106 agreements (S106) that require on-going monitoring. Going forward, although the number of new legal agreements will be reduced, S106s will continue to be used to secure site-specific mitigation and the provision of affordable housing.
- 1.3 This report details S106 and CIL activities over the period 01 April 2016 to 30 September 2016, together with contextual and historic information.

## 2.0 S106 update

2.1 S106 legal agreements involve lengthy negotiations between planning case officers and developers, often involving complex viability issues or land transfers, on top of the more usual planning considerations such as heritage, highways or amenity issues. Contributions have historically been secured to deliver a variety of infrastructure, including:

- affordable housing
- highways and active travel
- public transport
- specific green infrastructure (Red Rose Forest)
- spatial green infrastructure (open space / outdoor sports)
- education facilities

2.2 The amount of S106 contributions received to date and the amounts spent or committed to schemes is summarised in table 1 below. The '2016 year to date' figures for 2016 are a provisional position, and may be subject to small changes during the course of the financial year.

2.3 Overall contributions of around £19.7m have been received to date. Of this, £9.8m has been spent, and circa £1.6m is committed to schemes in the Capital Investment Programme. Of the balance available, approximately £3.6m has been earmarked to delivering the Metrolink expansion, and feasibility work is ongoing to commit the remainder to appropriate infrastructure projects in line with the requirements of the associated legal agreements.

**Table 1: S106 contributions received and committed to spend**

	Open Space/ Outdoor Sports £000	Education £000	Red Rose Forest £000	Affordable Housing £000	Highways £000	Public Transport £000	Total £000
<b>Amounts Received</b>							
Pre 2012	2,699	0	359	1,224	2,621	3,878	<b>10,781</b>
2012/13	358	101	143	534	326	718	<b>2,180</b>
2013/14	407	22	40	0	1,059	374	<b>1,903</b>
2014/15	212	63	95	0	1,695	1,000	<b>3,065</b>
2015/16	197	231	277	284	132	495	1,617
2016 year to date	154	0	0	0	0	0	154
<b>Total Received</b>	<b>4,027</b>	<b>418</b>	<b>912</b>	<b>2,042</b>	<b>5,835</b>	<b>6,465</b>	<b>19,700</b>
<b>Amounts Applied</b>							
Less Already used	(2,957)	(167)	(359)	(984)	(3,545)	(1,804)	<b>(9,814)</b>
Less Committed	(221)	(195)	(35)	(108)	(542)	(532)	<b>(1,633)</b>
<b>Balance Available</b>	<b>923</b>	<b>57</b>	<b>526</b>	<b>952</b>	<b>1,778</b>	<b>4,134</b>	<b>8,370</b>

2.4 In addition to the monies shown above, a further £0.2m has also been received in respect of developer contributions paid in advance, but this can only be committed to capital projects once development commences.

- 2.5 It should be noted that prior to February 2012, there was no requirement for contributions to be secured to support the provision of education facilities, this was introduced with the adoption of a new Supplementary Planning Document on Planning Obligations at the time (SPD1).
- 2.6 SPD1 was further revised and adopted in July 2014 to support the introduction of CIL. SPD1 (2014). It provides greater clarity for when the use of S106 legal agreements will be appropriate to mitigate the negative impacts of development, as there should be no circumstances where a developer is paying CIL and S106 for the same infrastructure in relation to the same development
- 2.7 In addition to the figures set out in table 1, there are a number of outstanding S106 agreements where trigger points have not yet been met; as of September 2016 (the reporting period) these amount to £30.4m. However, following the decision regarding Metrolink at the end of October, this figure amounts to £18.87m. Caution is advised when considering these figures as there is no guarantee that developments which have planning permission will definitely come forward. However, these developments are continually monitored to make sure that as trigger points are met, appropriate action is taken to ensure that the provisions of the S106 are met.

### 3.0 Community Infrastructure Levy update

- 3.1 Between the introduction of Trafford's CIL on 07 July 2014 and 30 September 2016, CIL Liability Notices to the value of £2.6m have been raised for around 80 developments. CIL monies only become due after a development commences, so predictions about future income should be mindful of the fact that some planning consents never go on to be implemented.
- 3.2 The Council is now starting to see an increase in the amount of CIL monies coming in, as recently approved developments begin on site. Actual CIL monies received to date total £720.3k, and a breakdown of what these receipts can be applied to is shown in table 2 below. As anticipated, monies received are starting to become more meaningful as more CIL liable developments commence development.

**Table 2: CIL monies received**

	<b>Total Monies Received</b>	<b>Admin Portion 5%</b>	<b>Local Infrastructure Portion 15%</b>	<b>Strategic Infrastructure Portion 80%</b>
07-Jul-14 to 31-Mar-15	£5,060.00	£253.00	£759.00	£4,048.00
01-Apr-15 to 31-Mar-16	£297,568.23	£14,878.41	£44,635.23	£238,054.58
01-Apr-16 to 30-Sep-16	£417,765.07	£20,888.25	£62,664.76	£334,212.05
<b>Total</b>	<b>£720,393.30</b>	<b>£36,019.66</b>	<b>£108,058.99</b>	<b>£576,314.63</b>

- 3.3 A CIL Protocol will be prepared to establish a process for allocating and spending CIL monies.

#### **4.0 Recommendation**

- 4.1 That the Planning and Development Management Committee note the contents of this report.

# Agenda Item 6

**WARD: Davyhulme East**

87009/FULL/2015

**PROPOSED STOPPING UP OF HIGHWAY AT MERCURY WAY, TRAFFORD PARK, MANCHESTER M41 7PA**

**OS GRID REFERENCE: E:377736, N:396413**

Highway proposed to be stopped up under S247 of the Town & Country Planning Act 1990 to enable development to be carried out in accordance with planning permission applied for under reference 82046/FULL/2013.

**APPLICANT:** Peel Holdings (Leisure) Ltd

**RECOMMENDATION: THAT NO OBJECTION BE RAISED**

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**SITE**

Development proposal by Peel Holdings (Leisure) Ltd.

**PROPOSAL**

The Department for Transport has advised the Council (the Local Highway Authority for the area of highway referred to and therefore a statutory consultee) of an application made to the Secretary of State for Transport under S247 of the Town & Country Planning Act 1990 to stop up an area of highway in Trafford Park described below in the Schedule and shown on the applicant's plan (copy attached).

**RELEVANT PLANNING HISTORY**

The stopping up, if approved, will be authorised only in order to enable the development to be carried out in accordance with the planning permission applied for to the Council under reference 82046/FULL/2013.

**THE SCHEDULE**

Description of highways to be stopped up;

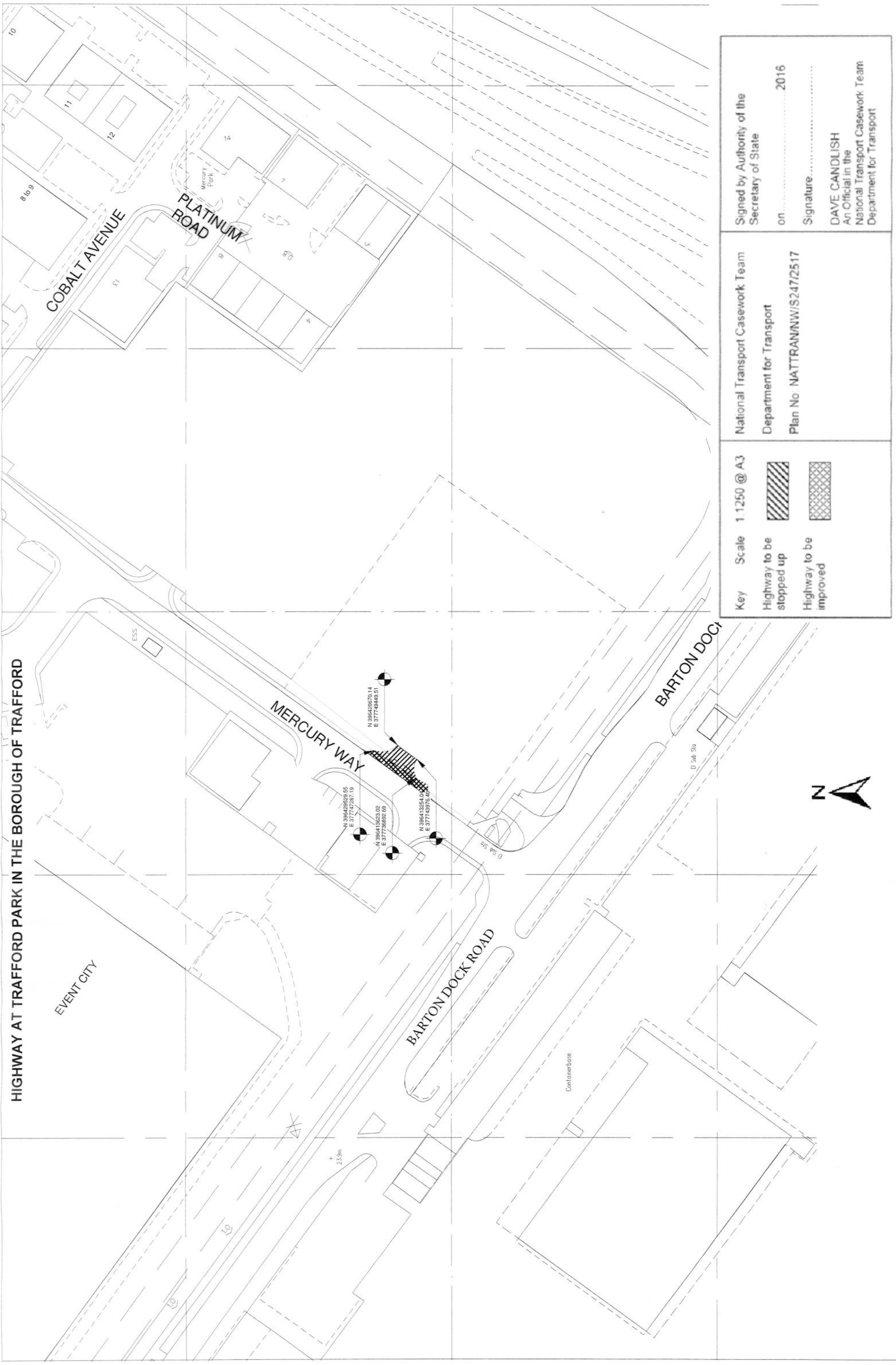
The highway to be stopped up is at Trafford Park in the Borough of Trafford, shown on the plan and is an eastern part width of Mercury Way comprising its former access mouth. It commences from grid reference E:377737, N: 396414 extending in a north easterly direction for a distance of 19 metres and having a maximum width of 6.65 metres..

**RECOMMENDATION:**


The recommendation is that the Committee consider raising no objection to this application for stopping up the area of highway described in the Schedule and shown on the attached plan.


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HIGHWAY AT TRAFFORD PARK IN THE BOROUGH OF TRAFFORD



Key    Scale    1:1250 @ A3

Highway to be stopped up    

Highway to be improved    

National Transport Casework Team  
 Department for Transport  
 Plan No. NATTRAN/W/S247/2517

Signed by Authority of the Secretary of State  
 on ..... 2016  
 Signature.....  
 DAVE CANDLISH  
 An Official in the  
 National Transport Casework Team  
 Department for Transport