



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

**Date: Thursday, 9 February 2017**

**Time: 6.30 pm**

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

<b>AGENDA</b>	<b>ITEM</b>
<b>1. ATTENDANCES</b> To note attendances, including Officers and any apologies for absence.	
<b>2. MINUTES</b> To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 12 <sup>th</sup> January, 2017.	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. PLANNING PERFORMANCE: CRITERIA FOR DESIGNATION TO SPECIAL MEASURES</b> To note the attached report of the Head of Planning and Development.	5

**6. AMENDMENTS TO PRE-APPLICATION ENQUIRY SERVICE**

To note the attached report of the Head of Planning and Development. 6

**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 **31<sup>st</sup> January, 2017** 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

12<sup>th</sup> JANUARY, 2017

### PRESENT:

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

In attendance: Head of Planning and Development (Mrs. R. Coley),  
Planning and Development Manager – East Area (Mr. S. Day),  
Senior Planning and Development Officer (Ms. L. Broadwell),  
Principal Highways & Traffic Engineer (Amey) (Mr. J. Morley),  
Solicitor (Mrs. C. Kefford),  
Democratic & Scrutiny Officer (Miss M. Cody).

Also present: Councillors Holden, Hyman and Whetton.

### ANNOUNCEMENTS

The Chairman wished all present a happy New Year and offered her best wishes for the ensuing year.

#### 48. MINUTES

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

#### 49. 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.

#### 50. 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

Application No., Name of Applicant, Address or Site

Description

89674/FUL/16 – Heneghan Developments Ltd – 23 Stanhope Road, Bowdon.

Demolition of existing dwelling with subsequent erection of a pair of semi-detached dwellings.

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89842/FUL/16 – Trafford Council – Park Road Primary School, Abbey Road, Sale.

Expansion of Park Road Primary School to allow for two forms entry, works to include the demolition of an existing toilet block, erection of two single storey extensions, in-fill extensions to create larger group/storage spaces along the Park Road frontage, erection of an extension to create new entrance on Park Road and widening of existing Junior Corridor to create resource teaching space.

(b) Application deferred

Application No., Name of Applicant, Address or Site

Description

89213/HHA/16 – Mrs. Irwin – 7 Kirkby Avenue, Sale.

Erection of a part single, part two storey rear extension and alterations to front.

[Consideration of Application 89213/HHA/16 was deferred to allow dimensions to be checked on-site.]

**51. APPLICATION FOR PLANNING PERMISSION 86577/FUL/15 – MR. GARTH – 38 STAMFORD PARK ROAD, ALTRINCHAM**

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of existing rear porch and outbuildings and erection of a part single, part two storey side and rear extension, together with a change from shop and living accommodation to a mixed use shop and cafe and a self-contained flat at first floor.

It was moved and seconded that planning permission be granted subject to the removal of Condition 13 (No use of the external areas of the site shall take place for an outdoor seating area in connection with the mixed use (A1/A3) hereby approved).

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted subject to the conditions now determined with the removal of Condition 13.

**52. APPLICATION FOR VARIATION OF CONDITION 87803/VAR/16 – YARA RESTAURANT – 23-25 OXFORD ROAD, ALTRINCHAM**

[Note: Councillor Dr. Barclay declared a Personal and Prejudicial Interest in Application 87803/VAR/16, due to her support for the neighbour, and left the room during its consideration.]

The Head of Planning and Development submitted a report concerning an application for the variation of condition 2 (list of approved plans), condition 5 (noise management

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plan), condition 7 (smoking terrace) and the removal of condition 11 (smoking terrace screen) to allow for the removal of smoking shelter, to the rear of 23 - 25 Oxford Road. Conditions relate to planning permission 80095/VAR/2013 [Variation of condition 2 (list of approved plans) of planning permission 77828/FULL/2011 (Change of Use of number 25 Oxford Road from A1 (Retail) Use to A3 (Restaurant and Cafe) Use, including the use of a small area at first floor level to rear of number 25 as a smoking terrace and involving internal alterations; external alterations to frontage at ground floor level; alterations to the rear of number 23 and 25 comprising the erection of a spiral staircase fire escape and associated balustrading, external access door and steps up from flat roof area. All works in association with the expansion of the existing restaurant at number 23 Oxford Road.) To refer to revised drawings indicating a new shop front to both 23 and 25 Oxford Road].

RESOLVED –

- (A) That the application will propose a satisfactory form of development for the site upon the completion of an appropriate Legal Agreement/Unilateral Undertaking which will ensure that the site shall not be operated under the 2013 planning permission, reference 80095.
- (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.
- (C) That upon the satisfactory completion of the above Legal Agreement/Undertaking, planning permission be granted subject to the conditions now determined.

**53. APPLICATION FOR PLANNING PERMISSION 89557/HHA/16 – MR. A. BAXTER – 113 FIRS ROAD, SALE**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a two storey side extension with bay window on front elevation, installation of canopy roof on front elevation and erection of single storey rear extension following demolition of detached garage at rear.

It was moved and seconded that planning permission be granted.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted subject to the following conditions:-

- 1. The development must be begun not later than three years beginning with the date of this permission.  
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. The development hereby permitted shall not be carried out except in complete

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accordance with the details shown on the submitted plans, numbers 486-05, 486-06 and 486-03.

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

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 having regard to Policy L7 of the Trafford Core Strategy, 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.

The meeting commenced at 6.34pm and concluded at 8.14pm.



## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 9<sup>th</sup> FEBRUARY 2017**

### **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 BOROUGH COUNCIL**

**PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 9<sup>th</sup> February 2017**

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

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

<b>Applications for Planning Permission</b>				
<b>Application</b>	<b>Site Address/Location of Development</b>	<b>Ward</b>	<b>Page</b>	<b>Recommendation</b>
<a href="#"><u>89213</u></a>	7 Kirkby Avenue, Sale, M33 3EP	Brooklands	1	Grant
<a href="#"><u>90074</u></a>	Broadheath Primary School, Sinderland Road, Altrincham, WA14 5JQ	Broadheath	12	Grant



**WARD:** Brooklands

**89213/HHA/16**

**DEPARTURE: No**

**Erection of a part single, part two storey rear extension and alterations to front.**

7 Kirkby Avenue, Sale, M33 3EP

**APPLICANT:** Mrs Irwin

**AGENT:** Magnus Technical Engineering Ltd

**RECOMMENDATION: GRANT**

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**The application is to be determined by the Planning and Development Management Committee as more than 6 letters of objection have been received.**

**SITE**

The application relates to a residential dwelling located on the east side of Kirkby Avenue, Sale.

The application dwelling has a Dutch hip roof with a single gable to the front. Kirkby Avenue contains predominantly this type of dwelling, and Penrith Avenue to the west is also characterised by this housing type. Windermere Avenue to the east is a mix of the application type dwelling and a two storey conventional house type. Cumberland Road comprises a mix of the application house type and conventional two storey house types. As such the immediate residential context is predominantly characterised by the application house type and the surrounding residential roads are characterised by a mix of this dwelling type and conventional two storey dwellings.

The dwelling has accommodation over two floors and due to the nature of the roof these properties have first floor habitable room windows in the side elevation and no first floor habitable room windows in the rear elevation. The Council's Guidelines for Residential Development in Brooklands identifies this area as having a distinctive property type with mansard roofs and black and white detailing.

The application site is bounded by residential properties. Its rear elevation faces the rear elevations of properties fronting Windermere Avenue, which are of the same design with the exception of No.2 Windermere Avenue.

**PROPOSAL**

Planning permission is sought for the erection of a part two storey rear, part single storey rear extension and alterations to the front comprising infilling an existing porch area at ground floor. The rear extension would project 4m from the existing rear elevation of the property at ground floor level and 2.35m at first floor level. The

extension would provide an extended kitchen and a porch and w.c. at ground floor and an additional (fourth) bedroom and ensuite / wetroom at first floor level.

## **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**

L7 – Design

L4 - Sustainable Transport and Accessibility;

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD4: A Guide for Designing House Extensions and Alterations

SPD 3: Parking Standards and Design

Planning Guidelines for Residential Development in Brooklands

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

## **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**

78143 – 3 Kirkby Drive – Two storey rear extension  
Approved with conditions – 10.04.2012

58959 – 3 Westmorland Road – Two storey side extension  
Approved with conditions – 2004

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

6 letters of objection were received from neighbouring occupiers raising the following concerns:

- Loss of privacy due to first floor windows
- Overbearing, over-dominating and visually intrusive
- Out of character with the property and the surrounding area
- Fundamental character of property will be destroyed
- These properties have no windows at first floor and this would introduce windows at first floor
- Overdevelopment of the site
- Disproportionate increase in scale of roof
- Loss of light to rooms and garden
- Loss of heat into property and side windows
- Noise pollution in gardens
- Noise, dust and highway safety disruption through construction
- Increased parking congestion
- Loss of property value

Additional consultation was carried out on 01.12.2016 on the basis of amended plans received. 6 further letters of objection were received from 6 neighbouring properties reiterating all of the original concerns and the following:

The design of these houses with windows in the side elevations means that the absence of windows on the rear elevations affords privacy prevented elsewhere.

Additional consultation was carried out on 22.12.2016 on the basis of further amended plans received on 16.12.2016. 12 representations have been received from 8

neighbouring properties re-iterating all of the original concerns and raising these additional concerns:

- Amendments have not addressed the reasons for objection
- Concerns over errors and omissions of objectors comments in the report
- Concerns regarding not being notified of amendments, and that not sufficient time has been given to neighbours to comment on the 3 sets of amended plans
- Concerns regarding not being notified of application going to committee
- Concerns that not all neighbouring properties have been visited by the case officer
- Use of velux windows in the sloping roof would restore some privacy

## **OBSERVATIONS**

### 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 application property falls within the area covered by the Council's Guidelines for Residential Development in Brooklands (adopted in 1994). These guidelines outline, at paragraph 5.8, that house extensions must match the original building in style and external materials. "For two storey extensions to two storey buildings with a pitched roof, and single storey extensions to bungalows with a pitched roof, it will be essential to provide a pitched roof to match the building unless the extension is at the rear and not open to view from a road or other public area." Paragraph 5.9 of the guidelines specifically refer to properties in the Cumberland Road area and states that these properties "have a distinctive appearance arising particularly from the roof shape, the low eaves level, and the contrast between the white render, black detailing and dark red tiles and brickwork. Any extensions will need to be designed with regard to this character. There is scope for single storey extensions at the side or rear or two storey extensions at the rear (but preferably with a pitched roof and low eaves height)."
3. The proposed extension measures 7.6m in width, and would extend across the rear elevation of the host property. Two amended schemes have been received by the Local Planning Authority. The first scheme received by the Local Planning Authority on 30<sup>th</sup> November 2016 reduced the projection at first floor to 2.35m from the original ground floor elevation, and amended the roof design to reduce its scale and be more sympathetic to the original roof. The second scheme received by the

Local Planning Authority on 16<sup>th</sup> December 2016 further reduced the ridge of the roof from 6.8m to 6.1m to reduce its scale and visual impact further and to line through with the ridge of the gable to the front. Furthermore the height of the single storey rear extension has been reduced from 3m to 2.5m to additionally reduce the scale of the proposal.

4. The objections received state that the proposal would over-dominate and fundamentally alter the original character of the property, comprising a Dutch hip roof and windows only at ground floor in the rear elevation, requiring a re-construction of the roof and introduction of windows at first floor in the rear elevation. As such they state that it would be harmful to the character of the property and the surrounding area.
5. The property sits within a street characterised by this dwelling type, with Penrith Avenue, and sections of Cumberland Road being dominated by this style of dwelling. Furthermore nos. 4,6, 8 and 10 Windermere Avenue are also of this dwelling type. There are also first floor rear extensions to nos. 10 Windermere Avenue, and 3 Kirkby Drive and a rear dormer to no. 6 Windermere Avenue. There are three dwellings in Kirkby Avenue which exemplify the Dutch Hip roof and have a two storey front elevation. It is recognised that the proposal would result in first floor development and the insertion of three first floor windows in the rear elevation (which are not typical of this dwelling type), and that it would represent a substantial extension to the property. However it is considered that the proposal would not be unduly harmful for the following reasons.
6. The Council's Guidelines for House Extensions outline that proposals should reflect the original character of a property and the Brooklands Guidelines outline that extensions should have regard to the "Mansard" property design. Neither set of Guidelines preclude the erection of a two storey rear extension to this property type, subject to appropriate detailing and design, as the prevailing residential character would be preserved in the street scene. The amended proposal is reflective of the architectural features with regard to the roof design, and reflective of the front elevations of three Dutch Hip property types within Kirkby Avenue. As such, with regard to this context, the introduction of a first floor elevation to the rear would not be considered unacceptable or contrary to provisions within the Council's Guidelines.
7. Rear dormer windows can be inserted without the need for planning permission which would introduce windows at first floor. The principle of introducing windows at first floor is not prohibited by the Council's Supplementary Planning Document SPD4 for House Extensions or the Brooklands Guidelines. Two of the properties fronting Windermere Avenue have windows in their first floor rear elevations. They are smaller scale and do not represent the same degree of change as the current proposal. However, they do represent an alteration to the original Dutch Hip roofs and surrounding context. As such, the introduction of a first floor elevation to the rear would not be considered unacceptable in principle.

8. The proposal has been reduced in scale and designed to be more in keeping with the main property. The proposal would result in a limited visual impact upon the street scene and is not considered to be out of character with the area. Therefore the design of the proposal is considered to be compatible with the character of the surrounding area.
9. The applicant has drawn attention to other two storey rear extensions in the vicinity. No.3 Westmorland was approved in 2004 under a different policy context. No.10 Windermere Avenue has a two storey rear extension for which no planning history can be found. There is an example of a two storey rear extension to this type of property at 3 Kirkby Drive that extended across the full width of the property and was approved in 2012 (since the adoption of the current SPD4 guidelines).
10. Concerns were raised by objectors that the proposal represents overdevelopment and would be disproportionately large. However, a first floor projection of 2.35m in relation to the existing depth of the house is not considered to be excessively large or out of proportion with the original property. A 4m projection is considered an acceptable depth for a single storey rear extension to a detached property in accordance with the Council's Guidelines for House Extensions and it is also relevant that a 4m single storey extension on a detached property would usually not require planning permission, subject to restrictions on the eaves and ridge height. As such, it is considered that the proposed 4m projection at ground floor level would be acceptable. Whilst this part of the extension would have a flat roof, this is considered to be acceptable, given that it is single storey and at the rear of the property.
11. The proposed infill to the front is characteristic of the surrounding area and considered to be acceptable.
12. The proposed works are considered appropriate and in keeping with the host property and the surrounding area, and would not result in harm to its character and appearance. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy.

#### RESIDENTIAL AMENITY

13. 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.
14. The proposal complies with SPD4 with regard to the projection of the rear extensions. The first floor projection measures 2.35m in relation to the original ground floor elevation of the house and achieves approximately 0.9m and 2m to

the neighbouring boundaries respectively. The proposed projection of 4m at single storey would be considered acceptable for a detached property. The proposed extension would comply with the SPD4 guidelines, which would allow a single storey extension of 4m plus the gap to the boundary and a two storey extension of 1.5m in depth plus the gap to the boundary. It is therefore considered that there would be no undue loss of light impact to the windows in the rear elevation of nos. 5 and 7 Kirkby Avenue as they comply with the Council's Guidelines.

15. Due to the design of these properties, the application property and the neighbouring dwellings have main habitable room windows in the side elevations. Both Nos. 5 and 9 Kirkby Avenue have bedroom windows in the side elevations which are the main source of light to these bedrooms. The proposal represents an additional projection of 2.35m from the ground floor rear elevation of the house, with an eaves height of 3.8m, and the proposed roof design results in the roof sloping away from the common boundaries with these properties. These windows are already facing the two storey side wall of the application property. The sill levels of the neighbouring windows are approximately the same height as eaves level and, as they are at first floor level, they will continue to benefit from some light and outlook above the extended property. It is recognised that the proposed extension would be to the south of 5 Kirkby Avenue and would have some impact on sunlight to this property. However, given the existing relationship between these properties and the fact that the bedroom windows are at first floor level, it is not considered that the proposed extension would have such a significant additional impact on these windows as to justify the refusal of the application.
16. An objection letter received from No. 5 Kirkby Avenue outlined a concern with regard to the additional loss of heat and light to that property, referring to two bedroom windows and both ground floor reception rooms in the side elevation and the conservatory and garden, due to the orientation of the site and the proposed projection and configuration of the roof. The loss of heat to a neighbouring property would not be a reason to justify refusal of a planning application. The above assessment refers to the impact to the bedroom windows in the side of No.5 and 9 Kirkby Avenue. The ground floor reception room windows in the side elevation at No. 5 are not the main sources of light to these rooms as there are windows in the rear and front elevations that serve these rooms and, as such, it is considered that the proposed extension would not have an undue overbearing impact in respect of these windows. As the extension meets the SPD4 guidelines in respect of its rear projection and the conservatory also has windows in its rear elevation, it is also considered that there would not be an undue impact on the conservatory or garden of no. 5.
17. Following further site measurements being taken, the first floor rear extension would achieve 10.9m to the rear boundary. Therefore, the proposed first floor bedroom would achieve the required separation distance of 10.5m to the boundary with 6 and 8 Windermere Avenue at the rear, complying with the Council's SPD4 guidelines, and therefore would not be considered to have an undue overlooking

impact. It is accepted that there are no windows at first floor to the rear elevation at present and that the proposal represents the introduction of three windows at a projection of 2.35m however as the proposal achieves the required separation distance, it would not be considered to have an undue overlooking impact in relation to the Council's SPD4 guidelines. Furthermore, the interface distance to the main habitable room windows of the properties to the rear would be approximately 24m and the proposed extension would therefore also comply with the SPD4 guidelines in this respect. Whilst an objection has been received on the grounds that the rear windows would overlook the gardens of the neighbouring properties at 5 and 9, this is considered to be a relationship that is common between adjacent properties and although being introduced here, not one that would justify the refusal of planning permission.

18. There are no changes to the windows in the existing side elevations except the removal of a window in the kitchen and a new side window to the single storey forward extension. There are no windows proposed in the side elevations of the extension that would result in any overlooking to neighbouring properties.
19. It is therefore considered that the proposal would not result in undue overlooking, loss of light, overbearing or visual intrusion and therefore complies with the provisions of Policy L7.

## HIGHWAY MATTERS

20. At present, the application property is a 3 bedroom property and would result in a 4 bedroom property. The proposal would generate the need for one additional parking space in accordance with SPD3, which would not be considered to have a significant additional impact upon on-street parking to the detriment of highway safety.

## OTHER ISSUES

21. The noise and disturbance that may be generated by the construction of the proposal would not be a matter that would carry significant weight in the determination of the application and other legislation exists to deal with this issue. Concerns relating to highway safety in connection with traffic congestion during construction periods are not grounds for refusal of a planning application.
22. Whilst site visits have been carried out to nos. 6 and 8 Windermere Road following the deferral from the last Committee and additional site measurements clarified, there is no requirement to visit all properties that object to an application, particularly where the proposal complies with the relevant standards. It is considered that sufficient information has been collected to form a complete assessment of the proposal.



23. Additional neighbour consultation was carried out for both sets of amended plans (01.12.2016 and 22.12.2016) to keep neighbours informed of the amendments for this application. The number of letters received in relation to each of these consultations is set out in the Representations section above and any further representations received following the completion of this report will be reported in the Additional Information Report on the day of the Committee.

## CONCLUSION

24. The proposal 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 submitted plans, Drawing No. IRWIN/02 – Rev B received by the Local Planning Authority on 16<sup>th</sup> December 2016 and the site location plan, drawing number IRWIN/03.

Reason: In the interests of proper planning and for the avoidance of doubt, 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or as subsequently amended or re-enacted) no window or other opening shall be formed in the side (north and south) facing elevations of the extension hereby permitted unless a further planning permission has first been granted on application to the Local Planning Authority.

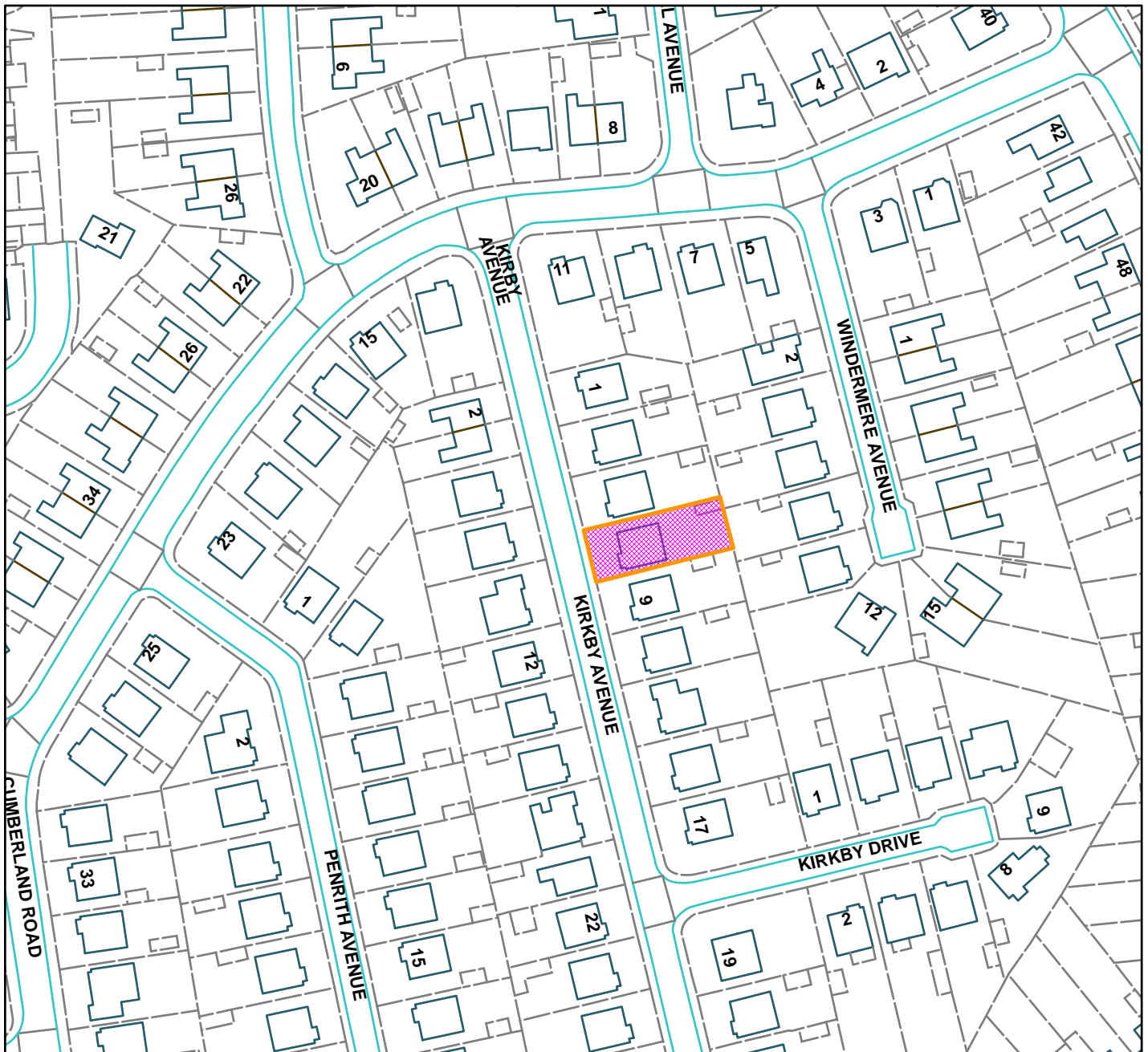
Reason: To ensure satisfactory level of privacy between properties, having regard to Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations.

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RW



7 Kirkby Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 09/02/2017
Date	30/01/2017
MSA Number	100023172 (2012)

**WARD:** Broadheath

**90074/FUL/16**

**DEPARTURE:** No

**Demolition of a single storey extension of the original school containing three reception classes and toilet block and erection of a part single, part two storey extension to create nine classrooms, toilets and circulation space, erection of a single storey class adjacent to the main hall, demolition of existing entrance canopy and erection of a new entrance canopy. Internal alterations together with additional parking to provide additional 10 spaces and siting of two temporary portacabins during construction work.**

Broadheath Primary School , Sinderland Road, Altrincham, WA14 5JQ

**APPLICANT:** Trafford Council

**AGENT:** Amey Consulting

**RECOMMENDATION: GRANT**

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**This application is to be reported to the Planning and Development Management Committee as it is a Council application and there has been a representation contrary to the officer recommendation.**

### **SITE**

The application relates to the site of Broadheath Primary School which is a predominantly single storey school built in the 1950s and fronting Sinderland Road. There have been various extensions and alterations to the building since then but the buildings are mainly red brick with a mix of pitched and flat roofs. There are playing fields on the western side of the site and a hardsurfaced play area in a central courtyard bounded on three sides by school buildings.

The site is accessed via two vehicular access points off Sinderland Road to the south. There are car parking spaces to the front of the school and also in a line along the western extent of the developed school site along the boundary with the playing field. The bin store and a storage shed are also located here. There is cycle parking adjacent to the northern boundary of the site.

There is fencing around the school site and mature trees adjacent to the northern boundary. Adjoining the site to the north is an overgrown dismantled railway line and beyond this are residential properties on Turnbull Road, Maynard Road and Mount Sorrell Road. There is also housing to the south on the opposite side of Sinderland Road and to the east of the site on Lindsell Road.

## **PROPOSAL**

Planning permission is sought for extensions and alterations to the school to facilitate an increase in the size of the school from 2 to 3 forms entry.

The school was extended in 2013/14 from a 1.5 form entry to a 2 form entry. There has since been a steady increase in demand for school places in Altrincham primarily due to increasing birth rates. Broadheath Primary has been identified for expansion from 2 form entry to 3 form entry to accommodate additional children within the catchment area.

The proposed expansion would result in the total number of pupils increasing to 660 (an increase of 210 pupils) and 75 staff in total (an increase of 20 staff) over a 7 year period.

The expansion proposals would include:

- Part single storey / part 2 storey nine classroom block following the demolition of 3 existing single storey classrooms
- New single storey junior classroom
- Extended staff parking and relocated bin store. This would expand the existing provision on site by 18 spaces to provide a total of 41 spaces including 2 accessible spaces (one in each car park) and a designated delivery space adjacent to the school kitchen
- Visitor path to the west car park would also be increased in width from 1.2m to 1.5m wide to improve pedestrian circulation in two directions and accommodate the turning circle of a wheelchair.
- New canopy to connect the main building with the children's centre
- Various internal alterations
- The proposal also includes the provision of two temporary portacabins which will be sited to the rear of the site on the northern boundary which would provide temporary accommodation whilst the extensions take place.

The increase in floor space as a result of the proposed development would be approximately 622 m<sup>2</sup> taking account of the proposed demolition. The total amount of new floorspace proposed would be 961m<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.

- 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

L8 – Planning Obligations

R2 – Natural Environment

R5 – Open Space, Sport and Recreation

## **PROPOSALS MAP NOTATION**

Part of the school site is allocated as Protected Open Space

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

OSR5 – Protected Open Space

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

## **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**

There have been a number of applications relating to this school. The most substantive / recent of which are set out below:

82290/FULL/2014 - Erection of single storey extension to provide new junior teaching block comprising 4no. classrooms; learning resource centre and associated storage and w.c. facilities following removal of existing temporary mobile classrooms; erection of

single storey infill extension to infant classroom and single storey extension to staff room. Formation of new car-parking bay to accommodate 10 no. parking spaces – Approved 2014

76169/FULL/2010 - Provision of double modular classroom following removal of existing single mobile classroom – Approved 2011

H/LPA/69672 - Extension of existing play area – Approved 2008

H/LPA/66759 - Erection of extension between existing school reception and nursery providing accommodation for Sure Start Children's Centre with associated parking – Approved 2007

H/LPA/60436 – Construction of new community hall with changing rooms and toilets and cafe facilities, meeting room and storage; additional open recreational playing fields – Approved 2004

H/59043 - Erection of single storey front extension to form new entrance lobby and front office Approved 2004

H/OUT/52252 - Erection of a single storey extension to existing school to provide community facilities and teaching accommodation following demolition of existing classroom block. Provision of 26 space car park – Approved 2001

H/25982 - Erection of new nursery classroom – Deemed Consent 1987

### **APPLICANT'S SUBMISSION**

A Design and Access Statement, Transport Statement and Travel Plan have been submitted in support of the application and these documents will be referred to as necessary within the report.

### **CONSULTATIONS**

**LHA** – No objection in principle subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

**Pollution and Licensing (Contaminated Land)** – No contaminated land conditions required.

**Lead Local Flood Authority** - No objections in principle subject to an appropriate drainage condition and informatives.

**Greater Manchester Ecology Unit (GMEU)** – A bat survey is required in relation to the section of building to be demolished.

**Network Rail** - The proposed new classrooms are sufficiently far enough away from the existing railway boundary to not necessitate the usual asset protection comments. Unless the proposal includes percussive piling on site, there are no comments to add.

## **REPRESENTATIONS**

**Neighbours:** One objection has been received as follows:

- Currently 162 (43%) pupils arrive by car, with the extra pupils that will mean an extra 90 vehicles morning and afternoon.
- Parking on Lindsell Road is currently atrocious particularly on the junction with Sinderland Road where parking occurs on the blind bend. This is an accident waiting to happen and will only get worse with the extra vehicles.
- Double yellow lines in vulnerable areas and regular visits by parking wardens is required.
- There doesn't appear to be enough staff parking (41 spaces for 75 staff) and cars are regularly parked on Lindsell Road all day now (currently 25 spaces for 55 staff).

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The proposal is for extensions and alterations within the grounds of the existing school. This is driven by a critical shortage of places for primary school children within the school's catchment area. The proposal to increase the size of the school from two form to three form entry is to enable the Council to fulfil its statutory obligations to provide school places for all eligible local children. The proposed development would also have the wider public benefit of facilitating improvements to the educational facilities at the site. Pupils of the same age would be grouped together in clusters and internal alterations will increase the capacity of the main hall and dining hall as well as allowing the creation of a hygiene room and accessible WC.
2. Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
  - give great weight to the need to create, expand or alter schools; and
  - work with schools promoters to identify and resolve key planning issues before applications are submitted.
3. The playing field at the western end of the Broadheath Primary School site is allocated within Revised Trafford Unitary Development Plan as 'Protected Open Space'. Policy R5 of the Core Strategy seeks to protect existing areas of protected open space. The site of the proposed car park extension would encroach slightly



into the allocated area as the new parking would follow the line of the existing parking and would result in a small loss of the grassed area currently next to the bin storage area. The loss of this land would not interfere with the sports pitches at the site and this slight encroachment to facilitate the expansion of the school is therefore considered to constitute an acceptable loss as it would not directly impact on the use of any playing pitch and would only result in minimal impact on the playing fields as a whole.

4. As such the proposal is acceptable in principle as it would enhance and improve the existing education provision on site and increase its capacity to the benefit of the borough. The proposal whilst slightly encroaching onto the area of protected open space within the site does not result in any significant harm to its usability and in this regards is considered to be in compliance with the NPPF and Policy R5 of the Core Strategy and subject to compliance with other development plan policies in regards to design, residential amenity and highway safety.

## DESIGN AND IMPACT ON THE STREETSCENE

5. 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.
6. The existing school building has been altered and extended on a number of occasions over the years and has no particular architectural character or merit. It is predominantly red brick with a mix of pitched and flat roofs and has a sprawling footprint extending across almost the full depth of the site from south to north. The building is predominately single storey but there is a 2 storey boiler room building in the middle of the site.
7. The proposed part two storey part single storey extension would replace the existing single storey reception and toilet block to provide 9 new classrooms (6 at ground floor and 3 at first floor). A single additional junior classroom is proposed in the middle of the site attached to the existing school building. The extensions have drawn on various styles within the site and the two storey extension reflects the design cues of the 2014 junior class block to the rear of the site to provide a modern but not alien frontage to the school. Red facing brick is proposed on all the extensions with the use of timber cladding on the upper floor.
8. The two storey extension has a mono pitch roof to keep the height as low as possible and with a maximum height of 9.4 metres reflects the height of the existing boiler house building. In addition to this the three first floor classes have been set

back in relation to the ground floor extension which has a double depth of classrooms. This has been done to further reduce the visual impact of the building. The nearest part of the extension to the front boundary is set 12 metres back and this respects the building line of the adjacent residential properties on Sinderland Road.

9. The single junior classroom has a flat roof and brick elevations and would be barely visible outside the site. A flat roofed lightweight canopy is also proposed to link the main school building and the children's centre.
10. The extensions have been designed to retain sufficient hard play areas and playing field and pitch space for the increased number of pupils.
11. Additional planting areas have been indicated adjacent to the Sinderland Road pedestrian access which will contribute to the streetscene.
12. The proposal portacabins would be temporary additions to the site during the construction phase on this basis are not considered to result in harm to the visual amenity of the application site.
13. The proposed scheme is considered to reflect the character and appearance of the existing site and integrate well. The materials proposed are considered appropriate and details and samples would be secured by way of condition. The development in terms of design is considered to be in compliance with policy L7 of the Core Strategy and the NPPF.

#### IMPACT ON RESIDENTIAL AMENITY

14. 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.
15. The main impact of the new development would result from the proposed 2 storey extension which would replace the single storey reception and toilet block at the front of the school. The two storey extension would be set back on the site boundary and would retain a distance of 33 metres to the boundary of the nearest residential properties opposite on the south side of Sinderland Road. The ground floor of the extension would be 25 metres away from these boundaries. In addition the two storey extension has been sited to be offset in relation to the main front elevations of the facing houses on Sinderland Road and is opposite the side gable elevation of No. 19 Foxglove Drive. There is also dense planting and fencing between this side elevation and Sinderland Road.

16. Notwithstanding this, the extensions would be compliant with Council guidelines for required distances between new and existing developments. Therefore although the extension would be visible from these houses and also to a limited extent from the areas of housing to the north and east of the site, due to the significant separation distances involved it is not considered that the extension would be overbearing or result in loss of privacy, light or outlook to any of these properties.
17. The proposed single junior classroom would be situated within the existing courtyard area attached to the existing school building. Due to its single storey nature it would have minimal impact outside the site.
18. The two proposed portacabins adjacent to the northern boundary of the site would be used on a temporary basis as classrooms while the building work is carried out. These are single storey structures and are separated from the houses to the north on Turnbull Road by fencing and a strip of overgrown land which was formerly the railway line. These structures will be removed when the construction works are completed and given the separation distances, intervening vegetation and single storey height it is not considered that they would have a material impact on the amenities of occupiers of residential properties to the north of the site.
19. The proposed additional car parking would be an extension of the existing line of car parking between the developed school site and the playing field. As it would be beyond the existing line of parking it is not considered that it would have a materially greater impact on adjacent residential properties than the existing situation.
20. Consequently it is considered that the proposals would have an acceptable impact on the amenities of occupiers of adjacent residential properties and is compliant with Policy L7 of the Trafford Core Strategy.

## PARKING AND HIGHWAYS ISSUES

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. No changes to the existing access or servicing arrangements from Sinderland Road are proposed.
23. It is noted that concerns have been raised by the objector about the impact of the increase in pupil and staff numbers on on-street parking in the area. SPD3: Parking Standards and Design for Trafford states that for a primary school in this area, 2 parking spaces per classroom are required. The proposals comprise the demolition of three classrooms and the erection of 10 new classrooms; a total of seven

additional classrooms from the existing number are therefore proposed. Therefore 14 additional spaces are required for the expansion.

24. The existing car park to the north west of the school is to be extended to provide an additional 18 marked parking spaces including one new accessible space. Having reviewed the existing site layout and current parking habits, the LHA note that existing car parks allow for parking in unmarked bays, allowing more cars to be accommodated than the plans indicate; the extension to the carpark would, in reality, therefore only provide around 7 or 8 extra parking spaces at the site.
25. The submitted Travel Plan indicates that the new Community Hub development consisting of a restaurant/community centre/day nursery, is to be built adjacent to the school and would potentially provide significant parking provision for the school for drop off/pick up and that there is also potential for a footway link from the development to the school. Although this additional parking provision would be ideal, the Community Hub development may not materialise and therefore this additional parking cannot be relied upon. The LHA therefore consider that an amended Travel Plan should be required by condition.
26. Subject to the submission of an amended Travel Plan, the LHA consider the proposals would not have a severe adverse impact on the local highway network. It is also considered likely that staff may double park in the proposed car parks or park in unmarked bays as they currently do. The LHA therefore accept the proposed parking provision.
27. The school currently benefits from four cycle parking spaces for staff and 30 spaces for child's cycles and space for 20 scooters. The proposals seek to provide an additional 10 child cycle spaces and 60 scooter spaces. SPD3: Parking Standards and Design for Trafford states that one cycle parking space per five members of staff should be provided. At the end of the seven year expansion period, the school will employ 75 members of staff; equating to a provision of 15 cycle parking spaces. It is therefore suggested that the level of cycle parking facilities for staff is also increased to reflect this and this would be dealt with via condition.

#### TREES, LANDSCAPING AND ECOLOGY

28. The GMEU have requested that a bat survey is undertaken in relation to the area of the building to be demolished. The survey is currently being carried out and the results will be reported in the Additional Information Report.
29. It is not proposed that any trees would be lost as a result of the proposals. There are however two mature trees adjacent to the northern boundary of the site that would be in close proximity to the temporary classroom buildings and as a result a tree protection condition is recommended.

30. Space has been allocated adjacent to the pedestrian entrance from Sinderland Road for additional landscaping. A condition is attached in order that the details of this can be considered.

#### OTHER MATTERS

31. It is considered appropriate to attach a standard drainage condition. No contaminated land conditions are required.

#### CONCLUSION

32. It is considered that the scheme would support the stated intentions in the NPPF of ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It is considered that the design of the extensions is appropriate to the site and that the scheme would not materially impact on residential amenity. The parking and access arrangements are considered acceptable and appropriate conditions are attached to ensure the car and cycle parking is provided and that a suitable Travel Plan is submitted and adhered to in order to reduce reliance on car travel to the school. The objections raised do not outweigh the need to create, expand or alter schools to provide for local communities and as such the application is considered compliant with the relevant policies of the development plan and national policies.

#### DEVELOPER CONTRIBUTIONS

33. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of public or institutional facility and 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).

34. No other planning obligations are 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 plans, numbers 02 Rev P1, 02 Rev P, 03 Rev P, 05 Rev P, 06 Rev P, 08 Rev P, 09 Rev P.

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

3. Notwithstanding the details submitted to date, no above ground construction works shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework

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 (which shall be permeable unless the drainage details submitted allow otherwise), 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. 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.

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. The development hereby approved shall not be occupied until a scheme for motorcycle and cycle storage, to include 15 additional staff cycle spaces, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the requirements of Section 11 of SPD3 and the approved scheme shall be implemented in accordance with the approved details before the development is brought into use and shall be retained at all times thereafter.

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

8. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles (including two spaces for disabled parking) have been provided, constructed and surfaced in complete accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and shall be retained at all times thereafter.

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

9. On or before the first occupation of any part of the development hereby permitted an amended Travel Plan shall be submitted to and approved in writing by the Local

Planning Authority. The approved Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

Reason: To reduce car travel to and from the site in the interests of residential amenity and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. Within 2 months of the classrooms hereby permitted being first occupied the 2 no. temporary classroom buildings adjacent to the northern boundary of the site shall be removed from the site and the land reinstated to its former condition in accordance with a scheme of work which shall be submitted to and approved by the Local Planning Authority before the expiration of the period specified in this condition.

Reason: In the interests of the visual amenities of the area having regard to the temporary nature of the materials used in the construction of the buildings hereby approved and the need to reinstate the cycle parking provision having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Informative re: Bats and Drainage

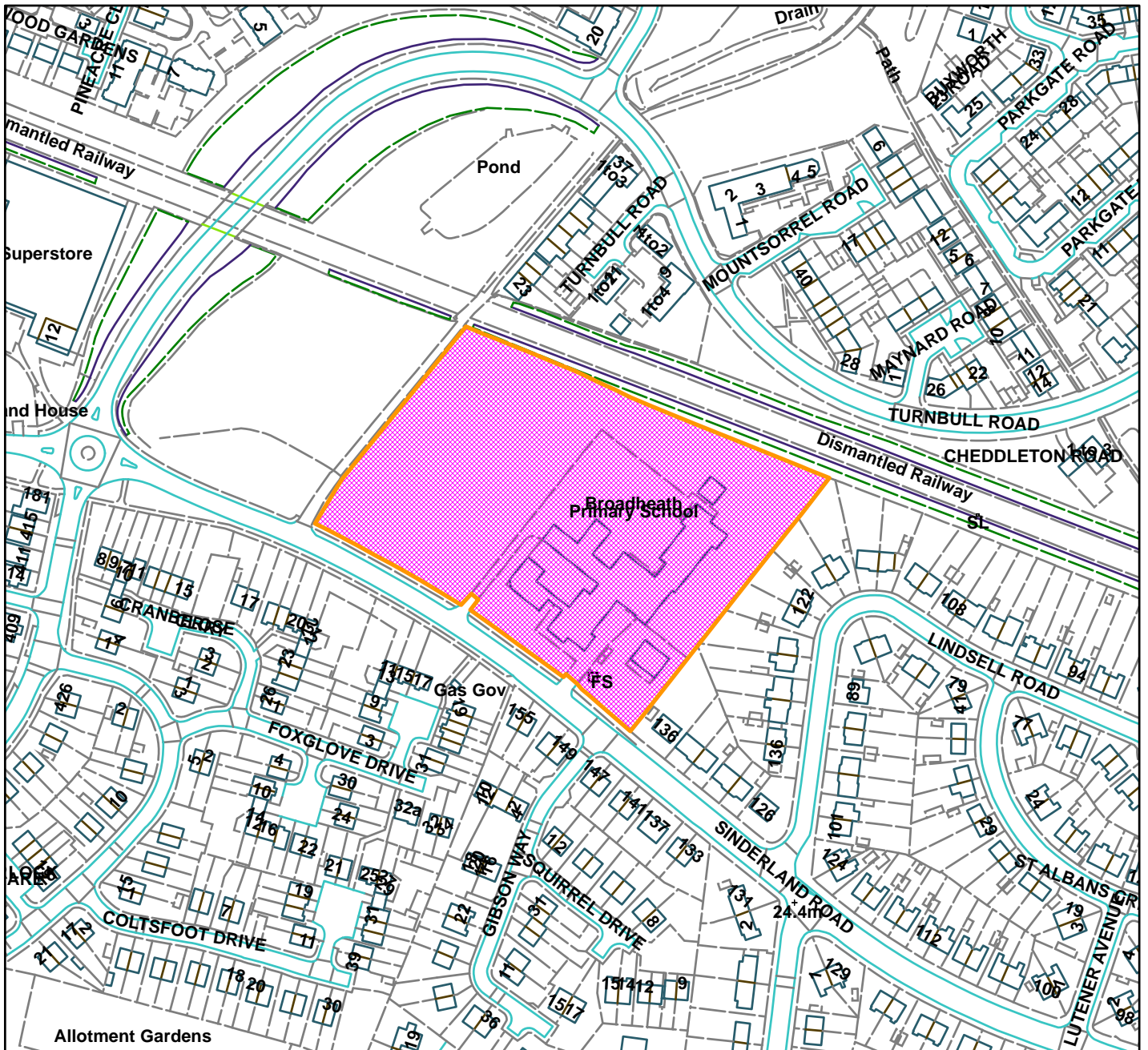
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Broadheath Primary School, Sinderland Road, Altrincham (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 09/02/2017
Date	30/01/2017
MSA Number	100023172 (2012)

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## TRAFFORD COUNCIL

**Report to:** Planning and Development Management Committee  
**Date:** 9 February 2017  
**Report for:** Information  
**Report of:** Head of Planning and Development

### Report Title

**Planning Performance: Criteria for designation to special measures.**

### Summary

This report is to update the Planning and Development Management Committee on the changes to the planning system which came into force in January 2017 in respect of the criteria for designations to special measures for Local Planning Authorities.

### 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 Lowes  
Extension: 0161 912 3215

#### 1.0 Introduction and Background

- 1.1 This report sets out, for Members information, the most recent changes in respect of planning application performance and designation to special measures following the publication of a document for consultation '*Improving planning performance Criteria for designation (revised 2016)*' by the government in November 2016.
- 1.2 The document published in November is subject to a 40 day period laid before Parliament without challenge before it becomes approved. This period ended on 1 January 2017 and the criteria are now in force.

#### Background

- 1.3 In 2013 the government introduced legislation (The Growth and Infrastructure Act 2013) to enable it to designate as being in 'special measures' those local planning authorities which did not meet centrally set targets for their performance

in regard to the speed and quality of decision making for major planning applications.

- 1.4 A local authority would be designated if it failed to determine 30% of 'major applications' 'in time' i.e. either within the 13 week target set down by government, or subject to an extension of time agreed in writing between the local authority and the applicant; since increased to 40% in 2014. The performance of authorities in dealing with 'county matter' (minerals and waste) and 'district matter' (all other) applications is assessed separately. All county matter applications are deemed as major applications for this purpose, irrespective of actual development size. Authorities were also assessed on the quality of their decision making, with designations being made if more than 20% of a Council's decisions on major applications are overturned at appeal.
- 1.5 In January 2014 the government consulted on increasing the threshold for special measures designation from 40% to 50% of major applications being determined in time. Following consultation it was decided to bring forward these changes to the designation criteria and following a 40 day period laid before Parliament, they came into effect in July 2015.
- 1.6 The implication of any special measures designation is that, with the exception of householder applications, an applicant for planning permission may elect to bypass the Council as Local Planning Authority and apply directly to the Secretary of State through the Planning Inspectorate. However, on doing this, an applicant would effectively forfeit its right of appeal as it ordinarily would in the situation whereby a LPA refuses the application and it would appeal that decision to the Planning Inspectorate.
- 1.7 Where an applicant chooses to bypass the Council and apply directly to the Planning Inspectorate, a Council is still required to engage with the application, but not receive the appropriate planning application fee. The Council would be required to undertake the administration and publicity of the planning application at cost. The Council would have no (or only very limited) ability to influence the process. Local hearings take place to allow the Inspector to hear local views. The Council could submit representations but would not make the final decision. Pre application discussions on the development could take place either with the Council or the Planning Inspectorate.
- 1.8 The Council was previously, in 2014, designated and in special measures for county matters (minerals and waste) applications only, however were de-designated at the first available opportunity due to improved performance.

## **2.0 Key proposed changes**

- 2.1 In November 2016 the government consulted on a further document '*Improving Planning Performance: Criteria for Designation (Revised 2016)*' to change this regime.
- 2.2 This would see criteria for designation broken down into two assessment tools speed and quality as before however this would now include a threshold for non-major planning applications in addition to major applications.

- 2.3 For the speed of decisions, the assessment is taken on the percentage of decisions made with the statutory determination period (8 weeks for non majors, 13 weeks for major and 16 weeks for Environmental Impact Assessment development) or within such an extended period which has been agreed in writing between the applicant and the local planning authority.
- 2.4 The threshold for special measures designation would remain at less than 50% for major applications for the 2017 assessment period increasing to less than 60% for the 2018 period.
- 2.5 The assessment period for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time of designation. For example a two year assessment period between October 2014 and September 2016 will be used for designation decisions in Quarter 1 2017 (January – March). The average percentage figure for the assessment period as a whole is used.
- 2.6 This consultation documents also now includes a threshold for non major applications. This includes all planning applications which are not recorded as major applications, i.e. all minor, change of use and householder applications. For clarity this does not include advertisement consent, listed building consents, lawful development certificates, minerals processing applications or prior approvals.
- 2.7 The threshold for special measure designation for non-majors is less than 65% for the 2017 assessment period and less than 70% for the 2018 assessment period
- 2.8 The quality of decision making by authority would be assessed on the percentage of the total number of decisions made by the authority on applications that are then subsequently overturned at appeal, once nine months have elapsed following the end of the assessment period. This figure is calculated as a percentage of all applications determined, not just those which were refused or where an appeal has been lodged against planning conditions or non-determination.
- 2.9 The quality of decision making is not to be assessed in the 2017 assessment period but will be within the 2018 period for both majors and non-majors and is set at 10% of an authority's total number of decisions on applications made during the assessment period overturned at appeal.
- 2.10 Table 1 below taken from the consultation document '*Improving Planning Performance: Criteria for Designation (Revised 2016)*' which sets out the designation criteria in a quick reference table.

Table 1: Designation threshold criteria and assessment period.

Measure and type of Application	2017 Threshold and assessment period	2018 Threshold and assessment period
Speed of major Development (District and County)	50% (October 2014 to September 2016)	60% (October 2015 to September 2017)
Quality of major Development (District and County)	N/A – we are not assessing quality in this designation round	10% (April 2015 to March 2017 <sup>12</sup> )
Speed of non-major Development	65% (October 2014 to September 2016)	70% (October 2015 to September 2017)
Quality of non-major Development	N/A – we are not assessing quality in this designation round	10% (April 2015 to March 2017 <sup>13</sup> )

Exceptional circumstances

- 2.11 The consultation documents sets out that exceptional circumstances can be considered before any designations are confirmed. Where a local planning authority is performing below one of the thresholds there will be an opportunity to provide clear evidence to correct any data errors and any exceptional circumstances supported by evidence which in their opinion would make the designation unreasonable.

Trafford's current position

- 2.12 This Council's current performance for the first Q1 of the 2017 assessment period (October 2014-September 2016) is as follows:-

1) Speed of decision making on major applications (county matters) (must be above 50% to avoid special measures designation): **100%** (7/7 applications determined within timescale, including where an extension of time has been agreed)

2) Speed of decision making on major applications (district matters) (must be above 50% to avoid special measures designation): **91.6%** (109/119 applications determined within timescale, including where an extension of time has been agreed)

3) Speed of decision making on non-major applications (must be above 65% to avoid special measures designation): **86.3%** (2592/3002 applications determined within timescale, including where an extension of time has been agreed)

4) Quality of decisions on major applications (must be above 10% to avoid special measures designation) whilst this will not be assessed within 2017 the current position is: **0.7%**

5) Quality of decisions on non-major applications (must be above 10% to avoid special measures designation) whilst this will not be assessed within 2017 the current position is: **1%**

2.13 In terms of speed of decision making for the year 2016-2017 up to and including quarter 3 the Council is performing as below. This shows that performance is on track to ensure that there is no risk of designation going forward.

Table 2: Performance figures to date for 2016/2017

Measure	Q3 2016-17	Q2 2016-17	Q1 2016-2017	2016-17 to date	2015-16
Majors with extensions of time	100%	92%	100%	97.3%	92%
Non-majors with extensions of time	82%	88%	91%	87%	82%

2.14 It is clear that currently the Council is not at risk of a special measures designation. The target for determining major applications is however very sensitive and is monitored closely as are applications for county matters. It should also be noted that these figures include applications where the statutory time period has expired but extensions of time have been agreed with the applicant. If these extensions of time applications were not taken into account, then the Council would not have achieved targets set out above to avoid a special measures designation. This is however common with many other local authorities and certainly others in the Greater Manchester area who are also reliant on extensions of time to improve performance figures. There is a small risk that the government removes extensions of time from the calculations which, as the designations are applied retrospectively, could lead to a special measures designation although there has been no suggestion of this at the current time.

2.15 Effective performance monitoring systems are in place to monitor speed of decision making on a monthly basis to ensure that the Service can react to any changes in the performance criteria. Appeal decisions are also reviewed to ensure a consistent approach to decision making.

### **3.0 Conclusion**

3.1 The Government in a recent consultation document amended the criteria for the designation to special measures of planning authority basis on their performance with regards to the speed and quality of decision making. The Councils performance indicates that it is not presently at risk of designation. Regular monitoring and reviews of performance are on-going within the Planning and Development Service in order to maintain this level of performance.

### **4.0 Recommendation**

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

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## TRAFFORD COUNCIL

**Report to:** Planning and Development Management Committee  
**Date:** 9 February 2017  
**Report for:** Information  
**Report of:** Head of Planning and Development

### Report Title

**Amendments to Pre-Application Enquiry Service**

### Summary

This report is to inform the Planning and Development Management Committee of the proposed amendments to the Pre-Application Enquiry Service.

### Recommendation

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

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

Name: Stephen Day  
Extension: 4512

#### **1.0 Introduction and Background**

- 1.1 The National Planning Practice Guidance states that “Pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success.”
- 1.2 Effective pre-application discussions allow issues to be identified at an early stage in the process, offer an opportunity to improve schemes and to seek to ensure that they respond to the concerns of the community, allow an opportunity to engage with consultees, save abortive costs for the developer and help to achieve a faster application process.
- 1.3 The Council provides a Pre-Application Enquiry Service, the details of which can be found on the website. Whilst it is considered that this service is operating successfully, the current fee schedule does not reflect the true cost of

delivering the service. Pre-application charges are discretionary fees and can be set at a level which enables full cost recovery. It is also important, however, that the fees also represent value for money for potential applicants. This means that in some cases they are constrained by the relevant statutory planning application fee, which is set by central government.

- 1.4 The Planning and Development Service has also in 2016-17 introduced more widely the use of Planning Performance Agreements (PPAs). PPAs are a project management tool and can be used as a premium fast-track service. The Service enters into an agreement with a developer, undertaking to meet certain 'milestones' in the application process. In exchange, the developer pays a fee to help the authority take on the appropriate resource to deliver the milestones in the PPA. Although PPAs are most commonly used for the planning application process, they can also be used for pre-application discussions, discharge of planning conditions or cover the entire end to end process. The use of a PPA does not fetter the Local Planning Authority's decision making in any way but delivers certainty around timescales.
- 1.5 Revisions are therefore proposed to the pre-application fees in order to better reflect the current costs of providing the service. In addition, some minor revisions are proposed to the categories of development and to the way in which the service operates in order to make it more responsive to current needs. In addition to changes to the Council's website to reflect these revisions, guidance is also to be provided on the website regarding the circumstances in which exemptions from fees are applicable. There is not currently any information about the opportunities for PPAs on the website and therefore there is also an opportunity to provide this and better advertise the bespoke services available.
- 1.6 The key proposed changes are as follows: -
  - The current distinction between town centre and non-town centre commercial uses in respect of fees is to be removed.
  - An additional category is to be introduced for commercial, industrial and leisure uses at the lower end of the scale of fees.
  - Whilst the standard timescale of 42 days will remain in place for the provision of responses to enquiries, the service will make specific provision for speedier responses to be provided subject to a bespoke fee.
  - Where further advice is required following the provision of a written response to an enquiry, this will be invoiced at an hourly rate (depending on the seniority of the officers involved) and a cut-off date of 3 months from the date of the written response will be introduced after which a new pre-application enquiry would be required.
  - Exemptions from fees will be clarified – these will include alterations to listed buildings where these do not form part of a development that requires planning permission and alterations to dwellings to meet the needs of disabled persons.
  - Provision of guidance on Planning Performance Agreements.

- 1.7 The existing development categories and scale of charges are attached in Appendix A. The proposed revised development categories and scale of charges and proposed amendments to the wording on the Council's website are included in Appendix B. Fees are inclusive of VAT.
- 1.8 The fee for householder pre-application enquiries will remain at the current level (£208.30) (including VAT). This fee is set so it does not exceed, before VAT, the householder planning application fee of £172. The householder pre-application enquiry service will remain unchanged with the exceptions that the new arrangements for additional advice following the provision of a written response and for exemptions from fees will apply.
- 1.9 The amended fees will be reported to the Budget Fixing Council on 22 February 2017 and, subject to the approval of Council, it is intended that the new fees and revised arrangements will be introduced from 1 April 2017.

## **2.0 Conclusion**

- 2.1 The proposed amendments are intended to reflect the current costs of providing the service and to ensure that the Council is able to provide a more responsive service in relation to Pre-Application Enquiries.

## **3.0 Recommendation**

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

**Appendix A** – Extract from the current website showing the current categories of development and fees

**Dwellings**

Size of development	Fee (inc VAT @ 20%)
100 units or more	£2,825
10 to 99 units	£2,084
2 to 9 units	£729
1 unit	£347

**Town Centre uses (as defined in NPPF) or mixed use developments which include Town Centre uses.**

Size of development	Fee (inc VAT @ 20%)
Buildings comprising 10,000 sqm gross floorspace or more / site area of 2 hectares or more *	£2,431
Buildings comprising 1,000 sqm to 9,999 sqm gross floorspace / site area from 1 hectare to less than 2 hectares *	£1,944
Buildings comprising less than 1,000 sqm gross floorspace / site area less than 1 hectare	£694.50

**Commercial, Industrial or Leisure uses**

Size of development	Fee (inc VAT @ 20%)
Buildings comprising 10,000 sqm gross floorspace or more /	£1,389

site area of 2 hectares or more	
Buildings comprising 1,000 sq.m. to 9,999 sqm gross floorspace / site area from 1 hectare to less than 2 hectares	£1,111
Buildings comprising less than 1,000 sqm gross floorspace /site area less than 1 hectare	£521
Waste/mineral extraction/energy production development proposals where buildings comprise less than 1,000 sqm gross floorspace or site area is less than 1 hectare	£833.50

\*In the case of out-of-centre retail schemes where the Council needs to take independent retail planning advice then the fee may be subject to further negotiation.

**Appendix B** – Proposed revised wording for the website including the proposed revised categories of development and fees

## Planning

The Council provides a comprehensive [pre-application advice service for businesses](#). Providing quality advice to developers and applicants about the acceptability of their proposals prior to the submission of a planning application can be critically important for both applicants and the Council, as it provides the opportunity to gain a clear understanding of the objectives of, constraints on and likely acceptability of development proposals. It is of particular importance for major developments in the Borough and for significant investments in and by Trafford businesses which can help fulfil the Council's ambitions for the Borough.

## Planning Performance Agreements

Planning applications submitted to Trafford can raise very complex issues. Determining planning applications within the statutory 8 week or 13 week timeframes while achieving the best use of the site and best outcome from the surrounding community can be complex and challenging for everyone involved.

Planning Performance Agreements (PPAs) are a project management process and tool to improve the quality of planning applications and to provide greater certainty and transparency in the development of these schemes, in the assessment of the planning applications and in the decision making process.

Planning Performance Agreements allow a more bespoke project management approach to be taken to engagement, negotiation and determination of planning applications and allow this process to sit outside of statutory timeframes. PPAs can cover the pre-application and application stages but may also extend through to the post application stage. They can be particularly useful in setting out an efficient and transparent process for determining large and / or complex planning applications but can also be used in relation to smaller developments or where there is a requirement to meet particular deadlines e.g. for funding or site options. A Planning Performance Agreement can be a useful tool to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

We believe the use of Planning Performance Agreements in Trafford enables the best outcomes for everyone and we strongly encourage their use. PPAs can:

- Provide certainty in the planning application process and improve project management and programming of works;
- Encourage collaborative working;
- Build trust;

- Foster strong and productive partnerships;
- Provide improved customer service;
- Allow for bespoke programming and appropriate resourcing of the proposals;
- Promote better quality developments.

While a Planning Performance Agreement will help to ensure that an application is processed to an agreed timetable with meetings to help overcome issues that arise during the application process, the signing of a PPA between the applicant and the local planning authority does not prejudice the outcome of a planning application.

If you are interested in progressing a scheme through a PPA please contact the Service directly with your requirements. The fee will be calculated on a cost recovery basis and will be dependent on the scale and nature of the development and the timescales proposed. If the PPA is to include pre-application discussions the fee will be incorporated into the overall cost of the PPA and no separate pre-application enquiry fee will be payable.

## **Pre-application for businesses**

### **What do you need to provide?**

To help us respond to your request, please provide as much information as is possible about your proposal. As a general guide we suggest that the following should be submitted:

Completed pre-application enquiry form.

Site location plan at 1:1250 scale.

Elevational drawings of the proposed development, preferably to scale.

Site layout and floorplan drawings of the proposed development, preferably to scale.

Photographs and / or sketch drawings of the site and surroundings.

Written statement setting out the current use of the site / building and the details of the proposed development.

The correct pre-application fee must be paid in advance of any work commencing on your enquiry. Please make cheques payable to Trafford Council.

## What fee do you need to pay?

### Dwellings

Size of development	Fee (inc VAT @ 20%)
100 units or more	£4,537
10 to 99 units	£2,459
2 to 9 units	£963
1 unit	£385

### Commercial, Industrial or Leisure uses

Size of development	Fee (inc VAT @ 20%)
Buildings comprising 10,000 sq.m. gross floorspace or more / site area of 2 hectares or more	£4,537
Buildings comprising 1,000 sq.m. to 9,999 sqm gross floorspace / site area from 1 hectare to less than 2 hectares	£2,459
Buildings comprising 500 to 999 sq.m. gross floorspace /site area between 0.5 hectare to less than 1 hectare	£963
Buildings comprising less than 500 sq.m. / site area of less than 0.5 hectare	£385

If in the course of pre-application discussions the Council needs to take advice from independent consultants or Counsel, the applicant will, with their agreement, be required to meet the cost of that advice. .



## Exemptions

Exemptions from fees will be provided in the following cases: -

- Alterations to listed buildings where these do not form part of a proposal that also requires planning permission.
- Alterations to dwellings to meet the needs of disabled persons.

## What advice will you receive?

You will receive a written response which will seek to provide clear guidance on the acceptability of your proposal. This guidance should indicate:

What the information requirements will be for the submission of a subsequent planning application.

Whether the proposal complies in principle with national, regional and local planning policies, and how these policies will apply.

Whether building works or new buildings are likely to be acceptable in terms of scale, massing, design, materials, impact upon the street scene, impact upon neighbours and adjoining uses, and heritage impacts.

In the case of new residential developments, whether they meet the Council's standards for mix of units and provision of affordable accommodation.

The likely acceptability of the proposal in highway and parking terms.

Whether the proposal is likely to have an acceptable impact upon the natural environment and if mitigation measures would be required.

Likely constraints that might be imposed upon the development through the application of conditions.

Any financial contributions or other planning obligations that may be required via a legal agreement.

In addition to the written response, the service would normally include one meeting with the case officer, where this is considered appropriate. Where a more bespoke service is requested including meetings with more senior officers or officers from other services (e.g. the Local Highway Authority), this will be subject to a bespoke additional fee (normally based on the relevant hourly rate) to be agreed between the developer and the Council.

## How long will it take?

Within 5 working days of receipt of the pre-application enquiry form, fee and supporting information you will receive an acknowledgement confirming receipt of the request. The application will be allocated a unique reference number and a case officer will be assigned to the enquiry. Once the enquiry has been assigned to an officer you will be provided with their contact details.

We will aim to provide written advice within 42 days of receipt of all information.

Where a quicker response is required, for example to assist in the meeting of bid or funding deadlines, this can be provided, subject to a bespoke fee to be agreed between the developer and the Council. Please contact the Service directly with your requirements and for a quote.

Where further or follow-up advice is required following the provision of the original response, this will be charged at an hourly rate (depending on the seniority of the officers involved). A cost estimate can be provided before the work is carried out. Further or follow-up advice will only be provided for requests received in writing within 3 months of the date of the original written response. After this date, a new pre-application enquiry will be required.

## **Status of advice**

All pre-application advice is based on the information you provide, and is given without prejudice to the formal consideration of any subsequent planning application, which would include a statutory consultation process being carried out. For this reason this we cannot offer any guarantees about the outcome of a planning application when providing advice.

All requests for advice are potentially subject to disclosure in response to Freedom of Information or Environmental Information Regulations requests. Confidentiality cannot therefore be guaranteed when using the service.