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**TRAFFORD  
COUNCIL**

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

**Date: Thursday, 11 May 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 13 <sup>th</sup> April, 2017.	To Follow
<b>3. ADDITIONAL INFORMATION REPORT</b>	
To consider a report of the Head of Planning and Development, to be tabled at the meeting.	
<b>4. APPLICATIONS FOR PERMISSION TO DEVELOP ETC</b>	
To consider the attached reports of the Head of Planning and Development.	4
<b>5. SECTION 106 AND CIL UPDATE: APRIL 2016 - MARCH 2017</b>	
To note the attached report of the Head of Planning and Development.	5
<b>6. URGENT BUSINESS (IF ANY)</b>	
Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.	

**THERESA GRANT**

Chief Executive

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:

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This agenda was issued on **2<sup>nd</sup> May, 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 – 11<sup>th</sup> MAY 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 – 11<sup>th</sup> May 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>89551</u></a>	Land to the north of Station Road, Stretford	Gorse Hill	1	Grant
<a href="#"><u>89819</u></a>	80 Temple Road, Sale, M33 2FG	Sale Moor	22	Refuse
<a href="#"><u>90224</u></a>	2 Ashlands & 43 Ashton Lane, Sale, M33 5PD	Ashton on Mersey	30	Grant
<a href="#"><u>90364</u></a>	29 Kenwood Road, Stretford M32 8PS	Longford	42	Grant
<a href="#"><u>90415</u></a>	54 Briarfield Road, Timperley, WA15 7DB	Village	49	Grant

**WARD:** Gorse Hill

**89551/OUT/16**

**DEPARTURE:** No

**Outline application for the erection of five 2 storey residential blocks to create 10 apartments, car park, open space and associated external works (consent is sought for access, layout and scale with all other matters reserved).**

Land To The North of Station Road, Stretford

**APPLICANT:** USL Consultants Ltd

**AGENT:** De Pol Associates

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation.**

### **SITE**

The application relates to a narrow and elongated area of land to the north of Station Road in Stretford, which comprises trees and scrubland. Directly to the north of the site is the Manchester-Liverpool railway line, which is raised approximately 4m above the ground level of Station Road. Beyond the railway line is an industrial unit. A footpath/cycleway runs to the front of the application site and crosses the Bridgewater Canal to the east. The surrounding area is predominantly residential with the side gables of the end terraced dwellings on Derwent Road, Bowness Street and Kendal Road abutting Station Road. These terraces are traditional two storey brick-built dwellings. The site measures 0.21ha and does not include the steep embankment abutting the railway.

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

### **PROPOSAL**

Outline planning permission is sought for the erection of five two-storey residential blocks, each containing two apartments, comprising a total of ten apartments. Consent is sought for access, layout and scale with matters of appearance and landscaping reserved. Each apartment is shown to contain two bedrooms, an open plan kitchen/living room/dining room, bathroom and en-suite to one bedroom. Whilst appearance is a reserved matter, indicative elevations show that windows are proposed to the front, side and rear elevations. Each block would contain its own bin storage area,

accessed from the rear of the building and a cycle store accessed from the side of the building.

The proposal includes areas of off-road car parking to serve the proposed apartments, landscaped areas within the site and an area of landscaped open amenity space to the north-east of the site. The proposed apartment blocks would have a maximum height of 8.3m to the ridge and 5m to the main eaves. Each block would have a maximum length of 15.15m and would measure 6.8m deep.

The total floorspace of the proposed development would be 715m<sup>2</sup>.

It is noted that an earlier planning application (ref. 85022/OUT/15) for the erection of 2no part-two/part-three storey buildings housing 14no apartments on this land was refused and dismissed at appeal. This is discussed further in the 'Observations' section of the report.

## **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 (RUDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

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

## **PROPOSALS MAP NOTATION**

Wildlife Corridor

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

ENV10 – Wildlife Corridors

## **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**

85022/OUT/15: Outline planning application for the erection of 2no. x part two, part three storey apartment buildings (maximum height of 9.5m), comprising a total of 14no. apartments, together with associated car parking, bin storage and infrastructure (consent sought for access, layout and scale with all other matters reserved) – Refused 16/11/2015 and subsequent appeal dismissed 31/05/2016.

78229/O/2012: Outline application for erection of 3no. three storey buildings comprising 18 no. two bedroom apartments with associated car parking and landscaping. Details of layout, scale and access submitted for approval with all other matters reserved – Refused 21/02/2013.

H/30941: Erection of 31 garage units with associated landscaping – Approved with conditions 27/03/1990.

## **APPLICANT'S SUBMISSION**

The applicant has submitted a supporting Planning Statement, a Noise and Vibration Assessment and an Ecology Assessment. The information provided within these statements is discussed where relevant within this report.

## **CONSULTATIONS**

**Local Highway Authority:** Further approval needed from Streetworks section for pavement crossings. No objections to servicing arrangements. The shortfall in car parking provision of 2 spaces is accepted. Adequate drainage facilities or permeable surfacing should be used. Cycle parking provision is acceptable. Records show there is a gas pipeline and easements at this location.

**Lead Local Flood Authority:** Submission of drainage details to be conditioned. Arrangements should be incorporated relating to waste entering public sewerage system.

**Pollution & Licensing (Nuisance):** No objections. The submitted Noise and Vibration Assessment is acceptable and concludes that rail traffic vibration and noise break-in will not exceed criteria based on national standards. The design approach ensures that rooms are sufficiently screened from the railway so that standard thermal double glazing and window frame trickle vents may be used for all rooms.

**Pollution & Licensing (Contamination):** Condition requested requiring the submission of contaminated land investigation and risk assessment.

**Greater Manchester Ecology Unit:** No objections on nature conservation grounds. No vegetation clearance should take place during bird nesting season.

**Greater Manchester Police – Design for Security:** Upper floor entrance should be flush with front of building, defensible space should be provided to front. Conditions requested relating to fencing and Secured by Design standards.

**Network Rail:** A gap of 2m is required between buildings and NR land – applicant confirmed this is the case and plan submitted to show this. NR confirmed this would be acceptable on the basis that the plan is correct. Conditions requested in relation to other matters.

**Transport for Greater Manchester:** No objections.

**Health and Safety Executive:** Do not advise against.



## **REPRESENTATIONS**

19 letters of objection have been received in addition to a letter and petition containing 60 signatures which also objects to the application. These raise the following key concerns:

- Extra traffic on surrounding streets which are already narrow
- Extra traffic will cause severe disturbance to residents and will be a safety concern for children
- Development remains prominent from Bowness Street and Kendal Road
- Remains highly visible and overbearing, enclosing the area further
- Landscaped area to east is not very publicly accessible
- Footpath will be more dangerous from additional openings for parking
- Extra bins will add obstacles on road
- More trees to be removed
- Loss of an area of green space
- The fifth block will be overlooked and has the potential for encouraging crime and anti-social behaviour
- It would be an overdevelopment of the area
- May decrease the value of existing homes in the area
- Development will look ugly
- Disruption from building works
- Removing trees would create an eyesore of the embankment and Trafford Park Freight Terminal and would increase impact of noise from railway
- Negative impact on health of local residents
- Extra houses will create more damage to roads and pavements
- No demand for new housing
- Extra demand on local facilities – GPs, dentists etc.
- Impact on air quality and light quality
- Impact on waste disposal
- Apartments will be out of character with the area
- Overlooking of nearby houses

A letter has also been raised by Cllr Michael Cordingley, the Ward Councillor for Gorse Hill which supports the objections raised by local residents.

## **OBSERVATIONS**

The key issues for consideration in this application are the principle of the development, its layout and scale, its impact on residential amenity, highway matters, issues of crime and security and its impact on trees and ecology.

## PRINCIPLE OF DEVELOPMENT

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or (ii) specific policies in this Framework indicate development should be restricted. The Council does not, at present, have a five year supply of immediately available housing land. Paragraph 49 of the NPPF and subsequent case law indicates that policies within the Development Plan which have implications for the supply of housing should be considered to be out of date in such circumstances. There are no restrictive policies in the NPPF which are applicable to this development proposal, so planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
3. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.
4. The site constitutes sustainable urban area greenfield land. This is not allocated as protected open space and it is not considered appropriate to treat it as such. Whilst the Council is currently failing to meet its target of locating 80% of new housing provision on previously developed brownfield land, the scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy and would provide 10 new dwellings in a sustainable location. It is also noted that previous applications on this site were not refused on the basis of the principle of residential development. Overall, the use of this greenfield land for residential development is therefore considered to be acceptable in principle.

## LAYOUT AND SCALE

5. Paragraph 58 of the NPPF states that “The Government attaches great *importance to the built environment. Good design is a key aspect of sustainable*

*development, is indivisible from good planning, and should contribute positively to making places better for people". Paragraph 64 states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".*

6. Policy L7 of the Trafford Core Strategy 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; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan"*.
7. This is an 'outline' planning application with consent only being sought for matters of access, layout and scale. Appearance and landscaping matters are reserved at this stage and are therefore not for consideration under the current application. Notwithstanding this, plans and elevations submitted with the application provide indicative details of these aspects of the development.
8. The earlier application (ref. 85022/OUT/15) was refused, in part, for the following reason:

*The proposal, by reason of its scale, height, massing and layout, including its close proximity to the footway, high levels of obscure glazing to the front elevation and areas of hard-standing and lack of opportunity for landscaping, would result in a cramped, visually harmful and over dominant form of development that would be out of character with the surrounding area and would fail to enhance the character and appearance of the area and the street scene and result in a poor level of amenity for future occupants. As such, the proposal would be contrary to Policies L1 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.*

9. The application site is very narrow with limited space to the rear of buildings whilst the requirement of Network Rail for there to be at least 2m between any buildings and Network Rail land further restricts the developable area. Despite this, it is considered that the site can accommodate the layout now proposed with a good amount of space being retained between each of the five blocks. The proposed site plan also indicates that an acceptable level of soft landscaping can be incorporated within the development, particularly in the north-eastern part of the site, between and to the front of the apartment blocks.
10. The earlier appeal decision raises issues regarding the proximity of the apartment buildings to the footway at the front of the site and the lack of space for landscaping. The plans accompanying the current application show indicative

planting and grassed areas adjacent to the front boundary of the site with the blocks generally being set further back within the site. It is therefore considered that this concern has been adequately overcome under the current submission and that an appropriate level of landscaping can be accommodated to the front of the apartment blocks.

11. The scale of the proposed buildings is now considered to be appropriate with their height and massing having been reduced from the previous scheme. These are now considered to be in keeping with other residential properties in the area in this respect, with two storeys being more suitable in this location. This, together with the siting of the blocks away from the end of streets running perpendicular to Station Road, is considered to address many of the concerns raised in relation to the previous application. Specifically the 'green and spacious feel' identified by the Inspector in relation to the earlier appeal is not deemed to be unacceptably harmed due to the amended siting and reduced height of the blocks.
12. Officers raised concerns in respect of the original plans submitted with this application, in particular regarding the proximity of Plots 1-2 to Moss Road and its potential prominence in this location. The planning agent has subsequently provided amended plans which show these plots being 2m from Moss Road; as a result, this aspect of the scheme is now considered to be acceptable in terms of its siting.
13. The external bin and cycle stores proposed under the earlier application have been removed from this revised scheme. Integral areas within the apartment blocks themselves are now included for bin storage whilst internal areas for cycle storage are also proposed. This has improved the overall appearance of the development, allowing more space for landscaping whilst also reducing the amount of 'clutter' in the streetscene. Overall, the scheme is now considered to be far more coherent and better integrated into its surroundings than that previously dismissed at appeal. Local residents have raised concerns regarding the potential for bins to be left on-street creating an obstruction for vehicles and pedestrians. The proposed development would be no different from any other residential scheme in this respect but the provision of designated bin storage areas will reduce the potential for such issues to arise.
14. As noted above, the detailed design and appearance of the blocks is not for consideration at outline stage, with 'appearance' being a reserved matter. The indicative elevations however, are considered to demonstrate that an appropriately designed scheme could be provided within the parameters of the approved layout, access and scale without causing harm to the character and appearance of the area.
15. It should be noted that the site is currently vacant and it is considered that its development for residential purposes will enhance the character and quality of

the area as a whole, in accordance with the aims of Core Strategy Policy L7. The earlier reason for refusal is deemed to have been adequately addressed and as such, the proposed development is considered to be acceptable in terms of its design and appearance.

## RESIDENTIAL AMENITY

16. Policy L7 of the Trafford Core Strategy 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”*.
17. As mentioned above, the proposed apartment blocks are no longer sited immediately at the end of roads perpendicular to Station Road (Kendal Road, Bowness Street and Derwent Road). This, together with the reduced height of the blocks is considered to ensure the development would no longer have an unacceptably enclosing impact when viewed from these streets.
18. Whilst ‘appearance’ is not a matter for consideration under the current application, based on the submitted indicative plans, all proposed blocks would have habitable room windows in the front elevation. This is deemed to be appropriate in design terms but it is necessary to consider whether this results in an overlooking impact on neighbouring properties. It should be noted that the Inspector, in relation to the earlier appeal did not consider there to be an unacceptable overlooking impact from the proposed three storey blocks, even without obscure-glazing to the front elevations.
19. The Council’s adopted guidance document ‘PG1: New Residential Development’ sets out separation distances which should be sought in relation to existing and proposed dwellings. For two storey properties, these distances are 10.5m between habitable room windows and garden boundaries, 21m between facing habitable room windows across a highway and 15m between a habitable room window and a facing blank elevation.
20. Properties on the eastern side of Kendal Road are not considered to be unduly affected by the proposed development with a sufficient separation distance being retained to the nearest block (plots 9-10). There would be a distance of 22m between the front elevation of this block and the facing side elevation of No. 6 Kendal Road and a distance of 16m to the boundary of this neighbour at the nearest point. Given that there are no windows in the side elevation of this neighbour, this is sufficient to comply with PG1 and avoid any unacceptable overshadowing or overbearing impact.

21. There would be a distance of 14.5m between the front elevation of plots 7-8 and the side elevation/boundary of No. 1 Bowness Street. There is a single first floor window in the side elevation of this neighbour which is clear-glazed, however this room is served by an additional window in the rear elevation. As such, whilst being less than the separation distance required by PG1, such a relationship is considered to be acceptable in this instance with no unacceptable impact on the amenity of this neighbour.
22. The front elevation of plots 5-6 would be 14m from the side elevation of No. 2 Bowness Street, containing two obscure-glazed first floor windows and one clear-glazed ground floor window. It is acknowledged that the distance to the ground floor window is less than that recommended by PG1, however the room served by this window appears also to be served by an additional window in the rear elevation. Given the secondary nature of this window, there is considered to be an acceptable relationship between proposed plots 5-6 and No. 2 Bowness Street and it would be unreasonable to refuse the application on this basis.
23. Plots 3-4 would be approximately 13m away from the side elevation of No. 1 Derwent Road. There are no windows in the side elevation of this neighbour and as such, there is not considered to be a detrimental impact on amenity in this respect.
24. Plots 1-2 would be approximately 19m away from the apartment building on the corner of Station Road and Moss Road at its nearest point. Whilst there is a window in this building which faces towards the application site, this is not considered to be significantly affected through overlooking, particularly given the presence of intervening planting whilst such a relationship would not be dissimilar to many other dwellings in the surrounding area. This is also a sufficient distance to avoid any undue overbearing or overshadowing impact. Similarly the apartments on the western side of Moss Road are a sufficient distance away to not be unacceptably affected by the proposed development.
25. It is acknowledged that the distance between some of the proposed front-facing windows and rear yard/garden boundaries of the existing dwellings opposite would be slightly less than that recommended by PG1 and there is likely to be some degree of overlooking. It is noted however that these existing yards/gardens are already overlooked to a significant degree given the existing layout of dwellings on Kendal Road, Bowness Street and Derwent Road. The proposed development is not considered to result in a materially greater overlooking impact than this existing situation and as such, a refusal of planning permission on this basis would not be justified.
26. Issues of noise and disturbance during construction works would not constitute a sufficient reason to refuse the application given that some level of disturbance would be expected as part of any development. A condition will however be attached to any consent issued requiring the submission of a Construction

Environmental Method Statement to ensure any such disturbance is adequately managed and minimised.

27. The proposed development is considered to achieve an acceptable standard of amenity for future occupiers of the apartments. Whilst there would be slightly less than 15m between the front elevations of some of the proposed blocks and the side elevations of neighbouring properties, this is not considered to be unduly overbearing for future occupiers and indeed, they would be aware of this relationship when moving in to the apartments.
28. A noise and vibration assessment has been submitted which concludes that rail traffic vibration and noise break-in will not exceed criteria based on national standards. The design approach ensures that habitable rooms are sufficiently screened from the railway so that standard thermal double glazing and window frame trickle vents may be used for all rooms. The Council's Pollution and Licensing section has confirmed that they have no objection to the application on this basis and a condition will be attached to any consent issued requiring the implementation of the above glazing/ventilation scheme.
29. The obscure-glazing within the front elevations of the buildings proposed under the previous application are no longer included within the current scheme. As noted in the Inspector's appeal decision, this will be an improvement in design terms and would also improve the amenity of future occupiers, without having an unacceptable overlooking impact on neighbouring dwellings. Furthermore, there are no longer any ground floor side-facing windows proposed which ensures the previous concerns regarding disturbance from adjacent parking areas will no longer arise. In addition, bin stores have been moved internally which is considered to address earlier concerns regarding potential impacts from odour.
30. Given the above, the proposed development is considered to be acceptable in terms of its impact on residential amenity.

## HIGHWAYS AND PARKING

31. Policy L4 of the Trafford Core Strategy states that *"when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way"*.
32. The Council's adopted guidance document 'SPD3: Parking Standards and Design' requires a 2-bed dwelling to provide two car parking spaces, resulting in a total requirement of twenty spaces. The proposal includes the creation of eighteen parking spaces, resulting in a shortfall from the standards of two spaces. The Local Highway Authority (LHA) has been consulted and has advised

that given the sustainable location of the site in close proximity to bus and train services and local facilities, the shortfall can be accepted in this instance. In addition the provision of ten internal cycle storage spaces is in line with the requirements of SPD3. A condition requiring the implementation of the designated car and cycle parking areas will be attached to any consent issued.

33. A number of objections have been raised by local residents in respect of the proposed parking arrangements and the potential impact on existing properties and highway safety. Officers acknowledge these concerns, however given the sustainable location of the site and the additional parking to be provided, it is not considered reasonable to refuse the application on this basis. It should also be noted that the Council's adopted parking standards are maximum figures and a shortfall from these should not necessarily be deemed unacceptable. The local planning authority should also encourage sustainable transport choices when considering development proposals, in accordance with Policy L4 of the Trafford Core Strategy. Another concern relates to the potential damage to the highway resulting from the additional dwellings, however the scale of the proposed development is such that it is not considered to result in any significantly greater impact in this respect and indeed, no objections have been raised by the LHA on this basis.
34. The external bin stores have now been removed from the scheme since the earlier refusal and replaced with integral storage areas within the buildings themselves. This is considered to improve the overall appearance of the site and the LHA has confirmed that this arrangement is acceptable from a highways perspective.
35. It is noted that the existing adjacent cycleway and footpath falls outside of the application site boundary. The LHA had raised concerns that cyclists approaching the site from the sloping cycleway will not be able to slow down in time to see vehicles emerging from the easternmost proposed vehicular access. Following discussions, it has been agreed that a 'Grampian' planning condition can be attached to any consent issued requiring the applicant to provide a 'chicane fence' at the bottom of the cycleway to ensure that cyclists slow down sufficiently when approaching this proposed access.
36. The LHA had also noted that part of the adjacent embankment to the south of the site will need to be regraded to allow for the creation of the vehicular access referred to above without detrimentally impact upon highway safety. The applicant has provided topographical information to demonstrate the extent of works which will be necessary and the LHA has confirmed that this matter can be dealt with through the imposition of a 'Grampian' style condition requiring these works to be agreed with the local planning authority and the LHA prior to the commencement of development. On this basis, this matter is deemed to have been appropriately addressed.



37. Given the above, the proposed development is considered to be acceptable with regard to parking and highway matters.

## CRIME AND SECURITY

38. The second reason for refusal given in relation to application 85022/OUT/15 is as follows:

*The applicant has failed to demonstrate that the site layout and perimeter design would adequately address crime, disorder and community safety issues (including providing adequate natural surveillance) to the detriment of the safety of future occupants and existing adjoining occupants. The proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.*

39. It should be noted however that the Inspector's appeal decision, in relation to matters of crime and security concludes that *"I am satisfied that it would be possible to create a secure and safe site, and therefore to minimise the risk of crime and disorder...I consider that the proposal would accord with the community safety aims of Policy L7 of the CS and the Council's Planning Guidelines"*.

40. The Greater Manchester Police Design for Security team has been consulted on this application and has made a number of recommendations. Specifically, these are as follows:

- The entrance to the upper floors should be flush with the front of the buildings,
- Defensible space to be provided at the front of the properties, and
- Conditions should be imposed relating to fencing to be erected and development being carried out to Secured by Design standards.

41. In relation to the first of these points, it is considered that this would not be necessary as the entrance would be sufficiently overlooked from surrounding properties and the first floor side windows. Bringing this entrance forward would also result in the loss of these side windows which, as currently proposed increases natural surveillance. Following receipt of the above comments, the agent has provide amended plans to increase the amount of defensible space to the front of plots 1-4 to an acceptable degree. Conditions requiring the submission of a scheme of boundary treatments and a Crime Impact Statement will be attached to any consent issued and these are deemed sufficient to address the final point.

42. Given the above, the proposed development is considered to be acceptable with regard to matters of crime and security.

## ECOLOGY AND TREES

43. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 118 of the NPPF states that *"if significant harm resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*.
44. A 'Habitat Survey and Ecological Impact Assessment' has been submitted alongside the application. This concludes that there is no potential for ground nesting birds, the site is of limited value to bats and that the nearby canal is unsuitable for use by water voles and great crested newts.
45. The Greater Manchester Ecology Unit has been consulted and has confirmed that there are no objections to the application on nature conservation grounds. It has been requested that a condition is attached to any consent issued restricting works of vegetation clearance to outside of the bird nesting season.
46. The previous application was not refused due to the loss of trees and the current proposal is considered to be acceptable in this respect. None of the trees within the site are protected and although landscaping is not a matter for approval at this stage, there is now considered to be sufficient space within the site for an appropriate level of planting and green infrastructure to be accommodated. A detailed landscaping scheme will be required to be provided at reserved matters stage.
47. It is noted that the area within the eastern part of the site is to be landscaped and is proposed to be publicly accessible. This would provide a usable area of green space for future occupiers of the proposed development and is considered to represent an overall enhancement of this part of the site. A condition will be attached to any consent issued requiring the submission of a detailed scheme for the works to be carried out here.

## CONSULTATION RESPONSES

48. Most of the concerns raised by local residents have been addressed in the above sections of this report, however a number of other concerns not covered are considered below.
49. A number of representations raise concerns regarding the impact on property values in the area. This is not a material planning consideration although issues relating to residential amenity have been addressed above.
50. A further concern relates to the increased demand on local facilities (GPs, dentists etc.) resulting from the additional residential units. Given that only ten

additional units are proposed, this is not considered to significantly increase pressure on such facilities and it is not deemed reasonable to require contributions from the developer in this respect.

51. Other issues raised include the potential impact of the development on the health of local residents and on air quality in the area. Again, the scale of the development is such that it is not considered to have a significant impact in these respects and indeed, the Council's Pollution and Licensing section has not raised any concerns regarding these matters. Other potential impacts on residential amenity have been considered in full in the relevant section above.

## DEVELOPER CONTRIBUTIONS

52. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold zone' for residential development, consequently apartments will be liable to a CIL charge rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
53. The Revised Trafford Supplementary Planning Document 1 (SPD1) – Planning Obligations requires the provision of 1 affordable unit ('moderate' location, 'poor' conditions). In accordance with the NPPG and the written ministerial statement of 28<sup>th</sup> November 2014 however, no affordable housing contributions will be sought given that the proposal involves the creation of ten or fewer residential units.

## CONCLUSION

54. The comments of local residents have been taken into consideration in the assessment of the application, however the development accords with the development plan, national planning policy and relevant supplementary planning documents. The reasons for refusal given in relation to the earlier application and appeal on this site are considered to have been adequately addressed under this proposal. As such, the application is recommended for approval subject to the conditions listed below.

## **RECOMMENDATION**

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

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
  - (a) The expiration of three years from the date of this permission; or
  - (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development first takes place:
  - (a) Appearance
  - (b) Landscaping

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DP/SRM/CSL/01 (Rev I), DP/SRM/SSec/07 (Rev A), DP/SRM/PEB1/02 (Rev O), DP/SRM/SPL/01 (Rev J) and DP/SRM/SSec/06 (Rev J).

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

4. No development shall take place unless and until:
  - (a) A contaminated land Phase I report to assess the actual/potential contamination risks at the site has been submitted to and approved in writing by the Local Planning Authority.
  - (b) Should the Phase I report recommend that further investigations are required, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The phase II report of the findings must include:
    - (i) a survey of the extent, scale and nature of contamination;
    - (ii) an assessment of the potential risks to: - human health, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - adjoining land, - groundwaters and surface waters, - ecological systems, - archaeological sites and ancient monuments;

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

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. This information is required prior to development taking place to ensure that site operatives are not at risk from contamination.

5. 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: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No development shall take place unless and until details of the disposal of both surface water and foul water drainage directed away from the railway have been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development in the interests of the safe operation of the railway having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (i) the parking of vehicles of site operatives and visitors
  - (ii) the loading and unloading of plant and materials

- (iii) the storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) wheel washing facilities, including measures for keeping the highway clean
- (vi) measures to control the emission of dust and dirt during construction
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (viii) hours of construction activity.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development shall take place until details of existing and finished site levels and floor levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development, in the interests of amenity and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

9. No development shall take place until a Crime Impact Statement has first been submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate how Secured by Design principles and specifications will be incorporated into the design of the development to prevent crime and enhance community safety. Thereafter development shall proceed in accordance with the approved details, which shall be retained thereafter.

Reason: To ensure that appropriate details are incorporated into the design stage of the development, in the interests of crime prevention and the enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

10. No development shall take place unless and until a Risk Assessment and Method Statement (RAMS) in relation to all works to be undertaken within 10 metres of the operational railway has been submitted to and approved in writing by the Local Planning Authority. The RAMS shall include, as a minimum, the following information:

- (i) full details of ground levels, earthworks and excavations to be carried out within 10 metres of the operational railway
- (ii) details of measures to be taken to prevent construction materials from the development reaching the railway (including protective fencing)

- (iii) details of all vibro-impact works to be carried out as part of the development
- (iv) confirmation that any scaffolding which is to be erected/constructed within 10 metres of the railway/Network Rail boundary must be erected in such a manner that at no time will any poles over-sail the railway line

Any mitigation measures identified in the RAMS shall be implemented in full during the course of the development.

Reason: In the interests of the safe operation of the railway and to ensure that appropriate details are considered and incorporated into the design stage of the development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

12. The dwellings hereby approved shall not be occupied unless and until: 1) an access control feature (likely to be a chicane fence or similar) has been provided at the foot of, or along, the adjacent footpath/cycleway, 2) the adjacent footpath/cycleway has been suitably re-graded and 3) suitable accommodation works for the car park entrance including the entrance works have been provided, all in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority. These works shall be retained thereafter.

Reason: In the interest of highway safety, having regard to Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The dwellings hereby approved shall not be occupied unless and until a retaining wall adjacent to and supporting the footway/cycleway has been provided in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority. The retaining wall shall be implemented in accordance with the approved scheme and shall be retained thereafter.

Reason: In the interest of highway safety, having regard to Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The dwellings hereby permitted shall not be occupied until the means of access and the areas for the movement and parking of vehicles and bicycles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

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.

15. Notwithstanding the requirement for a full landscaping scheme at Reserved Matters stage, the development hereby permitted shall not be occupied unless and until a detailed scheme for the area of open space in the eastern part of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include details of planting, soft and hard landscaping, benches, lighting, boundary treatments, maintenance and all other operations to be carried out. The approved scheme shall be implemented in full prior to the first occupation of the development hereby approved and maintained thereafter.

Reason: To ensure that this part of the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies L7, R2, R3 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Any application for reserved matters which includes landscaping shall be accompanied by details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls. The approved structures shall be erected in accordance with the approved details. The structures shall thereafter be retained.

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

17. The development shall be carried out in accordance with the recommendations of section 6.0 of the submitted 'Noise & Vibration Assessment' (Ref. 11168.03.v1, dated November 2016).

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

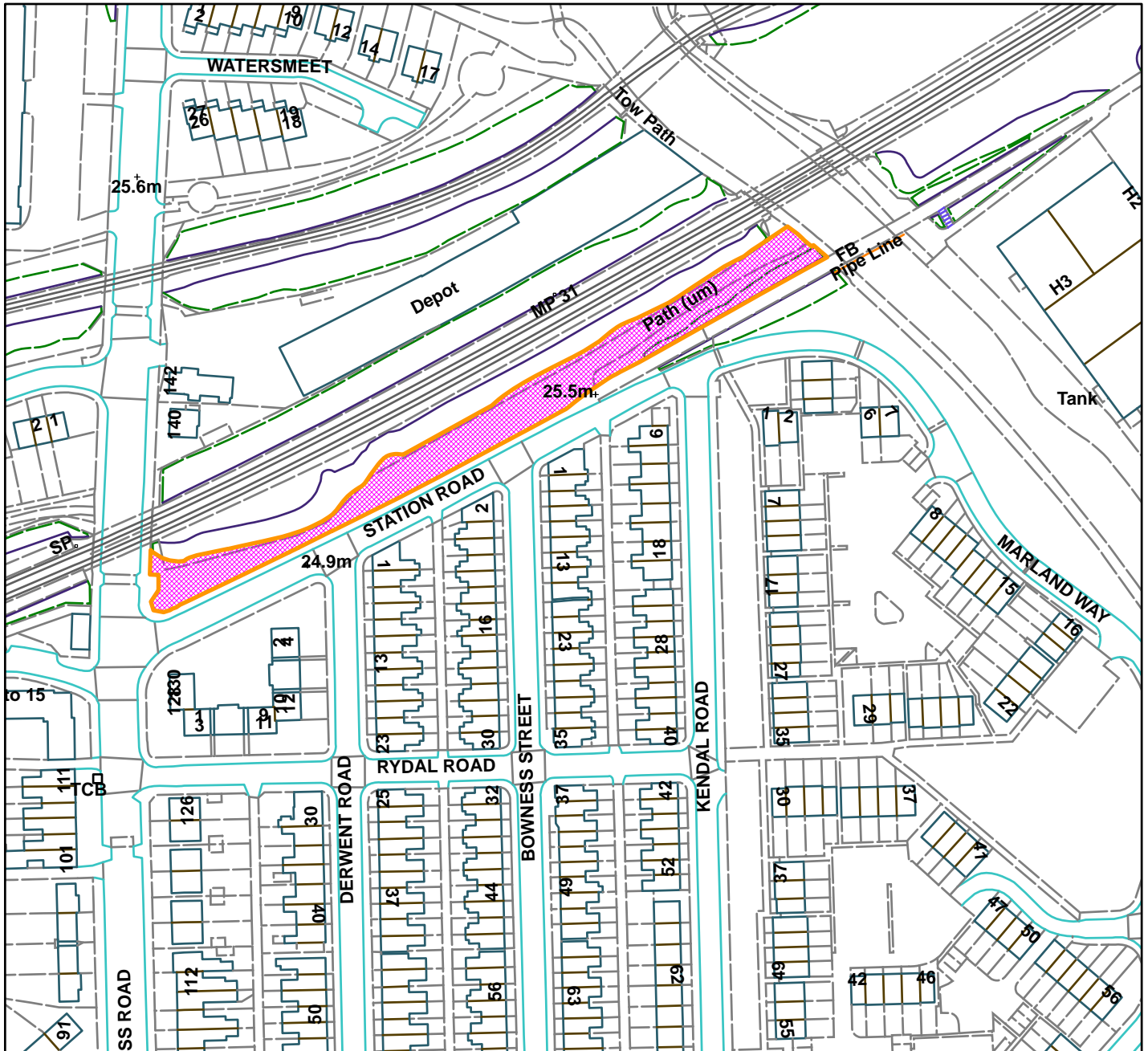
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JD





Land to the North of Station Road, Stretford (site hatched on plan)



Scale: 1:1,750

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/05/2017
Date	27/04/2017
MSA Number	100023172 (2012)

**WARD:** Sale Moor

**89819/COU/16**

**DEPARTURE:** No

**Change of use of the dwellinghouse (C3) to a mixed use comprising of childminding and dwellinghouse (Retrospective application).**

80 Temple Road, Sale, M33 2FG

**APPLICANT:** Mrs Lawton

**AGENT:**

**RECOMMENDATION: REFUSE**

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**This application has been referred to the Planning and Development Management Committee as it has been called in by Councillor Joanne Bennett for the reasons set out in the report.**

**SITE**

The application concerns a semi-detached property with 3 reception rooms, a kitchen, a conservatory, a bathroom and a hallway / utility at ground floor and two bedrooms with a bathroom at first floor level. It is located on the south east side of Temple Road between Nursery Close and Stonyford Road. The property is surrounded by other residential properties with single storey dwellings on either side. Nursery Close provides access to Templemoor Infant and Nursery School. Moorlands Junior School is located further north east along Temple Road. One off road parking space is provided at the front of the property. The side and rear of the property is accessible by way of 1.8m high gates and the rear garden is surrounded by 1.8m high fencing. At the front low fences approximately 1m in height separate No.80 from its immediate neighbours.

**PROPOSAL**

The proposal is to use 3 of the ground floor rooms of the property for child minding between the hours of 08:00hrs and 17:30hrs Monday to Thursday and 08:00hrs to 16:00hrs Fridays with the property reverting to wholly residential use in the evenings. The application seeks to childmind up to 9 pre-school age children and 9 school age children. The number of staff at any time will not exceed 3 (including the owner of the property). The rear garden has a number of pieces of play equipment and will be used as part of the childcare facility.

It is understood the proprietor has been using the property for child minding since she moved in to the property in November 2013 and has had at least one member of staff working with her most days since then.

There will be no change to the overall floorspace. 40 square metres of gross internal floorspace will be used for child minding purposes.

## **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

## **PROPOSALS MAP NOTATION**

None

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

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

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

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

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

The applicant submitted 11 letters of support from neighbours other Local Residents and users of the childminding service. The issues raised include:

- Drop off and pick up staggered and there is not a large number of cars at any one time.
- Have more problems with traffic and parking by parents from the two nearby schools, Temple Moor and Moorlands.
- Children able to be escorted on foot from school to this premises.
- No issues of noise experienced.
- Importance of having local services such as this.
- High quality childcare with children well behaved and supervised.
- This childcare facility does not have any negative impact on the neighbourhood.

## **CONSULTATIONS**

**LHA-** The existing access and servicing arrangements are unaffected by the proposals. The existing car parking provision is not affected by the proposals and the LHA considers that this is adequate for the proposed change of use. On street parking is available for short stay use during drop off and pick up periods. The nature of the drop-off and pick-up times means they are staggered and are generally outside the drop-off pick-up times of the nearby schools. Some families using the facility live in walking distance and therefore walk. In addition many of the families have more than one child attending which reduces the amount of vehicles to the property. Vehicles would be parked on-street for a short amount of time and would be unlikely to cause any adverse parking or traffic issues. The proposed change of use has no severe highway implications and would raise no objection to this application on highway grounds.

**Pollution and Housing-** The use of the garden has the potential for causing nuisance and there needs to be some sort of timetabling to allow periods of the day where there is no noise emanating from the rear garden. Ofsted requires access to outdoor play but a reasonable compromise would be to allow reasonable breaks throughout the day to allow neighbours to enjoy their outdoor space. Suggest applicant submit a timetable for outdoor play and to think about how outdoor noise is to be managed by staff.

Elevated play platforms allow for noise to travel over boundary treatments so would normally advise against this type of environment. In this case it is already in situ. If it is a nuisance in the future could be addressed under Statutory Nuisance powers.

## **REPRESENTATIONS**

4no. objections have been received in relation to this application; these highlight the following areas of concern:

- Highway safety and traffic. Very busy road and a bus route.
- Congestion on Nursery Close at the school Breakfast club/After school club time is already a problem.

- Noise and disturbance from the back garden. This can be very intrusive in the summer evenings.
- Can residents be assured of set closing times to ensure noise is not continuous?
- Structures in the rear garden give children capacity to look into neighbours gardens. Concerned that more children would result in more play structures.
- Privacy of neighbours
- Loss of amenity.
- No boundary fence at front of property a concern for child safety.
- No issues of highway safety, traffic or parking.
- Hours listed on internet differ from those shown on this application.

1 letter of support has been received indicating that there are

- No issues of highway safety, traffic or parking.

One representation has been received from a councillor raising the following concern:

- Loss of amenity

## **OBSERVATIONS**

### PRINCIPLE OF USE

1. The site is unallocated in the Trafford Unitary Development Plan. As such there are no specific policy restrictions relating to the principle of the proposed use.
2. The Council has produced Planning Guidelines- Day Nurseries and Playgroups (Revised June 1991 and September 1997) which state that the Council considers that for a childminder looking after no more than 4 children in their own home planning permission will not be required. This can be supplemented by looking after other children during term time before and/or after school as long as the total number does not exceed 6. In this case planning permission is required because the number of children cared for exceeds this level and because additional staff are employed.
3. It is therefore considered that the principle of using a residential property as a childminders is acceptable, subject to the details of the number of children and staff.
4. The main issues for consideration concern residential amenity and traffic and parking.

### AMENITY

5. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

6. 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.
7. The Planning Guidelines – Day nurseries and Play Groups provide advice on the types of properties considered appropriate for Day Nurseries and Playgroups and the issues that will be taken into account. However whilst the use of this property as a childminders would be a less intense use than a Day Nursery due to the number of children involved many of the considerations remain relevant.
8. The applicant has advised that they are seeking permission for up to 9 pre-school age children and to provide afterschool care for 9 school age children. It is noted from the application that the maximum number of children currently attending is less than this number.
9. The Planning Guidelines – Day Nurseries and Playgroups advise that the ideal property for a day nursery would be detached so that noise does not occur through a party wall and set well back from the road so parents are less likely to park on the road.
10. The Guidelines advise that the site should be sizeable in area, with a long road frontage and large garden (over 10sq. m per child), so that comings and goings and outdoor play are not inevitably close to neighbours and parking and manoeuvring space can be provided. This application concerns a small site with a rear garden of approximately 84 sq. m which would be under 10 sq. m per child and limited road frontage of approximately 9.7m.
11. The Guidelines also state that neighbouring properties should be set well back from the road so they are not unduly affected by the extra activities in the road, with large back gardens so that outdoor play is not unduly close and should be in non-residential use. The adjoining properties are in residential use, set back from the road by approximately 7.6m and with a similar size rear garden to the application site.
12. Concerns have been raised by neighbours about the potential for noise nuisance resulting from the use of the garden. The use of the garden for child minding purposes will cease at 5.30pm at the latest when the childminding business finishes. Before 3.30pm it has the potential to be used by up to 9 pre-school age children and after school by up to 18 children. The applicant has been requested to submit details of a timetable for outdoor play and details of how outdoor play would be managed by staff. However, this information has not been received to date. It is considered that the use of the rear garden as outdoor play space for the numbers of children proposed in the application will impact on the peaceful enjoyment of neighbouring properties. In addition the presence of an elevated platform facilitates noise to travel over boundary treatments and exacerbates the problem. It is

considered that the proposal will result in noise and general disturbance to the detriment of adjoining residential dwellings.

13. Concern has also been expressed about a loss of privacy arising from children on the play equipment in the garden. Whilst the majority of the play equipment is low level and the type of toy one would find in a normal residential garden one piece of equipment incorporating a slide is approximately 3m in height and children on the platform would be able to get clear views over the 1.8m high fence into the rear garden of No. 78 Temple Road. Visibility into the garden of No. 82 would be limited by an existing garage in the garden of that property. It is understood that the applicant has re-located the play equipment at the request of the Council's Enforcement Section to reduce overlooking. However some overlooking would still result and the extent of the use will be significantly greater than from normal residential use.
14. Although a number of families have more than one child attending the facility, the number of drop-offs and pick-ups of up to 18 children would result in noise and general disturbance and a loss of privacy to the neighbouring residential properties.
15. Overall It is considered that the impact of the use of the property by up to 9 pre-school children and 9 school age children in after school care would result in an unacceptable loss of amenity in respect of noise and overlooking of neighbouring properties.

#### PARKING AND TRAFFIC

16. The Local Highway Authority has advised that they have no objections to the application on highway grounds and that the existing car parking provision (one off road space) is not affected by the proposals and the LHA considers that this is adequate for the proposed change of use. On street parking is available for short stay use during drop off and pick up periods. Some families using the facility live in walking distance, and a number of families have more than one child attending which reduces the number of vehicles. It is considered that as vehicles would be parked on-street for a relatively short period of time they would be unlikely to cause any significant adverse parking or traffic issues.

#### CONCLUSION

17. It is recognised that the use of this property for childminding purposes provides employment to up to 3 people and a valuable service to local residents. This must however be balanced against the amenity enjoyed by neighbouring properties, taking into account the proposed numbers of children and staff and the limited size of the application property and close proximity of neighbouring properties. Having regard to these factors, it is considered that the proposal would result in an undue loss of amenity by reason of noise, general disturbance and loss of privacy to adjoining residential properties as a result of the use of the garden for outdoor play

and as a result of the numbers of pedestrian and vehicular comings and goings to and from the property. It is therefore considered that the proposal would fail to comply with Policies L4 and L7 of the Trafford Core Strategy and guidance in the NPPF. As such it is recommended that planning permission should be refused.

### **RECOMMENDATION**

#### **REFUSE for the following reason:-**

The proposed development, by reason of the use of the garden for outdoor play and the numbers of pedestrian and vehicular comings and goings from the property, would result in undue noise and disturbance and an undue loss of privacy to the occupants of neighbouring properties and would therefore have an unacceptable impact on the residential amenity that the occupiers of these properties could reasonably expect to enjoy. As such, the proposal would be contrary to Policies L4 and L7 of the Trafford Core Strategy, guidance contained within the Council's Planning Guidelines – Day Nurseries and Play Groups and guidance within the National Planning Policy Framework.

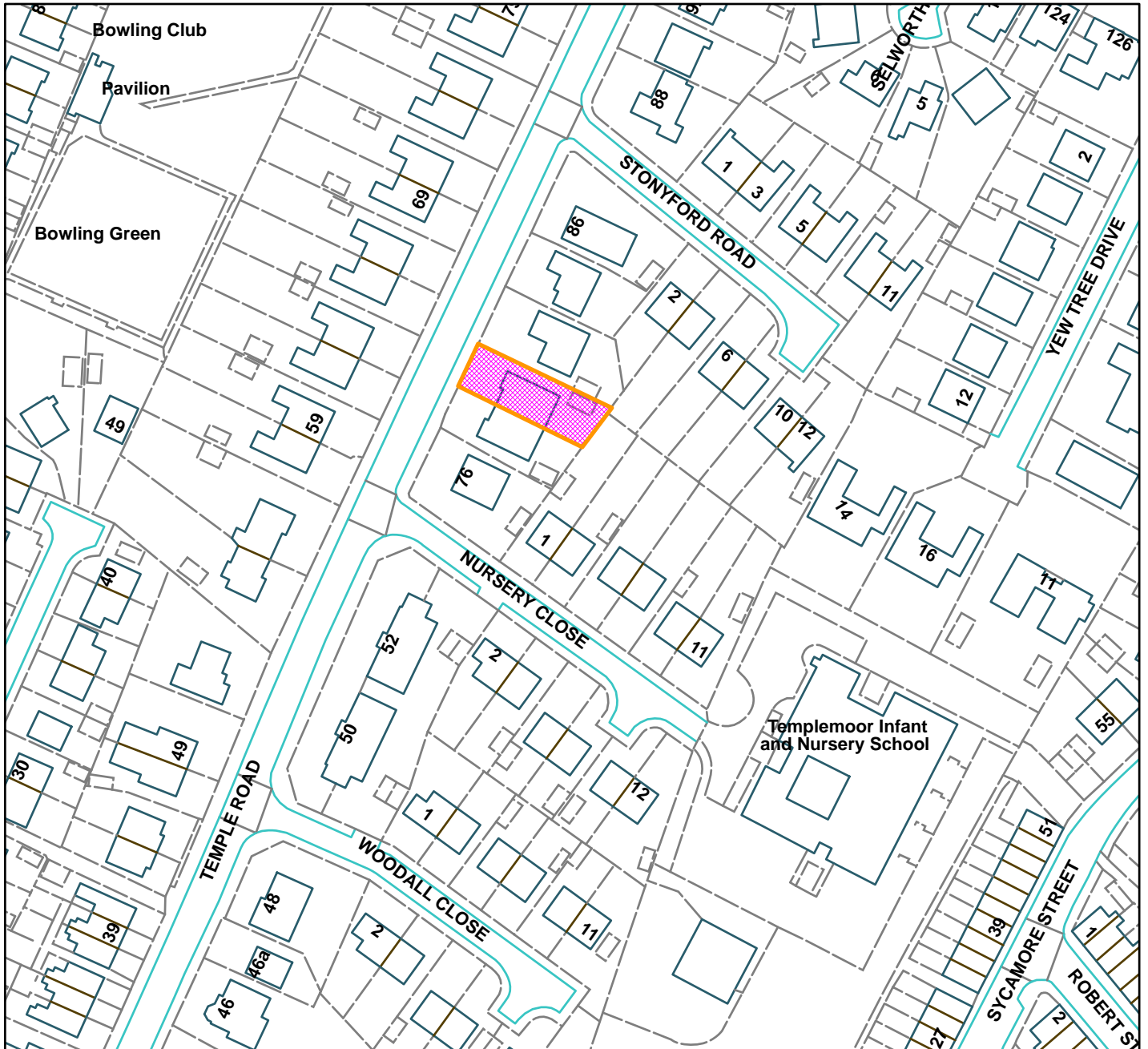
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80 Temple Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/05/2017
Date	27/04/2017
MSA Number	100023172 (2012)

**Application for variation of condition 3 on planning permission 83048/FULL/2014 (Demolition of existing buildings and erection of a part 3 and part 4 storey building to provide a 57 bed elderly care home (use class C2). Provision of parking facilities with access from Ashlands and landscaping of the site.) To alter the approved drawing to allow for the removal of one of the faux chimneys and to include increased detailing to the remaining faux chimney. Alongside external alterations to west/rear elevation.**

2 Ashlands And 43 Ashton Lane, Sale, M33 5PD

**APPLICANT:** New Care Projects LLP

**AGENT:** Street Design Partnership

**RECOMMENDATION: GRANT**

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## **SITE**

The application relates to a rectangular shaped site, situated to the south of Ashton Lane between its junctions with Queens Road and Ashlands. The site measures approximately 0.36 hectares in size and had previously comprised two properties, no. 43 Ashton Lane to its north and no. 2 Ashlands to its south. In February 2015 planning permission was granted at the site for the erection of a part 3/part 4 storey care home, with associated landscaping and hardstanding, (ref. 83048/FULL/2014). The approved development is now nearing completion.

The site is situated within a residential area of Sale, characterised by a mix of large detached and semi-detached residential properties, although there are also a number of large apartment/townhouse developments to the north of the site fronting Ashton Lane. A Tree Preservation Order (No. 70) which extends the length of Ashlands, covers all the trees within the application site and Tree Preservation order (No.345) relates to 43 Ashton Lane and covers a number of individual trees within the site.

## **PROPOSAL**

The application is made under section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 3 of planning consent, reference: 83048/FULL/2014 (Demolition of existing buildings and erection of a part 3 and part 4 storey building to provide a 57 bed elderly care home (use class C2). Provision of parking facilities with access from Ashlands and landscaping of the site)).

The current application seeks permission for minor material amendments to the

approved development which include:

- The application proposes alterations to two faux chimneys. The application would see the smaller of the two chimneys removed, with the remaining being increased in its overall height by 1m, alongside alterations to its finish which would see this clad in red brick.
- Alterations to a small amount of brickwork detailing approved above a ground floor opening, within the buildings west facing rear elevation. This would now see a bricked soldier course as opposed to a bricked archway above.

No other changes are proposed as part of this application.

## **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.

## **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.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

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

R2 – Natural Environment  
R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

None

## **NATIONAL PLANNING POLICY FRAMEWORK (NPP.F)**

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

## **RELEVANT PLANNING HISTORY**

H/69096 - Demolition of existing buildings on site and erection of an 79 bed residential care home (Use Class C2), associated car parking, landscaping and development ancillary thereto – refused - 07.04.09

H/70737 - Demolition of existing buildings on site and erection of a 75 bed residential care home (Use Class C2) associated car parking, landscaping and development ancillary thereto – refused – 11.02.10

83048/FULL/2014 - Demolition of existing buildings and erection of a part 3 and part 4 storey building to provide a 57 bed elderly care home (use class C2). Provision of parking facilities with access from Ashlands and landscaping of the site – Approved with conditions – 11.02.2015

87200/NMA/15 - Application for non-material amendment to 83048/FULL/2014 for amendments to elevations including additional bedroom doors from ground floor rooms to access garden areas – approved with conditions – 12.01.2016

89253/VAR/16 - Application for variation of condition 3 on planning permission 83048/FULL/2014 (Demolition of existing buildings and erection of a part 3 and part 4 storey building to provide a 57 bed elderly care home (use class C2). Provision of parking facilities with access from Ashlands and landscaping of the site.). To allow amendments to the approved plans to increase the floor area for day space by moving external walls – Refused – 22.11.2016. Appeal submitted and under consideration.

## **APPLICANT'S SUBMISSION**

Design and Access statement

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

12no. representations were received in reference to this application. These raised the following concerns:

- Description is not representative of the proposed works – the development is not for a faux chimney but for a lift shaft, with cladding
- The proposal increases the height of the home by 2m
- Lift shaft was erected without planning consent
- Lift shaft is out of keeping with the wider area and home
- Lift shaft is a large addition for the main building
- Lift shaft makes building appear over dominant within street scene
- Unauthorised works have taken place on site
- Proposed chimney stack is much larger and longer than that approved

## **OBSERVATIONS**

### **Principle of Development:**

1. The current application proposes the variation of condition 3 of a previous planning consent on site, reference 83048; the variation application seeks permission for minor material amendments to the approved scheme as detailed above and is made under S73 of the Town and Country Planning Act 1990.
2. The NPPG states that in determining an application under S73 that the LPA must only consider the disputed conditions that are the subject of the application – it is not a complete re-consideration of the application. Condition 3 lists the approved plans. There is no change to the description of the proposal.
3. The principle of the redevelopment of the site for a care home for the elderly has already been established through the granting of planning application ref. 83048/FULL/2014. There have been no changes in the planning considerations or circumstances which would require this to be revisited. The developer does not seek to alter any of the other conditions controlling development at this site and the amendments fundamentally relate to the external appearance of the building. The development remains as approved in other regards. As such this report will only assess the minor material amendments as proposed as part of this application and as set out within the proposal section of this report.

### **Design and Street-scene:**

4. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Paragraph 56 of the NPPF

states that the Government attaches great importance to the design of the built environment - good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

5. At a local level, 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.
6. Application reference 83048, granted consent for the erection of a 57 bed care home at the application site. The approved home was to feature two faux chimneys to its northern most side. These were to be erected in brick, and featured a number of centrally sited chimney pots. The northernmost side chimney was to be larger in its width in comparison to that to the south of the home. The current proposals would see alterations by way of the removal of the small chimney and the enlargement of the other in addition to changes to its external appearance.
7. Although the chimneys were considered to be a positive addition to the appearance of the building, the removal of the smaller of the two chimneys from the scheme is considered to be acceptable and would not have a detrimental impact on the overall design of the building.
8. The chimneys were originally included within the design of the proposed building to conceal the lift shaft of the development. Through the detailed design and construction phase of the development however, it came to light that the lift shaft would need to be higher than originally anticipated. This has resulted in the current application, and the proposals to re-dress the lift shaft and give it the appearance of a chimney which reflects the character of the building.
9. The previously approved chimneys were to have a height of 0.5m above the height of the approved building, increasing to 0.9m, when taking into account the proposed chimney pots. The current proposals would see this increased to 1.5m, with a maximum height of 1.9m including pots. The proposed chimney would however see a reduction in its width from 3.7m to 3.17m.
10. The chimney is detailed to be brick clad. This would then feature a detailed dentil course, in matching brick, with artstone capping above. These materials are considered to reflect that of the wider development and as such allow the lift shaft or faux chimney to integrate well within the building.
11. Given the increase in size of the proposed chimney, the external brick cladding is detailed to have a central 0.4m visual break, to all four elevations. This would provide an element of visual relief, creating the appearance of two smaller

chimneys from the wider street scene, as opposed to one large brick mass above the building. It is noted however that this break in the cladding would allow for the dark grey finish for the as built lift shaft below to appear visible. This would however be setback from the brick cladding and at street level would not be particularly visible or readable as anything other than a break in the brickwork. It is also considered that this would be read in conjunction with the wider roof form. This is considered to be an appropriate solution and would be reflective of the character and appearance of the application site.

12. To the rear western elevation of the care home a single access door was approved. The access door was previously designed to feature a decorative brick built archway above. The applicants seek permission to retain a brick built header above this door in lieu of the previously approved archway. The proposed header would be of the same size, style and material as that of the window opening sited above, at first floor level; and as found elsewhere within the care home. This alteration is therefore considered to be acceptable.
13. For these reasons, subject to the attachment of a condition requiring the development to be carried out in accordance with the approved plans, which include details of the proposed materials, the proposal is considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF.

### **Residential Amenity:**

14. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
15. 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.

### Overlooking

16. The proposed alteration to the ground floor opening sited within the sites west facing side elevation would relate to brickwork detailing above an existing opening, approved under the former approval on site reference: 83048. The opening would not be made any larger in size when compared to the previous approval on site and the proposed alterations would relate solely to the brickwork above the opening. Any such alteration within this area is therefore not considered to give rise to any new overlooking concerns.

17. No further alterations to any of the homes openings are proposed as part of this variation application and as such the works hereby proposed are not considered to give rise to any new overlooking concerns.

#### Visual intrusion and Overbearing

18. The alterations to the chimneys are considered to be acceptable and would not result in any overbearing impact on neighbouring residential properties. Whilst it is noted that the retained chimney would increase in height, the wider building would however remain as approved.

#### Loss of light

19. The alterations to the proposed care home as assessed above, given their scale and nature, are not considered to result in any undue loss in light or result in undue overshadowing for the neighbouring residential properties.
20. It is therefore considered that the amendments sought would not have any adverse impact upon the level of amenity currently enjoyed by neighbouring land users.

#### **Access and Car Parking:**

21. The application proposals would not see the creation of any additional bedrooms within the approved care home, nor would the proposals have a bearing upon the sites existing parking layout, access or servicing arrangements. All such details are to remain as approved under the previous consent on site, reference 83048. As such the proposed development is not considered to result in any new highway or public safety concerns.
22. As such the proposed development is considered to be acceptable in highway terms and is considered to be in line with policy L4 of the TBC Core strategy and the relevant sections of the NPPF.

#### **Planning Obligations**

23. The development would not see the creation of any additional floor space within the site and as such the proposed works would not be liable for the Community Infrastructure Levy.
24. No other planning obligations are required.

#### **Conclusion:**

25. In view of the above considerations, with respect to Section 73 of the Town and Country Planning Act (1990) (as amended) the development proposals which



would see condition 3 of planning permission reference 83048/FULL/14 varied are considered to be acceptable. The variation would see external alterations to the approved development, which subject to conditions, is considered to be of an acceptable form and is considered to be in compliance with policies L4 and L7 of the TBC Core strategy and the relevant sections of the NPPF.

## **RECOMMENDATION**

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

- 1) The premises to which this permission relates shall be used as a residential care home for the elderly with a maximum of 57 bedrooms and for no other purpose (including any other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Other uses within the same Use Class may have a detrimental effect on the neighbourhood and the restriction to the use proposed will enable the Local Planning Authority to consider any further change of use on its merits, having regard to Policy L7 of the Trafford Core Strategy.

- 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Drawing No. P01 Existing Site & Location Plan; Drawing No. P05 Rev.C Proposed Floor Plans; Drawing No. A200 (10) 201-1 Rev. C7 – as submitted to the Council on 05/04/2017 Proposed Elevations and Drawing No. 02 – as submitted to the Council on 08/03/2017 Landscape proposals.

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

- 3) Notwithstanding the details on the approved plans:
  - (a) The fencing or other works which are part of the tree protection scheme approved by application reference (86222/CND/15) shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity to the area, having regard to Policies L7, R2 and R3 of the Trafford Core Strategy.

- 4) (a) The landscaping works as approved under application reference number 86222/CND/15 (plan numbers (3230.03C, 3230.14 and 3230.15) shall be

implemented within 12 months from the date when any building or other development hereby permitted is occupied.

(b) 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 having regard to Policies L7, R2 and R3 of the Trafford Core Strategy.

- 5) Upon first installation, the proposed windows in the first and second floor of the stairwell on the south-east elevation and the first and second floor windows of the stairwell on the western elevation of the development hereby permitted shall be:

a) fixed shut, unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed; and shall be retained as such thereafter; and

b) fitted with and thereafter retained at all times in obscure glazing (which shall have an obscurity rating of not less than 4 in the Pilkington Glass Range or an equivalent obscurity rating and range)

Reason: To protect the privacy and amenity of the occupants of the adjacent dwelling-houses, having regard to Policy L7 of the Trafford Core Strategy.

- 6) The Travel Plan as approved by application reference 86222/CND/15 shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation of the development.

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.

- 7) Prior to the first occupation of the building hereby permitted, the bin store as approved by application reference 86222/CND/15 (Drawing No:A900(20901)) shall be implemented in full on site and retained thereafter.

Reason: To ensure satisfactory arrangements are in place for the disposal of refuse (including recyclables) in accordance with Policy L7 of the Trafford Core Strategy.

- 8) Prior to the first occupation of the building hereby permitted, the Cycle/Motorcycle as approved by application reference 86222/CND/15 (Drawing Ref: 17.07.2015) shall be implemented in full on site and retained thereafter.

Reason: In order to encourage the use of sustainable modes of transport, having regard to Policies L4 and L7 of the Trafford Core Strategy.

- 9) Prior to the first occupation of the building hereby permitted, all areas for the movement, loading, unloading and parking of vehicles shown on the approved plans shall be provided and shall be made available for those purposes at all times when the premises are in use; notwithstanding the provisions of any General Development Order, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

Reason: To ensure that satisfactory provision is retained 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.

- 10) The parking layout as approved under 86222/CND/15 (SDP plan (Drawing Ref: 17.07.2015) shall be implemented in full on site and permanently retained as such.

Reason: In the interests of residential amenity having regard to Policies L4 and L7 of the Trafford Core Strategy.

- 11) Before the development hereby approved is first brought into use, the existing redundant vehicular crossings from Ashlands shall have been permanently closed and reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and visual amenity and in accordance with Policies L4 and L7 of the Trafford Core Strategy.

- 12) The development shall be constructed and occupied in accordance with details as approved in application 86222/CND/15. The development hereby approved shall not be occupied or brought into use until the Local Planning Authority has acknowledged in writing that it has received written confirmation that such measures have been included in the completed development.

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

- 13) Prior to the first occupation of the building hereby permitted, the Privacy screen as approved by application reference 86222/CND/15 (Drawing No. A400 (20) 401) shall be implemented in full on site and retained thereafter.

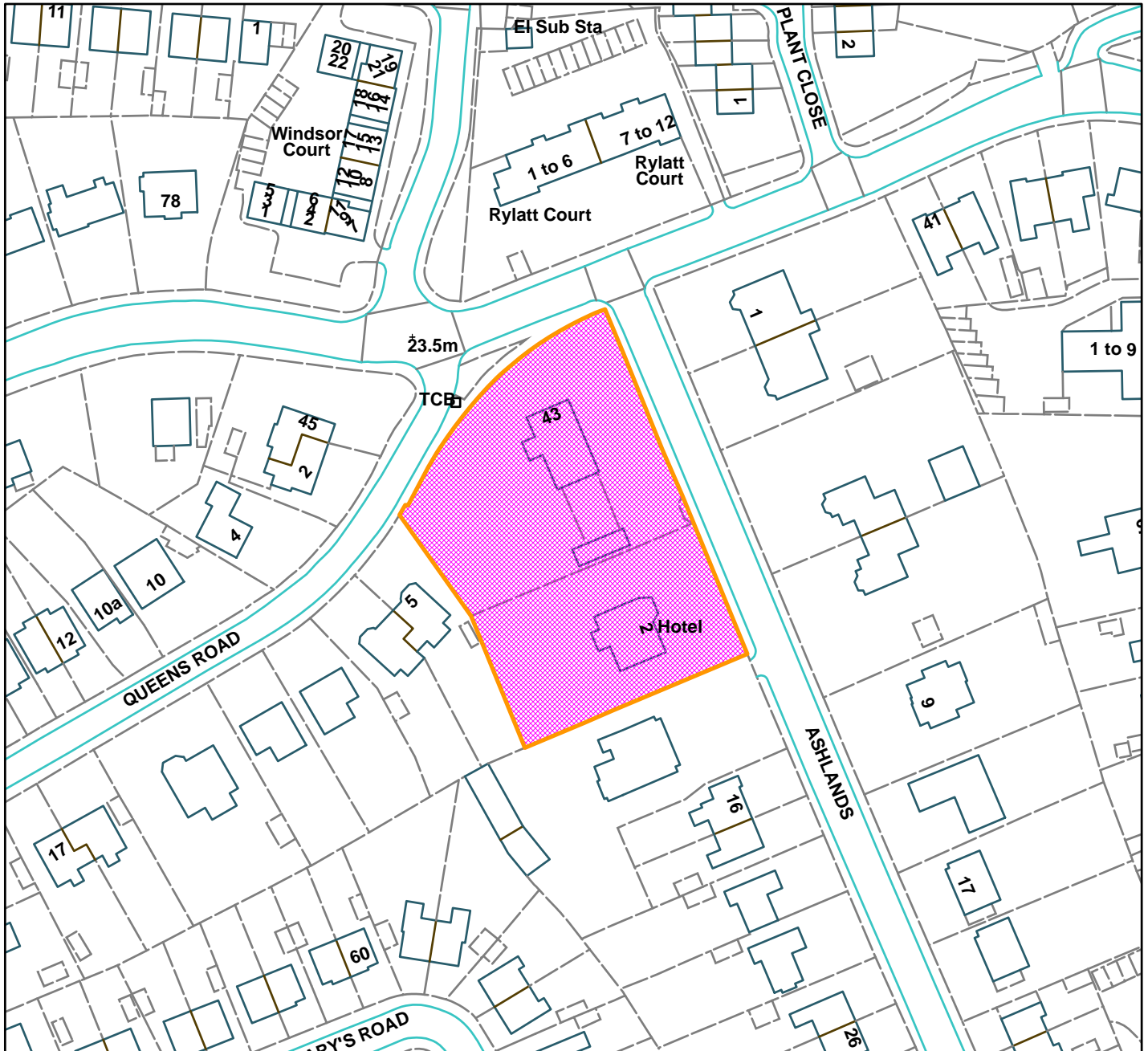
Reason: In the interests of residential amenity having regard to Policy L7 of the Trafford Core Strategy.

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**IG**



2 Ashlands & 43 Ashton Lane, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/05/2017
Date	27/04/2017
MSA Number	100023172 (2012)

**WARD:** Longford

**90364/HHA/17**

**DEPARTURE:** No

**Erection of single storey rear extension including raised decking and rendering with other external alterations to side elevation.**

**29 Kenwood Road Stretford M32 8PS**

**APPLICANT:** Tom Allen

**AGENT:** Simon Jewell

**RECOMMENDATION: GRANT**

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**Councillor Duffield has requested that this application be determined by the Planning and Development Management Committee for reasons set out within the report.**

### **SITE**

The application relates to a two storey semi-detached red brick dwelling sited on Kenwood Road; situated within a residential area, the site has properties of a similar style and type sited to all sides. The property has hardstanding and garden to the front, lined by a 0.5m high wall. The common boundary with No. 27 Kenwood Road consists of 1.4m high hedging to the front which increases to 1.8m high fencing along the side and rear. The common boundary with No. 31 Kenwood Road consists of hedging of at least 1.8m in height. The applicant property and No. 27 both have existing single storey rear extensions and detached garages and No. 31 has an existing single storey rear element and conservatory.

### **PROPOSAL**

Planning permission is sought for the erection of a flat roofed white rendered single storey rear extension with an element of timber cladding on the rear elevation together with raised decking / steps to the rear with other external alterations to the side elevation.

The rear extension will project 4.6m from the rear elevation of the host dwelling, 2.4m from the common boundary with No. 27 and 0.15m away from the common boundary with No. 31. Additionally the extension will project 3.15m beyond the ground floor living room patio doors in both the host dwelling's and No. 31's existing single storey rear elements. The extension would be 3.6m in height with a flat roof.

The raised decking will be 0.5m high and will incorporate steps that will project 0.8m beyond the proposed extension.

The existing kitchen window within the side elevation of the existing property will be replaced with WC and utility room windows.

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

## **DEVELOPMENT PLAN**

**For the purpose of this application, the Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

## **SUPPLEMENTARY PLANNING DOCUMENTS**

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

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

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

## **RELEVANT PLANNING HISTORY**

None

## **CONSULTATIONS**

None.

## **REPRESENTATIONS**

**Neighbours** – Five representations from the same neighbouring resident were received and contain the following:

- Loss of light and warmth to No. 31's ground floor living room doors
- Overbearing impact and overshadowing upon the rear garden of No. 31
- Would have an adverse impact on existing planting and make full maintenance of the boundary fence impossible (*the latter point regarding the fence is not a planning consideration*)
- The extension does not comply with the SPD4 with reference to section 3.4
- The design is not in-keeping with the applicant property
- Devaluation of No.31 (*This is not a planning consideration*)

A councillor has raised concerns on the same grounds as above.

The above comments will be referenced in the Observations below.

## **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. Paragraph 2.2.3. of SPD 4 states that contemporary design can be acceptable as long as it is appropriate and responsive to the character of the property and the surrounding context. It is acknowledged that the proposal is of a contemporary design and finish and therefore does not try to replicate the architectural style of the host dwelling and incorporates a defined juxtaposition between the proposed extension and the original property. The proposed development includes the use of a flat roof, inset bi-folding doors within the rear elevation and a mix of materials including white render and timber cladding to the elevations; a single ply membrane to the roof; and aluminium framed double glazed doors. The proposed materials are considered to be of a high quality in principle, which will contrast with the red brick of the host dwelling.
3. The proposed rear extension will be single storey in height and will be built to the rear of the property, thus not being visible from the street scene. The extension is considered to be of an appropriate design and proportions and would not negatively affect the street scene or character of the surrounding area, complying with policy L7 of the Trafford Core Strategy.
4. The proposed works are considered appropriate in relation to the host property 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**

5. 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.



6. The main concern raised by the neighbouring and councillor's objection letters is the proposed extension's impact upon the rear elevation and habitable ground floor window and rear garden at No. 31 Kenwood Road.
7. Section 3.4 of SPD4 relates to single storey rear extensions. Normally extensions should not project more than 3m close to a shared boundary, to avoid overshadowing or being physically dominant upon neighbouring residents and properties. This projection can be increased by an amount equal to the distance from the side boundary. The proposed extension will project 4.6m from the main rear elevation of the host dwelling and will be 2.4m from the common boundary with No. 27 and 0.15m from the common boundary with No. 31.
8. The proposed 4.6m projection is acceptable in terms of its distance from No. 27 Kenwood Road.
9. No. 31 has an existing single storey rear element built along the common boundary, matching that of the host property, which projects 1.45m. Due to this element the acceptable 3m projection set out within the guidance within SPD4 can be measured from these rear elevations/the living room French doors. Therefore the existing rear element of 1.45m plus the 3m set out in the guidance, plus the 0.15m from the common boundary comes to an overall acceptable projection of 4.6m, matching that of the proposed extension. Therefore, taking into account the projection of the neighbour's existing extension, it is considered that the proposed extension is acceptable in terms of the SPD4 guidelines. It is recognised that the extension is positioned to the south-west of the neighbouring property and will therefore have some limited impact in terms of sunlight later in the day. However, given the compliance with the SPD4 guidelines in terms of projection, it is considered that there would not be an unacceptable loss of light or unacceptable overbearing impact to neighbouring habitable room windows / doors or to the patio / garden area.
10. There are no directly facing habitable room windows at a distance less than 21m to the rear of the property and therefore no unacceptable overlooking will be introduced to properties at the rear. The raised decking will be 0.5m above ground level, with the main decking area being screened either side by the proposed extensions side elevations. The proposed steps will project 0.8m beyond the extension itself and, given this limited depth and the fact that the decking would be stepping down in height at this point, it is therefore considered that the use of this raised decking area will not introduce any unacceptable overlooking or loss of privacy to neighbouring residents, overall complying with SPD 4.
11. The replacement of the existing kitchen window within the side elevation of the existing property with WC and utility room windows will not introduce any unacceptable impact upon neighbouring amenity due to their non habitable room status and ground floor level.

12. Therefore the proposal would not have an unacceptable impact upon neighbouring amenity and would comply with Policy L7 of the Trafford Core Strategy.

### **PARKING PROVISION**

13. The proposed development does not introduce any additional bedrooms or remove any existing parking provision and is therefore in accordance with the SPD3 parking standards.

### **DEVELOPER CONTRIBUTIONS**

14. No planning obligations are required.

### **CONCLUSION**

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

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers KR/Pr/001, KR/Pr/002, KR/Pr/003, KR/Pr/004, KR/Pr/005 and KR/Pr/006 and KR/Pr/008

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

3. The development hereby permitted shall be constructed entirely of the materials details which are shown on plan No's KR/Pr/003, KR/Pr/004 and KR/Pr/005.

Reason: To ensure that the appearance of the development is acceptable, 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 National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), the flat roof area of the extension hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets

or other means of enclosure shall be provided on that roof unless planning permission has previously been granted for such works.

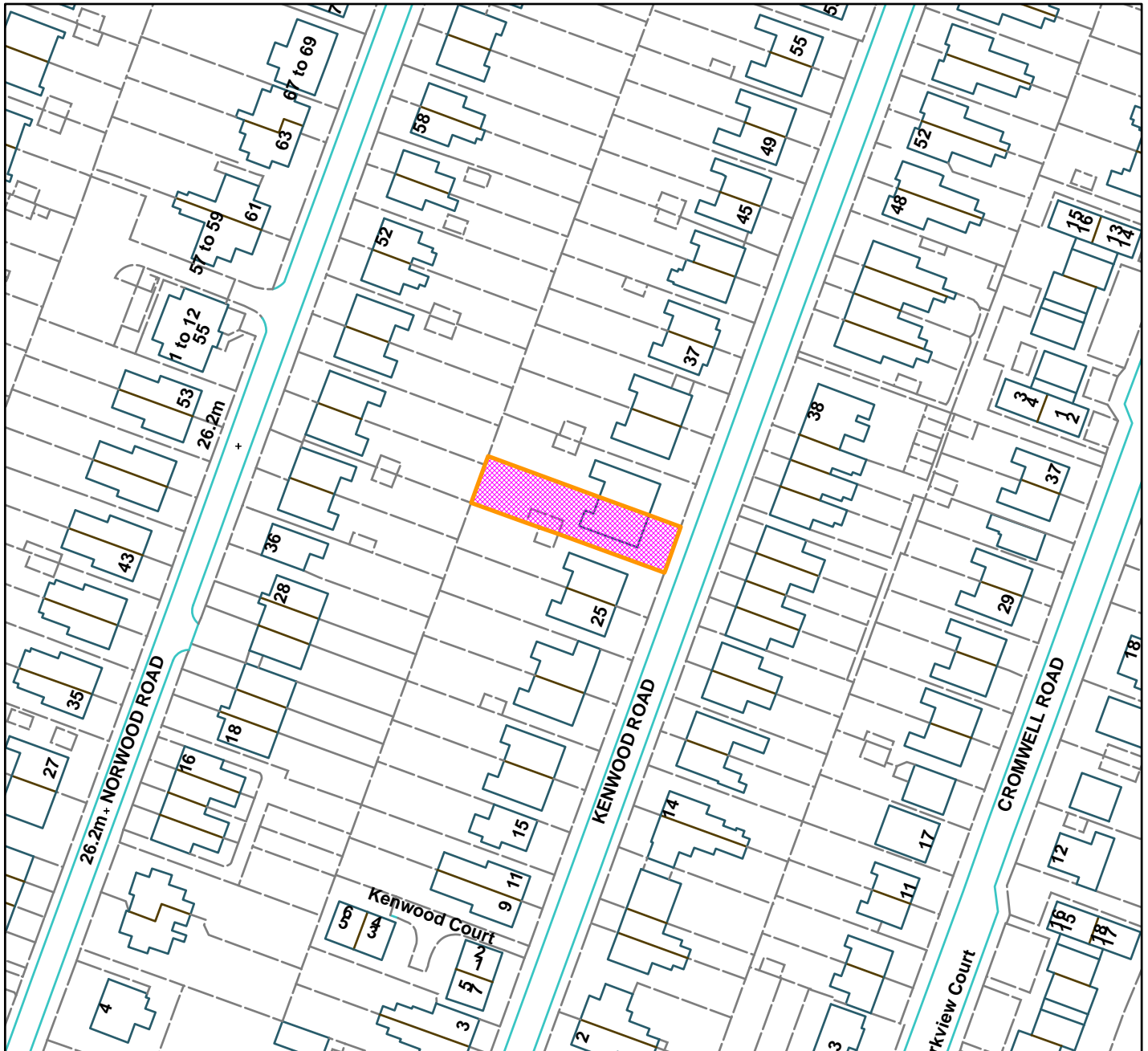
Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouses, having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the National Planning Policy Framework

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PDS



29 Kenwood Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/05/2017
Date	27/04/2017
MSA Number	100023172 (2012)

**WARD:** Village

**90415/HHA/17**

**DEPARTURE: No**

**Erection of two storey rear extension.**

54 Briarfield Road, Timperley, WA15 7DB

**APPLICANT:** Mr Simpson

**AGENT:** Mr Harper

**RECOMMENDATION: GRANT**

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**The planning application has been referred to the Planning and Development Management Committee as it has received objections from more than 6 separate addresses.**

**SITE**

This application relates to a two storey semi-detached property of regular configuration on the west side of Briarfield Road. As each pair of semi-detached properties on this side of Briarfield Road have staggered front elevations, to accommodate the curvature of the road, as a consequence the application property is positioned approximately 7m forward (eastwards) of the property to its north, No.52. As such the rear elevation of the application property is also forward of the front elevation of the same neighbour by approximately 1.6m. No. 56, to the south, is the adjoining semi-detached property and its original front and rear elevations are therefore flush with the application property.

No.52 Briarfield Road has 3no. windows at ground floor level within its southern/side elevation that face the rear garden of the application site and are behind a 1.4m high boundary fence. The adjoining property, No.56, has a conservatory to its rear that has a maximum projection of approximately 2.5m and sits behind the boundary fence that is approximately 1.4m high with a trellis above. An external seating area with an open canopy is to its rear.

The rear boundary is another fence approximately 1.8m in height (inclusive of trellis), with mature trees within the rear gardens of the properties to the rear that front onto Longfield Avenue. No. 57 Longfield Avenue backs onto the application site and has a rear garden that is between 14m and 16m in length.

**PROPOSAL**

The applicant proposes the erection of a two storey rear extension that would project 3.4m beyond the main rear wall of the property. The proposed northern/side elevation would be aligned with the side wall of the existing dwelling, maintaining a separation distance of approximately 2m between it and the northern boundary with No.52. The southern side elevation would be set in by 0.9m from the southern boundary with No.56.

The proposed development would have an eaves height of approximately 4.9m to match the host dwelling, with a hipped roof with ridge height lower than the existing property by approximately 0.9m. The external materials used in the construction of the extension are to be similar to the existing building.

The increase in floor space of the proposed development would be 48.98m<sup>2</sup>.

### Value Added

The proposals have been amended on the advice of officers which have resulted in the extension being set in from the common boundary with 56 Briarfield Road by 0.9m, the projection being reduced from 4.0m to 3.4m, and a reduced hipped roof and eaves height.

### **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.

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

L4 – Sustainable Transport and Accessibility  
L7 – Design

### **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD4: A Guide for Designing House Extensions and Alterations  
SPD 3: Parking Standards and Design

### **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**

None

## **CONSULTATIONS**

**LHA** - States that the existing grassed frontage to the property is large enough to be converted to hardstanding to accommodate two parking spaces, whilst maintaining an area of front garden; representing an improvement to the existing situation by creating adequate off-street parking. No objections are therefore raised subject to adequate drainage facilities or permeable surfacing is provided to ensure localised flooding does not result from these proposals.

Also advises that there is also the need to gain further approval from Trafford Council's Streetworks Section for the construction, removal or amendment of a pavement crossing under the provision of section 184 of the Highways Act 1980.

## **REPRESENTATIONS**

**Neighbours** – 11 representations objecting to the application have been received from 8 separate addresses. The concerns raised are as follows:

- The proposed development is too large, out of character with the area and would increase the size of the property by 80%
- Loss of privacy
- The development would be an eyesore
- Increase in car parking pressures in the local area
- Land to the rear of the property is prone to flooding
- Loss of light to kitchen window of 52 Briarfield Road
- The row of houses suffer structural problems and the development could cause damage to neighbouring properties during construction.
- Impact on property values

## **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 proposed extension would be built at the rear of the host dwelling, but as the dwelling is set forwards of No.52, the development would nevertheless be partially visible within the streetscene when approaching from the north. The proposed extension would be no taller than the existing property and the eaves height of the extension would correspond with the host dwelling. As such the proposed extension would not appear overdominant and would assimilate well into the existing street scene.
3. The proposed works are considered appropriate and in keeping with the host property and would not result harm to it character and appearance. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy.

#### RESIDENTIAL AMENITY

4. 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.
5. Section 3.4.3 of SPD4 relates to two storey rear extensions. Normally, such extensions should not project more than 1.5m close to a shared boundary. If extensions are set away from the boundary by more than 15cm, the projection can be increased by an amount equal to the extra distance from the side boundary. Therefore as there is a 0.9m separation distance provided between the proposed two storey rear extension and the southern/side boundary shared with No.56, the guidelines would allow a projection of 2.4 metres at first floor level. Also in accordance with the guidance in SPD4 a projection of 3.9m would be acceptable at ground floor level (3.0m plus the distance to the boundary).
6. The extension would project less than the 3.9m allowable at ground floor level under the guidelines. In terms of the first floor window above this, normally, a projection of 2.4m would be appropriate. However, in these circumstances, a projection of the size proposed is considered to be acceptable. This is because impact on the first floor window from these proposals would be no greater than that which would be experienced at ground floor level from a single storey extension projecting 3.0m plus the distance from the boundary (i.e. 3.9m).



7. Figure 10 in SPD 4 identifies the recommended separation distance between rear first floor habitable room windows and rear boundaries to be 10.5m; and 21m as a recommended interface distance between principal elevations of dwellings that back onto one another. The separation distance between the proposed development and the rear boundary at its closest point has been measured as being 14m, with approximately 30m being provided between the main rear elevations of the application property and the property to its rear, 57 Longfield Avenue. These separation distances are considered to be in excess of the recommended minimum distances to comply with the relevant guidance within SPD4 and therefore considered not to create an overdominant form of development that would be detrimental via the extension's size, scale and massing, or cause overlooking or loss of privacy to the detriment of the occupiers of 57 Longfield Avenue or its adjacent neighbours to the rear.
8. Officers noted a habitable room window serving a kitchen on the ground floor side elevation of No. 52 Briarfield Road to the north of the application site. The remaining two openings at ground floor level are obscure glazed. The main side/southern elevation of this property containing these windows is approximately 2m from the boundary shared with the application site which is marked by a 1.4m high fence. The proposed rear extension would be visible from this kitchen window.
9. Guidance contained within paragraph 2.16.1 of SPD4 A Guide for Designing House Extensions & Alterations states that "*An extension positioned too close to a boundary, may cause a loss of sunlight and/or daylight to a neighbour's window or garden. An extension that would overshadow your neighbour to an unreasonable extent would not be considered acceptable*". The proposed development would project 3.4m from the rear main wall of the property and have its side elevation aligned with the side wall of the host building, approximately 2m from the common boundary with No. 52 and approximately 4m from the elevation with the habitable room window within it. The amended plans received have reduced the projection by 0.6m to ensure that the extension would align with the western side of the window but would not project in front of it.
10. The 2m distance between the extension and the common boundary with no. 52 to the north would mean that any rearward projection which may have an impact on this neighbouring property (a minimum of 2.4m plus 2.0m) would be well in excess of the projection proposed.
11. Having carefully considered the circumstances of this case, it is therefore considered that there would not be an overbearing or overshadowing impact from the proposals which would be of detriment to the amenity of neighbouring properties. Therefore in regards to amenity, the proposals are acceptable and as such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy and supplementary guidance contained within SPD4: A Guide for Designing House Extensions & Alterations (2012).

## PARKING AND HIGHWAY SAFETY

12. There is currently no off-street car parking provision at the property. However, the proposed extension would not result in any increase in the number of bedrooms and would therefore not result in any need for additional parking provision, having regard to the Council's adopted SPD3 parking standards.

## OTHER ISSUES

13. The impact on property values if planning permission for the development is granted is not a material planning consideration.

## DEVELOPER CONTRIBUTIONS

14. The floorspace of the extension would be less than 100 square metres (48.98 cubic metres) and the proposal is not CIL liable.

## **CONCLUSION**

15. The proposal accords with the development plan and would not result in harm to the character and appearance of the local area through a loss of spaciousness and is considered to be acceptable in design terms. In addition, the proposal would not lead to an unacceptable impact on amenity to nearby dwellings through loss of light, undue overlooking or from being overbearing. The proposal is therefore acceptable with reference to Policy L7 of the Core Strategy and is recommended for approval, subject to the below conditions.

## **RECOMMENDATION**

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans 1080/L301rev2, 1080/L200rev3, 1080/L101rev3 and submitted 1:1250 red edged plan.

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.

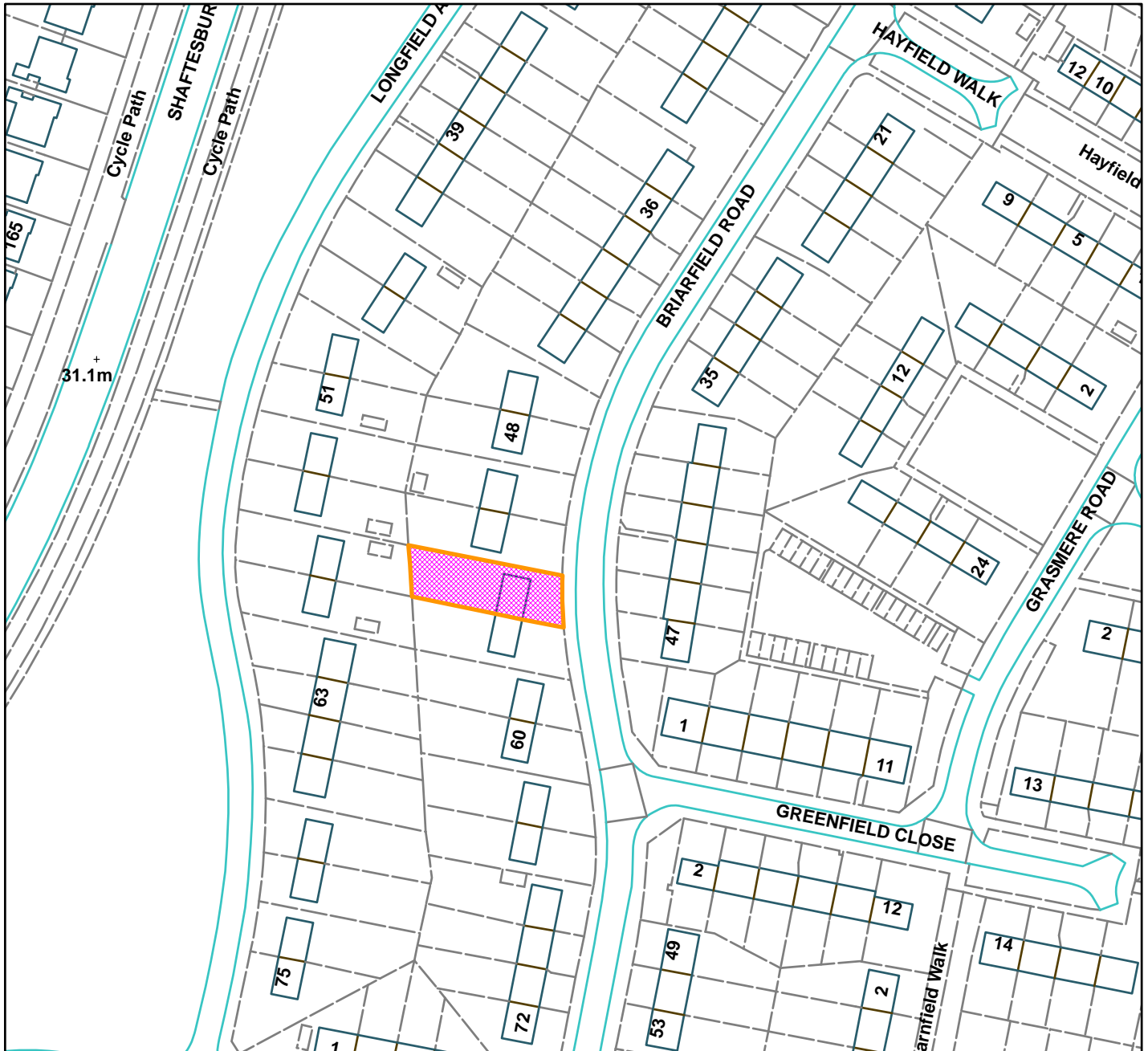
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

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GD



54 Briarfield Road, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/05/2017
Date	27/04/2017
MSA Number	100023172 (2012)

## TRAFFORD COUNCIL

**Report to:** Planning and Development Management Committee  
**Date:** 11 May 2017  
**Report for:** Information  
**Report of:** Head of Planning and Development

### Report Title

**Section 106 and CIL Update: April 2016 – March 2017**

### Summary

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

### Recommendation

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

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

Name: Sarah Stansfield  
Extension: 1484

#### **1.0 Introduction**

- 1.1 The Community Infrastructure Levy (CIL) was created under the terms of the Planning Act 2008, and established a new system for collecting developer contributions, charged on a pounds (£) per square metre basis, to fund essential infrastructure. Trafford's Community Infrastructure Levy (CIL) was implemented on 07 July 2014.
- 1.2 Although the mechanism for securing contributions to deliver infrastructure to support growth has changed, there remain a large number of existing signed Section 106 agreements (S106) that require on-going monitoring. Going forward, although the number of new legal agreements will be reduced, S106s will continue to be used to secure site-specific mitigation and the provision of affordable housing.
- 1.3 This report details S106 and CIL activities over the period 01 April 2016 to 31 March 2017, together with contextual and historic information.

## 2.0 S106 update

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

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

2.2 The amount of S106 contributions received to date and the amounts spent or committed to schemes is summarised in table 1 below. The financial year end figures are based on the draft outturn position for 2016/17 and are a provisional position that may be subject to small changes.

2.3 Overall contributions of around £20.7m have been received to date. Of this, £9.8m has been spent, and circa £2.02m is committed to schemes in the Capital Investment Programme. Of the balance available, approximately £3.7m has been earmarked to delivering the Metrolink expansion, and feasibility work is ongoing to commit the remainder to appropriate infrastructure projects in line with the requirements of the legal agreements.

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

	Open Space/ Outdoor Sports £000	Education £000	Red Rose Forest £000	Affordable Housing £000	Highways £000	Public Transport £000	Total £000
<b>Amounts Received</b>							
Pre 2012	2,699	0	359	1,224	2,621	3,878	<b>10,781</b>
2012/13	358	101	143	534	326	718	<b>2,180</b>
2013/14	407	22	40	0	1,059	374	<b>1,902</b>
2014/15	212	63	95	0	1,695	1,000	<b>3,065</b>
2015/16	197	231	271	284	130	413	<b>1,527</b>
2016/17	872	68	72	0	87	181	<b>1,281</b>
<b>Total Received</b>	<b>4,745</b>	<b>485</b>	<b>980</b>	<b>2,042</b>	<b>5,920</b>	<b>6,564</b>	<b>20,736</b>
<b>Amounts Applied</b>							
Less Already used	(2,975)	(167)	(343)	(984)	(3,561)	(1,804)	<b>(9,832)</b>
Less Committed	(773)	(171)	(12)	(0)	(1,004)	(71)	<b>(2,019)</b>
<b>Balance Available</b>	<b>997</b>	<b>147</b>	<b>625</b>	<b>1058</b>	<b>1,355</b>	<b>4,689</b>	<b>8,883</b>

2.4 In addition to the monies shown above, a further £0.04m has also been received in respect of developer contributions paid in advance, but this can only be committed to capital projects once development commences.

- 2.5 It should be noted that prior to February 2012, there was no requirement for contributions to be secured to support the provision of education facilities, this was introduced with the adoption of a new Supplementary Planning Document on Planning Obligations at the time (SPD1).
- 2.6 SPD1 was further revised and adopted in July 2014 to support the introduction of CIL. The SPD provides greater clarity for when the use of S106 legal agreements will be appropriate to mitigate the negative impacts of development, as there should be no circumstances where a developer is paying CIL and S106 for the same infrastructure in relation to the same development
- 2.7 In addition to the figures set out in table 1, there are a number of outstanding S106 agreements where trigger points have not yet been met; as of 31 March 2017 (the reporting period) these amount to £29.5m. However following the decision regarding Metrolink at the end of March, this figure amounts to £18.0m. Caution is advised when considering these figures as there is no guarantee that developments which have planning permission will definitely come forward. However, these developments are continually monitored to ensure that as trigger points are met, appropriate action is taken to ensure that the provisions of the S106 are met.

### 3.0 Community Infrastructure Levy update

- 3.1 Between the introduction of Trafford's CIL on 07 July 2014 and 31 March 2017, CIL Liability Notices to the value of £3.7m have been issued for around 100 developments. CIL monies only become due after a development commences, so predictions about future income should be mindful of the fact that some planning consents never go on to be implemented.
- 3.2 The Council is now starting to see an increase in the amount of CIL monies coming in, as recently approved developments begin on site. Actual CIL monies received to date total £1.1m. As anticipated, monies received are starting to become more meaningful as more CIL liable developments commence development.

**Table 2: CIL monies received<sup>1</sup>**

	<b>Total Monies Received</b>	<b>Admin slice</b>	<b>Local slice</b>	<b>Strategic slice</b>
07-Jul-14 to 31-Mar-15	£5,060.00	£253.00	£759.00	£4,048.00
01-Apr-15 to 31-Mar-16	£297,568.23	£14,878.41	£43,570.76	£239,119.06
01-Apr-16 to 31-Mar-17	£806,659.50	£40,332.98	£120,888.77	£649,844.16
<b>Total</b>	<b>£1,109,287.77</b>	<b>£55,464.39</b>	<b>£165,218.53</b>	<b>£893,011.22</b>

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

<sup>1</sup> Note that where surcharges have been applied to payments in a financial year, the figures for the admin, local and strategic slices will not show 5%, 15% and 80% of the total monies received for each year. This is because monies received through surcharges are split between the admin and strategic slices as 5% and 95% respectively.

#### **4.0 Recommendation**

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