



**TRAFFORD
COUNCIL**

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

Date: Thursday, 8 July 2021

Time: 6.30 pm

Place: Stretford Public Hall, Chester Road, Stretford M32 0LG (attendance via registration only)

PLEASE NOTE: A link to the meeting can be found below:
<https://www.youtube.com/user/traffordcouncil/videos>

AGENDA	ITEM
1. ATTENDANCES	
To note attendances, including Officers and any apologies for absence.	
2. DECLARATIONS OF INTEREST	
Members to give notice of any Personal or Prejudicial Interest and the nature of that Interest relating to any item on the Agenda in accordance with the adopted Code of Conduct.	
3. MINUTES	
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 10 th June, 2021.	3
4. QUESTIONS FROM MEMBERS OF THE PUBLIC	
A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4pm two working days prior to the meeting. Questions must be within the remit of the Committee or be relevant to items appearing on the agenda and will be submitted in the order in which they were received.	

5. **ADDITIONAL INFORMATION REPORT**

To consider a report of the Head of Planning and Development, to be tabled at the meeting.

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

To consider the attached reports of the Head of Planning and Development, for the following applications.

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Applications for Planning Permission	
Application	Site Address/Location of Development
<u>97261</u>	Voltage Park, Manchester Road, Carrington, M31 4BR
<u>99487</u>	9 Bow Green Road, Bowdon, WA14 3LX
<u>103983</u>	22 Queens Road, Hale, WA15 9HE
<u>103984</u>	3 Fernlea, Hale, WA15 9LH
<u>104196</u>	44 Walton Road, Sale, M33 4AR
<u>104199</u>	Garricks Head Hotel, Moorside Road, Flixton, M41 5SH
<u>104793</u>	Firs Primary School, Firs Road, Sale, M33 5EL

7. **PROPOSED STOPPING UP OF A PART-WIDTH OF BRIAN STATHAM WAY, AS ADJOINS LANCASHIRE COUNTY CRICKET CLUB, AT STRETFORD IN THE METROPOLITAN BOROUGH OF TRAFFORD**

To consider the attached report.

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8. **PROPOSED STOPPING UP OF A PART-WIDTH OF HALL LANE AT PARTINGTON, IN THE METROPOLITAN BOROUGH OF TRAFFORD**

To consider the attached report.

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

Any other item or items which by reason of special circumstances (to be specified) the Chair of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

SARA TODD
Chief Executive

Planning and Development Management Committee - Thursday, 8 July 2021

Membership of the Committee

Councillors A.J. Williams (Chair), B. Hartley (Vice-Chair), A. Akinola, D. Bunting, D.N. Chalkin, L. Dagnall, W. Hassan, D. Jerrome, S. Maitland, M. Minnis, D. Morgan, S. Thomas and B.G. Winstanley.

Further Information

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

Michelle Cody, Governance Officer

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Email: michelle.cody@trafford.gov.uk

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Agenda Item 3

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

10th JUNE, 2021

PRESENT:

Councillor Hartley (In the Chair),
Councillors Acton (Substitute), Akinola, Bunting, Chalkin, Dagnall, Hassan, Jerrome,
Minnis, Morgan, Thomas and Winstanley.

In attendance: Head of Planning and Development (Ms. R. Coley),
Head of Major Planning Projects (Mr. D. Pearson),
Major Planning Projects Manager (Mrs. S. Lowes),
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),
Solicitor (Ms. J. Cobern),
Governance Officer (Miss M. Cody).

Also present: Councillors Brotherton, A. Western and Mrs. Young.

APOLOGIES

Apologies for absence were received from Councillors Maitland and Williams.

1. MEMBERSHIP OF THE COMMITTEE

RESOLVED: That the Membership of the Planning and Development Management Committee for the Municipal Year 2021/2022 be noted.

The Chair welcomed returning and new Members to the Committee.

2. APPOINTMENT OF SUB-COMMITTEE

Members of the Planning and Development Management Committee were asked to appoint the Town/Village Green Sub-Committee for the Municipal Year 2021/2022.

RESOLVED: That the Town/Village Green Sub-Committee be appointed comprising the Chair, Vice-Chair and Opposition Spokesperson or their nominees.

3. TERMS OF REFERENCE

RESOLVED: That the Terms of Reference for the Planning and Development Management Committee be noted.

4. MEETING DATES

RESOLVED: That the scheduled meeting dates for the Planning and Development Management Committee for the Municipal Year 2021/2022 be noted.

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5. DECLARATIONS OF INTEREST

Councillor Chalkin declared a Personal and Prejudicial Interest in Application 103983/HHA/21 (22 Queens Road, Hale), due to his involvement.

In respect of Application 103697/VAR/21 (Sale West Estate bounded by Firs Way, Cherry Lane, Woodhouse Lane and Manor Avenue), Councillor Bunting clarified that he was a non-voting Member of the Board for Our Sale West and confirmed he had not discussed or been involved with the Application.

The Head of Planning and Development declared a Personal Interest in Application 102054/FUL/20 (Clarendon Fields, Sale Sports Club, Sale) as an observer was known to her.

6. MINUTES

RESOLVED: That the Minutes of the meeting held on 13th May, 2021, be approved as a correct record and signed by the Chair.

7. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were submitted.

8. ADDITIONAL INFORMATION REPORT

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

RESOLVED: That the report be received and noted.

9. APPLICATIONS FOR PERMISSION TO DEVELOP ETC

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

<u>Application No., Address or Site</u>	<u>Description</u>
103697/VAR/21 – Sale West Estate bounded by Firs Way, Cherry Lane, Woodhouse Lane and Manor Avenue.	Application for variation of condition 2 on planning permission 100206/HYB/20 (Hybrid Planning Application for a) Application for outline planning permission including details of access for the regeneration of the Sale West Estate comprising residential development of up to 184 dwellings; replacement sports and community uses; provision of new and improved estate roads; parking; footpath closures; public realm and open space works; play areas; removal of and

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works to trees; and associated development thereto; and b) Application for full planning permission for the erection of 79 dwellings comprising works to existing and a new internal estate road, landscape works, resurfacing, reconfiguration and new parking provision, footpath closures and associated development thereto.) to allow for minor alterations to approved scheme including external changes to house types and landscaping proposals and minor reconfiguration of properties at Epsom Avenue to plots A1.1 to A1.8; plot A1.9; plots B1.5 to B1.14 and plots IE.1 and IE.2.

(b) Permission refused for the reasons now determined

<u>Application No., Address or Site</u>	<u>Description</u>
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[Note: At this point in the proceedings Councillor Bunting declared a Personal Interest in Application 102054/FUL/20, as an observer was known to him.]

[The Head of Planning and Development declared a Personal Interest in Application 102054/FUL/20, as an observer was known to her.]

102054/FUL/20 – Clarendon Fields, Sale Sports Club, Sale.	Creation of a new outdoor artificial hockey turf pitch with associated features including; perimeter and acoustic fencing (up to 3m in height) with netting to ends of pitch (additional 2m atop fencing), gated entrances, an artificial floodlight system, improvements to the adjacent natural turf pitch, bunds, swales, seating, picnic and play areas and new landscaping.
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(c) Application deferred

<u>Application No., Address or Site</u>	<u>Description</u>
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[Note: Councillor Chalkin declared a Personal and Prejudicial Interest in Application 103983/HHA/21, due to his involvement, he left the meeting during consideration of this item.]

103983/HHA/21 – 22 Queens Road, Hale.	Partial retrospective application for extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension
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and external alterations including reconfiguration of the roof to single storey outrigger (amendments to 100604/HHA/20).

[Consideration of Application 103983/HHA/21 was deferred due to there being an outstanding complaint against Officers involved with the Committee.]

10. APPLICATION FOR PLANNING PERMISSION 102286/FUL/20 – FORMER SALE MASONIC HALL, TATTON ROAD, SALE

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of Sale Masonic Hall and the erection of 29 apartments, with associated landscaping and amenity provision.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be refused for the following reasons:-

- (1) The proposed development by reason of its site coverage, height, scale, massing and layout would have a dominating and adverse impact on the street scene, fail to integrate with and complement neighbouring development, fail to make the best of the opportunity to improve the character and quality of the area and represent an overdevelopment of the site. The proposed development is therefore contrary to Policy L7 of the Trafford Core Strategy, the National Planning Policy Framework and the National Design Guide.
- (2) The proposed development would have a harmful impact on the amenity of existing residential properties and future occupiers of the proposed development by reason of:
 - (a) its proximity to existing windows serving residential properties on Tatton Road and Chapel Road which would result in significant overlooking and a unacceptable reduction in privacy for occupiers of these neighbouring properties; and
 - (b) the size of internal living space of the proposed apartments would not meet the nationally described space standards (NDSS) which would result in an unacceptable living environment for occupiers of the proposed development.

The proposed development would therefore be contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Planning Guidance 1: New Residential Development, the National Planning Policy Framework and the Technical Housing Standards.

- (3) The proposed development would not provide sufficient off-street car parking for occupiers of the development, including accessible car parking, which would result in:

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- (i) On-street car parking generated by the development and a level of harm to residential amenity which would not be mitigated by the proposed Traffic Regulation Order measures.
- (ii) A development that was not fully accessible and useable by all sections of the community.

The proposed development would therefore be contrary to Policies L4 and L7 of the Trafford Core Strategy, Trafford SPD3 Parking Standards and Design, the National Planning Policy Framework and the National Design Guide.

11. APPLICATION FOR PLANNING PERMISSION 103014/FUL/20 – 361 STOCKPORT ROAD, TIMPERLEY

The Head of Planning and Development submitted a report concerning an application for planning permission for the change of use of existing retail shop (Class E) to hot food takeaway (sui generis) and installation of ventilation/extraction equipment to rear of property.

RESOLVED: That Members are minded to grant planning permission for the development and in the event that no further representations are received by the 17th June 2021 that raise any new material considerations, that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development with the conditions now determined.

12. APPLICATION FOR PLANNING PERMISSION 103921/FUL/21 – LANCASHIRE COUNTY CRICKET CLUB, BRIAN STATHAM WAY, STRETFORD

The Head of Planning and Development submitted a report concerning an application for planning permission for the demolition of Red Rose Suite and seating; replacement with new hotel extension building and grandstand with associated facilities including museum, retail and ticket sales space, spectator seating and facilities; extensions to the existing hotel including a link structure; realignment of Brian Statham Way and associated public realm and landscaping works.

RESOLVED: That Members are minded to grant planning permission for this development and that the determination of the application hereafter be delegated to the Head of Planning and Development as follows:

- (i) To complete a suitable Legal Agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure £66,600 towards public realm works as part of the Strategic Processional Route.
- (ii) To complete an appropriate Legal Agreement to modify and/or discharge the Section 106 Agreement dated 2nd December 2015 in respect of planning permission reference number 85781/FUL/15 in order to enable the contribution paid under that agreement of £44,878 (Strategic Processional Route Contribution) to be used in combination with the aforementioned £66,600 to deliver the Strategic Processional Route.

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- (iii) To carry out minor drafting amendments to any planning condition.
- (iv) To have discretion to determine the application appropriately in the circumstances where a S106 Agreement and modification / discharge of the existing S106 associated with planning permission 85781/FUL/15 has not been completed within three months of the resolution to grant planning permission.
- (v) That upon the satisfactory completion of the above Legal Agreement(s) that planning permission be granted subject to the conditions now determined (unless amended by (iii) above).

13. PROPOSED STOPPING UP OF A LENGTH OF UNNAMED FOOTPATH CONNECTING TULIP ROAD AND THE REAR OF RUTLAND ROAD AND A LENGTH OF UNNAMED CONNECTING FOOTPATH AT PARTINGTON

A report was submitted advising Members of an Application made to the Secretary of State for Transport under S247 of the Town and Country Planning Act 1990 to stop up an area of highway in Partington to enable development to be carried out in accordance with planning permission granted under reference number 97897/FUL/19.

RESOLVED: That no objection be raised to the Application.

The meeting commenced at 6.33 pm and concluded at 8.47 pm.



PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 8th JULY 2021

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 on the Council's website.

TRAFFORD BOROUGH COUNCIL

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 8th JULY 2021

Report of the Head of Planning and Development

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

Applications for Planning Permission				
Application	Site Address/Location of Development	Ward	Page	Recommendation
<u>97261</u>	Voltage Park, Manchester Road, Carrington, M31 4BR	Bucklow St Martins	1	Minded to grant subject to Legal Agreement
<u>99487</u>	9 Bow Green Road, Bowdon, WA14 3LX	Bowdon	44	Grant
<u>103983</u>	22 Queens Road, Hale, WA15 9HE	Hale Central	64	Refuse
<u>103984</u>	3 Fernlea, Hale, WA15 9LH	Hale Barns	87	Grant
<u>104196</u>	44 Walton Road, Sale, M33 4AR	Brooklands	96	Grant
<u>104199</u>	Garricks Head Hotel, Moorside Road, Flixton, M41 5SH	Flixton	106	Grant
<u>104793</u>	Firs Primary School, Firs Road, Sale, M33 5EL	St Marys	123	Grant

Note: This index is correct at the time of printing, but additional applications may be placed before the Committee for decision.

Erection of five buildings for use within B8 (Storage & Distribution) comprising 62,442 sq. m GIA to provide flexible employment purposes with ancillary offices, car parking, landscaping, service yard areas, ancillary uses and associated external works and operational development including remediation and ground levelling works.

Voltage Park, Manchester Road, Carrington, M31 4BR

APPLICANT: BlackRock UK Property Fund

AGENT: Michael Sparks Associates

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

The application has been reported to the Planning and Development Management Committee due to the scale of the proposed development.

EXECUTIVE SUMMARY

Application 97261/FUL/19 seeks planning permission for the development of five warehouses (Use Class B8 – Storage and Distribution) with ancillary office use (circa 5% of the total floorspace), car parking, landscaping and service yard areas on the site known as Voltage Park. The application site is split into two parcels, A and B, as noted on drawing no. 30731-PL-200 A. The development of the five units is proposed on Parcel A, whilst Parcel B will be used for land remediation and storage of spoil, whilst the development takes place. Access to the site is proposed from Manchester Road.

The application site is a brownfield site, which was formerly used as a gas distribution and storage station. The site is located within a predominantly industrial area of Carrington, with the recently completed Carrington Gateway site and LyondellBassell site located to the north of the site and the Saica Paper Mill to the west.

The principle of the proposed development is considered to be acceptable (paragraphs 5 to 17) and complies with the policies contained in the Core Strategy and NPPF.

The proposed units, although large, are considered to be of an appropriate scale, design and appearance to the industrial nature of the area surrounding the site.

The proposed development will result in additional traffic on the local highway network and strategic road networks. Highways England have confirmed that the application is acceptable in terms of impact on the strategic road network subject to a condition requiring a Full Travel Plan to be submitted. In relation to the local highway network, as fully detailed in paragraphs 63 to 78 of this report, a developer contribution towards the

delivery of the Carrington Relief Road (CRR) is required. The applicant has confirmed that they will enter a S106 Agreement to provide a developer contribution of £1,568,006.04 towards the CRR. The proposed development is thus considered to comply with the policies contained in the Core Strategy and NPPF.

All other detailed matters have been assessed including land contamination, drainage, amenity, ecology, climate change and security. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition.

The scheme complies with the development plan, the starting point for decision making, and, is therefore recommended for approval subject to a S106 legal agreement to secure a developer contribution towards the delivery of the CRR.

SITE

The application site is approximately 26.6 hectares in area and has previously been in use as a gas distribution station and storage site with associated offices.

The application site is split into two development parcels, as noted on drawing no. 30731-PL-200 A. The proposed development is located within the boundary of Parcel A, whilst Parcel B will not accommodate any industrial or warehouse floorspace. Parcel B will not accommodate any industrial or warehouse floorspace as part of this development phase, but it has been included to allow for operational development to take place comprising remediation and to accommodate spoil arising from the development of the five warehouse units on Parcel A.

The development site comprises large areas of hardstanding and scrub vegetation, most of which is self-seeded. The existing buildings, most of which are redundant, are set back from Manchester Road. Within the site there are various pipelines and elements of infrastructure associated with the former use of the site as a gas distribution and storage station. The site is known to be contaminated.

To the north of the application site, on the corner of the northern side of Common Lane and Manchester Road, is the Carrington Gateway site which comprises six industrial units.

To the east of Carrington Gateway is a small site occupied by Welslot Fencing Ltd and a larger land holding occupied by LyondellBassell who operate an industrial operation on the site manufacturing polypropylene.

To the south, the site is bound by a former gas distribution station which is understood to comprise both redundant and working infrastructure. Medium and high pressure gas pipelines run through the site and are still in use. Beyond this is a disused, densely wooded railway embankment, which separates the site from Partington. The western boundary is formed by the A6144 Manchester Road and, beyond this lies the former Council Depot and the Saica Paper Mill. To the east of the site is Ashpodal Farm, and

derelict industrial land. To the east of the track serving Ashpodel Farm is open farmland.

This application site is currently accessed off Common Lane which is a public right of way. Common Lane is currently closed off to vehicles approximately 40 metres to the east of the existing access to the application site.

PROPOSAL

The proposed development seeks to provide five industrial warehouse buildings along with ancillary office accommodation and associated landscaping, car parking, service yards and external works. Within the site certain areas are excluded from the red line site boundary as they contain elements of infrastructure which are excluded from the application. The five units will provide a total of 62,442 m² of storage and warehouse floorspace with the following breakdown:

- Unit 1 – 9,882 sq m
- Unit 2 – 5,859 sq m
- Unit 3 – 7,096 sq m
- Unit 4 – 13,090 sq m
- Unit 5 – 26, 515 sq m

Access to the site is proposed off Manchester Road which then leads to an internal road network accessing all five units.

The units are large and have ridge heights of between 13.5 metres and 19 metres. The eaves heights for the proposed development range between 12 metres and 17 metres. In terms of design the proposed units are functional; however the proposed development incorporates design features, such as the use of darker sections of cladding, which seek to break up the mass and bulk of buildings. As part of the proposed development significant landscaping is proposed throughout the site.

Within the southern part of the site, there is an area of undeveloped land, this area will be utilised as a short term parking area for HGVs. HGV's will use this area to park should they have to wait to be able to access the units they are delivering to or picking up goods from.

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

SL5 – Carrington Strategic Location
 L3 – Regeneration and Reducing Inequalities
 L4 – Sustainable Transport and Accessibility
 L5 – Climate Change
 L6 – Waste
 L7 – Design
 L8 – Planning Obligations
 W1 - Economy
 R1 – Historic Environment
 R2 – Natural Environment
 R3 – Green Infrastructure

PROPOSALS MAP NOTATION

Priority Area for Regeneration
 Special Health and Safety Development Control Sub-Area
 Sites for reclamation

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV9 – Site of Importance for Nature Conservation
 E7 - Main Industrial Areas
 E15 - Priority Regeneration Area: Carrington
 D5 - Special Health and Safety Development Control Sub-Area

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the revised National Planning Policy Framework (NPPF) which was last updated on 19 February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 8 February 2021 and it is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

Application ref: H/OUT/71194

Description: Outline application (including details of access) for mixed employment development (use classes B1 and/or B2 and/or B8) with ancillary retail (use classes A1 and/or A3 and/or A5) and engineering works to create a replacement wildlife habitat.

Decision: Approved 22.10.2010

Planning application 94601/RES/18 relates to the recently completed site to the north of Common Lane:

Description: Approval of reserved matters (appearance, landscaping, layout and scale), pursuant to planning permission 88439/HYB/16 for the erection of six buildings for use within Use Classes B1b (Research and Development)/ B1c (Light Industrial)/ B2 (General Industrial)/ B8 (Storage or Distribution) comprising 218,884 sq ft (20,335 sq m), with ancillary offices, associated car parking, landscaping, and two electrical substations.

Decision: Approved 17.09.2018

APPLICANT'S SUBMISSION

The following documents have been submitted in support of the proposed development:

- BREEAM Pre-assessment
- Carbon Budget Statement
- Pre-Tender Construction Environmental Management Plan
- Crime Impact Statement
- Design and Access Statement
- Ecology Assessment
- Flood Risk Assessment and Drainage Statement
- Geo-Environmental Risk Assessment
- Green Infrastructure Strategy
- Heritage Impact Assessment
- Landscaping Proposals

- Preliminary Environmental Risk Assessment
- Sustainability Statement
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Tree Survey

CONSULTATIONS

Air Quality, Pollution and Housing – no objection subject to condition

Contaminated Land, Pollution and Housing – no objection subject to condition.

Environment Agency (EA) – no objection subject to condition

Electricity NW – no response received

Greater Manchester Archaeological Advisory Service (GMAAS) – no objection

Greater Manchester Ecology Unit (GMEU) – no objection subject to condition.

Health and Safety Executive – Do not advise against development

Highways England (HE) – no objection subject to condition

Local Highway Authority (LHA) – no objection subject to securing developer contribution towards the Carrington Relief Road and conditions.

Local Lead Flood Authority (LLFA) – no objection subject to condition

National Grid – no objection to the proposed development

Network Rail – no objection to the proposed development

Environmental Protection - Nuisance, Pollution and Housing – no objection subject to condition.

Peak and Northern Footpath Society – no response received

Ramblers Association – no response received

Transport for Greater Manchester – no comment.

Tree Officer, Trafford Council – no objection to the proposed development

United Utilities – no objection subject to conditions

REPRESENTATIONS

Three letters of representation have been received from representatives of HIMOR on the 6 June, 21 June and 19 July 2019 objecting to the proposed development on highways grounds. Concerns were raised with the submitted Transport Assessment, junction modelling, proposed mitigation measures and whether the submitted information had taken into account the full extent of the HIMOR planning permission. The representations outline that the application submission does not demonstrate that the proposed level of development would be acceptable without highway mitigation works and that they consider the proposed development would result in severe highways impacts.

OBSERVATIONS

CONTEXT

1. The application site forms part of a former gas works and experimental gas facility, which is understood to have been developed during the 1960's. Most of the buildings on the site associated with the former use of the site have been demolished over the past ten years, however a small number do remain on site and these are located predominantly in the west of the site. Areas of hardstanding are extensive across the site and a reservoir is present at the eastern end of the site.
2. Some elements of National Grid infrastructure remain within the wider site, however these areas are excluded from the planning application, as seen on the 'Land Parcel Plan' no. 30731-PL-200 A.
3. The Trafford Core Strategy notes that for some time Carrington has been seen as a sub-regional asset, with the capability of providing much brownfield land for economic regeneration, but due to its isolation large scale economic regeneration has not proceeded. Historically, Carrington was designated a Priority Area for Regeneration and a Main Industrial Area in the Trafford Unitary Development Plan, proposed for new and replacement employment development and associated infrastructure. More recently consideration has been given to what opportunities could exist for creating a more mixed use sustainable community and the Core Strategy identifies Carrington as a Strategic Location for major mixed-use development, providing a new residential community, together with employment, educational, health and recreational facilities. This will be supported by substantial improvements to both public transport and road infrastructure. The full extent of the application site is within the Carrington Strategic Location (SL5).
4. Policy SL5 of the Core Strategy states the Council considers that this Location can deliver the following:

- 1,560 residential units comprising, predominantly, accommodation suitable for families;
- 75 hectares of land for employment activities;
- New road infrastructure to serve the development area to relieve congestion on the existing A6144;
- Significant improvements to public transport infrastructure by improving access to Partington, the Regional Centre and Altrincham with links to the Metrolink system;
- Community facilities including convenience retail, school provision, health and recreational facilities of a scale appropriate to support the needs of the new community; and,
- High quality green infrastructure within the new community and connects with the surrounding open countryside and protects and enhances the existing sites of environmental importance.

PRINCIPLE OF DEVELOPMENT

5. S38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
6. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that some policies, including those controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. However, other relevant policies remain up to date and can be given full weight in the determination of this application. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
7. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
8. Policies relating to the economy, sustainable transport and accessibility, design and amenity, and the Carrington Strategic Location are considered to be 'most important' for determining this application when considering the application against NPPF paragraph 11, as they control the principle of the development and are most relevant to the likely impacts of the proposed development on the surrounding area:
 - Policy W1 is considered to be compliant with the NPPF and therefore up to date. W1 seeks to facilitate the continued modernisation and revival of industrial and commercial activity through the release of sufficient land.

Policy W1 identifies a range of sites for a variety of employment uses, including the Carrington Strategic Location.

- Policy L4 recognises the importance of improving accessibility to building sustainable communities and creating a competitive and efficient labour market within the sub-region. Policy L4 is considered to be out-of-date in some respects as for example the NPPF sets a higher bar than the policy to demonstrate that a development would have an adverse impact on the road network, but it is not considered that this should trigger the tilted balance.
- Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. Full weight can be afforded to this policy.
- Policy SL5 is, in relation to the delivery of employment land, considered to be up to date in respect of the Council's expectations for the delivery of development in the Carrington Strategic Location. Policy SL5 is considered to be compliant with the NPPF and significant weight should be afforded to it.

9. The policies which are most important for determining the application are therefore up-to-date and the 'tilted balance' referred to in NPPF paragraph 11(d)(ii) is not engaged.
10. With regards Paragraph 11(d)(i) of the NPPF, analysis later in this report demonstrates that there are no protective policies in the NPPF, including those relating to heritage assets and areas at risk of flooding, which provide a clear reason for refusing the development proposed.
11. The application should therefore be determined in accordance with the development plan unless material considerations indicate otherwise.
12. The place objectives for Carrington relevant to this application include policies CAO3 and CAO8 which seek to maximise the re-use or redevelopment of brownfield land, policies CAO5 and CAO9 which seek to provide the right conditions for residents of Trafford, but particularly Partington and Sale West, to access employment opportunities and to attract and retain economically mobile people within Trafford; and policy CAO10 which seeks to redevelop the economic capacity of Carrington and attract significant new activity to secure its future economic viability.

Employment use

13. Policy W1.3 identifies Carrington as a location where employment uses will be focussed. Policy W1.7 states that Carrington has significant potential to accommodate large-scale employment development, particularly for general industrial, storage and distribution uses and office development, in order to

complement the offer in Trafford Park. Policy W1 is consistent with the NPPF and is considered up to date. Full weight should be afforded to this policy.

14. The use of this brownfield site for employment development is in keeping with the thrust of the NPPF which encourages the effective use of land. In particular paragraph 118 c) requires planning decisions to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
15. Paragraph 80 of the NPPF places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 82 goes on to state that provision should be made for the specific locational requirements of different sectors, including making provision for storage and distribution operations at a variety of scales and in suitably accessible locations.
16. As part of the proposed development approximately 5% of the floorspace of each building will provide ancillary office space.
17. Having regard to Core Strategy Policy SL5 the principle of B8 storage and distribution development on this site is considered to be acceptable and complies with the NPPF and the Local Development Plan.

LAYOUT, SCALE AND APPEARANCE

18. In assessing the layout, scale and appearance of the development, the requirements of Policies SL5 and L7 of the Core Strategy are relevant. Policy SL5 states that development must demonstrate high standards of sustainable urban design in accordance with Policies SL5 and L7, and, must protect, enhance and preserve heritage assets and their wider settings, including the Grade II* listed Church of St George. Policy L7 states development must be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, and boundary treatment. Policy L7 also requires that development provides sufficient off-street car and cycle parking, manoeuvring and operational space and be designed in a way that reduces opportunities for crime. Policy L7 is consistent with the NPPF and is considered up to date. Full weight should be afforded to this policy
19. The NPPF also emphasises the importance of achieving well-designed places and states that planning decisions should ensure that developments add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character including the surrounding built environment and landscape setting; establish or maintain a strong sense of place, using building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and optimise the

potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and public space) (paragraph 127).

20. The layout of the site has been heavily influenced by site constraints including existing National Grid infrastructure which will be retained on site and associated legal easements.
21. The site will be accessed from Manchester Road, with Units 2 and 3 located either side of the access route. Units 1, 4 and 5 are located along the northern boundary of the site adjacent to Common Lane and will be accessed via the internal road network.
22. The proposed units are set back from the Manchester Road frontage by between 45 metres and 86 metres. The car parking for units 1, 2, and 3 is set forward of the proposed buildings, however a setback of between 22.5 metres and 69 metres is maintained between the car parking provision and Manchester Road boundary.
23. The proposed development maintains a separation distance along Common Lane of approximately 10 m with Unit 1, 10 to 11 metres with Unit 4 and 17 to 29.5 metres with Unit 5 with soft landscaping proposed between the rear elevation of the proposed buildings and the Common Lane boundary to soften the appearance of the proposed development and provide an appropriate boundary treatment.
24. Where possible the service yards serving each unit have been sited in the least prominent areas and away from Manchester Road and Common Lane as much as possible. The exception to this is Unit 3 where the side of the service yard will be visible from Manchester Road, although maintains a separation distance of circa 60 metres from the site boundary and Unit 4 where the side of the service yard is adjacent to Common Lane. Although it is preferable for service yards to be located away from public highways as much as possible, Unit 4 has been sited in the proposed position in order to provide a discernible break in the Common Lane street elevation, which is dominated by the three largest units in the development. Landscaping along the Common Lane boundary will also help screen the service yard from view.
25. The rear service yards to each unit include dock levellers which are set approximately one metre below ground level. The service yards will be enclosed with fencing, the details of which are yet to be agreed, but can be dealt with via condition, should planning permission be granted. Low level post and rail fencing is proposed to enclose the car parking areas to the front of each unit.
26. The layout of the proposed development is considered to be acceptable. The units are located in a manner that there is sufficient separation between the units to allow for an adequate amount of landscaping to be incorporated into the proposed development.

27. The proposed development comprises five industrial units of varying heights. The proposed development would consist of units of the following scale:

	Floorspace	Ridge Height
Unit 1	9,882 m ²	15.7 m
Unit 2	5,859 m ²	13.3 m
Unit 3	7,096 m ²	13 m
Unit 4	13,090 m ²	18.3 m
Unit 5	26,515 m ²	18.7 m

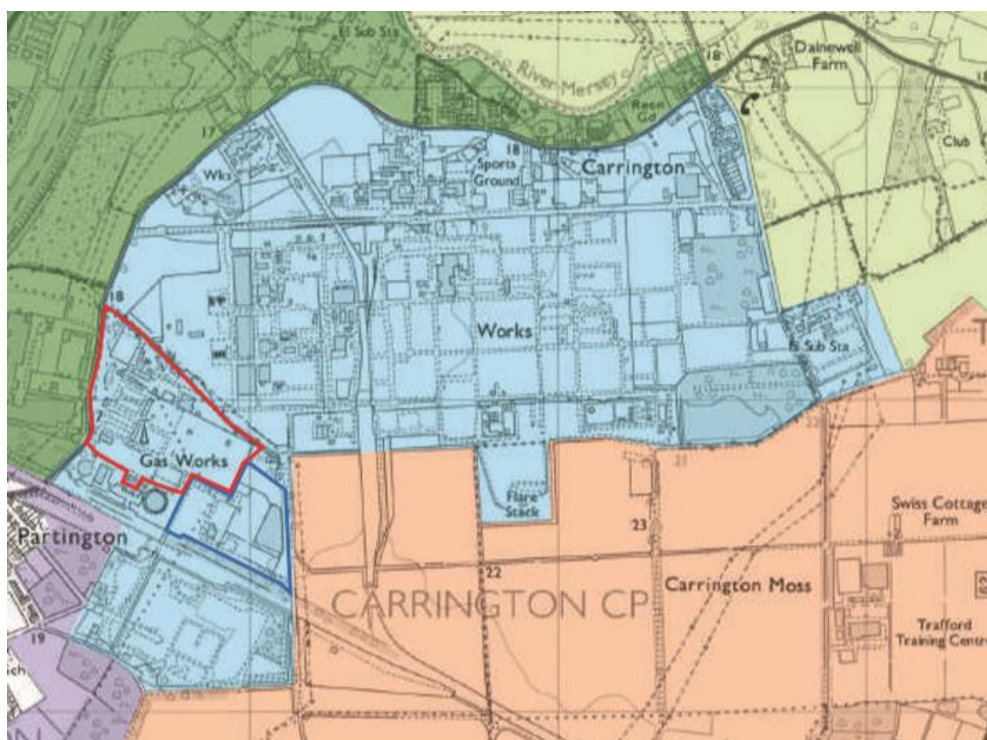
28. Whilst the proposed units are large, it has been established in the LVIA that the proposed development would not result in any adverse impacts on the wider area and any visual impacts would occur within short range views, primarily along Manchester Road and Common Lane.
29. The proposed units are functional in their scale and design in order to accommodate a storage and distribution use.
30. The proposed units will be clad in a range of grey insulated and composite cladding panels with a variety of profiles, which will be laid both horizontally and vertically, curtain wall glazing and spandrel panels. The cladding will be used in a manner that it will break up the mass and visual impact of development by introducing dark vertical panels onto the larger elevations throughout the development. The varied palette of cladding proposed will add visual interest to a functional design.
31. The functional design and appearance of the proposed units is considered to be acceptable and appropriate to the industrial nature of the surrounding area and the proposed development complies with Policies SL5 and L7 and the NPPF.

LANDSCAPE VISUAL IMPACT ASSESSMENT

32. Policy R2 requires development to protect and enhance the landscape character of the Borough's natural urban and countryside assets. Policy R2 is consistent with the NPPF and is considered to be up to date. Full weight should be afforded to this policy.
33. The proposed layout has been assessed within a Landscape Visual Impact Appraisal (LVIA). Visual Impact Assessments provide a useful tool to help identify the effects of new developments on views and on the landscape and townscape itself. They allow changes to views and landscape to be understood and ultimately inform the design of the proposed development.
34. A Zone of Theoretical Visibility (ZTV) map was produced to illustrate the areas of land visible from six points within the application site. This study informed the fifteen viewpoints which were produced to inform the LVIA. The viewpoints

chosen are listed in Figure 2 of the submitted LVIA. The viewpoint images are provided as Figures 6 - 35 of the submitted LVIA. These viewpoints provide a visual representation of what the proposed development would look like from each viewpoint. The LVIA also established five Landscape Character Areas (LCA's) within the area surrounding the application site.

35. The LVIA characterised the application site as being located within LCA 1 'Industrial Works East' which comprises disused and functioning industrial sites, including the Carrington Business Park and covers the area below identified in blue:



Extract from Fig 3 of LVIA (ref no. WIB1500-108-R-7-4-1-LVIA)

36. The impact of the proposed development at both construction and operational phases is assessed in two manners in the LVIA. Firstly, impacts on the LCA's and secondly impacts of the proposed development on views and visual amenity from the fifteen viewpoints.
37. In summary, the LVIA found that:
- The baseline conditions of the application site would be altered as a result of the development. The development would be in accordance with the surrounding industrial context and character and soft landscape treatments along the northern and western boundary of the site would provide screening effects. It is also noted that committed developments in the area would also cause discernible changes to the baseline of the area. These effects would however be localised and would not affect the overall integrity of the landscape character of the area.

- During construction, the proposed development is assessed as having localised temporary adverse effects within the study area.
 - During the operational phase, the proposed development would bring about some changes to LCA 1 in which the application site is located. These effects would constitute minor beneficial effects due to the clearance of negative characteristic features located within the site, such as derelict buildings and structures associated with the former gas works on site. These effects would be localised within a small area of LCA 1. The remaining LCAs would not be permanently affected by the Development.
 - In the long term, the proposed soft landscaping scheme would reduce the visibility of the operations development from close-range views. Users of public rights of way at Viewpoints 1 and 11 (Common Lane) would experience a moderate adverse effect due to the close proximity to the site and their direct orientation towards the development. The remaining views would not have sight of the development due to the relative distance from the site and the intervening vegetation, built form and topography.
 - The proposed development would be congruous with the local industrial context surrounding the site. The siting of the built form allows for a naturalistic landscape buffer to be introduced along the northern boundary which aids in screening views of the Development, to partially soften its visual impact
38. The proposed development is considered to be acceptable in terms of impact on landscape character and visual amenity and complies with Policy R2.

LANDSCAPING

39. Policies SL5 and L7 emphasise the requirement for development to provide high quality green infrastructure as part of the development proposals. Paragraph 127 of the NPPF also required development to be appropriately and effectively landscaped.
40. An extensive soft landscaping scheme has been submitted as part of the proposed development which provides soft landscaping buffers along Manchester Road, Common Lane and along the eastern boundary with Ashpodel Farm and the adjacent derelict industrial site.
41. Soft landscaping along the Common Lane boundary is in the form of tree planting, wildflower meadow planting and native smaller tree and shrub planting is proposed between the rear elevation of these units and the site boundary.
42. A wide soft landscaping buffer is proposed along the Manchester Road boundary due to the utility constraints on the site which prevents development within this area of land. The landscaping within this area of land comprises grass verge, wildflower meadow planting, with clusters of shrub, tree and bulb planting. The area around the entrance to the site is heavily planted with significant areas of tree and shrub planting.

43. Soft landscaping is proposed throughout the site around the individual building plots, providing separation between the units and between the units and the internal highway network.
44. The soft landscaping scheme provides a well landscaped entrance to the proposed commercial site and throughout the development and will mature to screen the Common Lane elevation. It is considered that the landscaping scheme will enhance and improve the development site and contribute positively to the surrounding area.
45. No details of hard landscaping have been provided as part of the application. It is considered that this can be dealt with adequately via condition.
46. A condition requiring details of boundary fencing to the Manchester Road and Common Lane boundaries is recommended, to ensure that an appropriate boundary is installed.
47. It is considered that the proposed soft landscaping scheme is acceptable and complies with the NPPF and Core Strategy Policy L7.

HERITAGE

48. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
49. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.
50. Paragraph 190 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

51. Paragraph 192 (c) of the NPPF is relevant to this application and requires local planning authorities to take account of ‘the desirability of new development making a positive contribution to local character and distinctiveness’.
52. Paragraph 193 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The NPPF sets out that harm can either be substantial or less than substantial and there will also be cases where development affects heritage assets but from which no harm arises. Significance is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest, which includes any archaeological, architectural, artistic or historic interest. The significance of a heritage asset also derives from an asset’s setting, which is defined in the NPPF as ‘the surroundings in which a heritage asset is experienced’.
53. Paragraph 197 of the NPPF relates to the effect of development on a non-designated heritage asset and establishes *that “In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*.
54. The application is located approximately 0.5 km from the Grade II* listed St George’s Church. Three non-designated heritage assets are also located within the setting of the application site, the former School House, the former Vicarage and gardens, and the Manchester Ship Canal.
55. St George’s Church is significant due to its historical and aesthetic value. The Church was constructed between 1757 and 1759 at the expense of Mary, Countess of Warrington and Stamford of Dunham Massey, to serve the hamlets of Carrington and Partington. The church is largely unaltered from its original 18th century form and is a fine example of a rural mid-18th century Church of England. The communal value of the church has diminished since it ceased to be used as a place of worship in 1990. The church does however remain open to visitors and the graveyard still in use. The church has a strong visual connection with the remnants of agricultural land to the south east and to the west across Manchester Road and forms a group with the former 19th century School House.
56. The School House is the more prominent building in views looking southwards along Manchester Road; long distance views are possible of both buildings, taking in the application site, as the road gently curves to the south west. The setting of these buildings has been compromised to a degree to the south west by recent commercial and industrial developments.
57. In terms of setting, sited between the application site and this designated heritage asset is the Carrington Gateway development, which comprises six warehouse units. The submitted Heritage Impact Assessment identifies that there are no

long-distance views afforded of the proposed development site with significant natural screening from mature trees and vegetation surrounding the church and with the small woodland to the south across the road blocking any visibility during operation of the development. As a result of the intervening distance and screening provided by vegetation and buildings, it is not possible to view the two sites together and it is therefore considered that there would be no impact to the setting of St George's Church. As noted above the proposed development would also incorporate a tree and soft landscaped buffer along Common Lane, which would further screen the site.

58. Furthermore, the wider setting of the church has already been heavily compromised by various industrial developments from the 19th century onwards, particularly those of the 20th century, which have led to a change in the earlier rural landscape character to a more industrialised character surrounding the church location on all sides.
59. As part of the submitted Landscape Visual Impact Assessment, viewpoint 2 (VP2) was included which looks towards the application site from Manchester Road, adjacent to the site of the Church. The view from VP2 is dominated by a brick wall which forms the boundary to a car parking area. The backdrop of the view is dominated by dense vegetation which blocks further views to the site from the identified heritage asset.
60. Based on the assessment provided, it is clear that the proposed development would not be visible from St George's Church, although the church will likely experience temporary impacts on its setting as a result of increased traffic and noise during construction of the proposed development. It is considered that the proposed development would not cause harm to the setting of St George's Church, the former School House, the former Vicarage and gardens, or the Manchester Ship Canal.

HIGHWAYS AND TRANSPORTATION

61. The applicant has submitted a Transport Assessment in support of this application and during the course of this application a number of Transport Assessment Addendums, however these addendums were submitted in relation to potential off site highway works.

Local Highway Network

62. As noted, the application site is located in the Carrington Strategic Location, which is covered by Core Strategy Policy SL5. It is acknowledged that the local highway network within the Carrington area and specifically the A6144 Manchester Road is operating well above capacity and is subject to severe congestion and significant queueing of traffic at peak times, particularly within the vicinity of the Flixton Road / Manchester Road / Isherwood Road / Carrington Lane junction.

63. As assessment of the submitted Transport Assessment and subsequent Technical Notes by the LHA and TfGM confirmed that some form of highways mitigation works were required to mitigate the impacts of the proposed development on the local highway network.
64. During the course of the application the applicant has submitted various highways modelling and trip generation assessments along with a number of options to reconfigure the local highway network in an effort to try and demonstrate that the additional traffic generated by the proposed development could be suitably mitigated. All of these options sought to reconfigure the Flixton Road / Manchester Road / Isherwood Road / Carrington Lane junction using existing highway land.
65. It was not considered that any of the options presented would provide a safe solution for all highway users, including cyclists and pedestrians, or provide the level of mitigation required to offset the impacts of the proposed development on the local highway network. TfGM and the LHA objected to the numerous options submitted for consideration.
66. The Council is currently developing initial proposals for a significant piece of highways infrastructure in Carrington, known locally as the Carrington Relief Road (CRR). The CRR will address capacity issues on the local highway network and improve the accessibility and sustainability of the Carrington and Partington area as part of the regeneration of these areas.
67. In October 2020 the report 'Planning Obligations: Developer Contributions towards the Carrington Relief Road' (CRR report) was approved at the Planning and Development Management Committee. This report and appendices, including the methodology for calculating developer contributions are a material consideration in the determination of planning applications.
68. Since the planning application was submitted in March 2019, the Government has made changes to the CIL Regulations and enabled Council's to take both S106 contributions and CIL payments for the same piece of infrastructure. Previous pooling restrictions which limited more than six contributions being combined to deliver the same piece of infrastructure were also removed.
69. As detailed in Regulation 122 of the Community Infrastructure Levy Regulations 2010 a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is; a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.
70. Policy SL5.2 identifies that the Strategic Location can deliver new road infrastructure to serve the development area to relieve congestion on the existing

A6144, and SL5.4 identifies that contributions towards schemes to mitigate the impact of traffic generated by the development on the Strategic, Primary and Local Road Networks through public transport and highway infrastructure schemes will be required to make development in this Location acceptable.

71. Policy L4 of the Core Strategy seeks to improve accessibility as this is essential to building sustainable communities and creating a competitive and efficient labour market within the sub region. Policy L4.1 sets out that the Council will promote the development and maintenance of a sustainable integrated transport network and specifically identifies that as part of this at L4.1 (b) that the Council will promote bringing forward new highway infrastructure schemes that will improve accessibility and provide additional capacity and/or address identified congestion, access, safety and environmental impact problems to facilitate the continued safe, efficient and environmentally sustainable operation of the networks.
72. Policy L8.4 also specifically makes reference to the Council seeking contributions towards “highways infrastructure and sustainable transport schemes including bus, tram, rail, pedestrian and cycle schemes”.
73. The delivery of the CRR would mitigate the impact of Voltage Park on the local highway network and it is considered necessary for the proposed development to contribute towards the CRR in line with the contributions set out in the CRR report. This developer contribution would also be compliant with Regulation 122 of the Community Infrastructure Levy.
74. Based on the formula detailed within the CRR report October 2020 (and as amended in January 2021), the proposed development would generate a requirement for a contribution of £1,568,006.04 towards the CRR and will be secured through a S106 agreement in order for the LHA to carry out the works.
75. The CRR report states that where contributions are secured, planning permissions will be subject to S106 obligations and/or planning conditions which restrict the occupation of all or part of the development until the Council Confirms to the developer that it is delivering the CRR. In practice, this delivery trigger will be met at the point the CRR obtains its own planning permission.
76. In the event the Council does not deliver the CRR, there would be a time period in which the Council is able to spend the S106 monies on wider improvements to the Flixton Road junction, including, if necessary, acquiring third party land. Any negative difference between the cost of delivering these improvements and the CRR contribution (equalised between the parties), would be returned to the developer.
77. It is considered that subject to the proposed development contributing towards the CRR, the proposed development is acceptable and complies with the NPPF and Core Strategy Policies SL5, L4 and L8.

Strategic Road Network

78. Highways England raised concerns with the impact of the proposed development on the strategic road network (SRN). The SRN is currently congested with the M60 Junction 8 providing access to not only the rest of the SRN but also local access to Trafford, the Trafford Centre and Manchester, for residents accessing local services and employment.
79. During throughout the determination of this application the applicant has sought to address the concerns of the Highways England who have now confirmed that the proposed development would not result in a severe impact to the SRN.
80. Highways England have however recommended that a condition is attached to any forthcoming planning permission requiring a detailed Travel Plan to be submitted and approved in writing by the LPA and Secretary of State for Transport.

Access

81. The existing site is accessed from Common Lane. The existing site access will be closed off and a new access to the site is proposed from Manchester Road, between Units 2 and 3.
82. The new access proposed off Manchester Road will include a ghost island right turn lane to accommodate traffic approaching the development from the West.
83. Drawing WIE-A-90-14-A03 in the submitted Transport Assessment indicates that some additional areas of highway will be offered to the Council for adoption. The LHA support adoption of this new highway which includes the pedestrian crossing across the new vehicular entrance to the proposed development.
84. This access is considered to be acceptable and complies with Policies L4 and L7 and the NPPF.

Internal Layout and Parking

85. The internal road network will be private and will not form part of the adopted highway and comprises a tree lined spine road leading from Manchester Road to Unit 5 at the far east of the site with the remainder of the units accessed off smaller side roads.
86. Each unit has a staff car park as well as a separate loading bay area with varying numbers of dock levellers, proportionate to the size of the unit.

87. To the south of the site there is a parking area which will be used by HGVs waiting to access the units if there is no space available within the individual unit boundary.
88. Within the boundary of each unit, the following levels of car, bicycle and motorcycle parking will be provided.

	Car parking	Accessible parking	Bicycles	Motorcycles
Unit 1	97	5	16	5
Unit 2	58	3	10	3
Unit 3	69	4	12	4
Unit 4	130	7	16	7
Unit 5	260	13	32	13

89. The level of proposed parking complies with the standards for B8 units set out in Policy L4 and SPD 3. Cycle parking will be provided in a stacking system. The details of the proposed bicycle storage system and motorcycle anchoring point are to be secured via condition.
90. The proposed internal layout and level of proposed parking provision is considered to be acceptable and complies with Policies L4 and L7 and the NPPF.

AIR QUALITY

91. The submitted Air Quality Assessment states that the air quality impacts of the completed development, at nearby sensitive receptors, will not be significant and negligible in the majority of locations.
92. The assessment recommends that electric vehicle charging points be installed at the development to benefit local air quality. These are proposed to be provided on the basis of one active and one passive electric vehicle charge point per 2000m² of commercial floorspace and a condition is recommended to this effect.
93. In relation to the impact of the construction phase on local air quality, the air quality assessment recommends that dust control techniques are employed throughout the development of the site. A condition requiring a Construction and Environmental Management Plan (CEMP) to be submitted prior to the commencement of development is recommended which will address the issue of dust.

FLOOD RISK AND DRAINAGE

94. The NPPF and Policy L5 seek to steer development towards areas with the lowest risk of flooding. The application site is located in Flood Zone 1 and is confirmed to be at 'little to no' risk of fluvial flooding or from flooding from coastal and reservoir sources and 'low' risk of flooding from pluvial, ground water, drainage system and canal sources. The site is also located within an area of 'low' risk of groundwater

flooding. The site is not located within the Trafford Critical Drainage Area and is therefore considered to be at a 'low' risk of flooding from the drainage system. The proposed development is therefore considered to be located in an appropriate location in terms of flood risk and complies with L5 and the NPPF in this regard.

95. With regard to surface water drainage, Policy L5 requires developers to reduce surface water run-off through the appropriate use of Sustainable Drainage Systems (SuDS). The NPPF at paragraph 163 requires developers to demonstrate that development incorporates SuDS, unless there is clear evidence that it would be inappropriate. In incorporating SuDS, the systems should take account of advice from the lead local flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits.
96. Based on current proposals, the proposed development will increase the impermeable area contributing runoff to the existing surface water network to approximately 21.79 ha or 79% of the site. To mitigate against an increase in flood risk resulting from the developed site, attenuation will be incorporated within the proposed on-site surface water system to control runoff and restrict the discharge from the site to suitable rates. Due to the underlying ground conditions, the presence of relatively shallow groundwater, potential for contamination due to previous land uses and the constrained nature of the previously developed site, infiltration as a means of surface water disposal is not considered feasible and all proposed SuDS features are required to be lined.
97. The proposed strategy utilises source control SuDS, such as lined filter trenches and lined porous paving with a deepened gravel sub-base within paved areas for roof runoff and full retention separators (or similar) for treatment of lorry park runoff. Treated flows will then be conveyed to the associated underground attenuation tank located beneath hardstanding areas. Outflows from the attenuation tanks will be controlled via Hydrobrake, or similar vortex flow control device, prior to discharging via existing connection to the private surface water sewer beyond the southern site boundary.
98. Paved areas, such as pavements, car parking bays and minor access roads, will be constructed of lined porous paving with a deepened gravel sub-base, wherever possible, to provide two levels of treatment at source. Runoff from the main access road should be collected, treated and attenuated within lined filter drains/trenches prior to discharge to the main network. Lined filter drains, or similar drainage measures, should also be incorporated into the drainage network where runoff is unable to be conveyed via the porous paving.
99. Given the location of the site and distance to the nearest public foul sewer two alternative approaches have been considered for the disposal of foul waste. The first option comprises connection to the United Utilities public sewer system via

sewer requisition. This approach is based on a local gravity system to an on-site pumping station with a rising main with subsequent discharge to the existing sewer system. The alternative approach includes the provision of on-site package treatment plants which discharge into the proposed surface water drainage outfall following treatment.

100. The LLFA have reviewed the submitted drainage strategy and are satisfied that the proposed strategy is acceptable and complies with the NPPF and Policy L5, subject to appropriate conditions.

GROUND CONTAMINATION

101. Paragraph 118 of the NPPF required planning decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; whilst paragraph 170 encourages the remediation of contaminated land in order to contribute to and enhance the natural and local environment.
102. Paragraph 178 of the NPPF does however require planning decisions to ensure that a site is suitable for its proposed use taking into account ground conditions and contamination after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.
103. The application was accompanied by a Preliminary Environment Risk Assessment, Geo-Environmental Risk Assessment and a Controlled Waters Detailed Quantitative Risk Assessment all produced by Waterman.
104. The Preliminary Environment Risk Assessment confirms that the site, by virtue of its history as a gasworks site is acknowledged to be a site with a high risk of contaminated land. It explains that some site investigation and remediation of the site has already been carried out to a degree, with some buildings and below ground infrastructure remaining in situ during the previous remedial works therefore residual contamination is expected to be present on the site. This application now proposes for the remaining infrastructure to be removed from the site and the site to be redeveloped for storage and distribution land uses.
105. The Geo-Environmental Risk Assessment confirms that several phases of site investigation have been carried out in the past and the Waterman site investigation was carried out in 2017 with sampling locations at 50m centres. Waterman recognises that the site investigation is exploratory in nature and that there may be hotspots of contamination present on the site which this site investigation has not detected and further investigations are required as well as a Reclamation and Remediation Strategy.

106. A Controlled Waters Detailed Quantitative Risk Assessment was undertaken to determine the risks posed to the identified controlled waters from the site. The assessment indicates that no exceedances within the groundwater remain present on site; however some hotspots of contamination were identified on site. The Environment Agency (EA) were consulted on this application and in May 2019 advised that they have no objection in principle to the proposed development and the information submitted in support of the application sufficiently demonstrates that it is possible to suitably manage the risks posed to groundwater resources by the proposed development. Further information is required to be submitted with regard to remediation; however it is considered that this additional information can be adequately secured by condition. Conditions are also recommended with regard to SuDS design and construction methods to ensure there is no harm to groundwater resources.
107. Since the application was submitted, ground investigations have been undertaken in the wider area, adjacent to the application site. As a result of these investigations, the EA have reason to suspect that there may be the potential presence of Persistent Organic Pollutants (PFAS/PFOS). These contaminants are highly mobile, persistent and could pose a risk to human health and/or the environment if they are not sufficiently managed and mitigated. However, in September 2020 the EA confirmed that they consider that the conditions previously recommended are sufficient to protect controlled water. An informative is also recommended which advises the developer to ensure that any further investigation and laboratory analysis work undertaken considers testing for the presence of PFAS and PFOS.
108. The Environmental Health team advised that the submitted information confirms that there are limited levels of contaminants which exceed screening values for commercial usage. However, there is a concern that hotspots of localised contamination may be encountered during the reclamation works which will have to be investigated further as evidence of elevated gas levels and hydrocarbon vapours were identified within the report and suitable mitigation measures will be required within the buildings to ensure that they are suitable for future site users. It is therefore recommended that a condition is attached, requiring a remediation strategy to be submitted which includes a review of the ground gas monitoring data to confirm the most appropriate protection measures within the proposed units to prevent gas/vapour ingress into the proposed units. It is considered that this can be dealt with through the previously recommended conditions by the EA.
109. It is considered that subject to appropriate conditions in relation to land remediation, the proposed development will be acceptable in terms of land contamination, impact on groundwater resources and impact on end users. The proposed development accords with the NPPF.

ECOLOGY AND BIODIVERSITY

110. Policy SL5 of the Core Strategy states the Carrington Strategic Location can deliver high quality green infrastructure that protects and enhances the existing sites of environmental importance and that the protection and enhancement of sites of nature conservation and biological importance will be required. Policy R2 requires developers to demonstrate how their proposal will protect and enhance the biodiversity, geodiversity and conservation value of the Borough's natural urban and countryside assets having regard to its immediate location and its surroundings and to protect the natural environment throughout the construction process. This includes Sites of Biological Importance, Wildlife Corridors, woodland, hedgerows and hedgerow trees, and habitats and species identified in the Greater Manchester Biodiversity Action Plan. Paragraph 170 of the NPPF also states planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity in a manner commensurate with their statutory status or identified quality in the development plan; and by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
111. An Ecological Impact Assessment was submitted as part of the application. The surveys undertaken on site identified that buildings B5 and B6 (identified in Figure 5 of the submitted Ecological Impact Assessment) as supporting bat roosts. These roosts have been identified as a day roost of Common Pipistrelle used by singular/small numbers of this common species. Details of proposed mitigation measures have been provided within the report and these are considered to be acceptable. In brief these mitigation measures include a soft strip of the features of value to roosting bats in affected buildings and the provision of new roosting opportunities on site in the forms of 3 bat boxes on retained mature trees and the provision of a pole mounted large colony bat box. In order to minimise impacts on the roosting bats from construction activities compound and storage areas will be sited away from the new roosting opportunities provided on site. Additionally a condition requiring a Biodiversity Construction Environmental Management Plan (CEMP) to be submitted prior to the commencement of development is recommended to be attached to ensure that the proposed development is constructed in a manner which prevents harm to the site.
112. Since bats have been found on the site then under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2017 (as amended), a licence will be required from Natural England to derogate the terms of this legislation before any work can commence that may disturb bats. Before a licence can be granted three tests must be satisfied. These are:
- i. That the development is "in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment";
 - ii. That there is "no satisfactory alternative";

- iii. That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”.
113. It is considered that the proposed development is in the public interest in terms of economic benefit to the area from the development both during the construction and operational phases of the development. The proposed development will also remediate a historically contaminated site and deliver biodiversity benefits through the delivery of a comprehensive soft landscaping scheme, which is considered to be of importance to the local environment.
114. It is not considered that there is a “satisfactory alternative”. The site is a derelict area of contaminated brownfield land with a small number of vacant structures and buildings, including B5 and B6, which have been identified as a day roost for bats. In order to bring forward the redevelopment of this site which is in the public interest, these buildings will need to be demolished.
115. It is considered the third test can be met, the roosts found are not considered to be large and it is thought that compensatory provision will be straightforward through the provision of bat boxes and bricks. These are required by condition.
116. GMEU have recommended that a condition is attached preventing the demolition of buildings B5 and B6 until either a licence is issued by Natural England or a statement is provided stating a licence is not required. This is not however considered to be appropriate or necessary as the licensing regime is covered by separate legislation. An informative to the developer outlining their responsibilities in relation to protected species would however be attached to a decision notice, should permission be granted.
117. The site also supports habitats that are likely to be used by nesting birds. In order to protect the habitat of these birds, a condition is recommended requiring a Biodiversity CEMP to be produced which includes details of how the proposed development will be carried out in a manner that ensures no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on site.
118. An extensive soft landscaping scheme has been submitted as part of the application submission. This has been amended throughout the course of the application to remove non-native species and introduce more appropriate planting. Overall it is considered that the proposed soft landscaping scheme will result in a net gain to biodiversity across the site.
119. No lighting scheme has been submitted as part of the proposed development. In order to ensure that any lighting installed on site does not impact on the foraging routes or the breeding and roosting habitat of bats in the area, a condition is

recommended requiring details of a lighting strategy to be submitted prior to installation.

NUISANCE

120. Policy L5 of the Core Strategy requires development that has the potential to result in nuisance in terms of noise or vibration to demonstrate that mitigation measures can be put in place. Where development is proposed where there are existing sources of pollution, noise or vibration, developers will be required to demonstrate that it is sited and designed in such a way as to confine the impact of nuisance from these sources to acceptable levels appropriate to the proposed use concerned.
121. Policy L7.3 of the Core Strategy requires new development to 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.
122. The proposed development is located in an area which is predominantly commercial in nature. The nearest sensitive receptors are Ashpodel Farm which is located circa 50 metres to the east of the site and residential dwellings located on Broadway which is approximately 300 metres to the south west of the application site.
123. The Noise Assessment assessed the impacts of fixed mechanical plant and building services; HGV delivery noise, road traffic noise, car park noise and noise breakout from the site.
124. With regard to noise impacts from fixed mechanical plant and building services, specific details on the plant associated with the scheme are not yet finalised, however noise levels from fixed mechanical plant can be adequately controlled through procurement of suitably quiet plant, careful location of plant, screening and incorporation of suitable mitigation measures to ensure that the above criteria could be met and that plant would not adversely impact upon the amenity of nearby sensitive receptors. It was also noted within the Noise Assessment that at the time of the assessment either the future use or the construction of the proposed structures is known, however appropriate materials would be selected to mitigate any noise breakout from the units to a level which is appropriate for the surrounding area. It is therefore considered appropriate to attach a condition which requires all activities associated with the operation of the development including noise generated from all fixed plant and machinery associated with the development, when operating simultaneously to not exceed the background noise level at any time when measured at the nearest noise sensitive premises.

125. With regard to HGV delivery noise the report concludes insignificant impacts for both day time and night time noise. It is not known at this stage whether chilled distribution is proposed, therefore in order to limit the potential for additional noise impact from cab mounted refrigeration condensers conditions are recommended requiring auxiliary power units must be provided to each building, to enable parked HGVs to operate their refrigeration without the need for auxiliary cab mounted condensers and between the hours of 2300 – 0700, the engines of HGVs shall be turned off whilst vehicles are within the docking pods.
126. The noise impact arising from additional road traffic and use of the proposed car park has been modelled as insignificant.
127. In terms of construction noise, a condition recommended to secure a Construction Environmental Management Plan (CEMP) to be submitted and approved prior to the commencement of development.

PUBLIC SAFETY

128. A large proportion of the site falls within the consultation distance of two Major Accident Hazard (MAH) sites; Basell Polyolefins UK Ltd and National Grid Gas PLC, Partington Holder Station. The application site is located within the inner, middle and outer zones of the Partington Holder Station MAH and the outer zone of the Basell Polyolefins MAH. The HSE 'Do Not Advise Against' this proposed development. This response has been generated using the HSE WebApp.

CLIMATE CHANGE

129. The need to mitigate and adapt to climate change is key to the delivery of sustainable development. Policy L5 of the Core Strategy requires new development to mitigate and reduce its impact on climate change factors and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation. The site is within a Low Carbon Growth Area where Policy L5 states there is potential for major development to deliver a CO₂ reduction of up to 15% above current Building Regulations, subject to new energy generation infrastructure and programmes in these locations being delivered within the plan period. Policy L5 is not, in relation to climate change, considered to be up to date as it does not reflect NPPF guidance. In this regard, less weight should be applied to Policy L5.
130. This application is accompanied by a preliminary Carbon Budget Statement and a BREAAAM Pre- Assessment Report.
131. The Carbon Budget Statement identifies a variety of options which could potentially be utilised to achieve a CO₂ reduction of up to 15%. The Carbon Budget Statement identifies the following measures as potentially being suitable

for inclusion within the proposed development: air source heat pumps to serve the office areas; solar water heating, solar PV panels, natural ventilation and improvements to the building fabric. It is likely that a combination of these measures will be used on site, however, solar PV is identified as the most effective solution. It is anticipated that in order to achieve 15% CO₂ reduction between 26,430m² and 35,000m² of PV panels would be required.

132. The BREEAM Pre-Assessment Report identifies that the proposed development will meet a rating of 'Very Good'.
133. It is considered that in order to ensure the development mitigates and reduces its impact on climate change it is appropriate to attach a condition requiring a final Carbon Budget Statement to be produced demonstrating what measures will be implemented in the development to minimise its impact CO₂ levels.

CRIME AND SECURITY

134. The application was supported by a Crime Impact Statement (CIS) which outlines security measures across the site. GMP Design for Security have reviewed the submitted scheme and are satisfied that their recommendations have been incorporated into the scheme and support the proposed development.
135. The report recommends a number of security measures across the site and a condition is recommended requiring the development to incorporate the physical security measures set out in section 4 of the submitted CIS, with exception of sections 4.6 (boundaries), 4.8 (lighting) and 4.10 (car parks). These particular elements of section 4 of the CIS have been excluded from the recommended condition due to conflicts with the submitted plans and other recommended conditions, and in order to achieve an acceptable form of development.
136. With regard to section 4.6, this covers boundaries and recommends that vehicular gates should be installed at the main entrance to the development in order to restrict and regulate traffic. The developer does not propose to install gates as part of the approved development and the installation of gates across the entrance into the developer would also require additional highways considerations.
137. Sections 4.8 and 4.10 both include requirements for certain external lighting levels to be met. As noted in paragraphs the 'Ecology and Biodiversity' section of this report the site supports bat roosts. In addition to the development providing mitigation measures, there is also a requirement for details of an external lighting strategy to be submitted prior to installation to ensure that any lighting does not impact on the foraging routes or the breeding and roosting habitat of bats in the area. The requirements set out in the CIS could conflict with the measures required to mitigate any harm to a protected species and it is considered inappropriate for the development to have to meet these standards.

138. The developer would however be required to comply with all recommendations in relation to the security of doors, windows, curtail walling, cladding and shutters, glazing, alarms, access control, landscaping and CCTV. It is considered that the proposed development complies with Policy L7 in relation to security.

DEVELOPER CONTRIBUTIONS

Community Infrastructure Levy (CIL)

139. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'industry and warehousing' development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

SPD1: Planning Obligations

140. This supplementary document sets out Trafford Council's approach to seeking planning obligations for the provision of infrastructure, environmental improvements and affordable housing required in relation to new development. Contributions sought through SPD1 will be through the established mechanism of a Section 106 agreement.
141. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure on this site, with SPD 1 requires one tree per 80 m² of industry and warehousing GIA. This proposed development, would in accordance with this requirement, be required to provide circa 750 trees. Evidently this level of provision would not be possible on this site. It is however considered that a suitable landscaping scheme is proposed as part of this development and that this is sufficient to mitigate the requirement for specific green infrastructure to be provided on site.
142. The applicant has agreed to provide a developer contribution of £1,568,006.04 towards the delivery of the Carrington Relief Road as indicated in the Highways and Transportation section of this report.

PLANNING BALANCE AND CONCLUSION

143. S38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
144. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision making process.

145. The tilted balance in Paragraph 11 of the NPPF is not engaged and the application should be determined in accordance with the development plan unless material considerations indicate otherwise.
146. The proposed development is located on a brownfield site in the Carrington Strategic Location where the principle of employment development is considered to be acceptable. The principle of the delivery of five storage and distribution warehouses on this brownfield site is considered to be acceptable in terms of local planning policy and the NPPF which requires planning decisions to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
147. The application was supported by a Landscape Visual impact Assessment which demonstrated that the proposed development is acceptable in terms of landscape and visual impact and in keeping with its context. The proposed development and complies with Policy R2.
148. The design, layout and appearance of the proposed development is considered to be acceptable and appropriate to its use and the area. The proposed development provides adequate car parking and cycle parking provision within the curtilage of each proposed unit as well as a temporary parking area for HGV's waiting to load/unload, to the south of the site. A new access to the site is proposed off Manchester Road, which will include a ghost island right turn lane to accommodate traffic approaching the development from the West. The proposed development would comply with Core Strategy Policies L4 and L7.
149. The impact of the proposed development on the strategic and local highways networks has been fully assessed and subject to conditions and the applicant entering into a S106 Agreement to secure a development contribution of £1,568,006.04, to mitigate the impact of the development on the local highway network the proposed development is considered to be acceptable. The proposed development would in respect of highways comply with Core Strategy Policies SL5, L4 and L8.
150. All other detailed matters have been assessed including land contamination, drainage, amenity, ecology, climate change and security. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The scheme complies with the development plan, the starting point for decision making, and is therefore recommended for approval subject to a S106 legal agreement to secure an appropriate contribution towards the Carrington Relief Road.

RECOMMENDATION:

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

- (i) To complete a suitable legal agreement/unilateral undertaking to secure a financial contribution of £1,568,006.04 towards the Carrington Relief Road;
- (ii) To carry out minor drafting amendments to any planning condition;
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.

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

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

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

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

Site Location Plan - 30731-PL-100 A
Proposed Site Layout Plan - 30731-PL-101
Unit 1 Elevations - 30731-PL-104 A
Unit 1 GA Plan - 30731-PL-102 – 9,300
Unit 1 Office Plans - 30731-PL-103
Unit 2 Elevations - 30731-PL-107 A
Unit 2 GA Plan - 30731-PL-105
Unit 2 Office Plans - 30731-PL-106
Unit 3 Elevations - 30731-PL-110 A
Unit 3 GA Plan - 30731-PL-108 A
Unit 3 Office Plans - 30731-PL-109
Unit 4 Elevations - 30731-PL-113 A
Unit 4 GA Plan - 30731-PL-111
Unit 4 Office Plans - 30731-PL-112
Unit 5 Elevations - 30731-PL-116 A
Unit 5 GA Plan - 30731-PL-114
Unit 5 Office Plans - 30731-PL-115
Land Parcel Plan - 30731-PL-200 A
Materials - 30731-PL-118

Proposed Site Layout Plan with tracking - 30731-PL-123

Soft Landscaping sheet 1 - 15005-WIE-ZZ-XX-LD-L-74001 P08
Soft Landscaping sheet 2 - 15005-WIE-ZZ-XX-LD-L-74002 P08
Soft Landscaping sheet 3 - 15005-WIE-ZZ-XX-LD-L-74003 P07
Soft Landscaping sheet 4 - 15005-WIE-ZZ-XX-LD-L-74004 P07
Soft Landscaping sheet 5 - 15005-WIE-ZZ-XX-LD-L-74005 P07
Soft Landscaping sheet 6 - 15005-WIE-ZZ-XX-LD-L-74006 P06
Soft Landscaping sheet 7 - 15005-WIE-ZZ-XX-LD-L-74007 P06
Soft Landscaping sheet 8 - 15005-WIE-ZZ-XX-LD-L-74008 P04
Soft Landscaping sheet 9 - 15005-WIE-ZZ-XX-LD-L-74009 P07
Soft Landscaping sheet 10 - 15005-WIE-ZZ-XX-LD-L-74010 P06

General Arrangement Plan 1/3 - WIE-A-90-12.1 A02
General Arrangement Plan 2/3 - WIE-A-90-12.2 A01
General Arrangement Plan 3/3 - WIE-A-90-12.3 A01

Indicative Drainage Layout 1/4 - 15005-WIE-ZZ-XX-DR-D-92101 P05
Indicative Drainage Layout 2/4 - 15005-WIE-ZZ-XX-DR-D-92102 P05
Indicative Drainage Layout 3/4 - 15005-WIE-ZZ-XX-DR-D-92103 P05
Indicative Drainage Layout 4/4 - 15005-WIE-ZZ-XX-DR-D-92104 P05

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

3. The materials used in the development shall be in accordance with the details shown on drawing no. 30731-PL-118.

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

4. The soft landscaping works for the development shall be carried out in accordance with the details shown on drawings:
Soft Landscaping sheet 1 - 15005-WIE-ZZ-XX-LD-L-74001 P08
Soft Landscaping sheet 2 - 15005-WIE-ZZ-XX-LD-L-74002 P08
Soft Landscaping sheet 3 - 15005-WIE-ZZ-XX-LD-L-74003 P07
Soft Landscaping sheet 4 - 15005-WIE-ZZ-XX-LD-L-74004 P07
Soft Landscaping sheet 5 - 15005-WIE-ZZ-XX-LD-L-74005 P07
Soft Landscaping sheet 6 - 15005-WIE-ZZ-XX-LD-L-74006 P06
Soft Landscaping sheet 7 - 15005-WIE-ZZ-XX-LD-L-74007 P06
Soft Landscaping sheet 8 - 15005-WIE-ZZ-XX-LD-L-74008 P04
Soft Landscaping sheet 9 - 15005-WIE-ZZ-XX-LD-L-74009 P07
Soft Landscaping sheet 10 - 15005-WIE-ZZ-XX-LD-L-74010 P06

No above ground construction (with the exception of demolition, vegetation clearance, initial groundworks and site regrading) shall commence until a scheme for the timing / phasing of implementation of these works as well as a maintenance and management strategy for soft landscaping has been submitted to and approved in writing by the Local Planning Authority.

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 during the lifetime of the development following completion of the development shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

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

5. No above ground construction (with the exception of demolition, vegetation clearance, initial groundworks and site regrading) shall commence until details of the proposed site levels has been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials and a scheme for the timing / phasing of implementation works. The development shall be implemented in accordance with the approved details.

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

6. No development shall take place (including any works of demolition or ground works) until a Programme of Implementation Works for the restoration of Parcel B as identified on drawing no. 30731-PL-200 has been submitted to and approved in writing by the Local Planning Authority. The Programme shall include, but not be limited to, the details of timescales, land levels, landscaping and boundary treatments and any materials to be stored on site. The development shall be implemented in accordance with the approved programme of works.

Reason: In the interests of protecting the visual amenity of the area, having regard to Core Strategy Policy L7 and the National planning Policy Framework.

7. No above ground construction (with the exception of demolition, vegetation clearance, initial groundworks and site regrading) shall commence until hard landscaping details have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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

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

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

9. The rating level (LAeq,T) from any fixed plant and machinery associated with the development, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas."

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

10. Where chilled distribution is required, auxiliary power units/hook up points must be provided to the Unit, to enable parked HGVs to operate their refrigeration without the need for auxiliary cab mounted condensers. These shall be available for use prior to the operation of refrigerated trailers from that unit and shall be maintained in a serviceable condition thereafter.

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

11. During the night time period of 23.00 to 07.00, engines of HGVs shall be turned off whilst vehicles are stationary and loading or unloading at the docking pods.

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

12. No development shall take place (including demolition) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the measures proposed during demolition and construction to manage and mitigate the main environmental effects. The following matters shall be addressed:
- (i) hours of demolition/construction activity
 - (ii) the parking of vehicles of site operatives and visitors ,
 - (iii) loading and unloading of plant and materials, times of access/egress
 - (iv) storage of plant and materials
 - (v) the erection and maintenance of security hoardings
 - (vi) wheel washing facilities
 - (vii) measures to control the emission of dust and dirt during demolition/construction/refurbishment and procedures to be adopted in response to complaints of fugitive dust emissions
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works

The development shall be implemented in accordance with the approved Construction Environmental Management Plan (CEMP).

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

13. No above ground construction (with the exception of demolition, vegetation clearance, initial groundworks and site regrading) shall take place unless and until a scheme for secure cycle and motorcycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle and motorcycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

14. Prior to the occupation of any unit hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The development shall provide 1 active and 1 passive electric vehicle charge point (minimum 7kWh) per 2000m² of commercial floorspace. The charging points shall be implemented before the relevant unit is occupied and retained in working order thereafter.

Reason: To protect local air quality in accordance with Trafford Core Strategy Policy L5.13 and the National Planning Policy Framework.

15. The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment (FRA)/Drainage Strategy (May 2019 / WIB15005-108-R-8-6-9-FRA / Waterman) and the following mitigation measures detailed within the FRA:
- Limiting the surface water run-off generated by the 1 in 100 year (+40% CC) critical storm so that it will not exceed 996 l/s (45.7 l/s/ha – 21.79 ha) and not increase the risk of flooding off-site.
 - Provision of 7256m³ attenuation flood storage on the site to a 1 in 100 year (+40%CC).

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To prevent flooding elsewhere by ensuring that storage of flood water is provided. To ensure lifetime maintenance of the system to prevent flooding issues.

16. No development shall take place (excluding demolition, vegetation clearance, initial groundworks and site regarding) until a management and maintenance plan for the sustainable drainage scheme for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The scheme shall be managed and maintained in accordance with the approved details.

Reason: To prevent increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. No development shall take place (including any works of demolition, ground works, vegetation clearance) until a biodiversity construction environmental management plan (Biodiversity CEMP) has been submitted to and approved in writing by the local planning authority. The Biodiversity CEMP shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of any required protective fences, exclusion barriers and warning signs.

The approved Biodiversity CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the biodiversity on the site and to ensure that habitat quality is maintained, having regard to its location and the nature of the proposed development and Policies SL5, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

18. No clearance of trees, hedgerows or shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-August 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. The mitigation strategy shall be implemented as approved.

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

19. The development shall not be occupied unless and until bat and bird boxes have been installed in accordance with paragraphs 5.16 and 5.23 of the Ecological Impact Assessment, February 2019 (ref no. WIB15005-108-R-6-3-1-EcIA).

Reason: In the interests of the preservation of bats, a protected species, and 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.

20. The development shall not be occupied until a lighting design strategy for areas to be lit has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and,
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or

prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Thereafter the site shall only be lit in accordance with the approved scheme.

Reason: In the interests of the preservation of bats, a protected species, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

22. No development, except for demolition or vegetation clearance, shall take place until a remediation strategy to deal with the risks associated with contamination of the site, including ground gas monitoring, in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy shall include the following components (as required):

- 1) A site investigation scheme, based on the information submitted with this application, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- 2) The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the approved remediation strategy before the first occupation of the development hereby approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the

National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

23. The development hereby permitted shall not be occupied until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

24. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

25. Notwithstanding the requirements of condition no. xx no drainage systems shall be introduced which allow for the infiltration of surface water to the ground unless and until a scheme for their installation has been submitted to and approved in writing by the LPA. The scheme shall include an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development, does not harm groundwater resources having regard to Core Strategy Policy L5, the National Planning Policy Framework and the Environment Agency's approach to groundwater protection.

26. No piling or investigation boreholes using penetrative methods shall take place unless and until a scheme for such works has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall consider what impacts the works might have on groundwater resources. Piling or investigation boreholes shall only take place in accordance with the approved scheme.

Reason: To ensure that the proposed development, does not harm groundwater resources having regard to Core Strategy Policy L5, the National Planning Policy Framework and the Environment Agency's approach to groundwater protection.

27. No above ground construction works shall take place until a strategy for energy efficiency and low/zero carbon technologies for the development has been submitted to and approved in writing by the Local Planning Authority. This strategy shall demonstrate how carbon emissions of at least 15 per cent below the Building Regulations Target Emissions Rate (2010) shall be achieved. The approved strategy shall be implemented in full prior to first occupation of the development hereby permitted or in accordance with a phased approach that has first been submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter.

Reason: In the interests of achieving a reduction in carbon emissions, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

28. The parking area identified as the 'Parking (3.87 acres)' area to the south of drawing no. 30731-PL-117 shall only be used as a waiting area by vehicles visiting units within the business park for the delivery and collection of goods and for no other purpose.

Reason: In the interests of highway safety and the visual amenity of the area, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

29. Within six months of the first date of occupation a Travel Plan, which includes measurable targets for reducing car travel, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Secretary of State for Transport. The Travel Plan shall:
- a) include a firm commitment to targets;
 - b) set out realistic and quantifiable targets;
 - c) set out effective objectives and incentives to reduce car travel and increase use of non-car modes for staff and visitors;
 - d) set out how Travel Plan targets will be reviewed and monitored against the baseline (which shall be established within 3 months of the first date of operation);
 - e) set out how employee travel surveys shall be completed every 12 months from the date of first operation and for a minimum period of ten years (i.e. minimum 12 no. surveys excluding baseline surveys); and,
 - f) set out how visitor surveys will be completed as a minimum, once every 24 months from the date of first operation and for a minimum period of ten years (i.e. minimum 5 no. surveys).

The Travel Plan shall be implemented for a period of not less than 10 years from the first date of operation.

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

30. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, 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 and the Council's adopted Supplementary Planning Document 3 - Parking Standards and Design and the National Planning Policy Framework.

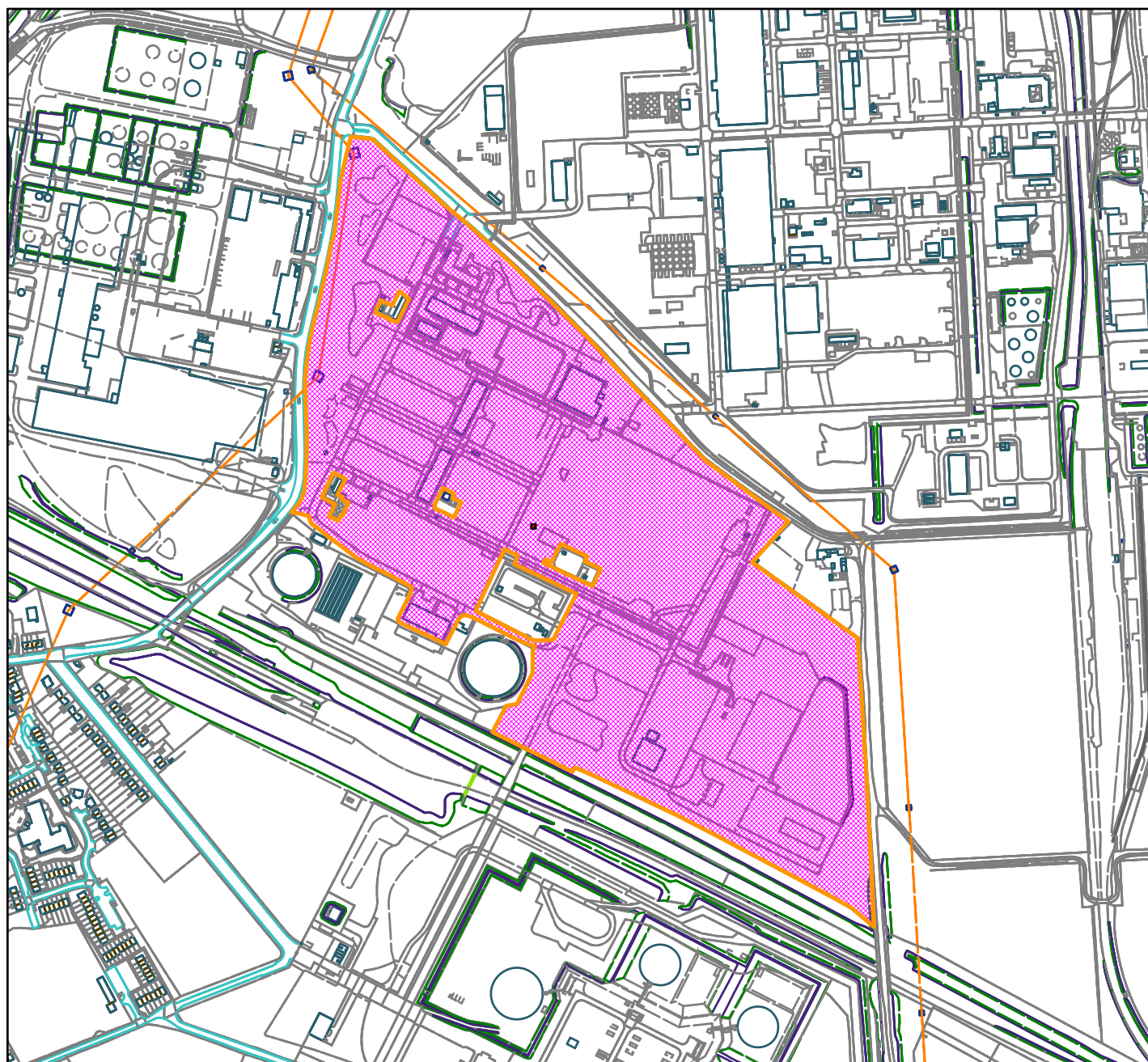
31. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within sections 4 (but excluding sections 4.6, 4.8 and 4.10) of the submitted Crime Impact Statement dated 13 June 2019, reference 2019/0190/CIS/01, and retained thereafter.

Reason: 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.

DH



Voltage Park, Manchester Road, Carrington (site hatched on plan)



Scale: 1:7,000

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	28/06/2021
MSA Number	100023172 (2012)

Erection of a new pair of semi-detached houses and demolition of the existing dwelling

9 Bow Green Road Bowdon, Altrincham, WA14 3LX

APPLICANT: Dr M Khan

AGENT: Dr Z Alvi

RECOMMENDATION: GRANT

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

EXECUTIVE SUMMARY

The application site relates to an L-shaped plot comprising of a detached dwelling to the north and an area of garden land to the south, which forms part of a wider site that has been the subject of a number of permissions for residential development, some of which are extant and some of which have lapsed. There are also current applications on the surrounding plots.

The application seeks permission for a pair of semi-detached houses on the southern part of the site. The houses would have accommodation over three floors with the majority of the second floor accommodation within the roof space. Two off street parking spaces would be provided per dwelling. The dwellings would have a traditional pitched roof design with gable features and dormers and use of buff textured brick, stone and slate.

With the exception of some changes to the second floor rooflights, the application proposal is identical to a previously approved development (planning permission 90644/FUL/17 which has recently expired). This is given significant weight as the policies at local level remain unchanged while the revisions to the NPPF/NPPG do not materially change the assessment of the acceptability of the proposal.

The Council's 2.4 year land supply automatically triggers the tilted balance but, in any case, the proposal is considered to be acceptable in policy terms and in terms of design, residential amenity, trees/landscaping/biodiversity, parking, highway safety and drainage.

In respect of the tests of NPPF paragraph 11, there are no policies protecting areas or assets of particular importance that would provide a clear reason for refusing the development proposed and there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of granting planning permission (namely, the provision of two family dwellings in a sustainable location, contributing to the Borough's housing supply, together with a small economic benefit arising from the construction process). The application is therefore recommended for approval, subject to appropriate conditions.

SITE

The application site comprises of an 'L' shaped plot of land comprising of a detached dwelling and ancillary outbuildings to the north and an overgrown vegetated area to the south, both of these elements fronting Bow Green Road to the west, and the southern element also fronting Stanhope Road to the south. The site is on the side of Bowdon Hill such that the ground levels fall moving north to south along Bow Green Road. Boundaries are marked by stone walls topped by vegetation to the west and north, whilst the remainder of the plot is open sided. The applicant previously owned the remainder of the original plot to the south-east, forming a rectangular site; however this land is no longer in the applicant's possession. There are two concurrent applications on the adjoining plot to the north-west (99663/FUL/19, 99642/FUL/19) for a detached unit and a pair of semi-detached units respectively.

Vehicular access to the site is from Bow Green Road, with parking being provided on a long driveway between the front of the property and the boundary with 5 and 7 Bow Green Road. There is a detached garage at the rear of the drive. The rear gardens of No's 5 and 7 adjoin the site on the northern side. Adjoining the eastern boundary of the site is a vacant rectangular plot beyond which are relatively modern detached houses (the side of Chatsworth House and the rear of Marlborough House). To the west of the site, on the opposite side of Bow Green Road, is 24 Bow Green Road.

To the south, across Stanhope Road are 7 and 9 Stanhope Road, both of which are detached residential properties.

There are a number of trees on site, none of which are protected by a Tree Preservation Order. There is however an area Tree Preservation Order protecting the adjacent trees located within the curtilage of Chatsworth House and Marlborough House (the area order also protects the trees within the curtilage of Devonshire House and Croft Manor).

The application site is located within a residential area, being surrounded on all sides by residential properties in a variety of styles.

PROPOSAL

The applicant seeks permission for a pair of semi-detached houses. The houses would have accommodation over three floors with the majority of the second floor accommodation within the roof space. Two off street parking spaces would be provided per dwelling. The dwellings would have a traditional pitched roof design with gable features and dormers and use of buff textured brick, stone and slate.

New metal / timber sliding gates are proposed to each dwelling with the existing 1.64 metre high stone boundary wall retained either side.

This is a stand-alone full application and is almost identical to the previously approved development under planning ref. 90644/FUL/17 (with the exception of some changes to the second floor rooflights).

The total floor space of the proposed new dwellings would be approximately 544 m².

Since the initial application revised plans have been received which provide for larger roof light openings

DEVELOPMENT PLAN

For the purposes of this application the Development Plan in Trafford comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
R2 – Natural Environment

For the purpose of the determination of this planning application, Policy L1 is considered to be partly out of date and Policy L2 is considered out of date in NPPF Paragraph 11 terms. This is addressed in more detail in the Principle section of this report. Policies L4, L5, L7, and L8 are considered 'up to date' in NPPF Paragraph 11 terms.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
SPD3- Parking Standards & Design;
SPD4- Extensions
PG1 - New Residential Development.

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) on 19th February 2019. 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, and was updated on 1st October 2019. The NPPG will be referred to as appropriate in the report.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

RELEVANT PLANNING HISTORY

104768/FUL/21 – Erection of dwelling with accommodation over three floors above ground level with landscaping and vehicular access from Stanhope Road – Pending consideration

102428/OUT/20 - Outline planning application for the erection of a pair of new semi-detached dwellings with new vehicular entrances onto Stanhope Road together with hard and soft landscaping following demolition of the existing dwelling. Consent is sought for access, appearance, scale and layout with landscaping reserved – Pending consideration

103057/OUT/20 - Outline planning application for the erection of a pair of new semi-detached dwellings with new vehicular entrances onto Bow Green Road following demolition of the existing dwelling. Consent is sought for access, appearance, scale and layout with landscaping reserved.- Pending consideration

100545/FUL/20 – Erection of dwelling with accommodation over three floors above ground level with landscaping and vehicular access from Stanhope Road – Withdrawn – 5 May 2021

99663/FUL/19 - Erection of a detached dwelling with new vehicle entrances onto Stanhope Road together with hard and soft landscaping and demolition of the existing dwelling – Pending consideration

99642/FUL/19 - Erection of a pair of new semi-detached dwellings with new vehicle entrances onto Stanhope Road together with hard and soft landscaping and demolition of the existing dwelling – Pending consideration

97076/RES/19 - Application for approval of reserved matters for the landscaping for plot 3 approved under outline planning permission 86978/OUT/15 – Approved 22/01/2020

96397/FUL/18 - The erection of a pair of new semi-detached dwellings with new vehicle entrances onto Stanhope Road together with hard and soft landscaping and demolition of the existing dwelling – refused 11/10/2019 but allowed at appeal 25/09/2020

90644/FUL/17 - The erection of a pair of new semi-detached dwellings and the demolition of existing dwelling – Approved April 2017

90141/FUL/16 - Erection of a pair of semi-detached houses – Withdrawn Feb 2017

87549/FUL/16 – Erection of dwelling with accommodation over three floors above ground level – Approved May 2016

86978/OUT/15 – Outline Planning Permission for the erection of 2 semi-detached houses and 3 detached houses following demolition of existing house (consent sought for access, appearance, layout and scale with all other matters reserved) – Approved March 2016

86414/OUT/15 - Outline Planning Permission for the erection of eight semi-detached houses following demolition of existing house (consent sought for access, layout and scale with all other matters reserved) – Withdrawn Feb 2016

85402/RES/15 - Application for approval of reserved matters for the appearance and landscaping of 3 detached dwellings approved under outline planning permission 75480/O/2010 – Approved June 2015

75480/O/2010 - Outline application (including details of access, layout and scale) for demolition of existing dwelling and erection of three detached dwellings – Approved 2012

H/OUT/66403 - Demolition of existing dwelling and erection of three detached dwellings (Outline application including details of layout, scale, and means of access) – Withdrawn 2008

H/OUT/66402 - Demolition of existing dwelling and erection of two detached dwellings and two apartments (Outline application including details of layout, scale and means of access) – Withdrawn 2008

CONSULTATIONS

LHA – No objection subject to waste refuse and bike storage design being finalised and CMS prior to development.

Lead Local Flood Authority - No objection subject to informative.

Pollution and Housing Team: -

Nuisance – No objection subject to CEMP and EVC point conditions

Contaminated Land – No objection

United Utilities – Comment that the site should be drained on a separate system with foul water draining to the public sewer and recommend that surface water drainage is done in the most sustainable way in accordance with the surface water drainage hierarchy set out in the NPPG.

GMEU – No objections - I have no reason to disagree with the survey findings that the property has negligible potential to support bats. No further bat surveys are needed.

REPRESENTATIONS

Seven objections (from separate addresses) the following is a summary of the principal points:

- *The development does not represent sustainable development in form proposed;*
- *Need for new homes should not result in poorly conceived schemes;*
- *Will result in unacceptable levels of on street parking;*
- *Development will disrupt the character and appearance of the neighbourhood;*
- *Will cause substantial noise and light pollution to the surrounding area;*
- *Concerns regarding the safety of the junction at Stanhope Road and Bow Green Road;*
- *Impact on climate change not considered;*
- *Disregard to impact on natural environment;*
- *Not efficient use of land;*
- *Impact on local services;*
- *Traffic safety issues note previous collisions in and around the junction*
- *The proposal represents over development.*
- *Application is poorly conceived and completely disregards the provisions of the NPPF and adopted Core Strategy;*
- *Would constitute gross overdevelopment of the plot to the detriment of the character and appearance of the adjacent conservation area and neighbouring residential amenity by way of overbearing impact and loss of privacy and amenity;*
- *Will have a detrimental impact on the street scene – character and spaciousness of the area;*
- *The development will have a detrimental impact on the local highway network;*
- *The application in its current form is inchoate and does not provide sufficient information to give neighbouring residents a clear understanding of the proposals.*
- *Proposal has failed to take into account the local context in terms of mass/scale/design.*
- *Lack of advertisement of the application*
- *Incremental development of this landholding is disingenuous*
- *The information submitted does not provide sufficient information on which to base a reliable decision;*
- *Lack of landscape detail-insufficient space on site to accommodate indigenous landscaping;*
- *Lack of drainage detail*
- *Lack of arboricultural detail*
- *Unclear what the impact will be on TPO 307 (In neighbouring property)*
- *Additional plans are not clearly stated as ‘proposed’ could cause confusion*
- *Will result in a poor outlook for future residents and overall design will have a negative impact on approach to the conservation area*
- *Glass within east elevation likely to result in overlooking and loss of privacy to neighbours – particularly significant if other applications are approved on the land.*
- *A lounge at second floor could result in overlooking and loss of privacy – contrary to policy L7.3*
- *Much larger roof lights than originally proposed – also noted that windows proposed to serve the ensuite bathrooms at second floor do not appear to be obscure glazed – must meet minimum obscurity of level 3 on the Pilkington scale*
- *Development is contrary to policy L1 – while site is outside the conservation area the large plot with a single dwelling is clearly characteristic of the area. Any development should be sensitive to this.*

- *Previous track record in relation to previous planning matters of the applicant is a material planning consideration – will not be content until a minimum 8x semi-detached, three storey dwellings are permitted on site.*
- *Applicant benefits from two extant permissions (96397/FUL/18 & 96461/OUT/18) and has had sufficient opportunity to develop the site. Council asked to consider the substance of the existing consents and this application to reach a decision as to whether the application is materially different enough to be determined.*
- *This with the other applications/approvals on site could lead to an additional 16 cars which would not be in keeping with the area.*

Six representations in support. The following is a summary of the principal points:

- *Paragraph 11 d) of NPPF relevant given lack of 5 year housing supply;*
- *Proposal will help meet housing need;*
- *Proposal would acceptably accord with policy L2 (meeting housing need);*
- *Economic benefit from construction phase;*
- *Development constitutes a high quality design;*
- *Principle of development has already been established by previous approvals on site;*
- *Will add to overall quality of neighbourhood and mix of development;*
- *Design follows similar various new developments in the Bowdon and Hale area.*

The representations will be addressed in the relevant parts of this assessment.

APPLICANT'S SUBMISSION

The applicant has submitted a design and access statement and bat roost assessment both of which will be discussed where relevant within this report.

OBSERVATIONS

Principle of Development

1. It is noted that planning permission has previously been granted in April 2017 for an almost identical proposal on this site (90644/FUL/17). That approval has only recently expired, and there have been no significant changes in relevant national or local policies since that approval.

2. The application site is unallocated in the proposals map. The site is surrounded by residential properties and is residential in nature. The site currently comprises a single dwelling set in large grounds although it is noted that extant permissions exist to develop the same.

3. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

4. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

5. The Council's 2.4 year housing land supply automatically triggers the tilted balance in Paragraph 11 of the NPPF, i.e. permission should only be refused if any adverse impacts of granting planning permission would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

6. The application proposes the erection of a pair of semi-detached dwellings on an area of land to the south of the plot, followed by the demolition of the original dwelling, with the applicant's intention being that the latter would be replaced by a pair of semi-detached houses (planning permission reference 93111/FUL/17 has previously been granted in relation to this and, although that permission has now expired, there is a further current application for an identical proposal on that part of the site (103057/OUT/20)).

7. The dwellings proposed in this application would be built over part of the existing dwelling's retained garden area. As such the site which would accommodate the proposal is considered to be greenfield land, as identified by the NPPF.

8. The proposal would therefore need to be considered in light of Core Strategy Policies L1.7-L1.8, specifically Policy L1.7 which sets an indicative target of 80% of new housing provision within the Borough to be built upon brownfield land. In order to achieve this target, the Council details within the Core Strategy that it will release previously developed land and sustainable urban area greenfield land in order of priority. It is noted that the first priority of Core Strategy Policy L1.7, which details the release of land within regional centres and inner areas for new development of housing, does not apply in this case due to the location of the site. Therefore the application must be considered against the second and third points of Policy L1.7.

9. In this instance it is noted that the application site is located within an established residential area and is considered to be within a sustainable location sited relatively close to public transport links, local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size, density and tenure to meet the needs of the community.

10. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution they would be made to meeting the Borough's housing needs. The application is for family housing and the proposal is therefore compliant with L2.4.

11. The proposal would therefore result in the erection of two new dwellings and, although the application site is classed as greenfield land, the proposal nevertheless satisfies the tests of Policy L1.7 and relevant policies within the NPPF. The application site is situated within a sustainable location and would also provide family homes within the area, in accordance with Core Strategy Policy L2. The proposal would also comply with paragraph 68 of the NPPF in that it would result in the provision of additional housing on a small site; thereby making an important contribution towards meeting the Borough's housing requirements. The NPPF also requires policies and decisions to support development that makes efficient use of land.

DESIGN AND IMPACT ON THE STREETSCENE

12. Policy L7 states that 'In relation to matters of design, development must:

- *Be appropriate in its context;*
- *Make best use of opportunities to improve the character and quality of an area;*

- *Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and*
- *Make appropriate provision for open space, where appropriate.*

13. Objections have been received on the basis that the development would be out of character with the area due to its style and semi-detached nature and would result in lack of space and overdevelopment of the site. The letters of support in terms of the design suitability are also noted.

14. The application site is situated within a predominantly residential area. Typically plots comprise relatively large detached family houses and many have living accommodation in the roof space i.e. over three floors as is proposed here. There is however a range of styles visible in the area ranging from traditional to contemporary in terms of appearance and materials used. There are also examples of plots that have been subdivided to allow for more than one dwelling on the plot. In addition, there are examples of apartment developments in the area. Therefore, while objections have been raised to the principle of semi-detached dwellings there is no reason to preclude such development provided that the scale, massing, height and design is not out of character with the general area.

15. The dwellings would be set back between six and seven metres from the site frontage and while this is further forward than Chatsworth House to the east it is generally reflective of the building line of the previously approved outline permission and consistent with the previously approved full permission 90644/FUL/17 on this site and it is considered that the dwellings would be adequately set back from the road and would not be unduly prominent in the street scene.

16. Gaps of approximately 1.5 metres would be retained between the main side walls of the dwellings and the side boundaries (1 metre between the well recessed chimney feature and the side boundaries).

17. The main roof ridge would be 10.6 metres high with the roofs of the gable features slightly higher at 11 metres. This is not considered excessive for dwellings in this area and is comparable to both the height of previously approved properties on the site and existing adjacent properties in the area.

18. The design approach could be described as a contemporary version of an Arts and Crafts property with a traditional double pitched roof with subsidiary pitched gable features breaking up the front elevation to add character and reduce massing. Facing brickwork is proposed to be in buff brick with a textured quality, set beneath a slated roof to a traditional profile. A mix of traditional and contemporary materials such as slate, glazing, aluminium and brickwork are proposed. The design approach is not dissimilar to that taken at No. 22 Stanhope Road which is considered to be a successful addition to the street scene. A materials condition will ensure that the materials used will be of appropriate quality.

19. Having regard to the range of property styles within the vicinity of the application site which includes a mix of traditional dwellings interspersed with more contemporary new build dwellings it is considered that the design and appearance of the dwellings is acceptable.

20. The concerns raised in the representations regarding lack of landscape detail are noted. This detail would be required with full details of soft and hard landscaping needing to be agreed. A condition would therefore need to be attached requiring this information and it would be expected that this would include soft planting particularly

on the front boundary of the site and some additional tree planting. The applicant should seek to introduce native species of local origin in order to achieve a biodiversity net gain across the plot. Any subsequent landscape plan should clearly demonstrate how net gain is being achieved on site. This should include habitat creation for birds and bats as well as the physical planting within the site and on the boundaries.

21. It is noted that there have been various applications for developments on the wider site some of which could not be implemented in conjunction with this application and others that potentially could. For clarification it is considered that this application is acceptable in design and street scene terms on its own merits if implemented in isolation or in combination with other dwellings on the site should they be implemented.

22. In conclusion, the design, scale and materials proposed are considered to be in keeping with other dwellings in the area and are considered to be acceptable subject to conditions requiring the submission and approval of materials and landscaping details. As such it is considered that the proposed would not result in harm to visual amenity and is considered to be compliant with Core Strategy Policy L7 and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

23. Policy L7 states that in relation to matters of amenity protection, development must:

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

24. Objections have been received on the basis that the dwellings would have an intrusive and overbearing impact on neighbours and would result in loss of privacy and impact on residential/visual amenity.

25. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines usually require for new two storey dwellings that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The 27 metre guideline does, however, allow for future extensions to the rear of properties and this can be mitigated via the removal of permitted development rights for new developments. These distances would also apply to views from balconies and would usually need to be increased by 3 metres for any second floor windows / balconies.

26. Distances of 10.5 metres are normally required between first floor windows and private garden areas to prevent loss of privacy to gardens, which again should be increased by 3 metres from 2nd floor level. A distance of 15m is normally required to be maintained between a 2 storey wall and a principal main habitable room window in a neighbouring property to prevent development having an overbearing impact.

27. The front elevations of the houses to the south of the application site (7 and 9 Stanhope Road) would be approximately 29-30 metres away from the main front elevation of the proposed properties. The eastern side elevation of the proposed dwellings would be approximately 18 metres away from the side boundary and 25 metres away from the side elevation of 6 Stanhope Road to the east and approximately 35 metres away from the boundary with the site of 24 Bow Green Road to the west.

28. In terms of impact upon neighbouring residents the proposed dwellings are compliant with the maximum heights and minimum separation distances to boundaries set out in SPD1 New Residential Development in relation to existing properties outside the application site and consequently would not result in material loss of light, outlook or privacy, nor have an overbearing impact. This is taking account of the revised plans received with the enlarged and relocated roof lights. In addition, due to the separation distances the proposal would not result in light or noise pollution to neighbouring properties over and above what would normally be associated with family housing.

29. At the present time the land either side of the curtilage of the proposed dwellings, but within the garden of 9 Bow Green Road, is vacant although the plots either side have been the subject of previous planning approvals and are subject to concurrent applications at the time of writing. It is considered likely that they will be developed in the future but the exact form of those developments cannot be known at this point in time.

30. It is therefore recommended that side facing windows in the proposed dwellings at first floor and roof level should be obscure glazed and fixed shut unless the opening parts are in excess of 1.7 metres above internal floor level in the room they serve to prevent any loss of privacy to properties either side.

31. It is noted that the short section of balcony at the rear second floor has an obscure glazed privacy screen to maintain privacy to existing and future occupiers to the east of the site and to the proposed adjoining semi-detached property and a condition is recommended in relation to that.

32. The rear elevation of the proposed dwellings looks across the rear garden of the application plot onto the northern part of the site upon which No. 9 Bow Green Road currently stands. The rear elevation would be approximately 27 metres away from the existing northern site boundary of No. 9 Bow Green Road.

33. The current proposal would not have an acceptable relationship with the existing property on the site (No. 9, Bow Green Road) as the relationship would not be compliant with the Council's adopted guidelines in relation to privacy distances. However it is proposed as part of this application that the existing property on site be demolished prior to first occupation of either of these dwellings and a condition is attached to ensure that this is the case.

34. It is noted that there is a now expired application to the north of the site (app no. 93111/FUL/17) which permitted a pair of semi-detached dwellings. While this is no longer extant, there is a current application 103057/OUT/20 for an identical proposal on that part of the site and it is therefore prudent to consider potential impacts based on those previously approved plans as a reference point. The rear of the proposed dwellings would look towards the sides and rear gardens of those units. Given the separation distances and side facing elevations of the properties in question the current proposal would not be materially detrimental to any future occupiers of those properties should they be built. The levels of separation would be sufficient to prevent loss of amenity to the future occupiers of that development were these proposal to be implemented in the future.

35. Should this scheme be approved permitted development rights should be removed to prevent extensions and the addition of windows or dormer windows to the dwellings. This would prevent any uncontrolled extensions or addition of windows or other openings in the future that could potentially result in loss of amenity or

overdevelopment. In addition final levels should also be agreed prior to any works commencing on site given the proximity of neighbouring properties.

36. Subject to the attachment of conditions regarding the fitting of obscure glazing to all first and second floor windows in the side elevations of the proposed dwellings, unless the sill levels are above 1.7m above floor level, together with an additional condition requiring the installation of a privacy screen to the rear balcony, the proposal would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy, and would provide future occupants with a satisfactory level of amenity.

37. Again, it is noted that there have been various applications for developments on this site some of which could not be implemented in conjunction with this application and others that potentially could. For clarification it is considered that this application is acceptable in residential amenity impact terms on its own merits if implemented in isolation or in combination with other dwellings on the site should they be implemented.

38. The proposal is therefore considered to be in accordance with Policy L7 of the Trafford Core Strategy and the NPPF.

PARKING AND HIGHWAY SAFETY

39. Paragraph 109 of the NPPF states that *“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

40. The objections regarding highway safety and parking are noted.

41. With regard to car parking the LHA comment that SPD3: Parking Standards and Design for Trafford states that for a three bedroom dwelling in this area, two off-street car parking spaces are required. The proposed hardstanding area to the front of the property can accommodate two parking spaces; as such the parking requirements are met.

42. In terms of drainage, all surface water on this area can be dealt with via appropriate drainage and/or permeable surfaces and can be secured by condition in the event of an approval.

43. The LHA has not identified any recorded collisions at this junction.

44. It is noted that final details would be required regarding refuse and cycle storage, these elements could be finalised by condition.

45. Both the LHA and EHO have noted that a CEMP would be required in the event of approval. It is recommended that such a plan be sought prior to the commencement of any development on site.

46. Having regard for the above it is considered the proposal would accord with policy L4 and the NPPF.

ECOLOGY

47. NPPF Paragraph 170 d) notes planning decisions should contribute to and enhance the natural and local environment by.... d) *minimising impacts on and providing net gains for biodiversity....*

48. Planning Practice Guidance notes planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications.

49. At a local level, Policy R2 of the Council's Core Strategy notes '*Where the council considers it necessary, in order to protect the natural environment, developers will be required to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the development proposal.*'

Trees

50. The comments made in representations in relation to the application form in respect of trees on site are noted, however a site topographic survey plan has been submitted and the conclusions of this report are also based on observations of the site following a site visit.

51. The red edged application site is not covered by a Tree Preservation Order (TPO) and is not in a Conservation Area. Consequently permission is not required for removal of trees on site. The site is overgrown which could best be described as scrub and while more mature trees are present on other parts of the holding there are none which would be affected by this proposal. As detailed earlier, any subsequent landscape scheme could adequately compensate for loss of vegetation.

52. It is noted that there is a TPO in the grounds of Chatsworth House however this development is sufficient distance away not to result in harm to any trees which are the subject of the TPO.

53. As detailed in the earlier amenity section, additional tree planting will need to be covered as part of a wider landscape proposal which should include biodiversity enhancement measures proportionate to the size of development and location within a suburban area.

Bats

54. The applicant has provided an updated bat roost assessment in line with a request from the GMEU. This request was made in relation to the two applications on plot 3 but is relevant in this case also given it relates to the existing house on site. The GMEU has reviewed this and has no objection to the development on the basis of the information provided. It is advised however that bats can, and do, turn up in unlikely places. Should bats be found works must cease and advice must be sought from a suitably qualified and experienced person on how best to proceed. An informative to this effect should be attached in the event of approval.

55. Having regard for the above it is considered that, subject to appropriate conditions, the development would accord with Policy R2 of the Trafford Core Strategy and the NPPF.

OTHER MATTERS

Drainage

56. Policy L5.1 of the Core Strategy notes that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.

57. The comments in relation to drainage are noted. The Lead Local Flood Authority has reviewed the proposal and found there is no issue considering that the proposal will not have any detrimental impact on surface water runoff.

58. United Utilities has raised no concerns subject to separate surface water and sewerage connections.

Procedural matters

59. The objection regarding the lack of information submitted with the application is noted. The planning authority has requested further information where required during the assessment process. In addition the required consultees have been consulted to provide their expert technical advice in relation to specific aspects of the proposal.

60. It is deemed that sufficient information is available for the planning authority to make a reasoned planning determination. Where necessary outstanding design detail can be dealt with in a satisfactory manner by condition allowing the planning authority sufficient control regarding the required aspects to ensure a development which accords with local and national policy, which is normal planning practice.

61. The objection regarding lack of advertisement of the application is noted. The application was advertised by both neighbour notification (adjoining neighbours) and site notice. This is in line with the Town and Country Planning (Development Management Procedure) Order 2015.

Previous Permissions

62. The point relating to the previous track record of applications on this land holding is noted. While there is a long history of various applications there are no restrictions on the number of applications the landowner/applicant is entitled to submit.

63. Two applications 96397/FUL/18 & 96461/OUT/18 are cited by an objector. While these are on the same landholding, they do not relate to the same plot. The cumulative impact has been considered as part of the assessment of this application.

DEVELOPER CONTRIBUTIONS

64. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the hot zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

PLANNING BALANCE AND CONCLUSION

65. The importance of housing delivery is highlighted both at a national and local level through respectively the NPPF, and Trafford's Core Strategy. In the absence of a five year housing land supply, the delivery of any additional housing is afforded significant weight in favour of the application.

66. The proposal would provide two additional dwellings (taking account of the fact that permissions have been granted previously for dwellings on the site of the dwelling to be demolished and that there is a current application for an identical form of development on that part of the site) and is considered acceptable in all other respects, namely design/character, residential amenity, trees/landscaping/biodiversity, parking, highway safety and drainage. The increased density of development within this site would not cause any material harm in planning terms. It is considered that the proposal complies with Local Plan policies L1, L2, L5, L4, L7, L8 and R2 of the Trafford Core Strategy. Paragraph 11 of the NPPF requires development proposals that accord with the development plan to be permitted without delay.

67. In addition, the fact that a previous permission for an almost identical form of development has only recently expired is given significant weight as the policies at local level remain unchanged while the revisions to the NPPF/NPPG do not materially change the assessment of the acceptability of the proposal.

68. In respect of the tests of NPPF Paragraph 11, there are no policies protecting areas or assets of particular importance that would provide a clear reason for refusing the development proposed and there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of granting planning permission (namely, the provision of two family dwellings in a sustainable location, contributing to the Borough's housing supply, together with a small economic benefit arising from the construction process). The application is therefore recommended for approval subject to appropriately worded conditions being attached to a grant of permission.

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, numbers: A1070(a)-A-G100-P-00 Rev A; A1070-A-G200-E-01 Rev G; A1070-A-G200-P-00-Rev I; A1070-A-G200-P-01 Rev I; A1070-A-G2-E02 Rev D (East & West Elevations); A1070-A-G200-E-00; Site Plan 001; and A1070-A-G200-S-01.

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

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

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

4. Notwithstanding the details hereby approved, no above ground development shall commence unless and until detailed plans and sections at a scale of 1:5 showing the external reveals, detailing of window and door openings (including heads, cills and jambs), the screens at first floor level and the treatment of facade and roof edges 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: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

5. No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall address, but not be limited to the following matters:

- i) Suitable hours of construction and pre-construction (including demolition) activity;
- ii) Measures to control the emission of dust and dirt during construction and preconstruction (including demolition) and procedures to be adopted in response to complaints of fugitive dust emissions;
- iii) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- iv) Measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity and plant such as generators;
- v) Information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors;
- vi) The parking of vehicles of site operatives and visitors;
- vii) Loading and unloading of plant and materials;
- viii) Storage of plant and materials used in constructing the development;
- ix) The erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- x) Wheel washing facilities and any other relevant measures for keeping the highway clean during demolition and construction works;
- xi) Contact details of site manager to be advertised at the site in case of issues arising. No fires shall be permitted on site during demolition and construction works. The development shall be implemented in accordance with the approved CEMP.

Reason: A pre-commencement condition is required in the interests of highway safety and local amenity having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works (including site boundary treatments) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, proportionate biodiversity enhancement measures, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting

season following final occupation of the development hereby permitted, whichever is the sooner.

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

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

7. The development hereby approved shall not be occupied until details of the bin stores which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, and cycle storage have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores and cycle storage shall be completed and made available for use prior to the first occupation of the dwellinghouses and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse, recycling and cycle storage facilities at the design stage of the development, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent order following the amendment, re-enactment or revocation thereof), upon first installation, the first-floor and roof windows in the side elevations of the dwellings hereby approved shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening windows and textured glass (obscure glazed to no less than Level 3 of the Pilkington Glass scale or equivalent) and shall be retained as such thereafter.

Reason: In the interests of residential amenity in accordance with Policy L7 of the Core Strategy and NPPF.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent order following the amendment, re-enactment or revocation thereof), the second-floor roof rear facing balcony hereby approved shall not be brought into use unless and until opaque screens to the side boundaries measuring no less than 1.7m in height have been erected in accordance with the plans hereby approved (drawing number A1070-A-G200-P-01 Rev. I). The screens shall be retained as such thereafter.

Reason: In the interests of residential amenity in accordance with Policy L7 of the Core Strategy and NPPF.

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

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof)

- (i) no extensions shall be carried out to the dwellings
- (ii) no garages or carports shall be erected within the curtilage of the dwellings
- (iii) no buildings, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings
- (iv) no windows or dormer windows shall be added to the dwellings

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

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

12. The dwellings hereby approved shall not be occupied until the property known as No. 9, Bow Green Road, Bowdon, WA14 3LX has first been demolished in its entirety.

Reason: In the interests of the amenities of current and future occupiers of the site having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby approved shall not be occupied unless and until a scheme for the provision and implementation of one electric vehicle charging point for each dwelling has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme and the electric vehicle charging point shall be installed prior to first occupation and retained thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

15. No works involving the erection of any building hereby approved shall take place until existing and proposed finished site and floor levels for the proposed

building(s) relative to 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: In the interests of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

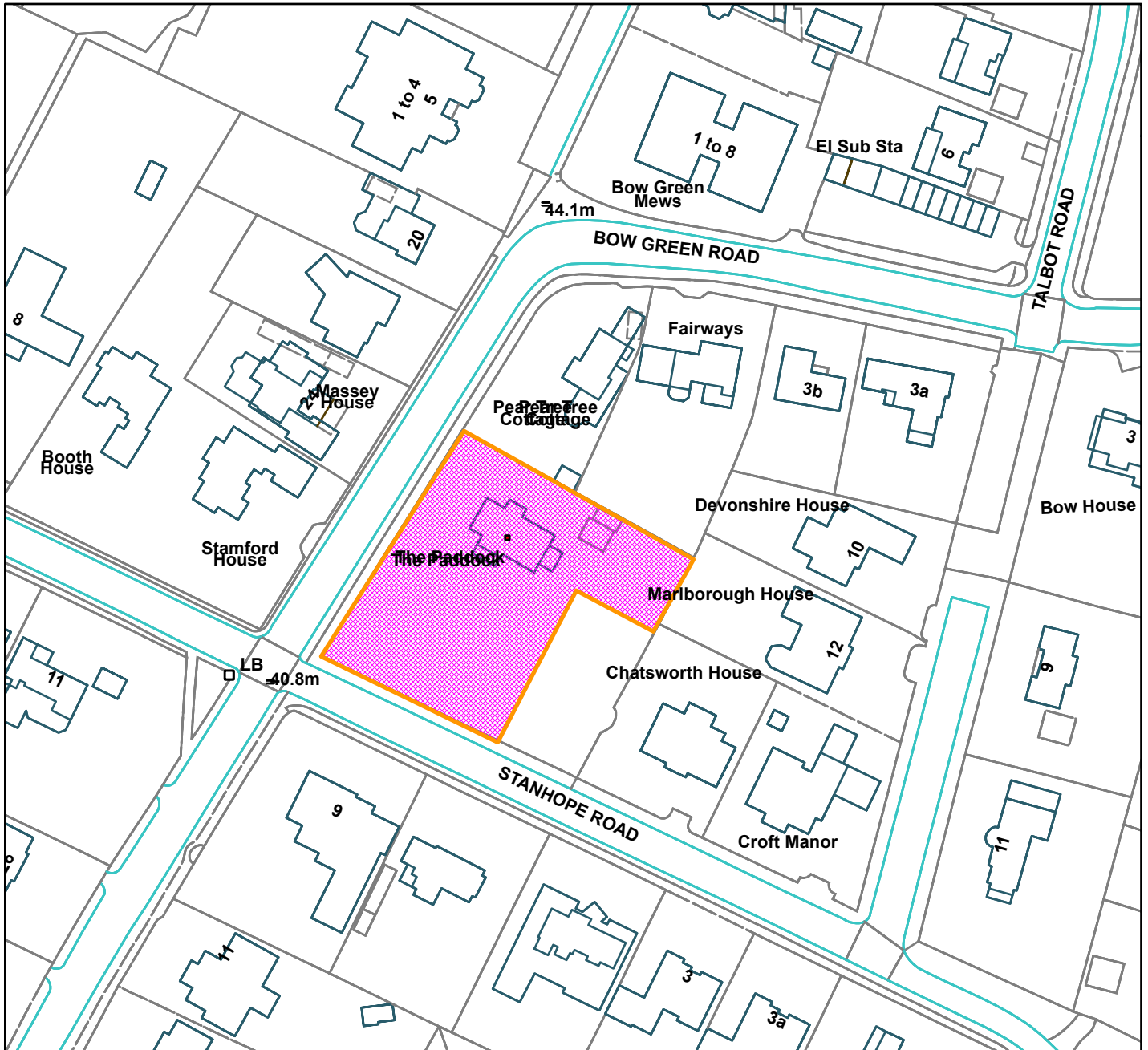
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or replacing that Order), with the exception of the areas marked on the approved plans as a 'balcony' any flat roofed areas on the building hereby approved shall not be 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 those roofs unless planning permission has been sought and 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 and the National Planning Policy Framework.

CK



9 Bow Green Road, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	28/06/2021
MSA Number	100023172 (2012)

WARD: Hale Central

103983/HHA/21

DEPARTURE: No

Partial retrospective application for: - extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension and external alterations including reconfiguration of the roof to single storey outrigger (amendments to 100604/HHA/20).

22 Queens Road, Hale, WA15 9HE

APPLICANT: Mssrs. Nolan

AGENT: Crowley Associates Ltd

RECOMMENDATION: REFUSE

This application has been referred to the Planning Committee at the discretion of the Head of Planning and Development.

SITE

The application relates to a two storey detached property situated on the western side of Queen's Road in Hale. Substantial roof alterations have already been carried out in breach of planning control. On 2 March 2021 the Council refused to grant retrospective planning permission for the existing unauthorised work due to the resulting visual harm (application ref: 102933/HHA/20).

The site is located within a predominantly residential area, with two storey residential properties bounding the site to the southern side and the east (rear). The Grade II listed Stamford Park Infant and Junior School is located on the opposite side of Queens Road, to the north-west of the site. School playing fields bound the site to the north side. Single storey buildings forming offices and a vehicle workshop are situated opposite the site on the western side of Queen's Road.

The original dwelling had a hipped roof with a decorative gable, ground floor and first floor curved bay windows, with a single storey side extension and front driveway. The west side elevation has a two storey curved bay window. To the rear, there is a large single storey rear extension and a small sized garden. The western side of Queen's Road is characterised by large two and half / three storey semi-detached Victorian properties.

Properties on the opposite side of Queen's Road and to the south are within the South Hale Conservation Area. The site itself is located outside the conservation area, with a minimum distance of 21.2m lying between the front boundary of the site and the closest part of the conservation area boundary.

PROPOSAL

The application property was extended in 2020 with the construction of a new and enlarged roof structure. Alterations, including a small extension, were also made to an existing single storey rear extension.

The roof alterations have resulted in an increase in the maximum height of the building. The extent of the increase in height is disputed. The applicants say that the maximum height has been increased by 5cm, but it appears to the Council that the increase in height could be as much as 40cm.

The new roof has gable walls and a large flat roof dormer. The dormer extends to the full three storey height and is framed by imitation eaves and verge detailing. The gable walls have a black and white mock-tudor style finish, whilst the dormer, verges and eaves are clad in roof tiles.

This planning application seeks to regularise most of the work, but proposes alterations to reduce the angle of front facing roof slope from 44° to 33° which the applicants say matches the pitch of the original roof slopes. However, this detail is also in dispute and it appears to the Council the original roof slope was shallower, resulting in a lower maximum height.

Following the alterations, the roof extension would provide two bedrooms, a bathroom and a store room. Two velux windows would be provided to the front roof slope and three windows are provided to the rear elevation.

The application also seeks retrospective planning permission for the small enlargement to the existing single storey rear extension, as well as alterations to its roof. The enlargement and alterations to the single storey extension comprise of amendments to the scheme approved under a previous planning permission 100604/HHA/20.

In support of the application, three sets of plans and elevational drawings have been submitted: original, existing and proposed. It is noted that the 'original' plans and elevational drawings have been produced after the works have taken place and therefore are not based upon an actual survey of the original dwellinghouse.

Value Added

In this instance, it is considered that the proposal is harmful to the appearance of the host dwelling and streetscene and that any amendments that would be required to make it acceptable go beyond the scope 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.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Transport and Accessibility

L7 - Design

R1 – Historic Environment

PROPOSALS MAP NOTATION

Unallocated

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking Standards and Design

SPD4 – A Guide for Designing House Extensions & Alterations

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the response. If PFE / GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. 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, and is regularly updated. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

102933/HHA/20 - Retrospective application for: - extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension and external alterations including reconfiguration of the roof to single storey outrigger (amendments to 100604/HHA/20) – Refused 02.03.2021. (Appeal submitted)

100604/HHA/20 - Erection of single storey rear extension – Approved with conditions 13.07.2020.

100360/CPL/20 – Certificate of proposed lawful development for alteration to roof shape, rear dormer, porch to front of property, replacement of upvc windows and remodelling of the eaves & roof of rear outrigger – Approved 19.05.2020.

APPLICANT'S SUBMISSION

The applicant has submitted a Planning Statement in support of the application. The information provided in this statement is discussed where relevant within this report.

A legal Opinion prepared by a barrister has been submitted on behalf of the applicants. The Opinion challenges the Officer's report to the Planning Committee and concludes that the Council's assessment of the fall-back position is irrational. The key matters that they raise are: -

- The Opinion states it was unfortunate Officers did not notice that the development proposed under the Certificate of Lawful Development was not capable of being constructed.
- They disagree with the comments under the 'Proposals' section of the report, which refers to the increase in the height of the roof being as much as 40cm.
- The expectation that the property should "twin" with the property next door is unrealistic given taste and the availability of permitted development rights.
- The development that is proposed would not be materially different to that which would be achieved under permitted development rights, which is a material consideration in the determination of the application.
- No weight is given to the fact that the applicants could achieve a materially identical scheme through permitted development, albeit 5cm lower at the ridge height, which is unreasonable and fails to have regard to an important material consideration. Furthermore, 5cm is acceptable in terms of development tolerances and would be indiscernible to "the man on the Clapham omnibus".
- The appeal decisions provided within the report are not binding as a matter of law and they disagree with the Inspectors approach to these appeals.

CONSULTATIONS

Heritage Development Officer – No objection to the proposal, making the following comments:

The application site lies within the setting of Stamford Park junior and infant schools, master's house and play sheds with surrounding walls, gates and railings, Grade II listed.

Setting is defined as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral [NPPF, Annex 2]. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset can contribute to significance, other factors can also influence the experience of a heritage asset.

There are kinetic views of Stamford Park Junior School when moving north and south along Queens Road. Due to the curve of the road, the view looking north in particular allows the full layout and architectural interest of the school buildings, boundary wall & schoolmasters house to be appreciated. At the junction with Stanway Drive, the application site along with the similar neighbouring property forms the periphery of a wider view of the listed building and the buildings can be seen in context of one another.

Having assessed the part retrospective application, I consider the works will not impact upon the appreciation or experience of the significance of Stamford Park Schools. I confirm there is no harm to the setting of this Grade II listed building.

REPRESENTATIONS

A letter of objection has been received from an adjacent resident which is summarised below: -

- In relation to the proposed roof extensions, they will require a lot more work and disruption and the end result will be no better than the existing, that has already been refused by the Council.
- The roof should be a hip or gable, not flat and the gables should be brick to match the existing.
- In regards to the changes to the outrigger, they do not object if the building is never extended again.

Three letters of support has been received, one from resident on the opposite side of Queens Road, one from a resident of Hawthorn Road and one from a business on Broomfield Lane which is summarised below: -

Hawthorn Road:

- They consider that there is no material harm or visual impact with the structure that has been built.
- The new structure does not look out of place with the existing street and improves it by refreshing the property.
- Having to take further work on the property would be unjustified and environmentally irresponsible.

Queens Road:

- Previously 22 Queens Road was a HMO in need of renovation, rundown and with numerous residents and cars lead to parking problems.
- Once the current owners purchased the property they (the applicants) discussed their plans to extend with neighbours and kept them notified and contactable during the building works.
- Many properties in area have been extended and altered and so no certain street scene and the proposal is not out of keeping, consider the extension at no. 20 to be more out of keeping due to brick colour.
- The proposal would be permitted development if built from the start so to refuse and require the removal would be waste of taxpayers' money.
- Many other applications consider fallback position and have been approved as such, the Council should be consistent.

Following the receipt of the above letter of support an email was received from the previous occupant of 22 Queens Road who disputes the claims regarding the condition of the property and that it was an HMO with many cars parked on the front, and in fact they occupied it with one other member of their household.

Broomfield Lane:

- Passes through area daily and seen work area undertaken.
- Understands plans change original roof design, however would like to support application.
- Does not consider there to be a visual impact and no harm in the structure that has been erected, work in keeping with the number of properties developed in area.
- It would be an unjustifiable waste of Council money to deny this application and cause the owners to change it in any way from how appears now.
- Property improvement to area and to property as previous.

OBSERVATIONS

BACKGROUND

1. In May 2020 the application site was granted a Certificate of Lawful Proposed Development (CLPD) for alterations to the roof shape, including a rear dormer window and for a front porch, replacement of windows and the remodelling of the eaves and roof of the single storey outrigger (ref: 100360/CPL/20). A CLPD is confirmation that the works proposed (as shown on the submitted plans) can be

built without planning permission (in this case under permitted development rights) and the certificate confirms they are lawful on the date the application is made.

2. The Council became aware in July 2020 that the works being carried out to the property were not in accordance with the details of the Certificate of Lawful Proposed Development and that the works that had been carried out did not constitute permitted development. The applicants have informed the Council that the Certificate proposals were based on an inaccurate survey of the property, which resulted in inaccurate “original drawings” and a proposed scheme which was incapable of being built.
3. A retrospective planning application (ref: 102933/HHA/20) was submitted on 17 December 2020 which sought to retain extensions and alterations to the main roof, including conversion from hipped to gable, change in angle of front roof slope, insertion of roof lights to front elevation, erection of dormer window to rear roof slope; extension and external alterations including reconfiguration of the roof to single storey outrigger. The application was refused under officers’ delegated powers on 2 March 2021 for the following reason: -

“The proposed alterations to the roof, including the realignment of the front roof slope, the change in roof form, and the configuration of the rear roof slope to incorporate a box dormer window, by reason of their scale, massing and design (including materials), result in an incongruous and prominent feature that is detrimental to the character and appearance of the host property and is visually intrusive when viewed from within the street scene and neighbouring gardens. As such, the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council’s adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework.”

4. Following the refusal, the applicants have submitted the current revised proposal, which seeks to retain the works to the roof and single storey outrigger, with an amendment to the front roof slope. The applicants contend that this latest scheme would have constituted permitted development had none of the works already been carried out and thus should be treated as a ‘fallback’ position. The matter of the fallback position is discussed in more detail below.

PRINCIPLE

5. Policy L7 of the adopted Core Strategy is considered to be most important for determining this application. This policy is ‘up to date’ in NPPF terms and therefore the ‘tilted balance’ in Paragraph 11 of the National Planning Policy Framework does not apply. The application should be determined in accordance with the development plan unless material considerations indicate otherwise.

DESIGN AND STREET SCENE

6. Paragraph 124 of the NPPF states that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
7. Paragraph 130 also 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”.
8. 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.”
9. In regards to dormer windows and roof extensions, section 3.6.2 of SPD4 states that “Not all properties can achieve this type of extension as a shallow pitch on the main existing roof would result in an unduly large dormer to get adequate floor space and ceiling height, and this is likely to spoil the appearance of the house.”
10. Section 3.6.3 – 3.6.5 of SPD4 further states “Dormer windows should be proportionate to the scale of the property and reflect the style and architectural character of the original house. The design of a dormer window should complement the parent roof. Pitched roofs are generally more appropriate, reflect the character of the property more effectively, and often improve the appearance of the dormer extension. Flat roofs will not normally be accepted except where it can be clearly demonstrated that they complement the host property. Dormers should match the style and proportions of the windows below and as far as possible be vertically aligned with openings below...large dormers with large expanses of glazing should be avoided as these can dominate the roof line. It is better to have two smaller dormers rather than one large dormer. Excessively large or too many dormer windows can appear incongruous, top heavy and visually harmful... a dormer window should be small scale and modest in size...dormers should not project above the edge of the roof...space should be retained between the edges of a dormer and the top and side of the roof and its eaves.”
11. Queens Road contains some non-residential buildings, including Stamford Park Infant and Junior School to the north-west of the site and a small single storey in-fill commercial building directly opposite the application site. However, the predominant character is that of a residential street, with the western side comprising of larger two and a half / three storey Victorian dwellings, whilst the

eastern side is characterised by smaller interwar two storey detached and semi-detached houses, typically with hipped roofs.

12. The application site can be considered as one of a pair of detached houses with its twin at number 20. Prior to alteration, the properties shared many architectural details in common, such as recessed arched entrance, curved two storey bay windows at front and side and a hipped roof forming a short central ridge line.
13. The proposal to reduce the pitch of the front facing roof slope will do little to diminish the cumulative impact of the roof alterations at the application site. The roof would still appear to be overly dominant and top heavy creating an incongruous feature that is out of character with the host property, its neighbour at number 20 and the surrounding area.
14. The materials of the side elevations of the roof extension comprise of white render and dark painted timber panels. Whilst it is recognised that the materials are reflective of the fascia to the original pitched roof of the two storey projecting bay on the front elevation, the original render and timber are only a small feature on the property. Whereas, due to the size of the resulting roof, the white render and timber panels to the side elevations of the extension cover a considerably larger area. It is considered that the materials used on the side elevations further contribute to the unduly prominent appearance of the roof.
15. The dormer construction dominates the rear facing elevation of the property. The height, width and depth of the construction results in an incongruous feature that eliminates almost all traces of the original roof form. It is further noted that the windows within the dormer do not align with any of the openings below, as advised in section 3.6.4 of SPD4. It is therefore also considered that the design and massing of the rear part of the roof is contrary to SPD4.
16. The property is bound to the north by school playing fields, which results in the northern side elevation of the property, and the roof in particular, being visible from longer ranged distances along Queen's Road than if there had been a dwellinghouse adjacent to the north boundary. Due to its elevated position and large scale, it is also noted that the rear box dormer window is also readily visible from the neighbouring cul-de-sac Stanway Drive. It is therefore considered that as well as causing harm to the appearance of the host property, the proposed development also results in undue harm to the existing street scene and the character of the surrounding area. The proposal is therefore contrary to Policy L7 of the Trafford Core Strategy, SPD4 and the NPPF.
17. Whilst it is noted that the applicant identifies within their accompanying Planning Statement that many of the properties on the eastern side of Queen's Road have been altered and extended, none of the neighbouring properties have substantially altered the main roof to the degree proposed on the application site. Only one of the examples provided (No.4 Queen's Road) has been granted planning

permission for a dormer window, which is significantly smaller than that proposed at No.22 and has a pitched roof. Where two storey side extensions have been provided, the roof reflects the pitch and style of the existing main roof, thus complementing the host property and creating a subservient appearance, whilst still being able to read the original roof form. It is not considered that the examples provided by the applicants of neighbouring extensions and planning permissions demonstrates a precedent for the development proposed under this planning application.

18. The single storey extension to the existing outrigger essentially squares off the existing L shape rear extension. The design of the extension is considered acceptable and in keeping with the host property. The single storey rear extension is of an appropriate projection and would integrate well with the existing property. Whilst it is noted that the property has already been significantly developed, it is considered that this further extension does not reduce the space available around the property, is not detrimental and does not warrant refusal, therefore on balance it is considered acceptable. It is also acknowledged that the footprint and massing of this extension is comparable to that approved under the extant consent 100604/HHA/20.
19. The proposal also includes external alterations to the existing outrigger, including the replacement of a window and set of patio doors on the north elevation with a double set of patio doors. The roof of the outrigger has also been significantly lowered in height, changing from a maximum ridge height of 4.18m to 3.3m. These alterations to the existing outrigger are also considered acceptable in regards to their design in relation to the host property and the character of the surrounding area. It is also noted that planning application 102933/HHA/20 was not refused on the grounds of the design and massing of the extension and alterations to the single storey outrigger.

IMPACT ON SETTING OF HERITAGE ASSETS

20. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local planning authority in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
21. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay 'special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area' when determining planning applications.
22. Policy R1 of the Core Strategy, relating to the historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core

Strategy Policy R1 is out of date. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.

23. Paragraph 190 of the NPPF states that local planning authorities should take the particular significance of any heritage asset into account to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
24. The application site lies within the setting of Stamford Park junior and infant schools, master's house and play sheds with surrounding walls, gates and railings, Grade II listed. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset can contribute to significance, other factors can also influence the experience of a heritage asset.
25. Given the site layout and separation it is not considered that the proposal would impact upon the appreciation or experience of the significance of Stamford Park Schools and no harm would arise to the setting of this Grade II listed building.
26. Neighbouring properties on the western side of Queen's Road, up to No.15 lie within Character Zone B of the South Hale Conservation Area. The application site lies outside of the Conservation Area, with a minimum distance of 21.2m lying between the extension and the nearest part of the Conservation Area boundary. However, there is a duty to consider the impact of the proposals on the setting of the conservation area. For the avoidance of doubt the property itself is not considered to be a heritage asset.
27. The proposed development would result in a substantially larger roof than that of the original dwellinghouse, which also contains a large section of flat roof at three storeys high. It is noted that whilst the roof extension is visible from within the Conservation Area and from views from the north of the site looking southwards towards the Conservation Area, the extension does not project beyond the front building line and does not restrict views into the Conservation Area. Furthermore, due to the distance between the site and the Conservation Area boundary, the views obtained would be at a distance and not directly adjacent. It is therefore considered that whilst the roof extensions and alterations do have a harmful impact on the appearance of the host property and the street scene they do not affect the character or appearance of the South Hale Conservation Area and no harm would arise to the significance of the South Hale Conservation Area.
28. It is therefore considered that the application proposal would not harm the setting or significance of the identified designated heritage assets of Stamford Park Junior and Infant School or the South Hale Conservation Area.

RESIDENTIAL AMENITY

29. 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.
30. SPD4 also sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant sections for particular types of development.

Impact on No.20 Queen's Road

31. The adjacent property No.20 benefits from a two storey rear extension and the application property has an existing large single storey rear extension that lies along the common boundary with No.20. Due to the relationship of the two properties, the roof extension and dormer window do not have an overbearing impact or result in a loss of light or privacy to the property or rear garden of No.20.
32. The single storey extension would be screened by the existing L shaped rear extension. The alterations to the roof of the rear extension would result in the ridge of the roof being lowered by 0.88m, thus reducing the massing of the roof of the extension as viewed from the rear garden of No.20. The changes in the windows and patio doors to the outrigger are also on the northern elevation facing away from No.20. It is therefore considered that the extension and alterations to the outrigger would not unduly impact on the property or garden of No.20.

Impact on No.1 Stanway Drive

33. No.1 Stanway Drive is a two storey semi-detached property that bounds the site to the rear. The side boundary of No.1 forms the rear boundary of the application site, with the application property predominantly facing the rear garden of No.1. A minimum distance of 13.6m would lie between the proposed dormer window and the common boundary with No.1, this complying with SPD4. It is therefore considered that the proposed roof extension and dormer window would not result in a loss of light or privacy to the property or rear garden of No.1.
34. It is however noted that full views of the rear box dormer window would be visible from the rear garden of No.1, which would be visually harmful to the character of the surrounding area, as discussed in more detail in the 'Design and Street Scene' section above.
35. The single storey rear extension to the existing outrigger would not project closer to the common boundary with No.1 than the existing property. No windows are proposed to the eastern rear elevation of the extension. The proposed

reconfiguration of the roof of the outrigger would also reduce the massing of the existing outrigger. It is therefore considered that the extension and alterations to the outrigger would not unduly impact on the property or garden of No.1.

Other Amenity Matters

36. It is noted that the resident on Hawthorn Road is situated approximately 285m away as the crow-flies from the site and the business on Broomfield Lane approximately 500m as the crow-flies. In both cases they are separated by several roads. Both have written in support of the application, stating that any further building work to change the roof structure again would cause more disruption to residents and be harmful to the environment. Whilst it is recognised that changes to the roof to fully comply with Policy L7 and SPD4, would result in further construction works on the site and could result in wasted materials, it is considered that these are not justified reasons to permit a visually harmful and unlawful development.
37. For the avoidance of doubt, the proposal subject of this application and the unauthorised development that has taken place on site are not the same scheme. The decision to be made is not what, if any, enforcement action should be taken in regards to the unauthorised development that has already taken place on site. The decision to be made is to assess the acceptability or otherwise of this application on its planning merits. This report does not seek to establish what enforcement action should be taken against the unauthorised works or seek authorisation to proceed to take enforcement action, which would result in the removal of the unauthorised development.

PARKING AND HIGHWAY SAFETY

38. Whilst the proposed development would result in an additional bedroom at the property, the proposal would not result in a loss of any car parking provision on the site, which accommodates a minimum of two car parking spaces. The proposal is therefore considered acceptable on highways grounds.

FALLBACK POSITION

39. The submitted Planning Statement in support of the application states that it is the applicant's view that had the proposed work been undertaken prior to the unauthorised works the proposal would constitute permitted development (under the General Permitted Development Order).
40. The starting point is that, when determining applications for planning permission, the local planning authority ("LPA") must have regard to the provisions of the development plan, so far as material and any other material considerations, and the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

41. Whether or not a particular matter constitutes a material consideration is a question of law, but the weight to be given to any material consideration is a matter of planning judgment for the decision maker, and, absent legal error, the Courts will not interfere with that judgment.
42. A fallback position is what could lawfully happen on the land if the planning application was not approved. A fallback position will constitute a material consideration to which a local authority shall have regard under section 70 (c) Town and Country Planning Act 1990 when determining an application for planning permission, provided that there is more than just a theoretical prospect of that fallback position taking place (i.e. in the event that the proposed development does not proceed).
43. If a fallback position comprising a material consideration is established (because there is a real prospect of it taking place), weight must then be attributed to that fallback position.
44. Factors affecting weight are likely to include the level of probability (ranging from just more than a theoretical prospect to certainty) and the degree of impact of the fallback position compared to the proposed scheme.
45. In regards to this application, the Council does not accept that the alterations as proposed amount to a fall-back position, because they do not comply with permitted development (PD) tolerances. Taking the applicants own evidence at face value, there is an increase in the maximum height of the building. The alterations therefore conflict with the clause set out at Schedule 2, Part 1, Class B.1(b) of the General Permitted Development Order, which states:

“development is not permitted if any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof”.
46. The applicant’s agent has responded to this matter claiming that the increase in the roof height is within normal construction tolerances. The General Permitted Development Order does not allow for any judgement to be applied here, development either complies with the Order or does not (unlike in assessing a planning application where material considerations can be balanced and a judgement made on a degree of harm) and therefore any development which breaches the GPDO tolerances is not lawful unless granted planning permission expressly by the Local Planning Authority. Officers’ stance on this matter is supported by a recent appeal decision relating to an enforcement notice issues by Three Rivers District Council (ref: APP/P1940/C/20/3248124 dated 13 November 2020), where the Inspector confirmed: -

There is no dispute between the parties that the ridge of the roof extension is raised above the highest part of the existing roof.

As the roof extension conflicts with limitation B.1(b) [of the General Permitted Development Order] it is not PD. In addition, the appellant considers there is no breach regarding the eaves and set back of the dormer in the roof slope. But any breach of any such condition or limitation renders the roof extension not PD.”

47. As a matter of fact, the proposals conflict with permitted development limitations and cannot be lawfully implemented without planning permission. The proposal is therefore not a fall-back position and no weight should be given to this argument in reaching a decision.
48. The scheme proposed under the Lawful Development Certificate application (ref: 100360/CPL/20) is not a fallback position either and therefore not a material consideration. The certificate confirmed that a building operation to alter the property from its original state (as presented in the application) to its proposed enlarged state, would have been development permitted by the General Permitted Development Order. However, that building operation did not take place and the applicants have informed the Council that the proposal was in fact not capable of being implemented, due to the original state of the property being misrepresented in the application.
49. If the property is returned to its original condition, permitted development rights would once again apply. There is therefore the theoretical possibility that some scheme of enlargement other than that presented in the current application, or in the LDC, could be implemented. However, no alternative scheme is provided for consideration in this application and no weight should be given to a notional fallback position that enjoys only a theoretical prospect of taking place.
50. The way in which this property can be restored to its “original” condition, and subsequently altered in the future, is also a point of dispute. Two different sets of original plans have been provided by the applicants. The first set, submitted with the LDC application, has been described by the applicant as inaccurate and incapable of being implemented. The second, submitted with this application, are based on assumptions rather than a measured survey of the building before the unauthorised alterations took place.
51. Guidance on the consideration of applications for certificates of lawful development confirms that an applicant needs to describe a proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved. In applications for existing use the guidance advises that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability. This principle can also be applied to the proposals for building work.

52. The conflicting sets of original drawings makes it impossible to confirm that further alterations to the roof would achieve compliance with permitted development tolerances and represent a fall-back position. The correct way to proceed is for the property to be returned to its condition before the breach took place and an assessment to then be made about if and how further alterations can be made.
53. Photographs of the property before it was extended indicate that numbers 20 and 22 Queens Road appear to be the mirror image of each other, with matching fenestration and detailing, including curved bay windows at front and side, arched doorways, chimney stack on the side wall and decorative gable roof at the front. Land Registry records and the Council's 'Hale Ledger' of planning and building applications prior to 1974 indicate they were built at around the same time, by the same builders.
54. Detailed drawings of number 20 were submitted with a planning application to extend the house in 2010 (ref: 75987/HHA/2010). These plans show that number 20 has a shallower roof pitch than what has been assumed to have been the original configuration at number 22. The shallower pitch would result in a lower maximum height and less headroom in the roof void. It appears that the roof of this property was not capable of accommodating a loft conversion without increasing the maximum height of the building. Such an alteration is not permitted development and there is therefore no fallback position is available.

Comments on the Legal Opinion Submitted on behalf of the Applicants

55. In assessing and determining proposals under a Certificate of Lawful Proposed Development (CLD) it is solely the role of the planning officer to carry out an assessment of the plans to determine if (in this case) the proposal presented would require planning permission, or if it is permitted development under the General Permitted Development Order. It is the applicant's responsibility to ensure that a development can in fact be carried out in accordance with the approved plans. It is not the role of planning officers, nor do they have the construction knowledge to determine if a proposal put before them is capable of implementation.
56. In regards to the applicant's Counsel's comments on the increase in height of the roof, the plans presented to the Council under the previous applications refs: 100360/CPL/20, 100604/HHA/20 and 102933/HHA/20, along with those associated with this planning application and those previously considered for an extension at the adjacent property No.20 (which was of the same size and design as No.22), show different heights for the original property and so it is not possible to confirm precisely the extent in the increase in height as a result of the proposed development. The applicant's own plans (including those submitted with the CLD application) show a discrepancy of approximately 30-40cm, and an examination of the neighbouring property shows that this could be up to 40cm. In any event, the

discrepancy appears to be substantially more than the 5cm that the applicants suggest.

57. The Council has sought its own advice from Counsel on the applicant's submitted Opinion. This confirms that the Council has in fact put forward a rational argument in regards to the fall-back assessment. The legal duty to consider a fall-back position as a material consideration has been clearly expressed above, however it remains the case that the weight to be given to that fall-back is for the decision maker.
58. A fall-back position only constitutes a material consideration if it can be lawfully implemented. Officers do not consider the proposal to constitute permitted development, as detailed in paragraphs 44 - 46 above.
59. A fall-back that can be lawfully implemented is a material consideration provided there is a real prospect as opposed to a merely theoretical possibility of it actually being implemented. The applicant's Counsel is of the opinion that there is a fall-back position, though does not provide any further evidence of there being a real prospect of such a development taking place in the event that planning permission is refused.

RELEVANT APPEAL DECISIONS

APP/P1940/C/20/3248124 – 170 Highfield Way, Rickmansworth, Hertfordshire – 13th November 2020

60. This appeal was against an enforcement notice issued by Three Rivers District Council in relation to a breach of planning control as alleged in the notice as "Without planning permission the erection of a two storey front and side extension, front porch, conversion of garage to habitable accommodation, single storey rear extension, alterations to the roof form to include a rear dormer/roof extension and alterations to fenestration detail." The enforcement notice required the demolition of the rear dormer / roof extension. The Inspector dismissed the appeal and upheld the enforcement notice, stating:

"As the roof extension conflicts with limitation B.1(b) it is not PD. In addition, the appellant considers there is no breach regarding the eaves and set back of the dormer in the roof slope. But any breach of any such condition or limitation renders the roof extension not PD. The ground (c) appeal therefore fails."(Paragraph 7)

The alleged roof extension extends across the full width of the roof of the main house (approximately 10m in length) and straddles the main pitched rear roof gable. The roof extension has a flat roof that extends a considerable distance back from the ridge of the main house...As a result the roof extension appears as a flat-roofed third storey, rather than a roof extension. This is further marked by the rendered and brick elevations of the roof extension that match the retrospective

parts of the dwelling they join. Furthermore, the large flat-roof boxy form, occupying an elevated position, is a dominating addition to the rear of the property that is not a subservient feature.” (Paragraphs 10 – 11)

The visual diversity of Highfield Way means there is scope for individual householders to enlarge their properties without harming the character or appearance of the area. However, it does not follow that any extension or alteration would be acceptable. (Paragraph 14)

The appellant contends that the amount of development falling outside the limitations of PD are so minor in nature that the roof extension has limited impact. Also, because the vast majority of the roof extension would be within PD this represents a strong fallback position. The limitations to the size of PD are expressed precisely in the GPDO and as already stated, there cannot be a ‘bit’ or a ‘minor’ infringement. Something is either PD or it isn’t and an assessment of impact or harm does not come into it. Furthermore, the existence of PD rights cannot be used to justify a grant of permission for the roof extension as it is.” (Paragraphs 17 – 18)

APP/Q4245/D/21/3266567 – 8 Hampton Avenue, Stretford – 11th March 2021 (101432/HHA/20)

61. This was a retrospective application relating to a part single, part two storey side extension, single storey rear extension and roof alterations including hip to gable enlargement and rear dormer extension. The Inspector dismissed the appeal noting that: -

“The alterations to the roof of the property have introduced an alien roof form which does not reflect the appearance of the host property, its attached neighbour or the area as a whole...

Moreover, the rear dormer does not reflect the form of the existing roof and reads as a top-heavy and overly dominant addition to the dwelling due to its scale, bulk and positioning. It is an intrusive, over large, bulky addition, which has significantly altered the roofscape of the host property and semi-detached pair.

I am mindful that planning permission has been granted for extensions to the property, however the development before me differs from that which the Council has previously found to be acceptable. I also note the suggestion that the rear dormer and the hip to gable roof alteration is permitted development, however this is not a matter for me to determine in the context of this appeal, which I have determined on its merits...” (paragraphs 8 – 10)

APP/Q4245/D/19/3237736 - 196 Walton Road, Sale - 21st January 2020 (98164/HHA/19)

62. This application was for a single storey rear and side wrap around extension and for a hip to gable loft conversion with dormer on the rear elevation. The Inspector dismissed the appeal noting that: -

“The proposed rear dormer would have a flat roof design and would span much of the full width of the extended roof. It would be set in only marginally from the eaves and ridge. As such, it would be a box-like structure which would not reflect the form of the existing roof but rather would read as a top-heavy and overly dominant addition to the dwelling due to its scale, bulk and positioning.

Consequently, taking all the above into consideration, the proposed development would harm the character and appearance of the host dwelling and the wider street scene. It would therefore conflict with policy L7 of the Trafford Local Plan: Core Strategy, 2012... It would also be contrary to the requirements of the SPD as set out above.” (paragraphs 8 – 9)

APP/Q4245/D/19/3234956 - 481 Kings Road, Old Trafford - 14th November 2019 (96392/HHA/18)

63. This application was for the retention of a large box dormer window to the rear roof slope. The Inspector dismissed the appeal noting that: -

“The dormer window dominates the building by virtue of its scale and design. Whilst the proportions of the windows may reflect the existing fenestration of the host building, the dormer does not complement the original building due to its overbearing dimensions, rectilinear style and poor choice of building materials, in particular, the cladding. As an unsympathetic addition, it significantly harms the appearance of the appeal property.

Although it is located at the rear of the property, the dormer window can be clearly viewed from local vantage points; at the junctions of Norwood Road, Kings Road and Hortree Road, and at the rear, through gaps between dwellings situated on Norwood Road. These views are localised and limited. However, the development was clearly visible despite the presence of summer foliage on existing vegetation at property boundaries. The inelegant design of the development is particularly noticeable in the street scene as, although properties in the area are of differing architectural styles, the area is characterised by pitched/hipped roofs, red brick and harmonising roof tiles. The dormer window, which essentially is a large black flat roofed box, is therefore at odds with this distinct local character and as such is harmful to the character of the area.

Whilst it is noted that some properties on Kings Road, near the appeal property, have roof extensions, it was observed that such alterations were limited in number. Furthermore, the few existing were mainly located on side elevations, and comprised small dormers with pitched/hipped roofs...

In summary, the development is contrary to Policy L7 of the Trafford Local Plan: Core Strategy 2012 (Local Plan 2012) and Supplementary Planning Document SPD4: A Guide to House Extensions & Alterations 2012 (SPD 2012) as it harms the appearance of the host property and fails to enhance the character of the area.” (Paragraphs 7 – 10)

EQUALITIES

64. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term ‘protected characteristics’, which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
65. As part of the Act, the ‘public sector equality duty’ came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:
1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
66. The public sector equality duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
67. The personal characteristics of an applicant are normally not relevant to the planning decision making process and are not a material consideration. As a consequence, the personal characteristics of the applicant should not influence the decision making process when determining the planning merits of the application. One exception to this would be if an applicant had a physical disability, and the alterations they were proposing to their home would improve their access and comfort. However, that is not the case here and it is considered that the applicant’s personal characteristics are not relevant to the assessment of the merits of the proposal and the planning decision.
68. Nevertheless, in making a planning decision, Members must consider when appropriate whether they have discharged the Public Sector Equality Duty. If it is known that a decision could have an impact on persons with (a) protected characteristic(s), then this cannot be disregarded, whether or not that is material to the planning merits of the case. The applicants have identified that they are a

same sex couple. Additionally, one of the applicants has identified that they have a disability – dyslexia.

69. The applicants have not indicated that they believe there are any benefits of the proposal in relation to their protected characteristics. They have, however made a complaint that the actions taken thus far by officers, including recommending this application for refusal, are discriminatory on the basis that the applicants are in a same sex relationship. As this complaint made serious allegations against officers, it was investigated in accordance with processes set out in the Council's Disciplinary Procedure. No evidence of discrimination was found.
70. Officers have not identified any specific benefits or disbenefits of the proposal in relation to the protected characteristics of the applicants. The planning merits of the case would be the same whether a person shared those characteristics or did not share them.
71. Additionally, it is not considered that there would be any specific benefits or disbenefits of the proposal in relation to any of the other protected characteristics identified by the Equality Act 2010.

PLANNING BALANCE AND CONCLUSION

72. The development has been assessed against the development plan and SPD4 guidance and it is considered that the proposed alterations to the roof, including the change in roof form, and the configuration of the rear roof slope to incorporate a box dormer window, by reason of their scale, massing and design (including materials), result in an incongruous and prominent feature that is detrimental to the character and appearance of the host property and is visually intrusive when viewed from within the street scene and neighbouring gardens.
73. As such, the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework. The applicant's suggestion that there is a fallback position has been carefully reviewed, but it is not considered that there is a fallback in this case (for the reasons set out above). As such, and having regard to all other matters, no material considerations have been identified which would indicate that a decision should be made otherwise than in accordance with the development plan. The application is therefore recommended for refusal.

RECOMMENDATION:

REFUSE for the following reason:-

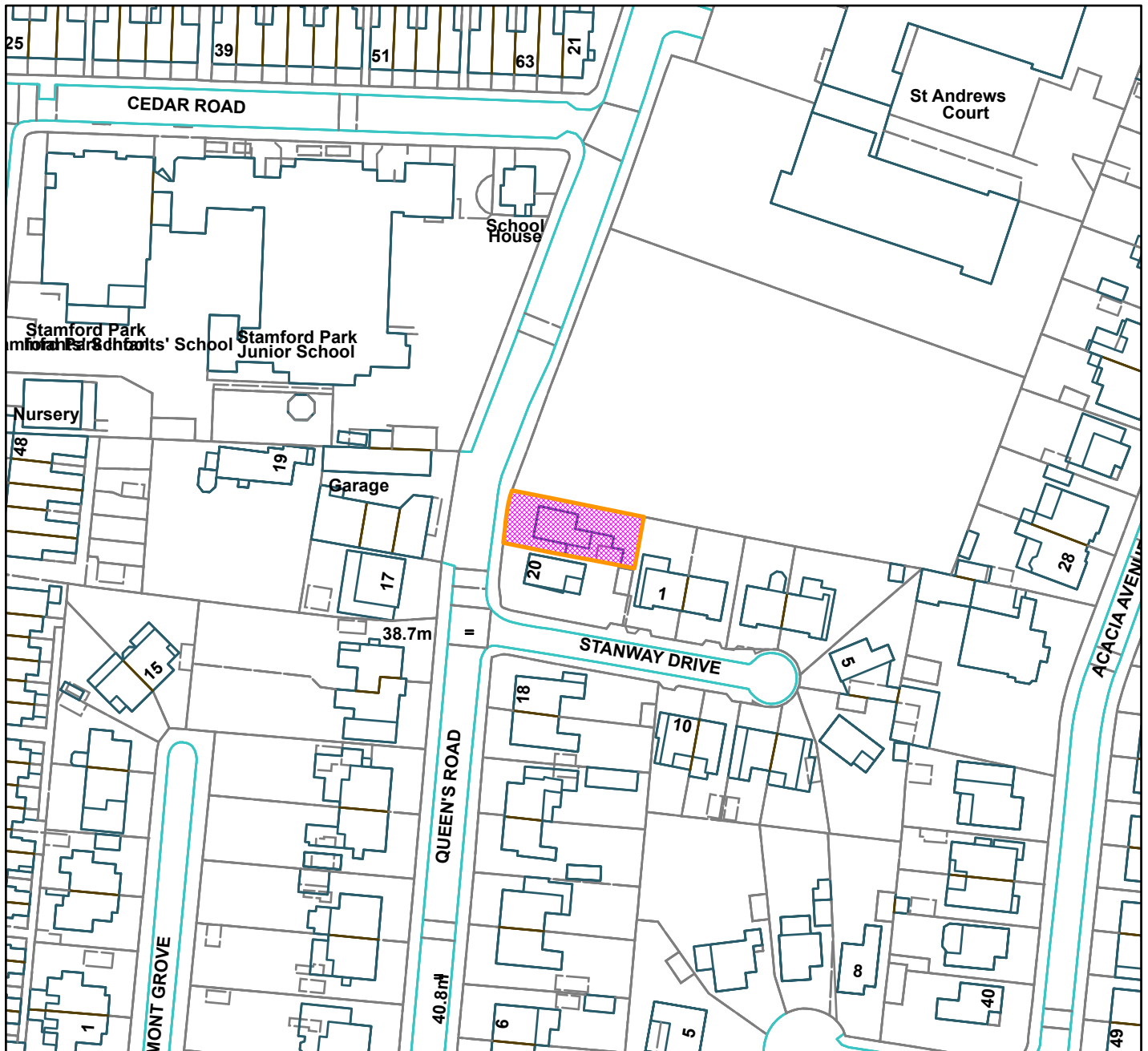
1. The proposed alterations to the roof, including the change in roof form and the configuration of the rear roof slope to incorporate a box dormer window, by reason

of their scale, massing and design (including materials), result in an incongruous and prominent feature that is detrimental to the character and appearance of the host property and is visually intrusive when viewed from within the street scene and neighbouring gardens. As such, the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework.

VW



22 Queens Road, Hale, WA15 9HE (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	27/05/2021
MSA Number	100023172 (2016)

WARD: Hale Barns

103984/HHA/21

DEPARTURE: No

Proposed front garage extension, alterations to elevations including new porch with canopy and new access ramp.

3 Fernlea, Hale, WA15 9LH

APPLICANT: Mr Mitchell

AGENT: T S Architects Ltd

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because the applicant is a Councillor.

SITE

The application site is a single storey bungalow located on Fernlea in the residential area of Hale. The property is not located within a conservation area, but is adjacent to Character Zone B of the South Hale Conservation Area which adjoins the site to the rear.

The dwelling has a well sized front garden and driveway and to the front of the property is an integrated garage, with the porch and main entrance located on the side elevation of the front gable. To the rear is a garden and existing rear extension.

The dwellings on Fernlea differ in their housing types and design. The property is one of a pair of bungalows which were symmetrical in original design, however the adjacent bungalow has been extended with a garage front extension and front porch.

PROPOSAL

The application seeks planning permission for a proposed front garage extension, alterations to elevations including new front porch with canopy and new access ramp.

The proposed front garage extension would project by 4m and have a width of 5.4m. The ridge height would be 4.4m and eaves height 2.5m. The total floorspace of the proposed development would be 25m².

The alterations to elevations include replacing windows and doors, a new porch with canopy which would project by 0.75m and an access ramp to the front.

Value added: Amended elevations received confirming the materials used on the principal elevation and correcting an error on the roof plan.

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

R1 – Historic Environment

OTHER LOCAL POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions and Alterations

SPD5.21 South Hale Conservation Area Appraisal

SPD5.21a South Hale Conservation Area Management Plan

PROPOSALS MAP NOTATION

Adjacent to Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) in 19th February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

MHCLG published the National Planning Practice Guidance on 6th March 2014, and is regularly updated. The NPPG will be referred to as appropriate in the report.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

RELEVANT PLANNING HISTORY

Application site

No previous planning history.

1 Fernlea

79139/HHA/2012 - Erection of single storey front and rear extensions to form additional living accommodation. Erection of 1.5m Flemish Bond wall and associated landscaping along northern boundary fronting onto Park Road.
Approved with Conditions, 18.10.2012

80541/HHA/2013 - Erection of single storey extensions to front and rear of dwelling to form additional living accommodation. (Amendments to previously approved application 79139/HHA/2012).
Approved with Conditions, 14.06.2013

APPLICANT'S SUBMISSION

N/A

CONSULTATIONS

Heritage Development Officer-

No objection to the proposal, making the following comments:

3 Fernlea is located within the setting of Character Zone B of South Hale Conservation Area. It is noted the works are sited to the front of the property and the extensions are in keeping with the general building line of Fernlea. The proposal therefore retains the spacious and open frontage which is a characteristic of properties along Fernlea and contributes to the setting of SHCA.

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours. No representations have been received.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Policy L7 of the adopted Core Strategy is considered to be most important for determining this application. This policy is 'up to date' in NPPF terms and therefore the 'tilted balance' in Paragraph 11 of the National Planning Policy Framework does not apply. The application should be determined in accordance with the development plan unless material considerations indicate otherwise.

DESIGN AND STREET SCENE

2. Paragraph 124 of the NPPF states that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities." Paragraph 130 of the NPPF 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."
3. Policy L7 requires 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. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code.
4. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance in order that proposals can successfully do this.
5. The proposed front extension would retain sufficient garden space and a gap to the side boundary of 0.75m. This would ensure the sense of spaciousness of the dwelling and plot is retained.
6. The proposed front extension is single storey and modest in scale. As such it would appear proportionate and integrate well within the bungalow and respect

the character and style of the host dwelling. The proposed front extension would not impact the established building line on Fernlea.

7. As previously noted the ridge height would be retained and the projection would be in line with the front extension at no.1 Fernlea. As such it is considered the design would reflect the character of the pair of bungalows and surrounding area in terms of design, detailing and proportion.
8. Other alterations including the changes to the windows and doors are considered to be in keeping with the character of the property. The proposed new porch with canopy and access ramp, which would be modest in proportions and designed to complement the character of the existing property, are therefore considered to be acceptable additions to the bungalow.
9. In summary the proposal would be appropriate in its context, appropriately addressing scale, form, massing and elevation treatment. The design and appearance of the proposal complies with Policy L7 Design and SPD4.

IMPACT ON SETTING OF HERITAGE ASSETS

10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay 'special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area' when determining planning applications.
11. Policy R1 of the Core Strategy, relating to the historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.
12. Paragraph 190 of the NPPF states that local planning authorities should take the particular significance of any heritage asset into account to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 194 of the NPPF indicates that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
13. The site is located outside of but directly abuts the boundary of Character Zone B of South Hale Conservation Area. The character and significance of Zone B can be detailed as follows; Character Zone B is purely residential in nature. The

Character Zone is centred on Park Road and Harrop Road. The area is predominantly Edwardian in date, with lesser examples of Victorian, inter-war and modern properties. In this Zone there are some examples of three and four storey post 1960 apartment blocks. Many of the properties are set back from the street line and are shielded by high boundary treatments and mature planting to the fronts of plots. This combination of building locations creates a spacious, rural character within the Zone and the streets do not appear to be over developed.

14. Nos. 77-85 Park Road located to the west of the application site, are identified as positive contributors to the conservation area. For the avoidance of doubt the property itself is not considered to be a heritage asset.
15. It is noted that whilst the dwelling is visible from within the Conservation Area, most notably from Park Road due to the open character of Fernlea, the proposal retains the spacious and open frontage which is a characteristic of properties along Fernlea and contributes to the setting of SHCA.
16. Given the above it is not considered that the proposal would negatively impact upon the setting, appreciation or experience of the South Hale Conservation Area, nor would it harm its significance.

RESIDENTIAL AMENITY

17. SPD4 sets out detailed guidance for protecting neighbouring amenity. In terms of its impact on residential amenity the development will be assessed on the extent to which it causes a loss of privacy, extent to which it is overbearing and the degree to which it causes a loss of light/overshadowing, to the neighbouring properties.

Impact upon 1 Fernlea and 5 Fernlea

18. Due to the siting of the proposed front garage extension and porch it is not considered the proposal would have an overbearing impact or result in loss of light and overshadowing to no. 1 or 5 Fernlea.
19. There are patio doors proposed to replace a window facing no.5. The windows would be screened by fencing on site and there are no windows on the side elevation of no.5 Fernlea.

Impact upon properties to the front and rear

20. There is a window and door proposed on the rear elevation, however they would be set on the existing rear elevation and not project any closer to the rear boundary. This is considered acceptable as the dwelling does not directly face any habitable windows to the rear and would not benefit from an elevated

viewpoint. The windows to the front would be in excess of 21m from the properties on the opposite side of Fernlea and therefore in compliance with SPD4 guidance.

PARKING AND HIGHWAY SAFETY

21. The proposal would not result in an additional bedroom and whilst part of the driveway would be lost the garage and drive would be retained to accommodate a minimum of two car parking spaces. The proposal is therefore considered acceptable on parking grounds.

DEVELOPER CONTRIBUTIONS

22. This proposal would create less than 100m² and so is below the threshold for the Community Infrastructure Levy (CIL).
23. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

24. It is considered the proposal would not cause harm to the setting or significance of the South Hale Conservation Area, the character and appearance of the dwelling or street scene nor impact on the amenity of surrounding properties. The proposed development would be in accordance with Policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF, and should therefore be approved without delay.

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, numbers: PL202 Rev A, as amended and submitted 16th June 2021, PL301 Rev B, PL302 Rev B, as amended and submitted 24th June, PL204 Rev A and the associated site location plan.

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

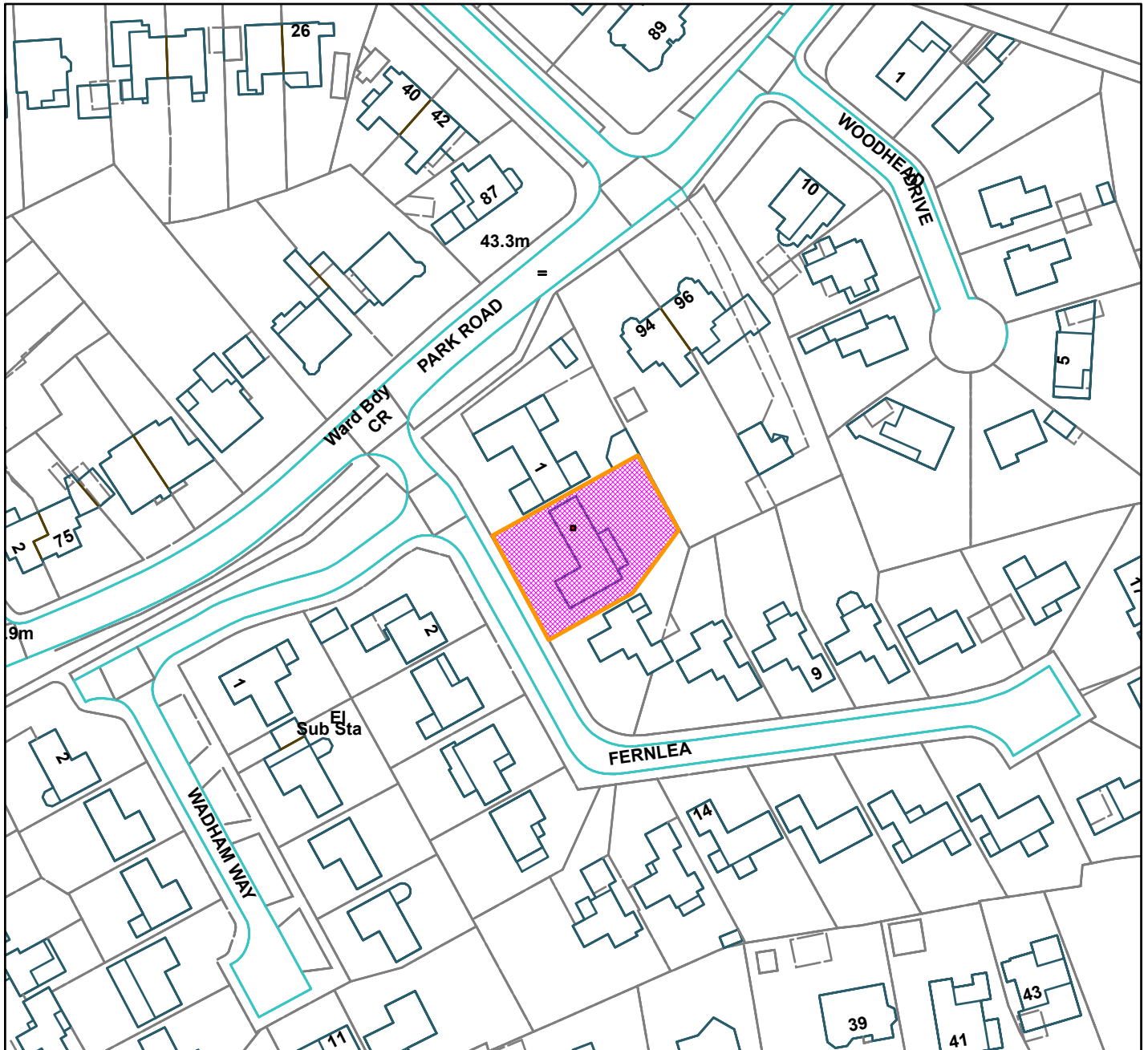
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the main dwelling.

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.

KG



3 Fern Lea, Hale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	28/06/2021
MSA Number	100023172 (2012)

WARD: Brooklands

104196/HHA/21

DEPARTURE: No

Erection of two storey side extension and part single/part two storey rear extension.

44 Walton Road, Sale, M33 4AR

APPLICANT: Mr Lloyd

AGENT: Kieran Hibbs Architecture

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because the applicant is an employee of Trafford Council.

SITE

The application site comprises a two storey detached dwelling sited on the north west side of Walton Road, in a residential area of Sale.

The dwelling is constructed in facing brick with a hipped roof and to the front of the dwelling is a two-storey bay window with a projecting gable roof and at the rear is a lean-to kitchen outrigger. To the rear of the property is a garden and to the front is a driveway with small lawn and off-road parking for at least 2-cars is provided, on-street parking is available in the area.

PROPOSAL

The application seeks planning permission for the erection of a two storey side extension and part single/part two storey rear extension, with an increase in floor space of approximately 37m².

Two storey side extension

The proposed two-storey side extension would project from the north side elevation by 1.4m, leaving a separation of between 1-1.2m to the shared boundary. The side extension would have a depth of 7m and would be set back from the principal elevation.

Rear extension

To the rear the existing outrigger would be demolished and a part single, part two storey extension erected, both projecting by 2.7m, with the ground floor extending the full width of the property at 8.7m wide.

Other alterations

There would be ground and 1st floor traditional windows on the front elevation, two windows on the side elevation at 1st floor and two at ground floor. The rear elevation would have large bi-fold doors on the ground floor and two windows at first floor, there would also be a roof light within the roof of the single storey rear extension.

Value added: Amended plans submitted setting ridge down from hipped roof.

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

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking Standards and Design

SPD4 – A Guide for Designing House Extensions and Alterations

PROPOSALS MAP NOTATION

None to note

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) on 19th February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

MHCLG published the National Planning Practice Guidance on 6th March 2014, and is regularly updated. The NPPG will be referred to as appropriate in the report.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the response. If PFE / GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

RELEVANT PLANNING HISTORY

No previous planning history.

APPLICANT'S SUBMISSION

N/A

CONSULTATIONS

The application was advertised through notification letters sent to immediate neighbours.

REPRESENTATIONS

Three objections have been received.

22 Raglan Road, Sale.

- The proposed new second storey bedroom will directly overlook our property. A single storey extension is acceptable

2 Alston Avenue, Sale

- The two storey extension at the back of the property would overlook our back garden and most of all our back bedroom will have no privacy.

42 Walton Road, Sale.

The objection points are summarised below:

- Inaccurate and misleading plans
- Distance from Boundary Line / Depth of Proposed Extension

Officer Response: In respect of the above point's officers note that certificate A has been signed indicating the applicant is the owner of all land impacted by the development and no encroachment over the boundary is shown. Any further disputes about land ownership are a civil matter between the land owners.

- Overshadowing / loss of light
- Loss of privacy and overlooking
- Overbearing
- Positioning of proposed side windows
- Ground stability
- Impact of bi fold doors and raised floor level will result in loss of privacy to the garden
- Porch not shown on drawings, any planned porch would increase footprint of the property further than extensive proposal

Officer response: The ground floor porch was an error and has been omitted from submitted drawings.

- Confirmation application will be decided at Planning committee and not by delegated powers

Office response: The neighbour has been contacted to confirm the application will be decided at planning committee

OBSERVATIONS

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. Therefore, the proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy and SPD4.

DESIGN AND VISUAL AMENITY

2. Paragraph 124 of the NPPF states that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” Paragraph 130 of the NPPF 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.”
3. Policy L7 requires 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.
4. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance in order that proposals can successfully do this.
5. The proposed two storey side extension would have a modest width at 1.4m wide and would retain at least a 1m gap to the shared boundary with No.42. This is compliant with SPD4 and retains an adequate sense of spaciousness and avoids terracing between the properties. In addition the side extension would be nominally set back from the front elevation to avoid an unsightly join between the existing and new brickwork. Whilst the eaves height of the extension would match the existing dwelling the ridge line would be set down. Overall it is considered the two storey side extension would appear as a subservient and acceptable addition to the property and street-scene.
6. The first floor rear extension would have a hipped roof which would tie into the main roof, with the same pitch angle, but set down from the main ridge height to appear subservient. The ground floor rear extension would consist a flat roof with a roof light and glazed panels/sliding aluminium doors. The introduction of glazing at the rear would be screened from the street scene and is considered to be of acceptable appearance. Overall it is considered the rear extensions have been designed to respect the proportions and design of the existing dwelling, complying with policy.
7. The proposed extension would be constructed in brickwork, roof tiles, and windows to match the existing property.

8. The scale of proposed extensions is considered to be proportionate to the site. As such the scale, design and appearance of the proposal is acceptable and considered to comply with SPD4 policy.

RESIDENTIAL AMENITY

9. SPD4 sets out detailed guidance for protecting neighbouring amenity. In terms of its impact on residential amenity the development will be assessed on the extent to which it causes a loss of privacy, extent to which it is overbearing and the degree to which it causes a loss of light/overshadowing, to the neighbouring properties.

Impact upon adjacent neighbour 42 Walton Road

10. The side extension would be sited 1m from the boundary and given the site and scale of the proposal it is not considered that the proposal would result in harm to the amenity of the adjacent occupiers, being compliant with policy. Specifically given that the first floor windows serve non-habitable rooms and are obscured glazed any loss of outlook or light to these windows is not considered to be harmful.
11. Additionally the ground floor side windows are obscure glazed and therefore are either secondary windows or serve non-habitable rooms. Whilst the conservatory to the rear has windows facing towards the two storey extension it is considered the impact would be acceptable as there are other windows for light to the conservatory.
12. As previously noted the part single, part two storey rear extensions project by 2.7m, with a separation of 1.2m to the common boundary with no. 42 at the rear. SPD4 states that single storey rear extensions can project 4m upon detached properties plus the distance from the common boundaries. For first floor extension it states that normally extensions should not normally project more than 1.5m close to a shared boundary, the projection can be increased by an amount equal to the extra distance from the side boundary.
13. As per the above guidance, the proposed part single, part two storey rear extension would therefore be compliant. Given the scale, design and separation to the boundary the proposal is not considered to be overbearing or visually intrusive on the occupiers of no. 42.

14. To protect the privacy of the occupants at no.42, a condition is proposed to obscure glaze and fixed shut (up to 1.7m above floor level) the proposed windows in the first floor serving bathrooms. It is not considered necessary to obscure the ground floor windows, as they do not benefit from an elevated viewpoint.
15. Taking into consideration the representation received the bi fold doors would be positioned 0.3m from the floor level and would not face any habitable windows to the adjacent dwelling as they face the rear. Moreover there is high fencing on the boundary which would mitigate impact to the rear garden.

Impact upon adjacent neighbour 46 Walton Road

16. Given the orientation of the site, extension to no. 46 and scale of the proposal, both the ground and first floor rear extensions would be within the parameters outlined in SPD4 and therefore are not considered to have an unduly overbearing, visually intrusive or overshadowing impact or result in loss of light.
17. There are no new windows proposed facing no.46 as such the development is not considered to harm the privacy of the occupiers of no. 46.

Impact upon Front and Rear

18. There would be approximately 10.5m to the rear boundary, which complies with SPD4 and as such the development is not considered to be overbearing on the properties to the rear. In addition the proposal would face the side of the rear gardens of the properties to the rear, rather than directly towards windows. Whilst being mindful of the objections received, as the windows of the proposed extension would not face any directly opposing elevations it is not considered the proposal would result in a harmful loss of privacy.
19. There would be in excess of 21m to the property at the front which is compliant with policy.

PARKING AND HIGHWAYS

20. The number of bedrooms would increase from 3 to 4 which in accordance with SPD3 would advise the number of off-street parking spaces to increase from 2 to 3. The current driveway is large enough to occupy 2 off-street spaces and there is un-restricted parking available on Walton Road. Therefore the impact on parking is acceptable.

DEVELOPER CONTRIBUTIONS

21. This proposal would create less than 100m² and so is below the threshold for the Community Infrastructure Levy (CIL).

22. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

23. The proposed development is not considered to cause harm to the character and appearance of the dwelling or street scene by reason of its design, scale and materials, and therefore it is considered appropriate within its context. As such it is considered that the proposed development would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF. In addition, the proposed development would have no significant impact on the amenity of surrounding properties and therefore meets the aims of SPD4, the Core Strategy and the NPPF in this respect.

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, numbered: KH196-100 Rev B; KH196-101 Rev K; and the associated site location plan.

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

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

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.

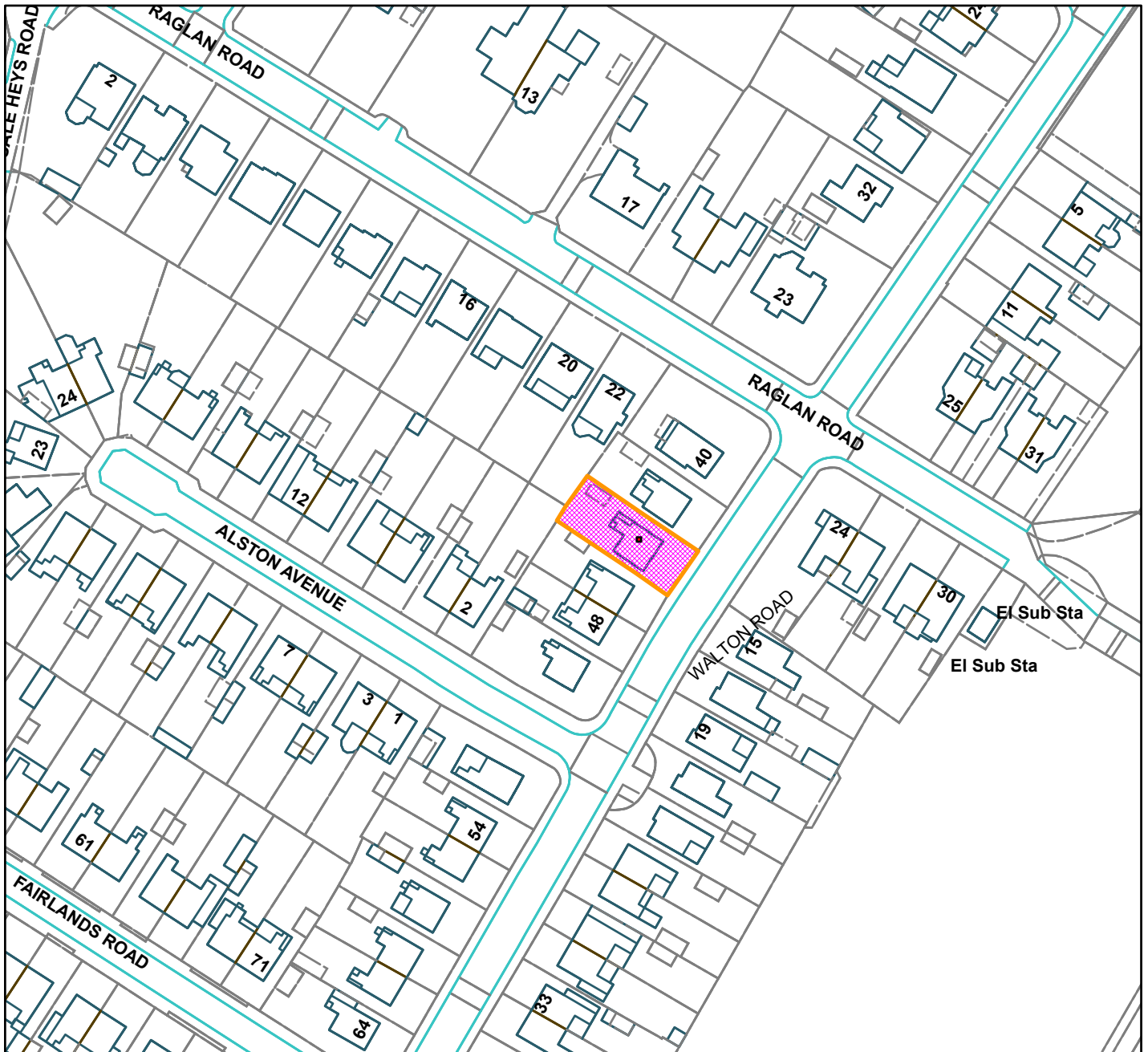
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the first floor on the north east side elevation facing no. 42 Walton Road shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

KG



44 Walton Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	28/06/2021
MSA Number	100023172 (2012)

Application for variation of condition 2 on planning permission 100149/FUL/20 (Erection of 3 no. terraced houses with associated parking and landscaping. Retention of the Garrick's Head Public House together with reconfigured car park and customer terrace). To amend approved plans including external alterations and addition of dormers at rear.

Garricks Head Hotel, Moorside Road, Flixton, M41 5SH

APPLICANT: Mr Jamie Wilkinson, Oliver James Construction

AGENT: Mr Chris Blake, Eden Building Design

RECOMMENDATION: GRANT

This application is being reported to the Planning and Development Management Committee as it has been called in by Councillor Thomas.

SITE

The application site comprises of a plot formerly accommodating a surface car park to the east of the adjacent Garrick's Head Public House. The plot is in the process of being built out as a terraced row of 3 No. two storey dwellings as per planning permission reference 100149/FUL/20.

The site is bound by the remainder of the retained public house to the west; square shaped grassed and fence enclosed plots to the south, beyond which are dwellings; further dwellings to the east; and a golf course to the north, on the opposite side of Moorside Road.

The Garricks Head Public House is a non-designated heritage asset.

PROPOSAL

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 (Approved Plans) of planning approval 100149/FUL/20 approved in June 2020 to allow for minor material changes to the scheme. The proposed amendments relate to the residential element of the proposal.

The applicant seeks approval for a minor-material amendment to the consented scheme which would allow for the following works:

- The addition of three rear facing dormers (one per dwelling) to allow for an additional (fourth) en-suite master bedroom and dressing room per property. The dormers would introduce rear facing bedroom windows, they would have dual-pitched roofs;
- The addition of three roof lights to the front facing roof slope to provide light for each en-suite bathroom;

- A repositioning of one of the unit's rear facing bi-fold doors on the proposed rear elevation plan, this change being a correction of a discrepancy on the original approved rear elevation plan;
- Minor amendments to the units' internal layouts.

In all other respects the current proposal is the same as that previously approved.

Value Added

Following a request from the assessing Officer the applicant has amended their proposal through reducing the size of the dormer windows, confirmed the front roof lights would be conservation type (flush with the front roof slope) and also provided further information about the proposed dormers' external fascia materials, with the latter to have slate roofs and vertically hung tiles to their side and rear elevations.

DEVELOPMENT PLAN

For the purposes of this application the Development Plan in Trafford comprises:

- The **Trafford Core Strategy**, adopted 25 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 19 June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the LDF. Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 - Sustainable Transport and Accessibility;
 L7 - Design;
 L8 - Planning Obligations;
 R1 – Historic Environment.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
 SPD3 - Parking Standards & Design;
 PG1 - New Residential Development.

PROPOSALS MAP NOTATION

Critical Drainage Area.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE / GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) in February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, and it is updated regularly. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

104348/FUL/21: Formation of new covered smoking area to side elevation. Pending.

103265/CND/21: Application for approval of details reserved by conditions of grant of planning permission 100149/FUL/20. Condition numbers: 3 (materials), 8 (levels - site), 10 (CEMP) and 13 (Glazing and ventilation strategy). Full discharge of condition 4 June 2021.

101312/CND/20: Application for approval of details reserved by conditions of grant of planning permission 100149/FUL/20. Condition number: 14 (Noise Management Plan). Full discharge of conditions 10 August 2020.

100149/FUL/20: Erection of 3 no. terraced houses with associated parking and landscaping. Retention of the Garrick's Head Public House together with reconfigured car park and customer terrace. Approved 29 June 2020.

APPLICANT'S SUBMISSION

N/A.

CONSULTATIONS

Local Highway Authority – No objection subject to condition.

Heritage Development Officer – No objection.

Environmental Health (Nuisance) – Awaiting final comment.

Flixton Neighbourhood Forum – No comment received.

REPRESENTATIONS

Letters of objection have been received from two neighbouring occupants which raise the following issues:

- The dormers would result in an unacceptable visual impact in terms of their poor design.
- The proposed dormers would increase the size of the approved dwellings resulting in an additional overbearing/overshadowing impact.
- The dormers would result in an unacceptable privacy impact.
- The dormers should be relocated to the front roof slope to overlook the golf course.
- The loss of one of the public house's car parks to accommodate the new dwellings has led to parking of cars along Moorside Road resulting in the blocking of entrances and reduced visibility when driving onto this road.
- The works are resulting in unacceptable noise and dust impacts on neighbours.

As part of the call in request Councillor Thomas provided the following comments:

The amendment to include dormers on the plans for 104199/VAR/21 should be discussed at committee due to the overlooking aspect and over development to the site.

OBSERVATIONS

THE DECISION MAKING FRAMEWORK

1. This application seeks approval under Section 73 of the Town and Country Planning Act (1990) (as amended) for minor-material amendments following a grant of planning permission and if approved grants a new planning permission in its own right. In terms of decision taking, regard should be had to any changes on site or in the surrounding area and any changes to planning policy that may have occurred in the interim.
2. In the period since planning permission was originally granted (June 2020), it is not considered that there have been any material changes in policy which would justify a different approach being taken in respect of any planning matter relevant to this

development as a whole and the development remains as approved in all other regards.

3. The application proposes the variation to the original approved plans condition (condition 2 of planning ref: 100149/FUL/20) to facilitate the stated amendments to the approved development.
4. There is no requirement to revisit these other issues through the determination of this application and this report will only assess the acceptability of the proposed minor material amendments as proposed.
5. When assessing variation of condition applications the LPA does not only have the option of either approving or refusing the proposed varied condition wording, but also has the power to impose an amended condition, the wording of which has not been requested by the applicant, as well as the option of imposing additional conditions should this be deemed necessary.
6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision-taking process.
7. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version.
8. The NPPF is a material consideration in planning decisions as the Government's expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
9. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11 (c) explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11 (d) advises that planning permission should be granted unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.
10. As per NPPF paragraph 11 where a planning application conflicts with an up-to-

date development plan, planning permission should not normally be granted.

11. Policies relating to housing, as well as the proposal's design/heritage, amenity and parking impacts are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11.
12. The Council does not, at present, have a five year supply of immediately available housing land and thus Policies L1 and L2 of the Core Strategy are 'out of date' in NPPF terms.
13. Policy L7 (Design) of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code.
14. Policy R1 of the Core Strategy, relating to the historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial' harm in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.
15. As outlined in the Heritage/Design assessment below there are no protective policies in the NPPF which provide a clear reason for refusing the development proposed. Paragraph 11d) ii) of the NPPF, the 'tilted balance', is therefore engaged.

PRINCIPLE OF DEVELOPMENT

16. The principle of the development has been established through the recent original grant of planning permission. The application relates to a variation of the approved plans condition and therefore only matters arising from the proposed amendments to the plans can be considered within the current application.

HERITAGE IMPACT

17. The site is located to the east of the Garricks Head Public House, which is a non-designated heritage asset. Planning Practice Guidance (PPG) states that LPAs may identify non-designated heritage assets. With reference to PPG and the NPPF it is not necessary for a building to be on an adopted local list or consulted upon, in order to be identified as a non-designated heritage asset.
18. NPPF paragraph 190 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into

account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

19. NPPF paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
20. Policy R1 states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings.

The Significance of the Non-Designated Heritage Asset and Impact of the Proposal

21. The significance of the Garricks Head public house derives from it being a good example of an early 1950s public house and accommodation in a 'Tudorbethan' style. The Westmorland slate roof with diminishing course and half-timbered detailing are particularly striking elements.
22. The Heritage Development Officer had concerns about the proposed changes, particularly the size of the dormers, style of roof lights and the disruption to the rhythm of the siting of the French doors and windows at ground floor but welcomes the amendments and confirms that she has no objections to the proposed amended scheme.
23. Officers accept the Heritage Development Officer's view that the proposal amendments are relatively minor and as such would only have a negligible impact on the setting of the Garrick's Head Public House. Officers consider the amended scheme to be acceptably designed in terms of its external appearance, scale, massing and height and in terms of its impact on its wider setting including that of the adjacent non-designated heritage asset.
24. Applying NPPF paragraph 197 and taking a balanced judgment it is considered that the development would not result in any significant harm to the significance or setting of the NDHA, given the nature of the proposed changes.
25. The proposed external materials, comprising of slate tiles to the dormer side elevations, white timber effect UPVC dormer windows (to match the window materials approved through the previous discharge of conditions application) and conservation type roof lights, would be acceptable.
26. The proposal is therefore deemed to be acceptable in terms of its heritage impact with reference to Core Strategy policy R1 and paragraph 197 of the NPPF. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the setting of the impacted non-designated heritage asset.

DESIGN

27. Paragraph 124 of the NPPF states: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states: 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, taking into account any local design standards or style guides in plans or supplementary planning documents.
28. Policy L7 of the Trafford Core Strategy states: 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.
29. The New Residential Development PG1 states that infill development can be acceptable provided it satisfactorily relates to its context in terms of design and amenity impacts. This type of development will not be accepted at the expense of the amenity of surrounding properties or local area character. The resulting plot sizes and frontages should be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
30. Paragraph 2.4 states that: Whilst the Council acknowledges that the development of smaller urban sites with small scale housing or flat developments makes a valuable contribution towards the supply of new housing in the Borough, the way in which the new buildings relate to the existing will be of paramount importance. This type of development will not be accepted at the expense of the amenity of the surrounding properties or the character of the surrounding area. The resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene. Both the new property and the retained dwelling should comply with the standards set out in these guidelines.
31. The plot is bound by a mid-20th Century Mock Tudor Public House to the west, a golf course to the north (front), and mid-20th Century semi-detached dwellings to the south and east.

Scale and Massing

32. The proposed dormers would increase the scale and massing of the approved terrace row, however their design, through the incorporation of dual pitched roofs, as well as their reduction following a request from the assessing Officers, ensures they would be acceptably subservient to the approved dwellings and they are not considered to result in an unacceptable visual impact in terms of their scale and massing.

External Elevations/Materials/Internal Layout

33. The proposed dormers and other external amendments are considered to have an acceptable design with the dormers reduced in size to ensure their windows are smaller than the windows below in the rear elevation and the roof lights amended to conservation type thereby ensuring they do not project beyond the roof slope. The dormers would be clad in vertically hung roof tiles which would reduce their prominence when viewed from the rear. It is noted that the applicant has discharged the materials condition attached to the original grant of planning permission, subject to full implementation.
34. Officers accept the amended proposed plans which resolve a discrepancy in the originally approved plans in terms of the positioning of one of the rear facing bi-fold doors on the approved layout and elevation plans. The amended proposed internal layouts would be acceptable.
35. The proposal would result in an acceptable design impact with reference to Core Strategy Policy L7, the New Residential Development SPG and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

36. Policy L7 of the Core Strategy states: In matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.
37. New Residential Development PG1 requires new residential developments to result in acceptable privacy, overshadowing and overbearing impacts on neighbouring properties, in addition to the provision of acceptable amenity standards for the future occupants of the proposed development.

Privacy and Overlooking

38. The amended proposed would introduce three rear facing habitable room (bedroom) dormer windows. In all other respects the amended dwellings would have the same privacy impact on neighbouring plots as the originally approved scheme.
39. The rear facing loft level bedroom windows would be more than the 13.5m minimum distance as set out in the guidance note PG1, from the closest residential boundary (35m – No. 7 Briar Close), and more than the 30m minimum distance from the closest facing habitable room windows (41m), the facing windows within the adjacent properties being at first floor rather than loft level, with the only direct interface being between the proposed westernmost dwelling's dormer window and No. 7 Briar Close. It is therefore considered that the proposed dormers would not have any undue impact in terms of overlooking or loss of privacy to neighbouring dwellings.

40. The proposed front facing roof lights would overlook the golf course to the north of the proposed dwellings, which would be acceptable.
41. The other elevational changes at ground floor are not considered to result in any additional overlooking or impacts on privacy.

Overbearing/Overshadowing

42. The proposed dormer extensions would not result in an unacceptable additional overbearing or overshadowing impact on neighbouring occupants, these structures being relatively small scale with their massing reduced due to their dual pitched roofs.

Occupant Amenity Space

43. The development would provide future occupants with an acceptable level of internal and external amenity space.

Outstanding Environmental Health (Nuisance) Comment

44. It is noted that the Nuisance consultee has yet to provide a final comment on the additional information requested by this consultee and submitted by the applicant regarding the proposed dormer windows' glazing and ventilation products to confirm consistency with the previously approved external noise mitigation scheme.
45. Subject to a final comment from the Environmental Health (Nuisance) consultee regarding the proposed dormers' glazing and ventilation specification, the development would not have any unacceptable impact on the residential amenity of the neighbouring residential properties and would provide an acceptable level of amenity for future occupants. It is noted that the original grant of planning permission was subject to a condition requiring the LPA's written approval of a Construction Management Plan, which has subsequently been discharged through discharge of condition reference 103265/CND/21. Planning permission would be subject to a condition requiring the works to comply with the approved Construction Management Plan as well as a further condition restricting future occupant domestic permitted development rights relating to extensions to ensure acceptable future privacy and amenity impacts, this latter condition attached to the original grant of planning permission. As such, it is considered that the amended proposed development would comply with Core Strategy Policy L7, PG1 New Residential Development and the NPPF in terms of its amenity impacts.

HIGHWAYS, PARKING AND SERVICING

46. Core Strategy Policy L4 states: *[The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*

47. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
48. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments. The Council's parking standards indicate that the provision of three off-road car parking spaces is appropriate for four bedroom dwellings in this location, albeit these are maximum standards.
49. The proposal would result in development providing 3 No. four bedroom properties instead of the three bedroom units approved within the original permission. SPD3 sets out that the maximum standard is three parking spaces per dwelling for four bedroom properties. The proposed four bedroom dwellings would each have two parking spaces. The applicant has provided a justification for this level of parking provision with reference to the site's relatively sustainable location with access to bus routes running along Moorside Road and proximity to two railway stations, and it is noted that the LHA has confirmed no objection to the proposal. It is not considered that the proposal would result in an unacceptable parking and highways impact with reference to NPPF paragraph 109 which requires development proposals to result in an 'unacceptable' impact on highway safety or the residual cumulative impacts on the road network to be 'severe' to justify a refusal of planning permission on these grounds. It is noted that the LHA has requested planning permission is subject to a condition requiring the submission of cycle storage details.
50. The development would have an acceptable highway, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD3, the New Residential Development PG1 and the NPPF.

DEVELOPER CONTRIBUTIONS

51. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' zone for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
52. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure in the form of three additional trees per dwelling net of clearance. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide nine additional trees net of clearance on site as part of the landscaping proposals.
53. No affordable housing provision is required as the development falls below the thresholds set within the Core Strategy and the NPPF.

OTHER MATTERS

54. In response to the other points raised in the neighbour objection/comment letters Officers would respond as follows:
55. Relocating the proposed dormers to the dwellings' front roof slopes would result in a development which would be out of character with the local area, where none of the surrounding dwellings have similar front facing dormers.
56. Whilst concerns have been raised that the original development has resulted in a loss of part of the Public House's car park and resulted in the parking of cars along Moorside Road, the issues that can be considered in the current application are limited to the impact of the proposed alterations to the approved scheme. The reduction in parking spaces to serve the public house was considered at the time of the original application and the LHA raised no objections to the proposal on the basis that the level of parking provision would not have a severe detrimental impact on the public highway.
57. Addressing the comment that the ongoing works are resulting in unacceptable noise and dust impacts on neighbours, it is noted that the applicant has had their Construction Management Plan approved via discharge of conditions application 103265/CND/21, and the applicant is expected to adhere to this approved plan. The LPA is unaware of any formal complaints being received from neighbouring occupants about such matters.

PLANNING BALANCE AND CONCLUSION

58. Section 38(6) of the Planning and Compulsory Purchase Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
59. In terms of NPPF paragraph 11 d) i), the proposed development does not have any impact on areas or assets of particular importance as defined by footnote 6 of the NPPF. As such, there would be no clear reason for refusal of permission in terms of this paragraph. The proposal therefore needs to be considered in relation to the test in paragraph 11 d) ii) and the tilted balance is engaged.
60. Applying the test in paragraph 197 of the NPPF, it is considered that the proposed development, as amended, would not result in any significant impact on the setting and significance of the Garricks Head Public House, a non-designated heritage asset. As such, the proposed development would comply with the heritage policies of the NPPF and R1 of the Core Strategy.
61. All other detailed matters have been assessed, including design and visual amenity, residential amenity, and parking impacts. The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition, and the proposal complies with the development plan and guidance in the NPPF in relation to these matters. In terms of paragraph 11 d) ii), it is considered that there are no adverse impacts that would significantly and

demonstrably outweigh the benefits of granting permission. It is therefore recommended that planning permission should be granted, subject to conditions.

RECOMMENDATION:

GRANT subject to the following conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [17.2505] 111 P3, received by the local planning authority on 21 February 2020; 100 P16, 108 P4 and 110 P4, received by the local planning authority on 28 April 2020; and [20-504] W02 E, W03 E, W04 C and W05 B, received by the Local Planning Authority on 29 June 2021.

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

2. The development shall be carried out in accordance with the details of materials approved under discharge of conditions application 103265/CND/21.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policies L7 and R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

3. All window and door openings in the new dwellings shall be constructed with minimum 90mm deep external reveals.

Reason: In the interests of visual amenity, having regard to Policy L7 of the Core Strategy and guidance in the NPPF.

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

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

5. The dwellings hereby permitted shall not be occupied until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved. The accessible spaces shown on the approved plan shall be marked out and retained as such. The parking and turning areas shall be retained for that purpose thereafter.

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

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

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

7. The development shall be carried out in accordance with the details of finished floor levels and wider site levels approved under discharge of conditions application 103265/CND/21.

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

8. The development shall be carried out in accordance with the Construction Management Plan approved under discharge of conditions application 103265/CND/21.

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.

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

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

10. Notwithstanding the plans hereby approved and prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing (for the car parking areas) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the curtilage of the dwelling houses,

shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: To prevent localised flooding in accordance with Policies L7, R3 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

11. The development shall be carried out in accordance with the glazing and ventilation strategy approved under discharge of conditions application 103265/CND/21.

Reason: In the interests of residential amenity, having regard to Policies L5 and L7 of the Trafford Core Strategy and guidance in the NPPF.

12. The Public House shall be operated at all times in accordance with the noise management plan approved under discharge of conditions application 101312/CND/20.

Reason: In the interests of residential amenity, having regard to Policies L5 and L7 of the Trafford Core Strategy and guidance in the NPPF.

13. The retained outdoor seating area hereby approved shall not be used for the consumption of food or drink outside the hours of 1100 to 2300 on any day.

Reason: In the interests of residential amenity, having regard to Policies L5 and L7 of the Trafford Core Strategy and guidance in the NPPF.

14. Servicing, deliveries and waste and recycling collections to the retained Public House shall only take place between 0700 and 1900 on Mondays to Saturdays and not at any time outside these hours.

Reason: In the interests of residential amenity, having regard to Policies L5 and L7 of the Core Strategy and guidance in the NPPF.

15. The dwellings hereby permitted shall not be occupied unless and until an Exterior Lighting Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. The Exterior Lighting Impact Assessment shall demonstrate that the impact of new exterior lighting into habitable windows, either within or off-site, would be within acceptable margins, following the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011. Any exterior lighting shall be implemented in accordance with the approved details and shall be retained in good order thereafter for the lifetime of the development.

Reason: In the interests of residential amenity, having regard to Policies L5 and L7 of the Trafford Core Strategy and guidance in the NPPF.

16. The dwellings hereby permitted shall not be occupied unless and until secure cycle [and motorcycle] storage has been provided in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle [and motorcycle] parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof)

- (i) no extensions shall be carried out to the dwellings

unless planning permission for such development has first been granted by the Local Planning Authority.

Reason: To protect the residential and visual amenities of the area having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The double doors in the side (eastern) elevation of the public house shall be used as an emergency exit only and shall remain closed at all other times.

Reason: In the interests of residential amenity, having regard to Policy L7 of the Trafford Core Strategy and relevant sections of the NPPF.

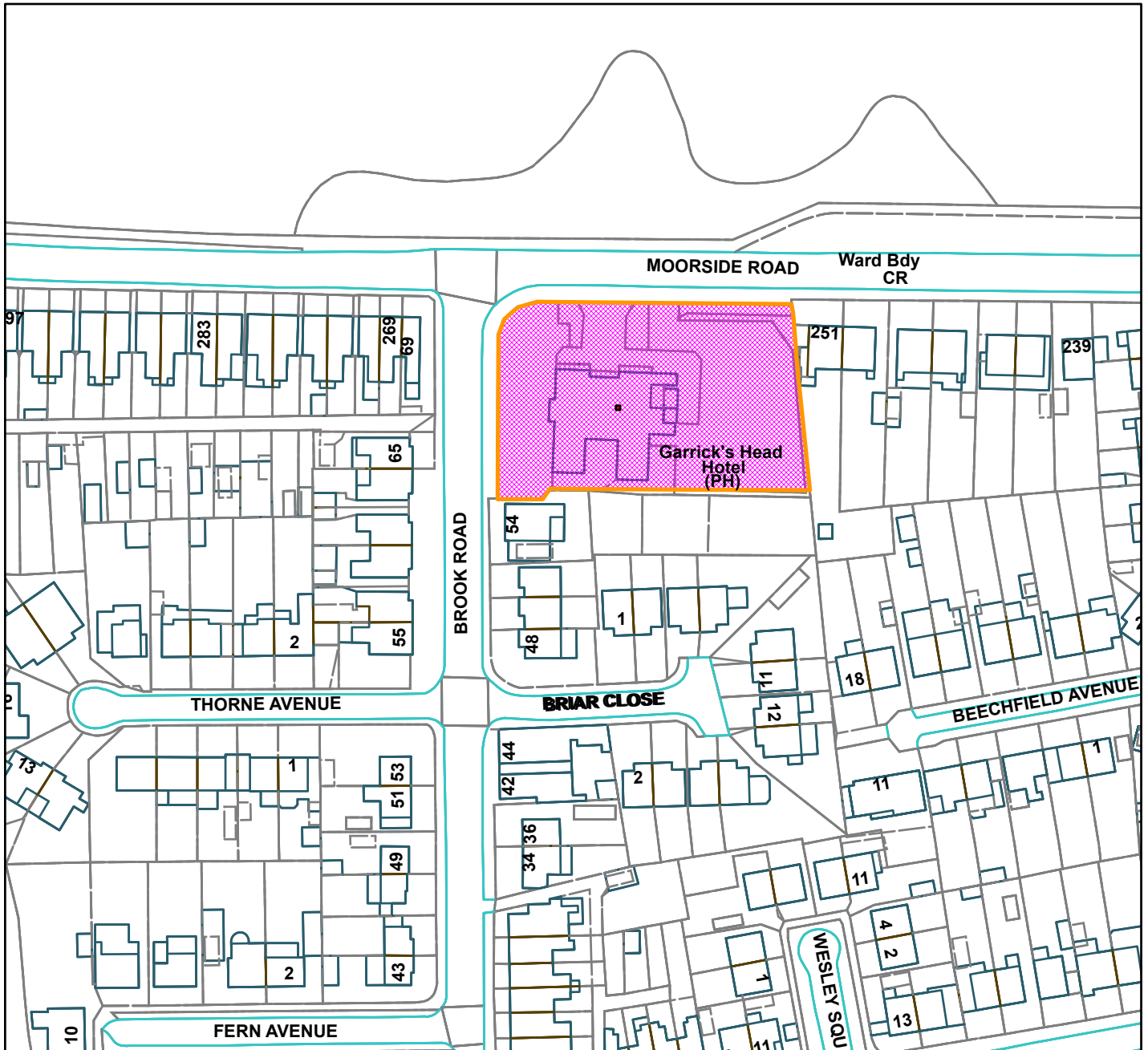
19. The dwellings hereby approved shall not be occupied unless and until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the local planning authority. The approved charging points shall be installed and made available for use prior to the development being brought into use and shall be retained thereafter.

Reason: In the interests of promoting sustainable travel, having regard to Policies L4 and L5 of the Trafford Core Strategy and guidance in the National Planning Policy Framework.

TP



Garricks Head Hotel, Moorside Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	28/06/2021
MSA Number	100023172 (2012)

WARD: St Marys

104793/FUL/21

DEPARTURE: NO

Installation of two single storey temporary classroom blocks providing a total of three classrooms.

Firs Primary School, Firs Road, Sale, M33 5EL

APPLICANT: Claire Fisher, Trafford Council

AGENT: Mr Andrew Thompson, Bowker Sadler Architecture

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee as it has received one objection and the applicant is Trafford Council.

SITE

This application relates to Firs Primary School which occupies a site of approximately 1.7 ha in area to the south east of Firs Road, Sale. The school buildings consist of a range of primarily single storey structures. Vehicular access is taken from approximately the centre of the site's frontage to Firs Road with car parking provided adjacent to the entrance. Pedestrian access is taken from three entrances spread along the Firs Road frontage. To the rear, south east, of the school buildings is a large area of playing fields which is designated as protected open space. A yard which is laid out as a sports pitch is provided towards the west of the site. The surrounding area is residential in character.

PROPOSAL

Planning permission is sought for the siting of two single storey classroom blocks which would provide a total of three classrooms. The classrooms would not be situated on the area of protected open space at the site.

The single classroom block would be positioned to the north of the existing school buildings with a footprint of approximately 10m x 15m and a height of 3.2m. It would have grey cladding to its walls and grey windows and doors. It would also have a flat roof.

The double classroom block would be positioned to the west of the school buildings on an area of hardstanding which is marked out for sports provision. The main structure would have a footprint of approximately 10m x 18m with a height of 3.5m. It would include a ramp to its front elevation and stairs with an external lift to each side. Its walls, windows and doors would all be in grey. It would have a flat roof.

The applicant's submitted statement says that the school has been designated a three form entry school from September 2021 and that currently it is two form entry with every classroom utilised in the main building together with a temporary block housing two classrooms. The currently proposed classrooms would facilitate the expansion of the school from two form entry to three form entry with the intention being that the

temporary classrooms are ready for the start of the school year in September 2021. It is proposed that a planning application for a permanent extension to the school will be submitted in the near future with the proposed temporary accommodation then removed once this has been completed. The applicant's statement says that it is intended that the permanent extension would be ready for the start of the school year in September 2022.

DEVELOPMENT PLAN

For the purpose of this application the Development Plan in Trafford comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES AND OBJECTIVES

L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
R5 – Open Space, Sport and Recreation

SUPPLEMENTARY PLANNING DOCUMENTS

SPD3 – Parking Standards and Design

POLICIES MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework (GMSF) was a joint Development Plan Document being produced by the Greater Manchester districts. The first consultation draft of the GMSF was published on 31st October 2016, and a further period of consultation on the revised draft ended on 18th March 2019. The GMSF is now being progressed by nine GM districts as 'Places for Everyone' (PFE) and, once adopted, will be the overarching development plan for these districts, setting the framework for

individual district Local Plans. PFE is not yet at Regulation 19 stage and so will normally be given limited weight as a material consideration. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If PFE/GMSF 2020 is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

99423/FUL/19- Permanent retention of double modular classroom with associated ramp and steps. Approved with Conditions- 06.03.2020.

86779/FUL/15- Erection of a timber gazebo. Approved with Conditions- 18.12.2015.

There are a number of further planning permissions for extensions to the school since 1993.

APPLICANT'S SUBMISSION

Justification Statement

CONSULTATIONS

Sport England - No objection subject to a condition requiring a scheme for the removal of the classroom blocks following the expiry of the temporary permission.

LHA – No comments received to date. The consultation response will be reported in the Additional Information Report

REPRESENTATIONS

A single letter of representation has been received, objecting on the following grounds:

- The school generates a high volume of traffic.
- The resident's car has been damaged by having to mount kerbs.

- Parking blocks the road up and makes it impossible to get through.
- Resident's driveways are blocked.
- More classrooms means more children, parents and teachers where there is already not enough space for parking.
- The resident is surprised that there has not been an accident.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Whether a Core Strategy policy is considered to be up-to-date or out-of-date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
4. Policies relating to design, parking and highway safety impacts and impacts on sports and recreation facilities are considered most important in determining this application. These are policies L4, L7 and R5 of the Trafford Core Strategy. This is because they relate to the likely impacts of the proposed development on the surrounding area and on existing sports provision. Policies L4, L7 and R5 of the Core Strategy are consistent with the NPPF and therefore considered to be up-to-date. The "tilted balance" referred to in NPPF paragraph 11 is therefore not engaged.
5. Paragraph 94 of the NPPF states: It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
6. There are no Core Strategy policies that would presume against the principle of extending the school. The principle of the development is therefore acceptable, subject to consideration of design, residential amenity and highways and parking impacts.

IMPACT ON SPORTS PROVISION

7. Paragraph 97 of the NPPF states that “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
8. Policy R5 of the Core Strategy states that “Development which results in an unacceptable loss of quantity of open space, sport or recreation facilities, or does not preserve the quality of such facilities will not be permitted”.
9. The proposed double classroom block would be situated on an existing area of hardstanding laid out for sports provision. It is recognised that large playing fields would remain at the site as well as an area of hardstanding which would still allow for sports provision following adverse weather and that the area to be occupied by the temporary classrooms is not designated as Protected Open Space. It is also recognised that the application is for temporary consent and that the classroom blocks will be removed following completion of the wider redevelopment of the site.
10. Sport England raise no objection to the application subject to a condition requiring the reinstatement of the hard court games area following the removal of the temporary classrooms.
11. The proposed classroom blocks would therefore not result in the long term loss of sports provision at the site. Subject to a condition requiring the removal of the temporary classroom blocks at the expiry of this permission, it is considered that the application is acceptable with regard to Paragraph 97 of the NPPF, Policy R5 of the Core Strategy and the relevant Sport England guidance.

DESIGN

12. Paragraph 124 of the NPPF states that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. Paragraph 130 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...”
13. In relation to matters of design, Policy L7 of the Core Strategy states development must:
 - Be appropriate in its context;Make best use of opportunities to improve the character and quality of an area;

- Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
14. The proposed classroom blocks are functional in appearance with rectangular footprints and flat roofs. This is at odds with the general character of the site where pitched roofs are prevalent; particularly to the elevations most visible from Firs Road. Both classroom blocks would be visible within the street scene and would partially fill in space to either side of the existing structures at the school and would therefore have some limited impact on the relatively spacious character of the area.
 15. It is recognised that the classrooms are to be temporary buildings and so it is recommended that a condition be attached requiring their removal within either 3 years of the date of this permission or within 6 months of the completion of a development to provide new permanent classroom accommodation at the site (whichever is the sooner).
 16. On this basis and having regard to the need for the additional accommodation, the proposal is considered acceptable in design terms with regard to Policy L7 of the Core Strategy and national guidance.

AMENITY

17. 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”.
18. The proposed double classroom block to the south west is a single storey structure which is positioned sufficiently far from neighbouring properties to avoid the introduction of overshadowing, visual intrusion or overlooking.
19. The proposed single classroom block to the north east side of the site is positioned approximately 6m from the site boundary. The adjacent dwelling does not have habitable room windows directly facing the site. The closest element of the dwelling to the school site is a single storey side extension which functions as a garage. This, in addition to the single storey nature of the classroom block, is considered sufficient to ensure that overshadowing, visual intrusion or overlooking would not be introduced.
20. The classroom blocks are within an existing school site. Although pupil numbers at the site will be increased as a result of the proposals, it is not considered that the impact of the proposal on neighbouring dwellings by way of noise and disturbance will be materially changed.
21. The proposal is considered acceptable in terms of residential amenity with regard to Policy L7 of the Core Strategy and relevant national guidance.

PARKING AND HIGHWAY SAFETY

22. Paragraph 109 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
23. The proposed development would facilitate the expansion of the school from two form entry to three form entry from September 2021 with an associated increase in pupil and staff numbers. The applicant’s agent has confirmed that the development would result in an additional thirty children for the duration of the temporary accommodation and the number of staff would increase by two. There are currently thirty-two car parking spaces and the current application does not include any proposals to increase this. The school has an existing Travel Plan and it is proposed that this would be updated in connection with the submission of the application for permanent classroom accommodation.
24. Having regard to the guidance in paragraph 94 of the NPPF that local planning authorities should give great weight to the need to create, expand or alter schools and the guidance in paragraph 109 referred to above, it is considered that the proposed temporary classrooms would be acceptable in terms of parking and highways impacts.
25. The comments of the LHA are awaited and will be reported in the Additional Information Report.

DEVELOPER CONTRIBUTIONS

26. Public/institutional facilities, including those for education, are subject to a CIL charge of £0 per sqm.
27. The development would not attract any other developer contributions.

CONCLUSION

28. The proposed classroom blocks are of a functional appearance and would have some limited impact on the spaciousness of the site when viewed from the street scene. Nevertheless, the structures are only proposed for a temporary period and, having regard to the need for the additional accommodation and the fact that the intention is to replace them with a permanent development, it is considered that the impact of the proposal would be acceptable in terms of visual amenity. Subject to a condition requiring the removal of the temporary classrooms within either a three year period or within six months of the permanent classroom accommodation being completed (whichever is the sooner) and the reinstatement of the hard court games area following this, it is considered that the impact of the proposed development would be acceptable both in terms of visual amenity and impact on existing sports provision. The proposal would not have any unacceptable impact on the residential amenity of neighbouring properties and would be acceptable in terms of parking and

highway impacts, having regard to guidance in the NPPF. As such, the proposed development would comply with Policies L4, L7 and R5 of the Trafford Core Strategy and guidance in the NPPF and it is recommended that planning permission should be granted.

RECOMMENDATION:

APPROVE subject to the following conditions:

1. This planning permission is granted for a limited period expiring on 08.07.2024 or within six months of the completion of a development to provide new permanent classroom accommodation at the site (whichever is the sooner), when all buildings, works, uses of land or other developments hereby permitted shall be removed or discontinued (as the case may be) and the land reinstated to its former condition and use as a hard court games area in accordance with a scheme of work which shall be submitted to and approved by the Local Planning Authority before the expiration of the period specified in this condition.

Reason: In the interests of the visual amenities of the area having regard to the temporary nature of the materials used in the construction of the buildings hereby approved and in the interests of retaining appropriate outdoor sports provision, having regard to Policies L7 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100, 101, 102 and 103.

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

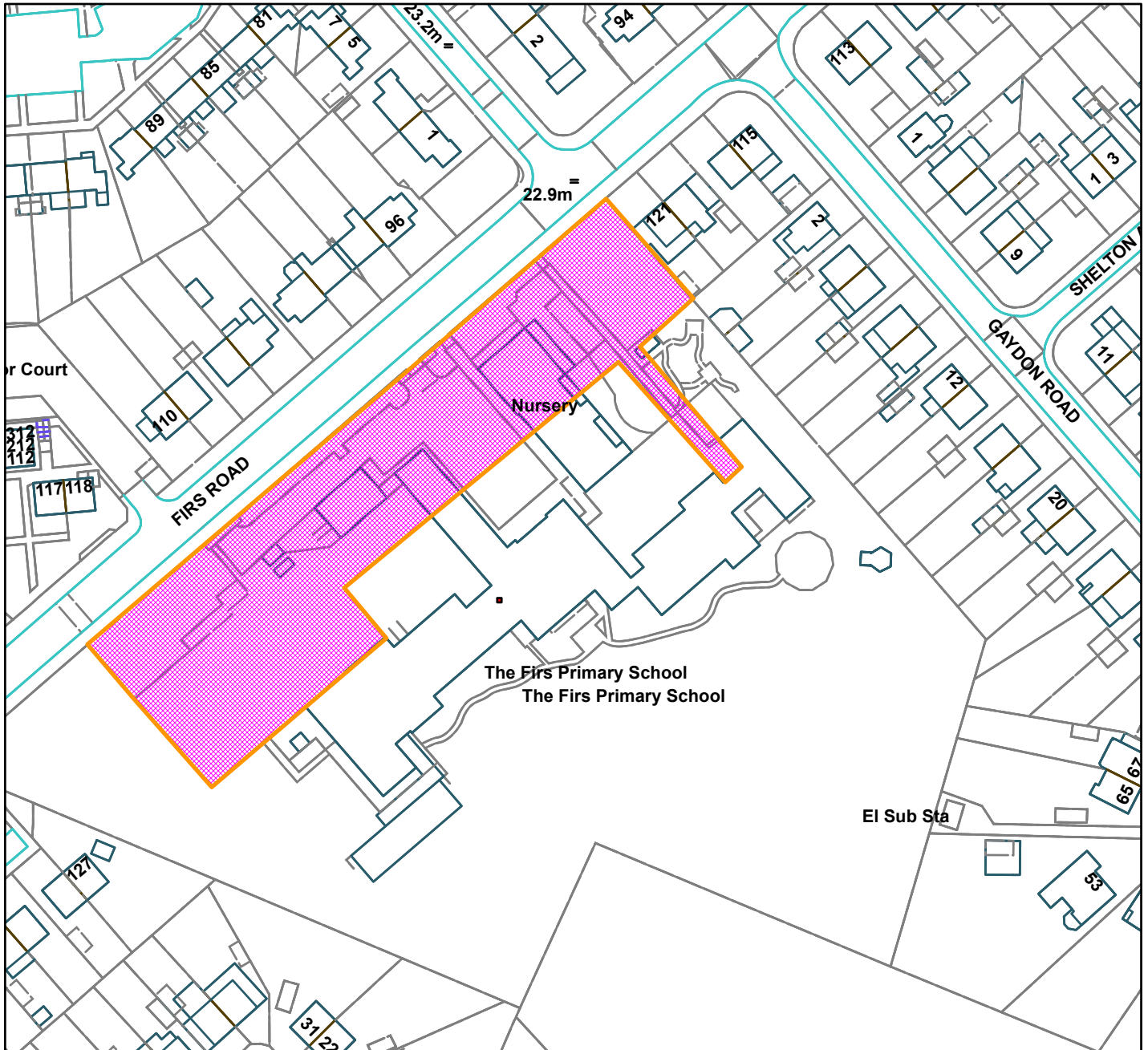
3. The development hereby permitted shall be constructed entirely of the materials details which are shown on the submitted plans Nos. 101 and 102.

Reason: To ensure that the appearance of the development is acceptable, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

JW



Firs Primary School, Firs Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/07/2021
Date	28/06/2021
MSA Number	100023172 (2012)

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WARD: Stretford

103921/FUL/21

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247

PROPOSED STOPPING UP OF A PART-WIDTH OF BRIAN STATHAM WAY, AS ADJOINS LANCASHIRE COUNTY CRICKET CLUB, AT STRETFORD IN THE METROPOLITAN BOROUGH OF TRAFFORD.

OS GRID REFERENCE: E: 381121, N: 395669

Highway proposed to be stopped up under S247 of the Town & Country Planning Act 1990 to enable development to be carried out in accordance with planning permission with reference number 103921/FUL/21 (which has been granted subject to conditions and the completion of a s106 Agreement).

RECOMMENDATION: THAT NO OBJECTION BE RAISED

SITE

Development proposal on Brian Statham Way (as adjoins the eastern face of Lancashire County Cricket Club) in Trafford.

PROPOSAL

The Department for Transport has advised the Council (the Local Highway Authority for the area of highway referred to and therefore a statutory consultee) of an application made to the Secretary of State for Transport under S247 of the Town & Country Planning Act 1990 to stop up an area of highway in Trafford described below in the Schedule and shown on the applicant's plan (copy attached ref NATTRAN/NW/S247/4715).

RELEVANT PLANNING HISTORY

The stopping up, if approved, will be authorised only to enable the development to be carried out in accordance with the planning permission under reference 103921/FUL/21.

THE SCHEDULE

Description of highways to be stopped up:

The highway to be stopped up is at Stretford in the Metropolitan Borough of Trafford, shown on the plan as a western part-width of Brian Statham Way, as adjoins the eastern face of Lancashire County Cricket Club. Commencing 36

metres south east of point A on the plan, which is the easternmost corner of the Hilton Garden Inn (Manchester Emirates Old Trafford), it extends in a south easterly direction for a maximum distance of 62.1 metres. It has a maximum width of 5.6 metres.

RECOMMENDATION:

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

Attached

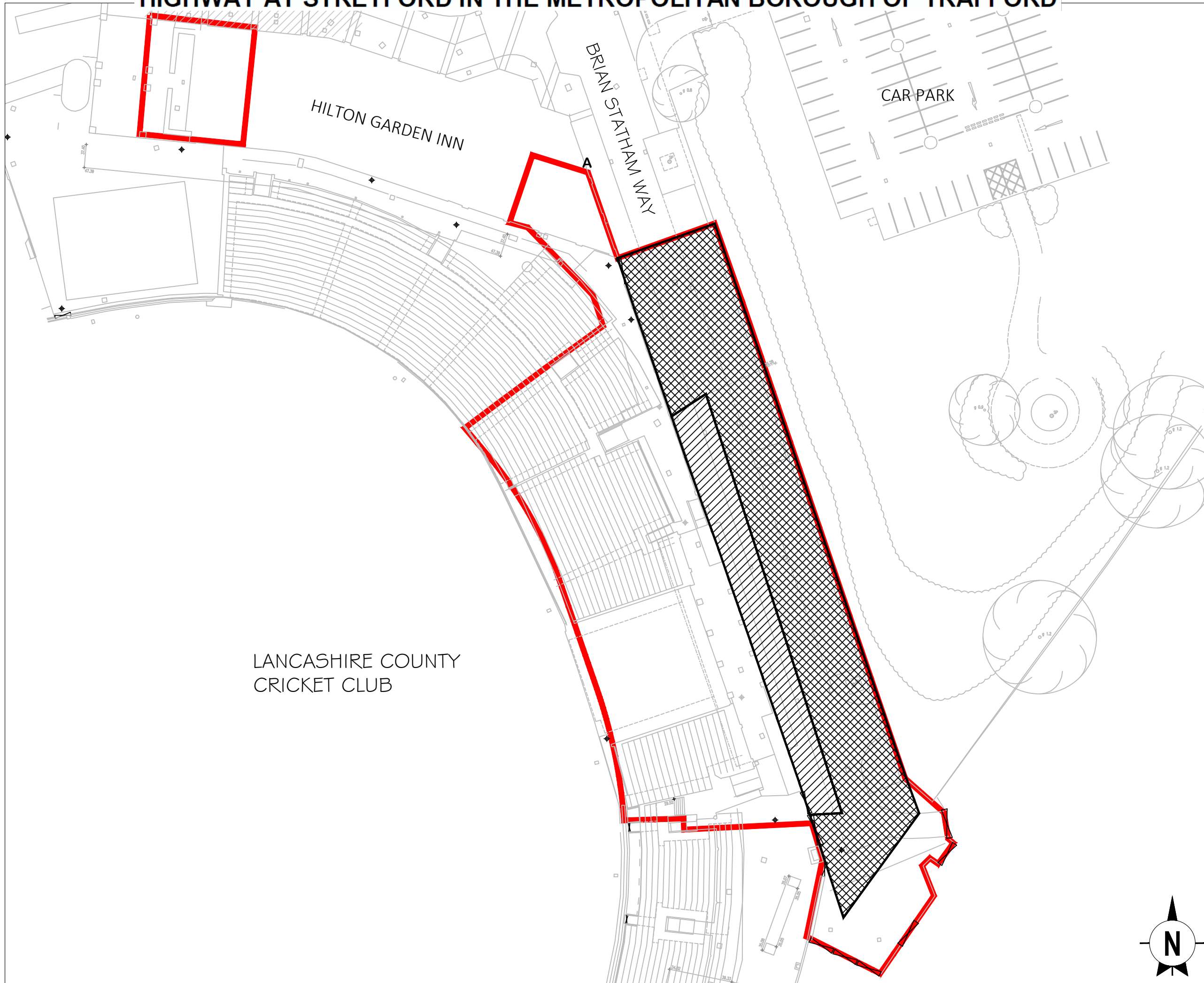
Plan – NATTRAN/NW/S247/4715

Background Papers:


Draft Public Notice


Draft Order

HIGHWAY AT STRETFORD IN THE METROPOLITAN BOROUGH OF TRAFFORD



Key Scale 1:500 at A3

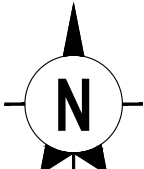
Highway to be stopped up 

Proposed highway improvements 

National Transport Casework Team
Department for Transport
Plan No: NATTRAN/NW/S247/4715

Signed by Authority of the Secretary of State
on.....
Signature.....

DAVE CANDLISH
An Official in the
National Transport Casework Team
Department for Transport



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WARD: Bucklow-St Martins

100109/FUL/20

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247

PROPOSED STOPPING UP OF A PART-WIDTH OF HALL LANE AT PARTINGTON, IN THE METROPOLITAN BOROUGH OF TRAFFORD.

OS GRID REFERENCE: E: 371649, N: 391755

Highway proposed to be stopped up under S247 of the Town & Country Planning Act 1990 to enable development to be carried out in accordance with planning permission 100109/FUL/20.

RECOMMENDATION: THAT NO OBJECTION BE RAISED

SITE

Development proposal on Hall Lane, Partington.

PROPOSAL

The Department for Transport has advised the Council (the Local Highway Authority for the area of highway referred to and therefore a statutory consultee) of an application made to the Secretary of State for Transport under S247 of the Town & Country Planning Act 1990 to stop up an area of highway in Trafford described below in the Schedule and shown on the applicant's plan (copy attached ref NATTRAN/NW/S247/4701).

RELEVANT PLANNING HISTORY

The stopping up, if approved, will be authorised only to enable the development to be carried out in accordance with the planning permission under reference 100109/FUL/20.

THE SCHEDULE

Description of highways to be stopped up:

The highway to be stopped up is at Partington in the Metropolitan Borough of Trafford, shown on the plan as an irregular shaped eastern part width of Hall Lane. It commences from the south-western corner of no.2 Derwent Close extending in a north easterly direction for a distance of 17.2 metres and having a maximum width of 4.4 metres

RECOMMENDATION

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

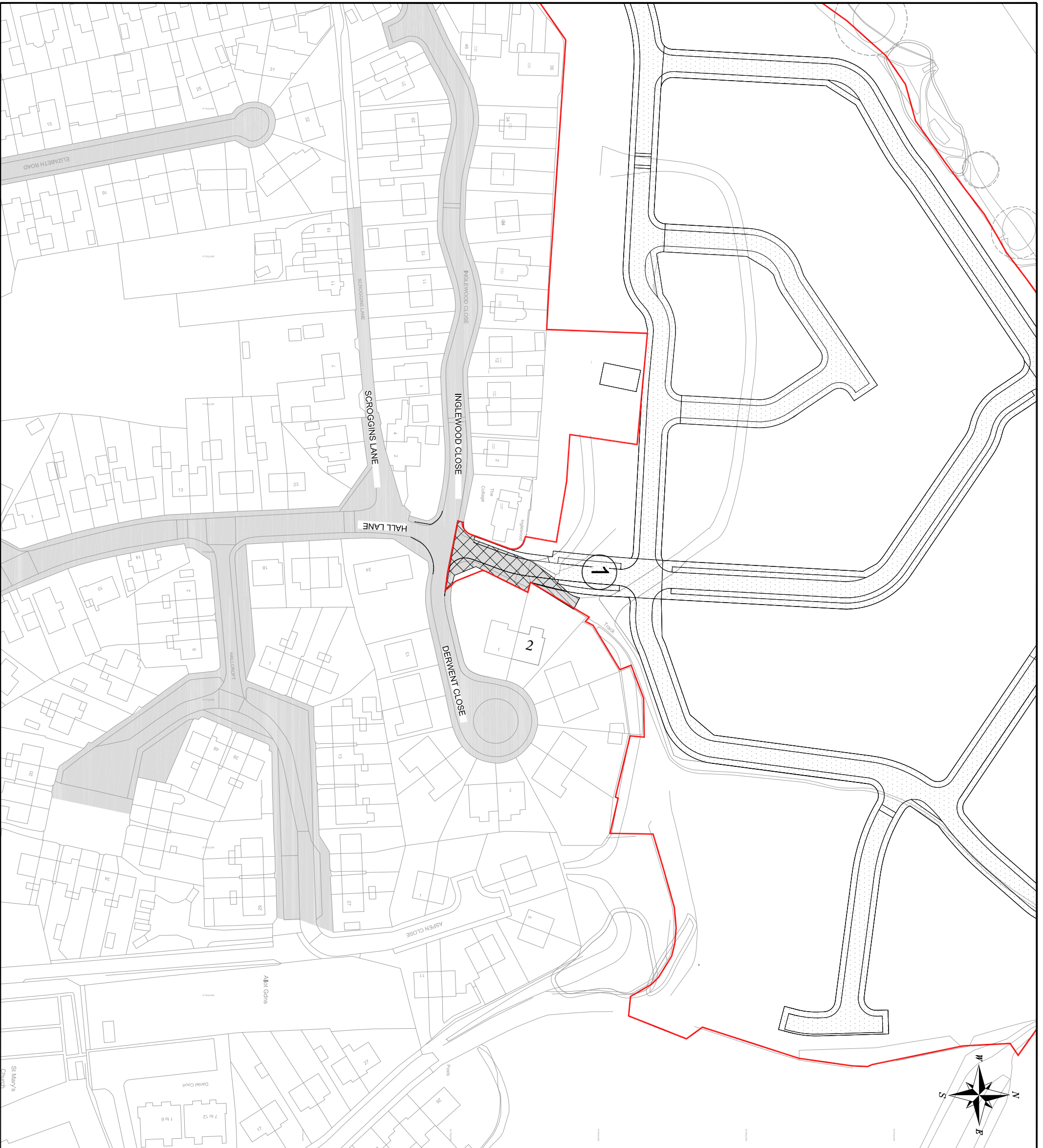
Attached

Plan – NATTRAN/NW/S247/4701

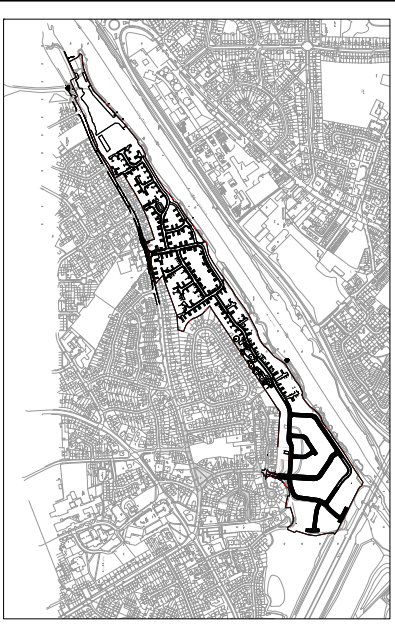
Background Papers

Draft Public Notice

Draft Order



**HIGHWAY AT PARTINGTON
IN THE METROPOLITAN
BOROUGH OF TRAFFORD**



Key	Scale	1:1250 @ A3
Highway to be stopped up		
Proposed highway to be improved		
Proposed new highway		
National Transport Casework Team		
Department for Transport		
Plan No: NATTRAN/NW/S247/4701		
Signed by Authority of the Secretary of State		
on	2021
Signature:.....		
DAVE CANDLISH An Official in the National Transport Casework Team Department for Transport		

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