

# Public Document Pack



**TRAFFORD  
COUNCIL**

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

**Date: Thursday, 20 January 2022**

**Time: 6.30 pm**

**Place: Committee Suite, Trafford Town Hall, Talbot Road, Stretford M32 0TH  
(attendance via registration only)**

PLEASE NOTE: A link to the meeting can be found below:

<https://www.youtube.com/channel/UCjwbIOW5x0NSe38sgFU8bKg>

<b>AGENDA</b>	<b>ITEM</b>
<b>1. ATTENDANCES</b>	
To note attendances, including Officers and any apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
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.	
<b>3. MINUTES</b>	
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 9 <sup>th</sup> December, 2021.	3
<b>4. QUESTIONS FROM MEMBERS OF THE PUBLIC</b>	
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.

6

<b>Applications for Planning Permission</b>	
<b>Application</b>	<b>Site Address/Location of Development</b>
<a href="#"><u>104760</u></a>	Shawe View Residential Care Home 10 - 12 Shawe Road, Flixton, M41 5DL
<a href="#"><u>104797</u></a>	Woodheys Primary School Meadway Sale M33 4PG
<a href="#"><u>105315</u></a>	15 Sandleigh Drive, Hale WA15 8AS
<a href="#"><u>105540</u></a>	95 Derwent Road, Flixton M41 8UJ
<a href="#"><u>106076</u></a>	217 Woodhouse Lane East Timperley WA15 6AS
<a href="#"><u>106179</u></a>	7 Yew Tree Drive, Sale M33 2EX
<a href="#"><u>106198</u></a>	Former Rackhams Department Store And Former Bentleys Fish And Chip Shop 2 George Street Altrincham WA14 1SG
<a href="#"><u>106581</u></a>	Woodheys Primary School Meadway, Sale, M33 4PG

7. **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 SALEH**

Deputy Chief Executive

Membership of the Committee

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

Further Information

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

Michelle Cody, Governance Officer

Tel: 0161 912 2775

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

## **Planning and Development Management Committee - Thursday, 20 January 2022**

---

This agenda was issued on **11<sup>th</sup> January, 2022** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

This page is intentionally left blank

# Agenda Item 3

## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

**9<sup>th</sup> DECEMBER, 2021**

### **PRESENT:**

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

In attendance: Head of Planning and Development (Ms. R. Coley),  
Major Planning Projects Manager (Mrs. S. Lowes),  
Planning and Development Manager (West) (Mr. S. Day),  
Principal Solicitor Place (Mr. T. Rhodes),  
Governance Officer (Miss M. Cody).

Also present: Councillors Procter and Mrs. Young.

### **APOLOGY**

An apology for absence was received from Councillor Winstanley.

#### **54. DECLARATIONS OF INTEREST**

No declarations were made.

#### **55. MINUTES**

RESOLVED: That the Minutes of the meeting held on 11<sup>th</sup> November, 2021, be approved as a correct record and signed by the Chair.

#### **56. QUESTIONS FROM MEMBERS OF THE PUBLIC**

No questions were submitted.

#### **57. 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.

**Planning and Development Management Committee**  
**9<sup>th</sup> December, 2021**

---

**58. 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>
105250/FUL/21 – 56 Barrington Road, Altrincham.	Conversion of basement to create a new apartment with separate rear access, creation of 1 no. lightwell at the front and enlarged lightwell at the rear plus alterations to elevations and external amenity space.
105350/HHA/21 – 35 Graysands Road, Hale	Erection of part single, part two storey side and rear extensions, loft conversion, rear garden terrace and other external alterations following demolition of existing rear garage and conservatory.
105662/FUL/21 – 119 Park Road, Timperley.	Conversion of existing building to provide 1.no dwelling [C3], erection of 4.no dwellings [C3] demolition of existing bungalow and associated access and landscaping works.

- (b) Application deferred

<u>Application No., Address or Site</u>	<u>Description</u>
105540/HHA/21 – 95 Derwent Road, Flixton.	Retention of a garden room at the rear of the garden.

[Note: Consideration of Application 105540/HHA/21 was deferred in order to allow further investigation in relation to whether the red edged site boundary and the ownership certificate are correct.]

**59. APPLICATION FOR PLANNING PERMISSION 104577/FUL/21 – LAND ADJACENT TO MARKET HALL, RAILWAY ROAD, URMSTON**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of 3 storey mixed use development including food and beverage court, stallholder's retail trading area, children's play area, business/office hub and 29 no. hotel rooms, and demolition of existing lean-to structure.

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

- (i) To complete a suitable Legal Agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:-

**Planning and Development Management Committee**  
**9<sup>th</sup> December, 2021**

---

A commitment to fund an amendment to the Traffic Regulation Orders on Greenfield Avenue to convert an existing on-street parking bay to an accessible space for disabled users.

- (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.
- (iv) That upon the satisfactory completion of the above Legal Agreement that planning permission be granted subject to the conditions now determined (unless amended by (ii) above).

**60. APPLICATION FOR PLANNING PERMISSION 106219/HHA/21 – 26  
GRANGETHORPE ROAD, URMSTON**

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a single storey rear extension (part retrospective).

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

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

**61. URGENT BUSINESS**

- (a) Member Update: Appeal by Accrue (Forum) 1 LLP at Former B&Q site, Great Stone Road, Stretford, M32 0YP - LPA ref. 100400/OUT/20 Appeal ref. APP/Q4245/W/20/3258552

[Note: The Chair allowed consideration of this Item as Urgent Business as a decision was required to be made in advance of the exchange of Proofs of Evidence on 14<sup>th</sup> December 2021.]

The Head of Planning and Development submitted a report which provided Members with an update in respect of the non-determination Appeal by Accrue (Forum) 1 LLP following the Committee's resolution in October 2020 that they would have been minded to refuse the planning application.

RESOLVED: That Officers be authorised to pursue noise as a further putative reason for refusal at the upcoming Public Inquiry in respect of planning application 100400/OUT/20.

The meeting commenced at 6.30 pm and concluded at 9.04 pm.

This page is intentionally left blank





## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 20<sup>th</sup> JANUARY 2022**

### **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 – 20<sup>th</sup> JANUARY 2022**

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

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

<b>Applications for Planning Permission</b>				
<b>Application</b>	<b>Site Address/Location of Development</b>	<b>Ward</b>	<b>Page</b>	<b>Recommendation</b>
<a href="#"><u>104760</u></a>	Shawe View Residential Care Home 10 - 12 Shawe Road, Flixton, M41 5DL	Flixton	1	Grant
<a href="#"><u>104797</u></a>	Woodheys Primary School Meadway Sale M33 4PG	St Marys	8	Grant
<a href="#"><u>105315</u></a>	15 Sandleigh Drive, Hale WA15 8AS	Hale Central	16	Grant
<a href="#"><u>105540</u></a>	95 Derwent Road, Flixton M41 8UJ	Flixton	27	Grant
<a href="#"><u>106076</u></a>	217 Woodhouse Lane East Timperley WA15 6AS	Timperley	37	Refuse
<a href="#"><u>106179</u></a>	7 Yew Tree Drive, Sale M33 2EX	Sale Moor	46	Grant
<a href="#"><u>106198</u></a>	Former Rackhams Department Store And Former Bentleys Fish And Chip Shop 2 George Street Altrincham WA14 1SG	Altrincham	70	Grant
<a href="#"><u>106581</u></a>	Woodheys Primary School Meadway, Sale, M33 4PG	St Marys	118	Grant

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

**WARD:** Flixton

**104760/FUL/21**

**DEPARTURE: NO**

**Installation of solar panels to the roof.**

Shawe View Residential Care Home, 10-12 Shawe Road, Flixton, M41 5DL

**APPLICANT:** Mr Russell Clarke, Trafford Council

**AGENT:** Mr Adrian Roebuck, Amey Consulting

**RECOMMENDATION: GRANT**

---

**The application has been reported to the Planning and Development Management Committee as it has received four objections and the applicant is Trafford Council.**

**SITE**

This application relates to a site to the west and north of Shawe Road, Flixton. The site is occupied by a residential care home which is divided over two blocks. The block to the north is a two storey structure with a dual-pitched roof. The southern block covers a much larger footprint and is '1.5' storeys in height. All side boundaries are formed by substantial mature trees and other vegetation.

Vehicular access is taken from Shawe Road to the east with car parking provided in the north-west corner of the site. There are residential properties to the east and north, a large car park to the west and Trafford Football Club to the south. The character of the area is primarily residential.

**PROPOSAL**

Planning permission is sought for the installation of solar panels to the south and east facing planes of the southern block's roof.

**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**

L5 – Climate Change  
L7 – Design

## **SUPPLEMENTARY PLANNING DOCUMENTS**

None

## **POLICIES MAP NOTATION**

None

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

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. 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**

None relevant to this application.

## **APPLICANT'S SUBMISSION**

None

## **CONSULTATIONS**

**Nuisance** - The operation of the proposed solar panels does not give any cause for concern since the equipment should not emit any discernible noise.

## **REPRESENTATIONS**

Four letters of representation were received in response to an initial neighbour consultation exercise. At this point, the proposal also included the installation of four air source heat pumps. The air source heat pumps have subsequently been removed from the application. The initial objections to the application were on the following grounds:

- The proposals will introduce noise pollution to neighbouring residential properties. This will get worse if the air source heat pumps are not maintained.
- The application site is already a blight on the area due to the noise that can be heard from residents.
- The plans would add an eyesore to the area.
- Residents are unable to agree to the proposal until the trees along the north boundary are maintained at a lower height.
- The trees along the site's north boundary block light and heat from neighbours to the north.

*Issues relating to trees at the site boundaries are not considered relevant to this application and so are not considered further.*

A further 10 day neighbour consultation exercise has been carried out following the removal of the air source heat pumps from the application. No responses were received.

## **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 2021 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. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, 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.
5. Policies relating to climate change, visual amenity and the protection of residential amenity are considered most important in the determination of this planning application. These are Policies L5 and L7 of the Core Strategy.
6. Policy L5 of the Core Strategy is generally not consistent with the NPPF in respect of climate change and is considered out of date in part. Policy L7 of the Core Strategy is considered to be up to date. Taken collectively, the policies most important in determining this application are considered to be out of date and so permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
7. Paragraph 154 of the NPPF states: "When determining planning applications for renewable and low carbon development, local planning authorities should:
  - a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
8. Although it can be given less weight, Policy L5 of the Core Strategy states 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."
9. The principle of installing solar panels at the site is therefore considered acceptable with regard to NPPF guidance and Policy L5 of the Core Strategy. This is subject to appropriate impact on visual and residential amenity.

## DESIGN

10. Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable 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 134 states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...”
11. 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.
12. The proposed solar panels would be in two sections with an area of 14m x 3m to the east elevation and an area of 12m x 4m to the south elevation. They would project no more than 200mm beyond the plane of the roof. It is considered that the panels would not be unduly visually intrusive. Furthermore, the orientation of the roof and the presence of mature trees along site boundaries suggest that the panels would have limited visibility from outside the site in any case.
13. In visual amenity terms, the proposal is considered acceptable and in accordance with Policy L7 of the Core Strategy and NPPF guidance.

## AMENITY

14. 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”.
15. The massing of the proposed solar panels would be minimal and would not be expected to introduce visual intrusion or loss of light to residents. Solar panels also would not be expected to emit any discernible noise. The nuisance consultee raises no objection on this basis.
16. The proposal is acceptable in residential amenity terms with regard to Policy L7 of the Core Strategy and relevant NPPF guidance.

## DEVELOPER CONTRIBUTIONS

17. There are no developer contributions relevant to this application.

## CONCLUSION

18. The installation of solar panels at the site is considered acceptable in principle with regard to Policy L5 of the Core Strategy and NPPF guidance. There are no concerns with regard to visual and residential amenity. This is with regard to Policy L7 of the Core Strategy and relevant NPPF guidance. There are therefore no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when weighed against the NPPF as a whole. It is recommended that permission be granted subject to conditions.

## **RECOMMENDATION:**

**APPROVE** 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, number CO00201404-13-101 Rev. P02, received by the local planning authority on 1<sup>st</sup> December 2021.

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

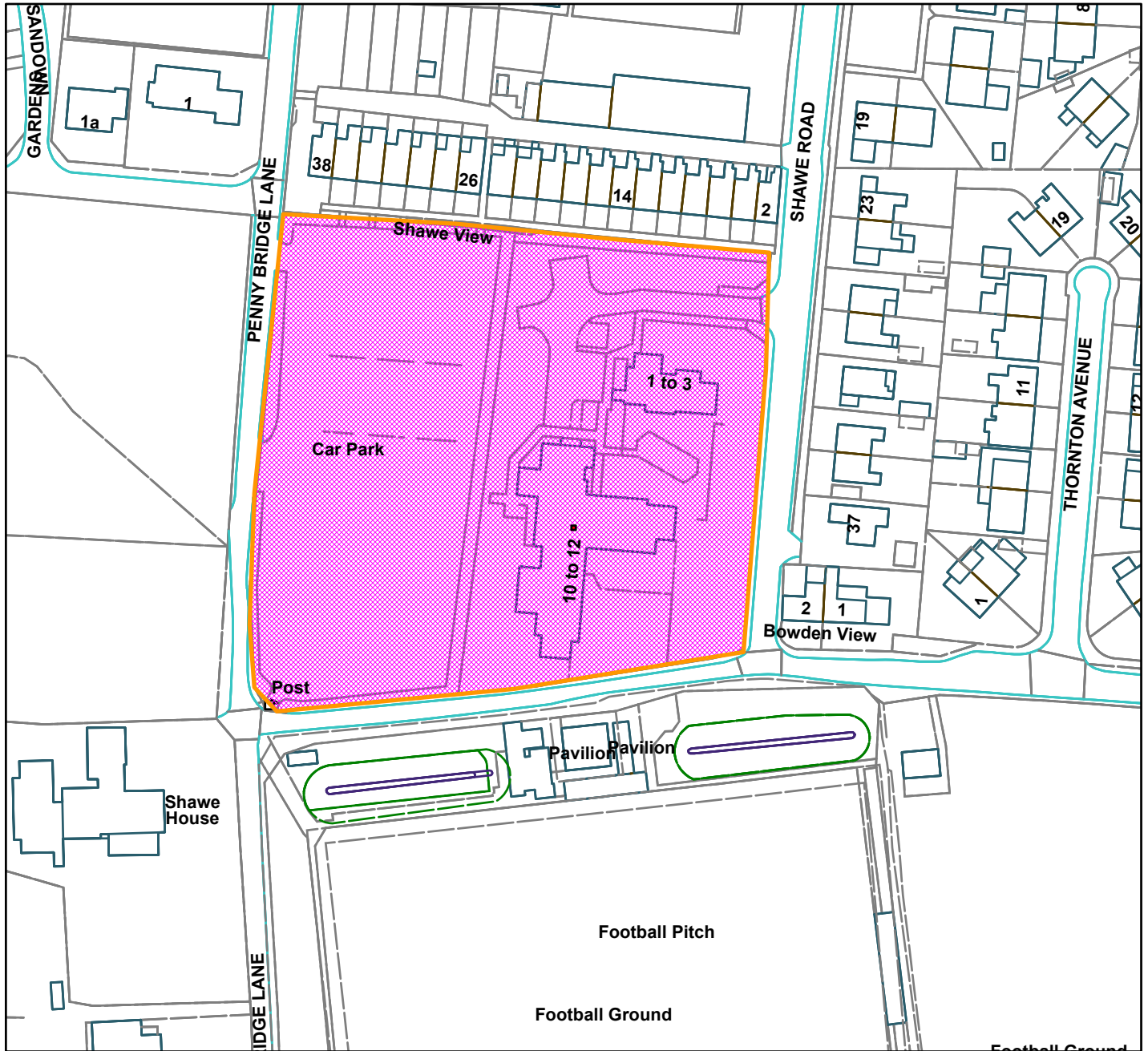
---

JW





Shawe View Residential Care Home 10 - 12 Shawe Road Flixton (site hatched on plan)



**Scale:** 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

**Installation of solar panels to the roof of the main building.**

Woodheys Primary School, Meadway, Sale, M33 4PG

**APPLICANT:** Trafford Council

**AGENT:** Amey Consulting

**RECOMMENDATION: GRANT**

---

**This application has been reported to the Planning and Development Management Committee as the applicant is Trafford Council and more than one objection has been received.**

**SITE**

The site relates to Woodheys Primary School, located on the eastern side of Meadway, Sale, in a predominately residential area. The site is predominately single storey with low level blue railings along the front of the site and landscaping along the north, south and western boundaries of the site.

Hardstanding is located to the rear of the site consisting of a playground with astroturf and field located further west. Bungalow properties, located on Willow Drive north of the site, share a rear boundary with the northern boundary of the site.

**PROPOSAL**

Solar panels are proposed to be installed on two of the roofs to the main building – on the rear (western) roofslope and southern facing roofslope looking into the internal courtyard of the school.

The proposed 107 solar panels would have a depth of 35mm and would not protrude more than 200mm beyond the plane of the roof slope. The panels would cover 204m<sup>2</sup> of roof space.

The proposed solar panels would not be installed within 1m of the external edge of the roof.

There would be no increase in floor space of the site.

**Value Added**

The applicant has removed the originally proposed Air Source Heat Pumps from 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**

L5 – Climate Change

L7 – Design

### **PROPOSALS MAP NOTATION**

None

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

None

## **PLACES FOR EVERYONE (PfE) (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 National Planning Policy Framework (NPPF) on 20 July 2021. 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 it is regularly updated with the most recent amendments made in October 2021. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

106581/FUL/21 - Installation of 2 air source heat pumps. – Pending Consideration

All other history relates to school facilities and is not relevant to this application.

### **APPLICANT'S SUBMISSION**

Amended plans and elevations  
Amended application form  
Solar Panel specification  
Solis Solar inverter specification

### **CONSULTATIONS**

A previous consultee response from Nuisance was received in relation to the originally proposed air source heat pumps. Given that the air source heat pumps have since been omitted from this application it is no longer considered relevant to this application.

No consultee comments were requested or received regarding the proposed solar panels.

### **REPRESENTATIONS**

9 objections were received. All relate to the air source heat pumps which have since been omitted from the application. Where the solar panels were referred to in the representations, it was confirmed that there were no objections to this element of the proposals.

Comments were raised regarding the accuracy of the roof plans which have since been amended and clarified.

### **OBSERVATIONS**

1. 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. 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.
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 2021 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. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, 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.
5. Policies relating to climate change, visual amenity and the protection of residential amenity are considered most important in the determination of this planning application. These are Policies L5 and L7 of the Core Strategy.
6. Policy L5 of the Core Strategy is generally not consistent with the NPPF in respect of climate change and is considered out of date in part. Policy L7 of the Core Strategy is considered to be up to date. Taken collectively, the policies most important in determining this application are considered to be out of date and so permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
7. Paragraph 154 of the NPPF states: "When determining planning applications for renewable and low carbon development, local planning authorities should:
  - a. not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b. approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
8. Although it can be given less weight, Policy L5 of the Core Strategy states 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.”

9. The principle of installing solar panels at the site is therefore considered acceptable with regard to NPPF guidance and Policy L5 of the Core Strategy. This is subject to appropriate impact on visual and residential amenity.

## DESIGN

10. Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable 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 134 states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...”
11. 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.
12. The proposed solar panels would cover an area of approximately 204 sq. m and would be sited on the west facing rear roofslope, and the southern roofslope facing into the internal courtyard of the school. The proposed solar panels would therefore not be visible within the street scene and would have limited visibility from outside of the school grounds. The proposed solar panels would project no more than 200mm beyond the plane of the roof and would be 35mm in depth. It is considered that the panels would not occupy a disproportionate amount of roof space in relation to the overall school buildings or be unduly visually intrusive. Furthermore, the orientation of the roof and the presence of mature trees along the western site boundary (adjacent to the gardens of properties on Elton Road) suggest that the panels would have limited visibility from the west of the site.
13. In visual amenity terms, the proposal is considered to be acceptable and in accordance with Policy L7 of the Core Strategy and NPPF guidance.

## IMPACT ON RESIDENTIAL AMENITY

14. 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”.
15. The massing of the proposed solar panels would be minimal and would not be expected to introduce visual intrusion or loss of light to residents.
16. Solar panels would not be expected to introduce noise and so are acceptable in amenity terms.
17. It is therefore considered that there would be no undue impact on the residential amenity of neighbouring properties and the proposal would comply with Policy L7 of the Core Strategy in this respect.

## **DEVELOPER CONTRIBUTIONS**

18. The proposal would not result in any increase in floor area and therefore no CIL contributions are required.
19. No other planning obligations are required.

## **PLANNING BALANCE AND CONCLUSION**

20. The installation of solar panels at the site is considered acceptable in principle with regard to Policy L5 of the Core Strategy and NPPF guidance. There are no concerns with regard to visual and residential amenity. This is with regard to Policy L7 of the Core Strategy and relevant NPPF guidance. There are therefore no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when weighed against the NPPF as a whole. It is recommended that permission be granted subject to conditions.

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the amended plans, CO00201404\_09\_101 Rev P01, received by the local planning authority on 8<sup>th</sup> December 2021, and

CO00201404\_09 Rev P90, received by the local planning authority on 6<sup>th</sup> December 2021, and the solar panel specification received by the local planning authority on 3<sup>rd</sup> December 2021.

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

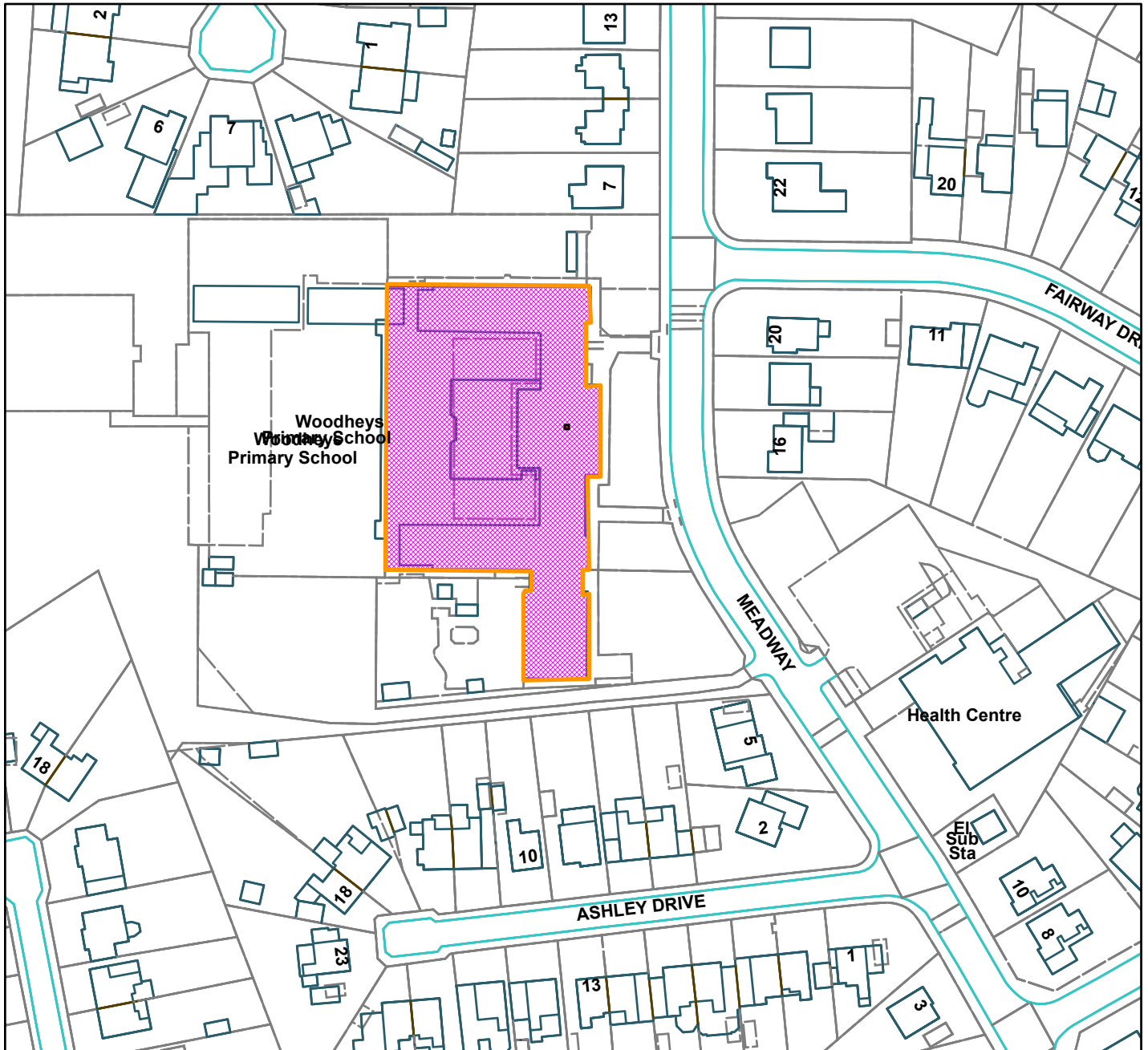
---

RGR





Woodheys Primary School, Meadway, Sale (site hatched on plan)



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

**WARD:** Hale Central

**105315/HHA/21**

**DEPARTURE: No**

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

15 Sandleigh Drive, Hale, WA15 8AS

**APPLICANT:** Mr Fei Feng Hou

**AGENT:** Mr Liam Gooding

**RECOMMENDATION: GRANT**

---

**The application is reported to the Planning and Development Management Committee as more than six objections have been received contrary to officer recommendation and call in by Cllr Mrs Young.**

### **SITE**

The application site relates to a two storey semi-detached property, located on Sandleigh Drive, Hale.

The property is situated in a predominantly residential area; the majority of surrounding properties are semi-detached and detached dwellings.

### **PROPOSAL**

Planning permission is sought for the erection of a two storey side extension and a part single part two storey rear extension.

The side extension would project approximately 1.35m to the side and 8.9m in depth. It proposes a pitched roof with an eaves height of 4.9m and a ridge height of 6.4m.

The single storey rear extension would project 4.2m to the rear with a width of 7.6m. It proposes a pitched roof with an eaves height of 2.4m and a ridge height of 3.55m.

The first floor rear extension would also project 4.2m to the rear and 5m across. It proposes a pitched roof with an eaves height 4.9m and a ridge height of 6.4m.

Bi-fold doors and windows are proposed on the rear elevation. Two windows are proposed on the front elevation. The extension would be constructed with matching materials to that of the host dwelling in relation to brick, roof tiles and fenestration.

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

### **Value Added**

Amended plans have been received upon the case officer's request in order to achieve a 1m gap between the side extension and relating boundary. The rear extension(s) have also been amended and reduced in scale.

## **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 – Parking

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**

SPD4 – A Guide for Designing House Extensions and Alterations

SPD3 - Parking Standards and Design

## **PROPOSALS MAP NOTION**

None

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

None

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

The MHCLG published the National Planning Policy Framework (NPPF) in 20<sup>th</sup> July 2021. The NPPF will be referred to as appropriate in the report.

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

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in October 2021. The NPPG will be referred to as appropriate in the report.

### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3<sup>rd</sup> October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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**

None

### **APPLICANT'S SUBMISSION**

CIL Questions  
Amended Plans

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

A total of seven neighbour representations has been received in response to the proposal. Six objections were originally received from nos.11a, 16, 14 and 17 Sandleigh Drive and nos.29 and 33 Sandleigh Avenue.

Following amendments to the proposal a new objection was received from no.35 Sandleigh Avenue. Further comments were received from nos.11a, 16 and 17 Sandleigh Drive and nos. 29 and 33 Sandleigh Avenue.

The comments raised are summarised below:

*The proposal would be of an unsuitable scale compared with the main dwelling and existing extensions along Sandleigh Drive.*

*The proposal would be overly dominant and out of proportion in scale.*

*The proposal would appear out of character with the extensions approved along the street.*

*Inaccuracy of plans failing to show correct neighbour windows and values/measurements*

*The proposal would create additional drainage concerns for the immediate area*

*The proposal would extend 4.5m (amended to 4.2m) to the rear. This is contrary to SPD4 guidelines*

*No other extension along Sandleigh Drive extends 4.5m/4.2m to the rear*

*The scale of the extension would result in harmful levels of overshadowing/loss of light to neighbouring properties*

*The proposal would result in an unacceptable loss of the garden, also impacting local biodiversity*

*The proposal would harmfully overlook upon neighbouring dwellings and gardens*

*The proposal would set an inappropriate precedent for extensions of a similar design/scale*

*The proposal would result in the reduction of neighbouring property values given the amenity impacts*

*The proposal would not achieve a suitable distance to the side for access or so to retain an acceptable sense of spaciousness within the street*

*The extension would not retain suitable distances to the neighbours resulting in an overbearing appearance and other amenity impacts as outlined above*

*Concerns that the pitched roof of the extension(s) cannot be achieved as drawn on the proposed plans*

*The proposal fails to comply with policies set out within Trafford Council's Core Strategy and SPD4*

**Officer Comments:**

The proposal has been amended so to reduce the scale of the side and rear extension, including the rear projection from 4.5m to 4.2m

All applications are considered individually on their individual merits. Therefore a precedent is not set through this case.

Concerns regarding property values are not a direct planning consideration on which the proposal can be assessed.

Plans are considered accurate, site photos also confirm the existing context on site.

For the other concerns raised, please see the observations section below.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Householder extensions and alterations are acceptable in principle subject to there being no undue harm to the character and appearance of the property through unsympathetic design or unacceptable harm to the amenity of neighbouring properties and residential areas. Further to this, issues relating to parking provision are also to be considered. There are no additional constraints in this instance.
2. The proposal has been assessed against Core Strategy Policy L7 and guidance contained in SPD4.

### DESIGN AND VISUAL AMENITY

3. Paragraph 126 of NPPF states *'The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*
4. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
5. The side projection of the extension would be 1.35m, this projection would be far less than half the width of the original property (3.15m), and as such it would not appear incongruous or noticeably unbalance the semi-detached pair. Furthermore

the extension would retain a 1m visual gap to the common boundary at the side as to comply with the requirements of SPD4 regarding side extensions. The extension proposes a 3m set back from the principal elevation of the main dwelling and a lower ridge height so to appear subservient. Overall it is considered the side element would not have a detrimental impact on the character of the property or the street scene.

6. The rear extension, although large would have acceptable projections in proportion to the main dwelling whilst retaining a good area of private garden space to the rear. The extension(s) would have pitched roofs with suitable ridge heights so to appear subservient and complementary to the main dwelling.
7. The proposed fenestration is considered to complement the existing dwelling and is considered acceptable. Furthermore the extension would be constructed with matching materials so as to appear in keeping with the character of the surrounding residential area.
8. As such, it is considered that the proposal would have no unacceptable impact in terms of the visual amenity of the street scene and the surrounding area. Subject to conditions, the proposed development is considered acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

## RESIDENTIAL AMENITY

9. Policy L7 of the Core Strategy states that in relation to matters of amenity 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.
10. The relevant guidance contained within SPD4 states the following:

Paragraph 2.14.2 states *'It is important that extensions or alterations:*

- *Do not adversely overlook neighbouring windows and/or private gardens areas.*
- *Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas.*
- *Are not sited so as to have an overbearing impact on neighbouring amenity.'*

Paragraph 2.17.2 states *'The factors that may be taken into account when assessing a potential loss of light or overbearing impact include:*

- *The size, position and design of the extension*
- *Orientation of the property*
- *Presence of other habitable room windows/sources of light in neighbouring rooms*

- *Relative position of neighbouring houses and existing relationship*
- *Size of the garden*
- *Character of the surrounding area'*

11. Additionally section 3.4.2 states that normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of a semi-detached property. This projection can be increased by an amount equal to the extra distance from the side boundary.
12. Section 3.4.3 states that for two storey rear extensions, normally extensions should not normally project more than 1.5m close to a shared boundary. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary

*Impact on properties to the front and rear of the site*

13. SPD4 states that extensions should maintain a separation distance of 21m to the elevations of neighbouring properties to avoid harmful overlooking. The side element would be set back 3m from the front elevation of the main dwelling, so to retain a distance of approximately 24m in relation to front neighbours and therefore no significant harm is considered to occur in this case.
14. Similarly SPD4 states that rear extensions should retain a separation distance of 10.5m to the rear boundary and 21m to the relating neighbour at the rear.
15. The rear extension would retain a distance of approximately 10.35m to the rear boundary, this is slightly below the SPD4 standard, however it is recognised that the extension would retain a separation distance of approximately 21m to neighbouring rear elevations. This distance meets the recommendations of SPD4. Whilst the extension would be marginally below the 10.5m standard to the rear boundary this is not considered to result in such harm to privacy to warrant a refusal of planning permission.
16. It is considered that the proposal would not result in harmful overlooking, or be overbearing to occupiers of properties to the front or rear given the distances outlined above.

*Impact to no. 11A Sandleigh Drive*

17. The proposed single storey rear element would project 4.2m to the rear along the boundary with the attached neighbour with a 0.15m offset.
18. However 11A Sandleigh Drive benefits from a single storey rear element also set on the boundary projecting approximately 3.375m (approved under 102767/HHA/20). As such the proposal would project approximately 0.825m



beyond the rear building line of this neighbour so to comply with SPD4. Therefore no significant harm is considered to arise in this case.

19. The proposed first floor rear extension would project 4.2m to the rear whilst benefitting from a 2.7m offset to the common boundary with no.13. This projection complies with SPD4 guidelines and therefore no significant harm is considered to arise in this case
20. The proposed side extension would be screened by the main dwelling in relation to this neighbour. As such no harm is considered to arise in this case.

#### *Impact to no. 17 Sandleigh Drive*

21. The proposed single storey rear extension would project 4.2m to the rear whilst being set off the boundary by 1m. As such the extension still projects 0.2m beyond the guidelines of SPD4 (3.4.2). It is recognised that the outrigger of no.17 projects approximately 3.5m to the rear, therefore the proposal would only project 0.7m beyond the rear building line of this neighbour. As such no significant harm is considered to arise in this case.
22. The proposed first floor rear extension would project a matching (4.2m) distance to the rear with a 1m gap to the boundary. For the reasons set out above, no significant harm is considered to arise in this case as a result of the first floor extension.
23. It is recognised that the proposed side extension would project towards no.17, however it would be modest in scale compared with the main dwelling, and proposes a pitched roof falling towards the common boundary. Additionally the extension would be set 1m from the common boundary and 3.4m from the neighbour's side elevation. As such the level of harm is not considered to be sufficient as to warrant a refusal in this case.
24. No side facing habitable room openings are proposed that could harmfully overlook 17 Sandleigh Drive.
25. It is therefore considered that the proposed extension would not have an unacceptable impact on the residential amenity of any neighbouring properties and would comply with Policy L7 of the Core Strategy in this respect.

#### **PARKING AND HIGHWAY SAFETY**

26. The proposal would not result in the provision of any additional bedrooms, however it would result in the loss of a potential parking space to the side of the dwelling.

27. Trafford's SPD3 – Parking Standards and Design, indicates that for a three bedroom house in this location, two off-street car parking spaces should be provided, a minimum of 10m is required for a tandem drive.
28. The proposal would retain a distance of approximately 6m between the front boundary and the front of the main dwelling (matching the existing context on site). Whilst it is noted that the distance is less than 10m, it is recognised that one large car and one small/medium-sized car could be parked on site, which is considered to be acceptable in this location. On street parking would provide additional spaces and as such it is not considered the proposal would not result in any significant detriment to parking provision or highway safety.

#### DEVELOPER CONTRIBUTIONS

29. The proposed development increases the internal floor space of the dwelling by less than 100m<sup>2</sup> and therefore is below the threshold for charging. No other planning obligations are required.

#### PLANNING BALANCE AND CONCLUSION

30. The application has been assessed against adopted policy and guidance, and comments received from local residents.
31. It is considered that the proposed development would be acceptable in terms of design and visual amenity, would not have any unacceptable impacts on the residential amenity of neighbouring properties and would be acceptable in terms of parking provision. As such, the development accords with Trafford Core, SPD4 and the NPPF and is recommended for approval subject to the conditions listed below.

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers: PS432 REV G, PS133 REV G, PS132 REV G, PS232 REV G, and PS522 REV G.

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

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

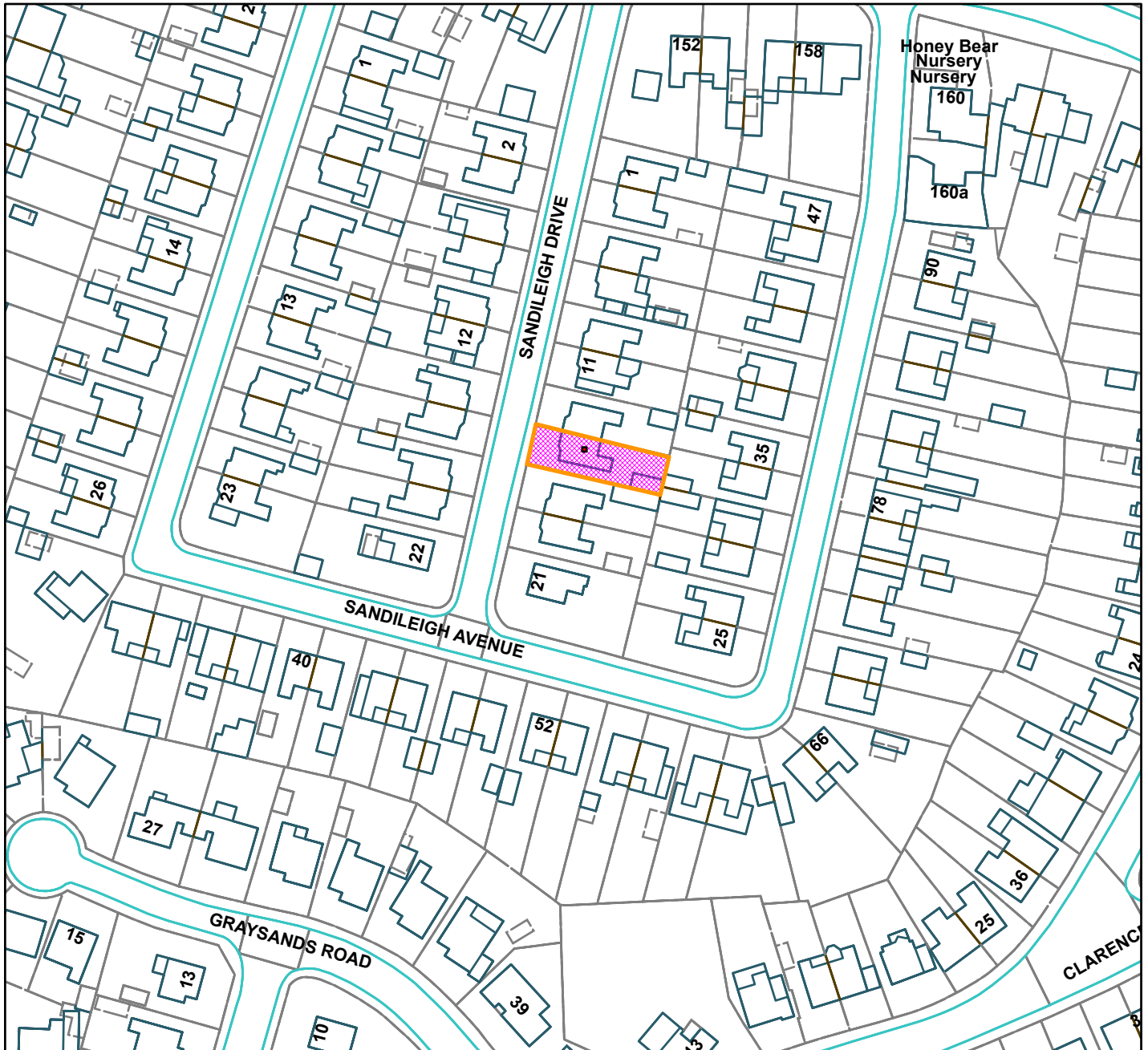
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

---

MT



15 Sandleigh Drive, Hale (site hatched on plan)



**Scale:** 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

**WARD:** Flixton

**105540/HHA/21**

**DEPARTURE: No**

**Erection of a garden room at the rear of the garden (Part Retrospective)**

95 Derwent Road, Flixton, M41 8UJ

**APPLICANT:** Miss Bryan

**AGENT:**

**RECOMMENDATION: GRANT**

---

**The application is being reported to the Planning and Development Management Committee as six representations have been received contrary to the officer recommendation.**

**The application was deferred from the previous Committee meeting due to the need to seek further clarification as to whether the submitted red edged site boundary plan and ownership certificate are correct, having regard to an apparent discrepancy between the red edged plan and the submitted land registry plan.**

**SITE**

The application site relates to a two storey semi-detached property located within a residential area of Urmston on the northern side of Derwent Road. The rear garden areas are lower than the houses themselves and are approximately 24m in length.

The property has recently been extended by way of a front porch and single storey side and rear extension which has been implemented in accordance with application ref.102391/HHA/20 albeit without the approved access steps towards the rear of the property. Fencing up to 2m in height form the rear boundaries of the property.

Properties within the surrounding area benefit from outbuildings within the rear garden areas.

The connecting property, No.93, has no rear projections, but does have a raised platform and detached garage on its far side boundary. No.97 has a detached outbuilding towards the rear boundary adjacent to the common boundary with the application site.

There is sufficient space to the property's frontage to accommodate 2no. off-street car parking spaces.

**PROPOSAL**

The application is part retrospective and seeks permission for the retention of a single storey rear outbuilding with flat roof. An outbuilding was previously approved under planning permission 101305/HHA/20. However, this has not been built in compliance with the approved details.

The previously approved outbuilding (101305/HHA/20) was to be sited 0.4m away from both side boundaries and the rear boundary. Its width was 7.35m with a depth of 5m. The previously approved building was indicated within the Officer's Report (101305/HHA/20) to be 2.7m in height but, in fact, this was measured from the damp proof course so the overall height approved from the original ground level would have been approximately 2.85m. The internal floor level was to be approximately 145mm above external land levels. Render was proposed to all elevations along with anthracite grey windows, doors and fascias.

The partially constructed outbuilding is sited between 0.2m and 0.4m from the rear boundary. 0.27m is provided between the outbuilding and the western boundary shared with No.93 Derwent Road, reducing to 0.18m at its rear corner. A minimum of 0.32m is provided between the outbuilding and the eastern boundary shared with No.97 Derwent Road. The building is 0.2m wider than approved and therefore 7.55m in width.

Whilst the external ground level and floor level of the building have been slightly raised in comparison with the approved scheme (130mm higher than previously approved with the floor level therefore increased from 145mm to 275mm higher than the original ground level due to building regulations requirements relating to the water table), amended plans have been submitted showing the proposed maximum height of the building as 2.87m from the original ground level. To achieve this, it is proposed to alter the "as built" structure by removing the existing top course of blockwork and constructing the fascia immediately above the level of the door and window on the front elevation whereas previously a gap was proposed below the fascia. As a result, the overall height of the building from the original ground level would be approximately the same as the extant permission.

Due to the siting of the outbuilding in close proximity to the side and rear boundaries, amended plans have also been received to reduce the projection of the eaves of the outbuilding to ensure that no overhang over boundaries would occur. The maximum eaves projection within the extant permission was 250mm and this has been reduced to 150mm to both side elevations and the rear elevation; with a 250mm eaves provided within the principal and southern elevation facing back towards the main dwellinghouse.

Render is proposed to the principal elevation and masonry paint to both side elevations and rear elevation. Anthracite grey windows, doors and fascias will remain part of the development. This differs from the extant permission in that all elevations were originally proposed to be rendered.

Due to the slightly raised ground level adjacent to the building, it is proposed that the ground level is graded down to the original garden level at a gradient of 1:20 across the

front of the proposed outbuilding. Access out of the outbuilding would be via steps given the raised internal floor levels.

The submitted layout plan indicates that the building would be used as a gym (with a connected shower room) and an art studio.

The increase in internal floor space of the proposed development would be 30.49m<sup>2</sup>.

The applicant has also recently constructed a front porch, and a single storey side and rear extension under planning permission 102391/HHA/20. However a set of access steps down to the lower rear garden area towards its immediate rear has not been implemented in accordance with that permission and instead a raised platform has been erected. This raised platform is currently being assessed within a separate application, 106060/HHA/21.

## **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 – Parking;

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 & Alterations

## **PROPOSALS MAP NOTATION**

None

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

None

### **PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 National Planning Policy Framework (NPPF) on 20 July 2021. 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 24 June 2021. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

106060/HHA/21 - Retrospective planning application for raised patio and 1.7m high privacy screen. Decision pending.

101305/HHA/20 - Erection of a garden room at the rear of the garden. Approved September 2020.

102391/HHA/20 - Erection of a front porch and single-storey rear/side extension following the removal of the existing single storey rear extension and conservatory. Approved January 2021.

101233/HHA/20 - Erection of a single storey front extension, two storey side extension and a part single/part two storey rear extension following the removal of existing single storey rear extension and conservatory. Approved October 2020.

### **APPLICANT'S SUBMISSION**

None



## **CONSULTATIONS**

None

## **REPRESENTATIONS**

6no. objections received, raising concerns relating to: -

- The application site plan encroaches onto the property towards the rear.
- The size of the proposed development is too big compared to neighbouring gardens and a very intrusive eyesore, ruining neighbouring outlook and not in keeping with the surrounding area.
- The development is built out of breezeblock and is sited immediately adjacent to neighbouring gardens and within falling distance of a neighbouring tree.
- The proximity of building to boundary would prevent maintenance of masonry paint.
- The proposed use could be for residential purposes which would need adequate drainage for waste water as there is a shower and kitchen planned.
- The garden used to have a mature sycamore tree and the area is also prone to flooding due to historically having a brook running along the boundary.
- During winter neighbouring garden floods every year to a depth of 2-4 inches lasting between 2days and 2weeks and this is going to increase with the structure of the unit.
- Neighbour (not immediate) was not informed of proposed development.
- On the drawings there is no mention of drainage from the roof which being almost 38m2 will need some substantial drainage to cope with the runoff.
- Following neighbour renotification, there is confusion surrounding the new description of the development as the proposed building has been part built, against the original plans and against local planning restrictions, and therefore has been stopped by the Council. This is not an existing building.

*Issues relating to Building Regulations (structural safety of building, drainage etc.), access for maintenance and fencing, position of pipework etc. are not material planning considerations.*

## **BACKGROUND**

The application was deferred from the previous Committee meeting due to the need to seek further clarification as to whether the submitted red edged site boundary plan and ownership certificate are correct, having regard to an apparent discrepancy between the red edged plan and the applicant's submitted land registry plan. A further site visit has been carried out to verify the exact position of the outbuilding with relation to the side and rear boundaries on site and the precise building measurements. Amended plans have also been submitted showing the correct measurements to the side and rear boundaries as measured on site and neighbours have been re-notified in relation to this.

It appears that the applicant's submitted land registry plan does not entirely reflect the physical boundary on site, although it is also clear from the site visit and Google Maps that the boundary fences have been in situ for a number of years. The boundary on site steps out slightly further to the rear of numbers 93 and 95 whereas on the land registry plan the rear boundary of numbers 87 through to 95 appear to be in line. Nevertheless, the applicant has confirmed that she is the owner of the land within the red edged site boundary and that the submitted ownership certificate is correct. Whilst the local planning authority has a responsibility to seek clarification from the applicant that the correct ownership certificate has been submitted, it is not the role of the planning authority to make any judgement about the correct legal boundary between properties and this is not, in itself, a planning matter. It is therefore considered that the local planning authority has fulfilled its requirements in seeking to clarify this and that the application can be determined.

## **OBSERVATIONS**

1. The proposal is for an outbuilding at an existing residential property, within a predominantly residential area. Therefore, the proposed development needs to be assessed against Policy L7 of Trafford's Core Strategy and SPD 4.

### **Design and Visual Amenity**

2. 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.
3. SPD 4: A Guide for Designing House Extensions and Alterations, paragraph 3.9.3, states that the residential character of rear gardens can be gradually eroded by the erection of garden structures that are large scale in bulk and footprint and that it is important that the materials, design and proportions of a detached garden structure should relate to the residential character of the setting, not be excessive in size or bulk and use characteristic materials.
4. The outbuilding replaced a small detached outbuilding. There is an extant planning permission ref. 101305/HHA/20 granted in September 2020 which is a material consideration in the assessment of the current planning application. The previous permission was for an outbuilding set in 0.4m from both side boundaries and the rear boundary. The current, as built, proposal is set a minimum 0.18m from the western side boundary, 0.32m from the eastern side boundary; and 0.2m from the rear boundary. The internal floor height has been increased from 145mm to 275mm above the original external ground levels. Amended plans have also been submitted during the course of the application showing the proposed maximum height of the building as 2.87m from the original ground level. To achieve this, it is proposed to alter the "as built" structure by removing the existing top course of blockwork and constructing the fascia immediately above the level of the door and window on the front elevation whereas previously a gap was proposed below the fascia. As a result,

the overall height of the building from the original ground level would be approximately the same as the extant permission.

5. Therefore, although the footprint of the outbuilding is larger and closer to the application site's common boundaries than the approved scheme, the additional development would only be 1sqm larger than the approved development, with the same eaves height and maximum height as the extant permission. Therefore its size, scale and massing would be of a very similar appearance to the approved planning permission, subject to the proposed amendments as described above. Furthermore, a significant number of properties on this side of Derwent Road and on the southern side of Aldermere Crescent that backs onto the site have detached garages or outbuildings in addition to a variety of domestic extensions. It is therefore considered that, within this context, the development is of a scale that does not unacceptably erode the spaciousness of the area nor constitute an overdevelopment of the application site. The outbuilding is therefore considered to be of an acceptable scale. The design is of a very similar appearance to the previously approved scheme and therefore considered appropriate.
6. The windows and doors are proposed to be anthracite grey as are the proposed fascia boards, with a firestone single ply rubberised roof covering. The outbuilding is currently mostly blockwork, with the principal elevation being rendered and the other elevations being proposed to be white masonry paint. The proposed side elevations and rear elevations would be partly hidden by a boundary fence, with the proposed elevations (below eaves height) projecting only approximately 0.8m above the fence, and a maximum of approximately 1.15m above the fence height inclusive of the roof system. The development is therefore not considered to introduce visual harm upon the surrounding area. The proposed materials are considered to be acceptable.
7. It is therefore considered that the proposed development would not be significantly different to the previously approved application and would be an acceptable form of development within this location where there are a large number of outbuildings within rear garden areas. The character and visual appearance of the surrounding area would not be harmed and the proposal would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

### **Residential Amenity**

8. SPD 4 Paragraph 3.9.4. states: "The positioning and size of a garden structure can affect a neighbour's sense of enclosure and have a potential overbearing and/or loss of light impact upon a neighbouring property. Consideration should be given to the siting of a garden structure and its potential impact on neighbouring amenity. The height and bulk of garden structures should be minimised and they should not be positioned so close to neighbouring boundaries as to adversely affect neighbouring properties".

9. The window and bi-folding doors in the southern elevation would primarily face back towards the application property with limited views towards neighbouring properties given the building's siting lower than the ground floor windows of immediate neighbours at No.93 and No.97 either side of it. The development would also not be directly opposite neighbouring habitable windows, and, whilst it is noted that the internal floor level has increased in height from 145mm to 275mm above the original external ground levels, this is not considered to cause any significant loss of privacy to neighbouring occupiers. It is therefore considered that the structure does not result in any undue overlooking or loss of privacy to neighbouring dwellings and its impacts in this respect would be very similar to the extant permission.
10. Given the relatively low height of the building, the height of the boundary treatment and the reasonable length of gardens within the immediate area, it is considered that the development would not result in any undue overbearing impact, visual intrusion or overshadowing to neighbouring properties, notwithstanding the topography of the site.
11. It is therefore considered that, subject to a condition to prevent the use of the proposed living accommodation as a separate residential unit, the development would not have any unacceptable impacts on the residential amenity of neighbouring properties and complies with Policy L7 of the Core Strategy and SPD4 guidelines and associated guidance within the NPPF.

### **Parking**

12. The proposed development would not increase the number of bedrooms within the property or affect existing parking provision. As such, it is considered that the proposed development would not result in any unacceptable parking impact.

### **Other matters**

13. It is noted that concerns have also been raised by neighbouring properties regarding the loss of a tree. This was not the subject of a Tree Preservation Order and therefore it was felled at the discretion of the applicant without any formal consent being required.
14. Another issue that has been raised relates to regular flooding within the vicinity. After discussion with the Head of Building Control it is understood that the floor levels of the development were raised due to the surrounding high water table. Regarding the susceptibility of the surrounding area being flooded as a result of the proposed development, it is highlighted that a building with the same footprint (and a height of 2.5m) could be constructed under permitted development rights and this is a small scale domestic development which would not have a significant impact on flooding.

## **PLANNING BALANCE AND CONCLUSION**

15. The outbuilding is not considered to cause harm to the character or visual appearance of the street-scene or the surrounding area by reason of its design, scale and materials, and therefore it is considered acceptable within its context. In addition, the development does not have any unacceptable impacts on the residential amenity of any neighbouring properties. It is therefore considered that the development meets the aims of SPD4, the Core Strategy and the NPPF and it is recommended that planning permission should be granted, subject to conditions.

**RECOMMENDATION: GRANT**

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 relates only to the details of development shown on the submitted drawings, DB2-00 rev B, DB2-02G and DB2-03F.

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

3. The building hereby permitted shall not be used or occupied at any time other than for purposes ancillary to the use as a single dwellinghouse of the dwelling known as 95 Derwent Road, Flixton, M41 8UJ.

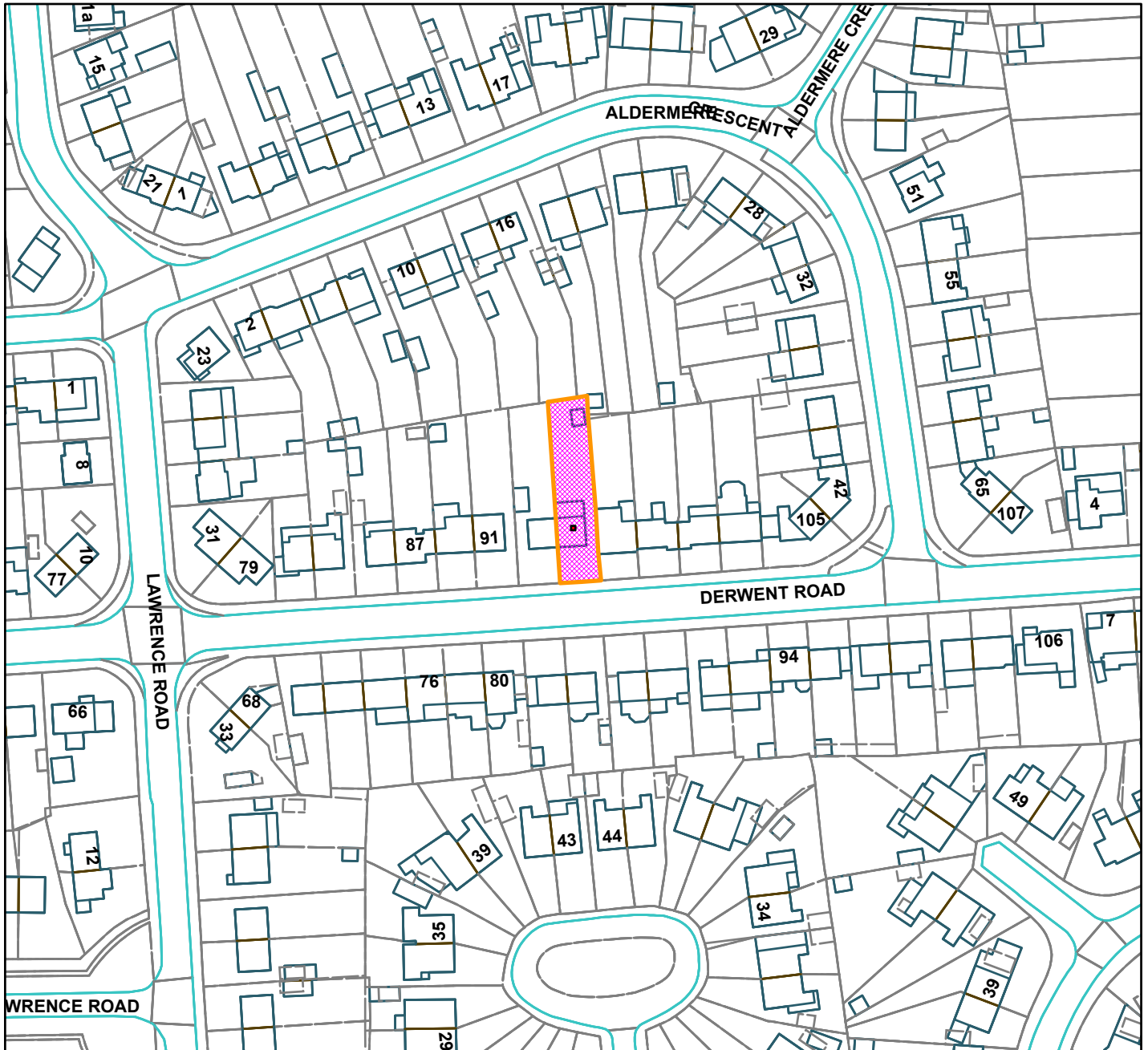
Reason: In order to prevent the additional accommodation being used as a separate dwelling or for a separate use which would have unsatisfactory facilities for prospective occupants, or would have an unsatisfactory relationship with existing dwellings, and in the interests of highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

---

GD



95 Derwent Road, Flixton (site hatched on plan)



**Scale:** 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

**WARD:** Timperley

**106076/FUL/21**

**DEPARTURE: No**

**Retrospective application for the erection of a single storey side extension.**

217 Woodhouse Lane East, Timperley, WA15 6AS

**APPLICANT:** Mr Kumar

**AGENT:** EBR Designs

**RECOMMENDATION: REFUSE**

---

**This application is reported to the Planning and Development Management Committee by Cllr Minnis contrary to the Officer recommendation of refusal.**

#### EXECUTIVE SUMMARY

The application site comprises a piece of land which adjoins 217 Woodhouse Lane East, Timperley. The site is within a row of terraced properties which serve commercial uses. The application site is a grocery shop with a residential flat above. The application is retrospective for the erection of a single storey side extension. The extension would be used as part of the existing use of the grocery shop.

Objections have been received in relation to design, access and land ownership. All representations received have been duly noted and considered as part of the appraisal. The comments are discussed within the Observations section of this report.

Whilst the proposed extension is considered acceptable in regards to the amenity impact upon neighbouring residential properties, the proposal is considered unacceptable in terms of design. The proposed single storey side extension forms an over dominant and intrusive addition which results in poor design contrary to L7. The extension is considered to have a detrimental impact upon the visual appearance and character of the street scene and the surrounding area. The application is recommended for refusal on these grounds.

The proposal therefore would not represent sustainable development that there would be adverse impacts that would significantly and demonstrably outweigh the benefits of granting permission. As such the proposal fails to comply with Policy L7 Design and the provisions of the NPPF.

#### SITE

The application site comprises a piece of land which adjoins 217 Woodhouse Lane East, Timperley. The site no.217 is in use as a grocery shop with a residential flat above. The grocery shop is part of a terrace of commercial property fronting

Woodhouse Lane East with parking situated to the front of the site.

The adjoining properties are commercial in use. Neighbouring properties on Woodhouse Lane East and Fairbourne Drive are predominately residential with Heyes Lane Primary School to the front of the site.

## **PROPOSAL**

The application seeks retrospective planning permission for the erection of a single storey side extension to an existing grocery shop. The extension is constructed in uPVC cladding on the side elevations with a single ply felt membrane roof and a galvanised aluminium roller shutter on the east side elevation.

The single storey side extension would project by 2.6m and have a depth of 7.4m.

The total floorspace of the proposed development would be 19m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

L4 – Sustainable Transport and Accessibility

W2 – Town Centres and Retail

## **OTHER LOCAL POLICY DOCUMENTS**

N/A

## **PROPOSALS MAP NOTATION**

Neighbourhood Shopping Centres

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



Neighbourhood Shopping Centres – UDP – S10 and S14

## **GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20<sup>TH</sup> July 2021. 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 in June 2021. The NPPG will be referred to as appropriate in the report.

## **NATIONAL DESIGN GUIDE**

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **APPLICANT'S SUBMISSION**

A revised application form was submitted 16<sup>th</sup> November 2021 with an amended certificate B of ownership. 3<sup>rd</sup> party notification letters were sent.

## **CONSULTATIONS**

**Con Cadent Gas:** We have no objection to your proposal from a planning perspective, subject to informative.

**Health and Safety Executive (HSE):** Do not advise against.

**Local Highway Authority (LHA):** It is not considered that the constructed single storey side extension will have an unacceptable impact on the adopted highway and there are no objections on highway grounds to the proposals.

**Trafford Council, Pollution & Housing (Nuisance):** No objection to this application on the grounds of nuisance.

## **RERESENTATIONS**

**Neighbours:** Letters of objection have been received from four properties. The representations raise the following issues:

### Design

- The materiality of the extension
- Wrong space for such a prominent area and it does not look right

### Access

- Obstruction to public access, customers wait there with their prams to pick up children until the school gates are open
- The clothes recycling bin is kept in a place which restricts public to walk freely on the pathway.

### Ownership

- Erected before tenants were made aware or approached
- They do not have rights to the land that it has been built on so they will be trespassing.
- Do not give permission for the extension to be built on private land

**Officer Response:** In respect of the above point's officer's note that an amended application form has been submitted and certificate B has been signed indicating the owners of all land impacted by the development. The owners have been sent letters with 21 day notice. Any further disputes about land ownership are a civil matter between the land owners and applicant.

**Councillor:** The application was called to Planning Committee by Cllr Minnis if recommended for refusal;

*'I am calling the application in support of the shop owner as I do not believe the structure to be unsightly and therefore do not think it is a loss of amenity.'*

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. S38(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. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development

plan as a starting point for decision making, and that where a planning application conflicts with an up to date (emphasis added) development plan, permission should not normally be granted.

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. Paragraph 11 c) of the NPPF indicates that plans and decisions should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date plan without delay.
5. The key issues to be considered in the assessment of this application are design and appearance, residential amenity, and highway/parking matters.
6. Core Strategy Policy L7 is therefore considered most important. Policy L7 is consistent with the NPPF and therefore considered to be up to date. The tilted balance is not engaged.

## DESIGN AND IMPACT ON THE STREET SCENE

7. Paragraph 126 of the NPPF states that *"The creation of high quality, beautiful and sustainable 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 134 states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes..."*
8. Notably paragraph 130 part a-c states that planning policies and decisions should ensure that developments:
  - a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

9. In relation to matters of design, Policy L7 of the Core Strategy states development must:

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

10. The proposed extension is single storey and constructed of uPVC cladding with aluminium roller shutters on the side elevation. The application site forms part of an active frontage with existing commercial buildings on the terrace row. The shop is an end terrace and on a corner plot and due to the open nature of the site the extension is highly visible.

11. It is considered the siting, scale, flat roof design and form of the extension results in an over-dominant and intrusive feature in the street scene to the detriment of visual amenity and character of the area. This is further exasperated by the choice of materials which creates a blank frontage and is also visually jarring with the terraced brick and traditional design of the application site. The use of a large galvanised roller shutter and UPVC cladding for the elevations is considered out of character and poor quality in appearance, providing the extension with a temporary appearance.

12. As such by reason of design and materiality the extension is considered an overly dominant and intrusive addition which would have a detrimental impact upon the visual appearance and character of the street scene and the surrounding area.

13. As such the proposal fails to comply with Policy L7 Design and the provisions of the NPPF.

## RESIDENTIAL AMENITY

14. 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.”*

15. Given the siting and scale of the extension and separation distance to adjacent dwellings it is not considered the extension has an adverse impact in terms of

overbearing, overshadowing or loss of light upon adjacent dwelling 219 Woodhouse Lane East.

16. The proposal would be set back from the principal elevation and would not have an additional impact to adjoining dwelling 215 Woodhouse Lane East.
17. There are windows and a clear glazed door on the side elevation under the shutter. As the windows and door do not benefit from an elevated viewpoint and there is relatively high fencing on the boundary of no. 219, it is not considered the windows would have an additional impact to privacy.
18. There are no windows proposed facing the dwellings to the rear on Fairbourne Drive or to the front of the application site towards Heyes Lane Primary School.

## HIGHWAYS AND PARKING

19. 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.*
20. Paragraph 111 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”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.
21. The proposal is an extension of the existing shop and not considered to exceed the existing business access, servicing, or parking arrangements.
22. It is understood two parking spaces are provided for the premises which have been retained. As per the Local Highways Authority car parking standards as detailed within Supplementary Planning Document 3: Parking Standards and Design state that at this location food retail requires one space per 14 sqm.
23. The gross internal floor area (GIFA) of the shop is 39 sqm with the extension providing an additional GIFA of 18 sqm, thus the parking requirement has also increased (from two to four spaces).
24. Notwithstanding the above, whilst the development provides a shortfall in parking it is observed parking is available along the privately owned service to the front of the shop (also known as Woodhouse Lane East) and in the privately owned car park to the rear. In addition, on street parking is also available along the adopted highway. As such the proposal is considered acceptable in regards to parking.

## DEVELOPER CONTRIBUTIONS

25. The development generates an additional floor area of less than 100m<sup>2</sup> and therefore is not CIL liable.
26. The proposed development does not require any developer contributions having regard to Policy L8 of the Core Strategy and advice contained within SPD1: Planning Obligations.

## PLANNING BALANCE AND CONCLUSION

27. Whilst the extension is considered acceptable in regards to amenity impact upon neighbouring residential properties, it is considered unacceptable in terms of siting, form, design and material finish, which creates an overly dominant and intrusive feature in the street scene to the detriment of visual amenity and the character of the area. As such it is contrary to the development plan.
28. The proposal is recommended for refusal having regard to the provisions of the development plan, NPPF and to other material planning considerations. The development is considered poor design and is contrary to L7 of the Core strategy and provisions of NPPF in relation to good design.

## RECOMMENDATION: REFUSE

1. The side extension, by reason of siting, form, design and materiality is an overly dominant and intrusive addition, which is considered of poor design quality contrary to L7. The extension is considered to have a detrimental impact upon the visual appearance and character of the street scene and the surrounding area. As such the proposal fails to comply with Policy L7 Design and the provisions of the NPPF.

---

KG



**WARD: Sale Moor**

**106179/FUL/21**

**DEPARTURE: No**

**Demolition of existing bungalow and construction of 2no. 2.5 storey, 4 bedroom detached houses with associated landscaping works.**

7 Yew Tree Drive, Sale, M33 2EX

**APPLICANT:** Hassle Free Homes Ltd.

**AGENT:** Paul Hughes Architects

**RECOMMENDATION: GRANT**

---

**This application is reported to the Planning and Development Management Committee because it has received six objections contrary to the Officer recommendation of approval.**

#### EXECUTIVE SUMMARY

The application seeks planning permission for a pair of 4 bedroom detached houses on the site of an existing bungalow which would be demolished. The dwellings would have accommodation over two storeys and within the roof space. Two off street parking spaces would be provided per dwelling. The dwellings would have part hipped, part gambrel tiled main roof with gable features, a front porch and use of red, laid stretcher bond and aluminium windows and coping on the principal elevation. To the rear the dwellings would benefit from flat roof single storey rear elements and plot 2 would have two dormers within the roof.

The application has received letters of representation from thirteen different addresses, of which are in objection to the proposal. The main concerns relate to design, the impact on residential amenity through overlooking, loss of privacy and overshadowing, highways, ecology and other matters. All representations received have been duly noted and considered as part of the application appraisal.

The Council's current housing land supply position 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, ecology, 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 one (net) additional family dwelling in a sustainable location, contributing to the Borough's housing supply (following the demolition of the existing dwelling), 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 relates to a residential circa 1950s bungalow built from brick with a hipped tiled roof and white uPVC windows. The site is of a relatively flat topography, predominantly rectangular in form and is 0.07 ha. The building has relatively large footprint and good size garden to the front and rear. Vehicular access to the site is Yew Tree Drive with 2 no. existing car parking spaces plus an integral garage.

Boundaries are marked by a low wall topped with vegetation fronting Yew Tree Drive and hedges and fencing along the north-east and north-west boundaries. There are a number of trees on site, none of which are protected by Tree Preservation Orders.

The site is located on a cul-de-sac, comprising a mix of bungalows and detached two storey houses. The surrounding area is predominately residential although there are two schools in the vicinity. The adjacent dwelling comprises a two storey detached property in arts and crafts style and to the east a bungalow.

## **PROPOSAL**

The proposal seeks planning permission for the demolition of existing bungalow and construction of no.2, two storey detached dwellings with accommodation within the roof space and associated landscaping works. The proposed detached dwellings represent a contemporary approach to a traditionally formed dwelling. Features include projecting gables, a gambrel/hipped roof form, dormer windows and a flat roof single storey rear.

At ground floor, the main living space is provided. At first and second floor the main bedroom accommodation is provided, which includes 4 bedrooms, with two accommodating en-suites.

The ridge height of both plots is 7,9m with an eaves height of 5.3m. The total width of the dwellings are 9.6m.

The development would utilise the existing access on Yew Tree Drive with a driveway accommodating two parking spaces.

The total floor space for plot 1 would be 168.4m<sup>2</sup> and for plot 2 170.5m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25<sup>th</sup> 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<sup>th</sup> 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 Houses;  
L2 - Meeting Housing Needs;  
L4 - Sustainable Transport and Accessibility;  
L5 - Climate Change;  
L7 - Design;  
L8 - Planning Obligations;  
R2 - Natural Environment;  
R3 - Green Infrastructure.

## **OTHER LOCAL POLICY DOCUMENTS**

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

## **PROPOSALS MAP NOTATION**

None.

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

None.

## **GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20<sup>TH</sup> July 2021. 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 in June 2021. The NPPG will be referred to as appropriate in the report.

### **NATIONAL DESIGN GUIDE**

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance.

### **RELEVANT PLANNING HISTORY**

No relevant planning history.

### **APPLICANT'S SUBMISSION**

Bat Survey

Indicative 3D Views (Front, Rear and Aerial Views)

### **CONSULTATIONS**

**Local Highway Authority (LHA)** - No objection subject to conditions.

**Local Lead Flood Authority (LLFA)** - Infiltration Test BRE 365 and Soakaway map were submitted 7<sup>th</sup> December. Flood Authority confirmed the proposal is satisfactory.

**GM Ecology Unit (GMEU)** – No objection subject to conditions.

**Trafford Council, Arboriculturist** - No objection subject to replacement landscaping condition

**Trafford Council, Pollution & Housing (Contamination Land)** - No comments.

**Trafford Council, Pollution & Housing (Nuisance)** - No objection subject to informative on working hours.

**Trafford Council Waste Management**- No comments received.

**United Utilities:** No objection subject to informative for drainage and water supply.

### **REPRESENTATIONS**

Letters of objection have been received from thirteen properties. The objections raise the following summarised issues:

### Amenity

- Loss of light/ overshadowing to habitable room windows
- Overbearing
- Loss of privacy
- Impact to the quality of life due to the disruption
- Impact to the quality of life of an individual due to loss of light referencing the Autism Act 2009.
- Separation distance to neighbouring boundaries/ -Separation distances not compliant with policy
- Increase in noise, pollution and smell
- Location of bin stores
- Development would create a sense of enclosure
- The proposal higher than current bungalow

### Design

- Not in keeping with the street scene
- Loss of sense of spaciousness
- Overdevelopment
- Set a precedent

### Ecology

- Loss of trees/ vegetation on the site
- Impact to garden birds including robins, blue tits, and chaffinches
- Increase in noise, pollution and smell

### Highways

- Impact to parking, access, highways and pedestrian safety
- Risk of obstruction to emergency and service vehicles
- Increase pressure on local community facilities, schools, GPs and dentists
- Increased flood risk
- Loss of older persons dwelling, number of bungalows in area should not be reduced, social care for elderly

### Other Matters

- The loss of a bungalow would prejudice the aging population and are needed to meet a specific housing need.

- The application includes an out-of-date Existing Site Plan, which does not reflect an accurate footprint of 12 Evesham Grove, as recently modified (see application 101993/HHA/20).
- Lack of compliance/ contrary with Trafford Councils 'Development Control Criteria' Central government policy is to create smaller 'downsize' homes to release larger properties.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The key issues to be considered in the assessment of this application are housing supply and the principle of additional residential units in this location, siting, design and appearance including scale, height and massing, impact on the existing building, residential amenity, trees, landscaping, drainage and highway/parking matters.

### Housing Land Supply

2. The Council cannot demonstrate a five year supply of housing land (albeit the supply at November 2021 is a much improved 4.41 years), and also has a published Housing Delivery Test output of 58%. This automatically triggers the tilted balance in paragraph 11 d) of the NPPF which states:

*Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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.*
3. There are no protective policies in the NPPF which provide a clear reason for refusing the development proposed.
  4. The application site is unallocated in the proposals map nor is it identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). The plot is located in a residential area on a site which is part sustainable Greenfield site and part brownfield. The plot is fairly close to public transport links, local schools and other community facilities and is considered to be in a relatively sustainable location.
  5. The proposal would therefore need to be considered in light of Core Strategy Policies, 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. The part of the proposal which would be built within the current building's footprint would be on brownfield land. Moving on to the part of the proposal which would be built on greenfield land (existing garden area) 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.

6. 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.
7. Substantial weight should be given to the contribution this scheme would make to the Council's housing land supply. Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.
8. The proposal is for 2 no. residential units only and therefore falls below the trigger for any affordable housing contribution.
9. The principle of housing development on this site is therefore considered to be acceptable.

## DESIGN AND IMPACT ON THE STREET SCENE

10. Paragraph 126 of the NPPF states that *"The creation of high quality, beautiful and sustainable 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 134 expands on this outlining that *"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

- a) *Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) *Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

11. Policy L7 advises 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 the area and 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.

12. SPG1 'New Residential Development' provides further guidance on infilling under paragraph 2.4 and advises that:

*“Development of small vacant sites or the retention of buildings and construction of new dwellings within their garden areas are all possible forms of development. 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.”*

13. The prevailing character of the street is of low boundary walls with front gardens and detached dwellings with a prominent front gable and part hipped, part gambrel main roof, which overhang a bay window and doorway. Each dwelling is unique to a degree but all share strong characteristics.
14. The external appearance of the buildings on Yew Tree Drive generally comprises of facing brickwork, render, white uPVC windows with soldier headers and tiles.

#### *Siting, Footprint, Massing and Height*

15. The proposal would see the plot split into two – Plot One would be 335m<sup>2</sup> and Plot 2 365m<sup>2</sup>. The plot sizes would be similar to the detached dwellings on Yew Tree Drive and would follow the building line with the bay window and forward projecting gable sited in line with neighbouring dwellings. As such it is considered the proposed detached dwellings would integrate within the existing street scene in terms of footprint and siting.
16. The dwellings would have two storeys including accommodation within the roof space. The ridge height of both plots is 7.9m with an eaves height of 5.3m. They would be higher than the plot's current dwelling however would not appear out of proportion when compared to the surrounding properties. The adjacent two storey dwelling, no.5 Yew Tree Drive follows a similar ridge height of approx 8m. The sense of spaciousness would be retained and in excess of 1m to the side boundaries.
17. As such the proposed dwellings are considered to be of an acceptable scale, massing and height and are not considered to result in unacceptable overdevelopment.

18. Notwithstanding the above it is considered necessary to remove permitted development for the erection of extensions and dormers. It is considered any additional extensions may erode the sense of spaciousness that has been retained on site.

#### *Quality of Accommodation and Layout*

19. The proposed internal layout would provide a good standard of internal space for future occupants, with ample living space is to be created in excess of the national space standards. The rear gardens are of a suitable size for their purpose as a private residential gardens.

20. The proposed external layout would comprise of hard standing to the front and mix of hard and soft landscaping to the rear. As proposed by the tree officer, details of additional landscaping on site would be required and conditioned.

#### *Detailed Design*

21. As set out above the proposal would represent a contemporary approach to the traditionally formed dwellings in the street scene. The proposed design seeks to reflect prominent design features in the street scene such as the part hipped, part gambrel tiled main roof with an overhang to the bay window and doorway. External materials would comprise of red brickwork with feature brickwork panels and banding to add interest to the principal elevation, dark grey roofing tiles and aluminium doors/ windows

22. Plot 2 would introduce two flat roof dormers on the roof which would be considered modest in relation to the dwelling.

23. As a result of the design cues taken from the traditional detached dwellings it is considered the development would be appropriate in its context and would respect the prevailing character and rhythm of the cul-de-sac. The proposed brick work would be red which would assimilate well within the street scene. However conditions requiring submission of materials for approval, architectural details and a minimum reveal for windows and doors will ensure that the design quality is secured.

24. Given the above, the proposed development is considered to be acceptable in terms of its appearance, layout and scale with reference to Core Strategy Policy L7, the New Residential Development SPG, and the NPPF.

#### RESIDENTIAL AMENITY

25. 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.*



26. The New Residential Development SPG 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.
27. PG1, the Council's Supplementary Planning Guidance for New Residential Development provides separation distances between dwellings which are considered acceptable to prevent losses of privacy.

These are as follows:

- *21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)*
- *27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)*
- *15m between a main elevation with habitable room windows and a facing blank elevation*
- *10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)*

#### Impact on 9 Yew Tree Drive (adjacent bungalow)

28. The adjacent dwelling is located to the south of the application site and would be sited next to plot 2.
29. The proposed new dwelling would be positioned approximately 1.4 metres from the boundary which would increase to 1.9m at the rear. The proposed dwelling would not project beyond the rear elevation of no.9. The single storey rear element of the proposal would be sited away from the boundary by 5.8m which would ensure no adverse impact to amenity.
30. No.9 benefits from three windows on the side elevation, one is obscure glazed and the other two are clear glazed. Given the positioning of plot two it would not infringe on the rearmost (clear glazed) window on the side elevation. Whilst the proposed dwelling would impact on two of the side elevation windows, one of these serves bathroom and is obscured glazed. Therefore whilst it is acceptable there would be a degree of harm on one of the windows on the side elevation of no. 9, this will be weighed in the planning balance.
31. The proposed dwelling on plot 2 includes a side facing first floor window which would serve a bathroom. Given the proposed use of this room it is considered to be reasonable to condition this to be fitted with obscure glazing and restricted openings to prevent any unacceptable levels of close overlooking and loss of privacy for neighbouring occupants.

### Impact on 5 Yew Tree Drive (adjacent two storey dwelling)

32. The adjacent dwelling is located to the north-west of the application site and would be sited next to plot 1.
33. The proposed new dwelling would be positioned approximately 1.5 metres from the boundary. The proposed dwelling would not project beyond the rear elevation of no.5. The single storey rear element of the proposal would be sited away from the boundary by 5.3m which would ensure no adverse impact to amenity. Given the siting and scale of the proposed dwelling it is not considered to be overbearing on the occupiers of no. 5. Although there are ground and ground floor windows on the side elevation of no. 5, at ground floor given their scale these appear to serve non-habitable rooms and/or be secondary windows. At first floor there is a window which doesn't appear obscured, however given the separation to the proposed dwelling would still benefit from light, although this would be impacted.
34. There is a side facing first floor window proposed which would serve a bathroom. Given the proposed use of this room it is considered to be reasonable to condition it as fitted with obscure glazing and restricted openings to prevent any unacceptable levels of close overlooking and loss of privacy for neighbouring occupants. It is not considered necessary to obscure glaze the ground floor windows as they do not benefit from an elevated viewpoint and are in the side of the single storey projection sited away from the shared boundary. There would be views into the garden of no. 5 from plot 1, however this would be similar to the existing overlooking between dwellings along the road and is not considered to be harmful.
35. It is therefore considered that the proposal would not result in any undue loss of light or an unacceptable overbearing impact to no.5 Yew Tree Drive.

### Impact upon dwellings to the Front and rear of the site

36. The proposed dwellings would be positioned approximately 11m away from the rear boundary with the dwelling on Evesham Drive which would be compliant with 10.5m recommended privacy distances. The privacy distances would increase at first floor and dormer windows by approx. 3m which would be excess of 13.5m for habitable room windows and garden boundaries for 3 storeys.
37. There would be 20.6m to the dwellings at the front of the application site which is slightly below the SPG1 recommended privacy distances for habitable windows.
38. It is accepted that given the urban grain of the street there are greater levels of overlooking between properties. Moreover the proposed dwellings would follow the existing building line of the dwellings on Yew Tree Drive. As such the proposal would be considered acceptable in terms of amenity.

39. The separation distance between the properties are considered acceptable for the foregoing reasons and would not result in any unduly overbearing impact or unacceptable loss of light.

### Conclusion

40. In terms of impact upon neighbouring residents the proposed dwellings are compliant with the minimum separation distances to boundaries set out in PG1: New Residential Development in relation to existing properties outside the application site and consequently it is considered that the proposed development would not result in material loss of light, outlook or privacy or have an overbearing impact.

41. Relationships to proposed properties on adjacent plots are also considered to be acceptable as discussed above. In addition due to the separation distances it is not considered that the proposal would result in light or noise pollution to neighbouring properties over and above what would normally be associated with family housing.

42. The high fences on the north, north-east and north-west boundaries would be retained to screen any additional impact to privacy.

43. Notwithstanding the above, given the constraints of the site being surrounded on all sides by development, it is considered necessary to remove permitted development for the erection of additional windows to protect the amenity of neighbouring residents.

44. As such conditions would be necessary to make the development acceptable in terms of impacts on residential amenity. These include:

- obscure glazing of the 1<sup>st</sup> floor side elevation windows of plots 1 and 2 to protect the privacy of adjacent sites
- Restricting the use of the flat roof extension at the rear to prevent its use as a balcony or external terrace, to protect the privacy of properties to rear.
- Landscaping of the site.
- Removal of permitted development rights for extensions and dormers

45. Subject to the above conditions, the proposal for the reasons set out above, would comply with policy L7 of the Trafford Core Strategy and the NPPF.

### HIGHWAYS AND PARKING

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. Paragraph 111 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".* Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.

48. 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.*
49. 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 three bedroom dwellings in this location.
50. The Local Highway Authority was consulted on the application and raised no objection and have made the following comments.

#### *Vehicle Access*

51. It is observed that a vehicle crossover is currently provided which will be utilised in part to create one of the proposed two 5.5m dropped kerb vehicle crossovers. The applicant will therefore be required to submit a separate (highway) dropped kerb application. The details will be put forward as an informative.

#### *Car Parking and Cycle Provision*

52. The proposal is for two detached four bedroom dwellings. The maximum parking standards applied to development of this scale, in this location, would be three parking spaces. Whilst the proposed development is below the maximum parking standards the Local Highways Authority considers the proposed level of parking would be consistent with existing properties in Yew Tree Drive, further to which the development is located in a sustainable area with access to public transport links (bus/tram services) within walking distance.
53. It is proposed to provide each dwelling with a cycle store located to the rear of the property boundary which would be able to accommodate four adult sized bikes, which is in accordance with the minimum cycle standards. A condition is proposed to ensure the spaces are installed on site prior to occupation, and thereafter retained for the life of the development.

#### *Storage Arrangements*

54. There would be sufficient space within each plot to ensure that bins would be stored to the rear of each dwelling and therefore out of public view.
55. The LHA have raised no objection to the proposals subject to the submission of a Construction Management Plan and details of cycle parking and storage. An

informative is also requested to be attached regarding the need for a drop kerb application. The proposal would therefore comply with Policy L7, L4 of the Trafford Core Strategy SPD3 and the NPPF

## ECOLOGY, BIODIVERSITY AND LANDSCAPING

### *Trees*

56. The application site is not within a conservation area and is not covered by any Tree Preservation Orders.
57. The proposals will involve the removal of all trees on site which comprise three individual trees and some shrubs. The trees and hedge that require removal are of low value retention category 'C'. The submitted Arboricultural Survey states that the trees proposed for removal are of low height and poor to fair quality. Their removal will be considered to have little if any effect on the visual amenity of the area.
58. The Council's Arboricultural Officer raises no objections to the proposals providing that the recommendations within the submitted Arboricultural Report and Impact Assessment and Arboricultural Method Statement are followed.
59. There are two third party trees that are in close proximity to the development and the tree survey makes provision for this by providing alignment and specification of tree protection fencing to be used.
60. The LPA's arboriculturist has proposed a landscaping condition to see replacement trees on site. This would be considered appropriate to provide good quality specimens that take into account the character of the street. Appropriate species to replant will be smaller specimens including cherry, silver birch, plum and pear.

### *Bats*

61. The applicant has provided a bat roost assessment, Bat Scoping Survey and Ecological Walkover Report (Leigh Ecology Ltd, 12<sup>th</sup> October 2021). The GMEU has reviewed this and has confirmed no objection to the development on the basis of the information provided subject to mitigation measures being implemented.
62. As such a European Protected Species Licence (EPSL) would be required from Natural England to derogate from the provision of the legislation in order to implement the proposals should planning permission be granted. In order to provide for a derogation under the legislation three tests should be met:
63. That the action is for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
  - that there is no satisfactory alternative; and
  - that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range

64. The proposal is considered to meet the three tests, the development can only be achieved through the demolition of the existing building, the social and economic benefits of the provision of improved housing in this location is considered to override the public interest and the mitigation measures to be conditioned are considered to be appropriate in order to maintain the conservation status of bats on the site.

65. A condition will require details of specification and location of two bat boxes should be provided to the Planning Authority and subsequently implemented. A further condition will be put forward that if demolition works have not commenced by October 2023 an updated survey should be required and submitted to the Planning Authority.

66. 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.

67. Subject to the above conditions, the proposal is considered to accord with policy R2 of the TCS and the NPPF.

#### AIR QUALITY

68. Policy L5 states that *'Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place'*.

69. Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The provision of such infrastructure within the proposed site would be safe, accessible and convenient.

70. A condition can require Electric Vehicle Charging points to be provided to each new dwelling to future-proof the dwellings, whilst making a small contribution to improving air quality within the Borough. This condition is reasonable and necessary in accordance with paragraphs 112(e) and 186 of the NPPF through contributing towards compliance with national objectives for pollutants and taking opportunities available to improve air quality.

#### DRAINAGE AND FLOOD RISK

71. Policy L5 of the Trafford Core Strategy states that *"the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location"*. At the national level, NPPF paragraph 167 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.

72. The applicant submitted a block plan with soakaway and Infiltration Test BRE 365 submitted 7<sup>th</sup> December 2021. The LLFA consultee has confirmed the proposal is satisfactory.

## EQUALITIES

73. 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.

74. 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:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

75. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010. The applicant has confirmed that the dwellings will comply with the Building Regulations Part M 4(1) (Visitable dwellings) which requires that reasonable provision should be made for people, including wheelchair users, to gain access to and use the dwelling and its facilities.

76. It has been suggested in the representations received that the loss of the bungalow would prejudice the ageing population. This point is noted and is weighed in the planning balance, however Officers consider that the proposed dwellings provide a good level of accessibility and internal space that would not prevent occupation by different age groups. There is no national or local policy which specifically requires the retention or provision of bungalows for those in later life.

77. Whilst reference has been made to the Autism Act 2009 with regards to the impact of the development on an individual, instead due regard must be had to the tests in Equalities Act 2010 when considering the impact on an individual with a protected characteristic. Having considered the impacts, both benefits and disbenefits of the proposal on individuals with protected characteristics, it is noted that there would be

an increase in massing. However given the separation distances it is considered that the potential impact on light levels to surrounding properties would be minimal.

78. Having regard to these material considerations, it is therefore considered that the proposal is acceptable.

## DEVELOPER CONTRIBUTIONS

79. 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).

80. 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. Details of landscaping would be assessed in the reserved matters submission and should ensure the provision of additional trees on site as part of the landscaping proposals.

## **PLANNING BALANCE AND CONCLUSION**

81. 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 at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up to date (emphasis added) development plan, permission should not normally be granted.

82. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted.

83. The proposed development would provide two additional dwelling (following the demolition of the existing bungalow). All detailed matters have been assessed, including the principle of the proposed development location, together with its visual amenity and design, highway safety and neighbour amenity impacts. Although it has been identified that the development would impact on one of the side windows of no. 9, fail to fully meet the separation distance to the front and would result in the loss of a bungalow, these issues are not considered to have such a severe impact that the proposals are contrary to the development plan. Furthermore the proposal has 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 development is appropriate for the site.



84. The proposal is considered to be acceptable and in accordance with Core Strategy Policies L1, L2, L4, L5, L7, L8, R2 and R3, the Planning Obligations SPD, the Parking Standards and Design SPD, the New Residential Development SPG and the NPPF. As such, in terms of NPPF paragraph 11 d) i), there is no clear reason for refusal of the proposed development.

85. It is considered that the impacts of the proposal, subject to appropriate mitigation through conditions, would be in compliance with the development plan and relevant policy in the NPPF. In terms of NPPF paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission. It is therefore concluded that the application should be approved subject to appropriate conditions.

## **RECOMMENDATION**

**GRANT** subject to the following conditions:

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

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

Proposed Floor Plans Plot 1 A038\_YTD\_005 Rev A

Proposed Floor Plans Plot 2 A038\_YTD\_006 Rev A

Proposed Roof Plans Plot 1 and 2 A038\_YTD\_007 Rev A

Proposed Elevations Plot 1 A038\_YTD\_008 Rev B

Proposed Elevations Plot 2 A038\_YTD\_009 Rev B

Proposed Site Sections A038\_YTD\_013 Rev A

Existing and Proposed Street Scene Elevations A038\_YTD\_012 Rev A

Proposed Site Sections Plot 1 A038\_YTD\_010 Rev A

Proposed Site Sections Plot 2 A038\_YTD\_011 Rev A

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 above ground works shall take place until samples and a full specification of all materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

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

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

5. All window and door openings shall be constructed with minimum 90mm deep external reveals.

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

6. Notwithstanding the details hereby approved, no development above ground level shall take place until detailed plans and sections at a scale of 1:20 have been submitted and approved in writing by the Local Planning Authority showing:
  - i. All external window and door systems, (including technical detail (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour at scale 1:10;
  - ii. Design and material of all main entrances including surrounds and treatment of façade and roof edges;
  - iii. Rainwater goods (including locations, fixing, material and colour)
  - iv. Front boundary treatment and gates

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard the visual amenities of the locality, in accordance with Policy L7 of the Trafford Core Strategy.

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

- d) storage of plant and materials used in constructing the development
- e) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate
- f) wheel washing facilities and any other relevant measures for keeping the highway clean during demolition and construction works, and
- g) measures to control the emission of dust and dirt
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works

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 Policies L4 and L7 of the Trafford Core Strategy

8. No building hereby approved shall be occupied unless and until a scheme for secure cycle 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

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, 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.

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

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

11. The development hereby approved 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.

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.

12. Notwithstanding the provision 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 first floor bathroom windows in the side elevations of plot 1 and 2 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.

13. 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 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), the flat roof area of the extension hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on that roof unless planning permission has previously granted for such works.

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

15. The development hereby approved shall not be occupied unless and until a scheme for the provision and implementation of electric vehicle charging points has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme 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.

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

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area 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.

17. The development shall be implemented in accordance with the recommendations in paragraph section 5.5 and figure 12 of the submitted Bat Scoping Survey and Ecological Walkover Report (Leigh Ecology Ltd, 12<sup>th</sup> October 2021).

Reason: To safeguard bats, a protected species, having regard to Policy R2 of the Trafford Core Strategy and guidance in the National Planning Policy Framework.

18. If the demolition hereby approved does not commence before October 2023, the building shall be reassessed for bat roosting potential and the findings, presented in a written report, shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place. Development, including any mitigation measures shall proceed in accordance with the approved scheme.

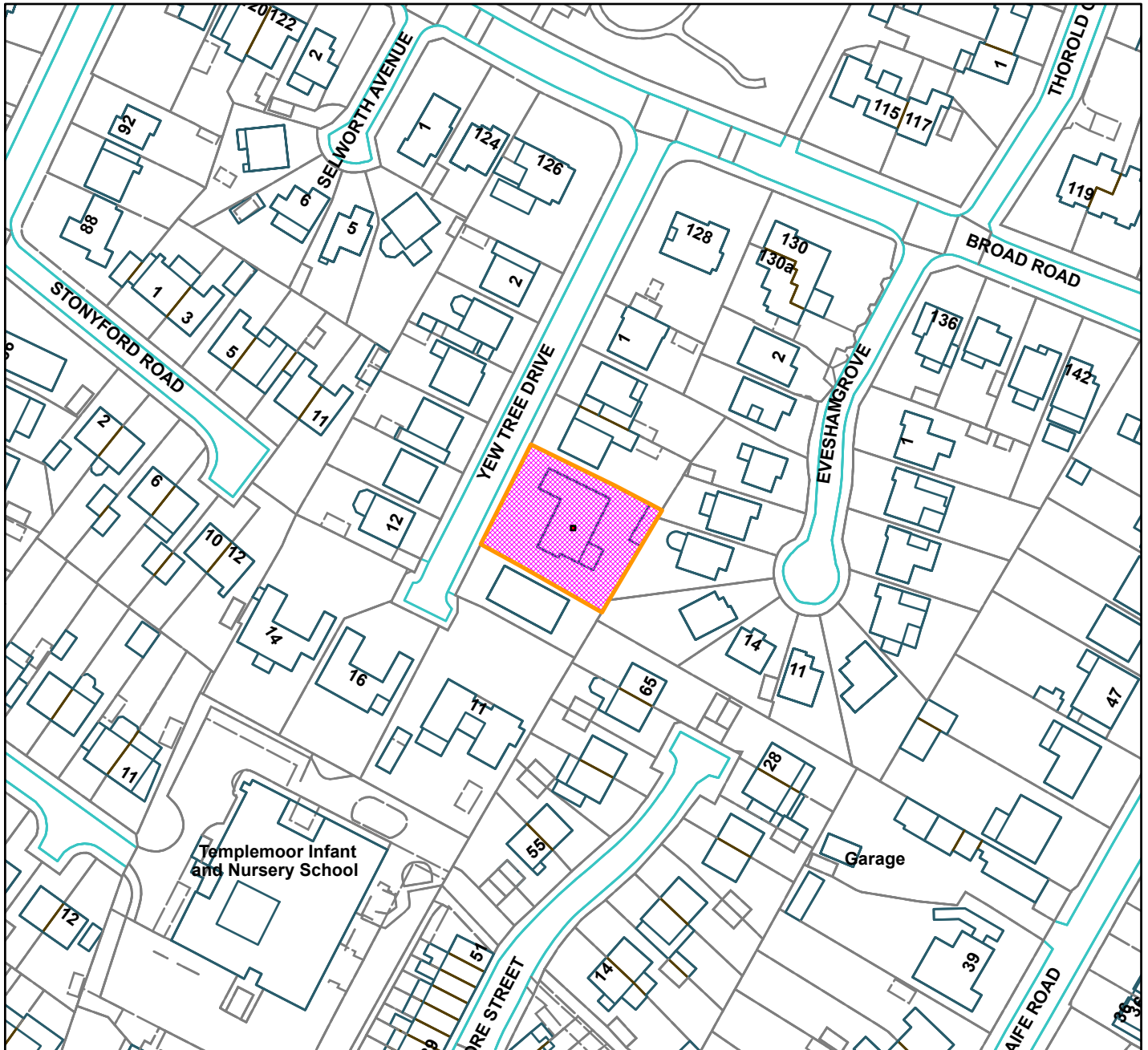
Reason: In the interests of the preservation of bats, a protected species, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

---

KG



7 Yew Tree Drive, Sale (site hatched on plan)



**Scale:** 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

**Application for the refurbishment and remodelling of the former Rackhams and Bentleys buildings to create offices, retail/food and beverage/leisure floorspace. Works to include two storey upwards extension and creation of external terraces, selective demolition including bridge links to Sunningdale and Kingfisher buildings, associated plant and infrastructure, landscaping and works to public realm and access.**

Former Rackhams Department Store And Former Bentleys Fish And Chip Shop, 2 George Street, Altrincham, WA14 1SG

**APPLICANT:** Trafford Bruntwood (Stamford Quarter) LLP

**AGENT:** Avison Young

**RECOMMENDATION: GRANT**

---

**The application has been reported to the Planning and Development Management Committee as the Council has a financial interest in the site and is joint applicant, together with Bruntwood as joint venture partner.**

### **EXECUTIVE SUMMARY**

The application seeks permission for the redevelopment, including a two storey upwards extension, of the vacant, former Rackham's and Bentley buildings fronting Stamford New Road in Altrincham Town Centre, to create offices, retail/food and beverage/leisure floorspace. The proposal also includes works to areas of public realm around the site.

The site lies within the setting of three Conservation Areas - George Street, to the southwest, Stamford New Road, to the east and Old Market Place to the northwest. The site also lies within the setting of a number of Grade II listed buildings.

The development is considered to result in less than substantial harm (minor harm) to the significance of Stamford New Road Conservation Area and Stamford House, the Clock Tower on Station Forecourt and Station Hotel/42 Stamford New Road (all Grade II listed buildings) and negligible harm to the setting of Old Market Place Conservation Area and 2-8 Kingsway (also Grade II listed). However it is considered that the public benefits of the scheme would outweigh the harm identified. As such, the proposed development would comply with the heritage policies of the NPPF and Policies L7 and R1 of the Core Strategy. In terms of paragraph 11 d) i), there would therefore be no clear reason for refusal of permission.

All other detailed matters have been assessed, including the appropriateness of the proposed uses, design, amenity, parking and highway safety, green infrastructure and ecology.



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.

When taking into account the overall basket of policies, it is considered that the scheme complies with the development plan as a whole. When a straightforward balancing exercise of the benefits and harms of the proposals is undertaken, the benefits of the scheme significantly outweigh any harm which would arise. The application is therefore recommended for approval, subject to appropriate conditions.

## **SITE**

The application relates to a site in Altrincham Town Centre comprising a large 1970s commercial unit over three floors above ground level on Stamford New Road, with roof top car parking. The existing development on the site comprises two buildings. The larger building was formerly occupied by the Rackhams department store but has now been vacant for over a year. The smaller of the two buildings is the former Bentleys Fish and Chip Shop at the eastern corner of the site. Whilst they are physically attached, these two buildings have historically operated independently of each other and the floor levels of the buildings do not align with each other. The site is approximately 0.6 ha in area and includes areas of adjacent public realm.

The lower ground floor is accessed from Stamford New Road to the southeast, the ground floor from George Street / Stamford Square to the southwest reflecting the changing levels across the site. Stamford Way runs along the north-eastern extent of the building and is currently used as a service road. At the north-western end the building is attached to existing commercial units fronting Stamford Square.

The site forms part of the Stamford Quarter Shopping Centre and is in a prominent location on one of the main transport routes through the town centre and opposite Altrincham Interchange.

While not within a Conservation Area itself, the site lies within the setting of three Conservation Areas - George Street, to the southwest, Stamford New Road, to the east and Old Market Place to the northwest. The site also lies within the setting of a number of Grade II listed buildings; 2-8 Kingsway, the Clock Tower on Station Forecourt, Station Hotel / 42 Stamford New Road and Stamford House.

## **PROPOSAL**

Planning permission is sought for the redevelopment of the site and adjacent public realm. This would include the refurbishment, remodelling, external alterations and two

storey upwards extension to create a mixed use development comprising retail, office, leisure, food and beverage uses.

In addition to the proposed extensions, elevational alterations are proposed to the existing building, including external terraced areas, introduction of large glazed areas into existing brick walls and the creation of areas of living wall. The proposal also includes public realm improvements including the removal of the existing concrete bridges and walkways linking the building to Sunningdale House and planting of street trees and opening up of Stamford Way.

The lower ground floor would comprise of food and beverage facilities, which can be accessed via Stamford New Road, and retail floorspace, facing onto Stamford New Road and wrapping around onto Stamford Way. This level will also comprise back of house facilities for the development including a bin store and plant area alongside cycle parking, changing rooms, lockers and a fitness suite/ multifunctional space for the use of staff members working within the building. Service facilities have been located at this level in keeping with the service access provided by Stamford Way.

The ground floor comprises further retail and food & beverage units, accessed via Stamford Square with the exception of a standalone retail/ café uses unit on the corner of the development which would also be accessed via Stamford Way. This level would also include two units of office floorspace, accessed from Stamford Way. Access would be provided into the internal core of the building by an entrance from Stamford Square where concierge/ café facilities will be present.

The first, second and third floors will comprise office space which would expand out from the internal core of the building, which provides an internal staircase, two new lifts and toilet facilities.

Active frontages are proposed at both lower ground and ground floor levels, with an increase in glazing. Existing facades at all upper levels are to be reworked as part of the proposal to open up the currently solid form of the building, with increased glazing. Multiple new access points would be provided to the building to improve street activity and connectivity. A glazed roof above the central circulation stair is proposed to maximise daylight levels within the plan of the building.

The two-storey upward extension would be created from lightweight materials with a glazed curtainwall system in metallic bronze powder coated aluminium with vertical rectangular caps or fins at circa 750mm centres to the north, east and southern elevations and a rendered finish wall, with punched windows, to the west.

The application proposes the inclusion of a significant area of planted green wall onto Stamford New Road in addition to tree planted terrace spaces accessible to users at ground and second floor levels.

In terms of public realm, the existing concrete bridges and walkways linking the building to Sunningdale and Kingfisher would be removed and Stamford Square would be redesigned. This would replace the temporary 'Not so secret garden' and the square would continue to be used for a range of events and activities. Stamford Way would be opened up and a pocket square created in addition to other linear landscaped areas.

Access to the Stamford Quarter from Stamford New Road is proposed to be improved through the introduction of a new lift and stepped access on George Street alongside the existing ramp. A linear terraced rain garden is proposed along the length of the existing ramp, which includes a number of proposed trees.

Vehicular access will remain relatively unchanged with the only direct vehicular access being along Stamford Way which will continue as a servicing route for the development.

The existing rooftop parking (60 parking spaces) would be removed to facilitate the upwards extension of the building. These spaces currently form part of the wider car parking offer across the Stamford Quarter. The loss of this parking, along with the bridges which connect the site to Sunningdale House and Kingfisher House will sever the one way system presently in place in the car park. However, the remaining car parking would continue to operate and will effectively be two independent car parking areas with a new system in place. 100 cycle spaces are proposed at lower ground floor level in addition to lockers, toilets, and shower and changing facilities for cyclists.

The increase in floor space of the proposed development would be 2987 m<sup>2</sup> (total GIA 8719 m<sup>2</sup>).

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Altrincham Town Centre Neighbourhood Business Plan (ANBP)**, adopted 29 November 2017. The plan includes a number of policies, a town centre boundary, primary shopping frontages, mixed use areas and 6 allocations.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

W1 – Economy

W2 – Town Centre and Retail  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Town and District Shopping Centre  
Main Office Development Areas

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

S6 – Development in Altrincham Town Centre

### **Supplementary Planning Documents**

Revised SPD1: Planning Obligations (2014)  
SPD3 – Parking Standards and Design (2012)  
SPD5.1 - George Street Conservation Area Appraisal (2014)  
SPD5.1a - George Street Conservation Area Management Plan (2016)  
SPD5.3 Old Market Place Conservation Area Appraisal (2014)  
SPD5.3a Old Market Place Conservation Area Management Plan (2016)  
SPD5.4 Stamford New Road Conservation Area Appraisal (2014)  
SPD5.4a Stamford New Road Conservation Area Management Plan (2016)

### **Other Relevant Legislation**

Planning (Listed Buildings and Conservation Areas) Act 1990

### **GREATER MANCHESTER SPATIAL FRAMEWORK/PLACES FOR EVERYONE**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 20 July 2021. The NPPF will be referred to as appropriate in the report.

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

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

## **NATIONAL DESIGN GUIDE**

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance.

## **RELEVANT PLANNING HISTORY**

There have been a number of applications relating to the site. Selective records are listed below.

97241/FUL/19 – Application for alterations and 4-6 storey extensions to existing building to create a mixed use development comprising; flexible retail/commercial to lower ground and ground floor levels (Use Classes A1, A2, A3, A4), offices to first floor (Use Class B1), 61 no. dwellings across floors two - seven, associated car parking and communal gardens and alterations to public realm - Withdrawn 2019

H/68093 – Change of use of premises from public house to fish and chip restaurant and takeaway – Approved 2007

H/15484 - Change of use from offices to retail use to form extension to Rackhams department store – Approved 1981

H00817 - Town centre redevelopment with shops, offices and public house after demolition of properties – Approved 1974

## **APPLICANT'S SUBMISSION**

The following documents have been submitted in support of the application and are referred to as appropriate in the report:

- Planning Statement
- Heritage Statement
- Design and Access Statement
- Townscape and Visual Impact Assessment (TVIA)
- Transport Assessment and Framework Travel Plan
- Noise Impact Assessment
- Energy and Carbon Budget Statement
- Ecology Report
- Equalities Statement

- Statement of Community Involvement
- Drainage Strategy
- Crime Impact Statement

## **CONSULTATIONS**

**Altrincham and Bowdon Civic Society** – While generally supportive, object to the loss of parking, lack of public toilets and height of the proposed extension. Comments are discussed in more detail in the Observations section of the report.

**Altrincham Neighbourhood Business Plan (Design Group)** – Have considered the proposal against the objectives and policies of the Altrincham Town Centre Neighbourhood Business Plan and provided summaries. Overall state that they are supportive of the proposal as it is a positive re-purposing of this building that reflects the changing nature of town centres, the improved appearance and ‘greening’ of the existing building and improvements to the public realm, especially Stamford Way. The proposals will further positively contribute to the ongoing regeneration of Altrincham town centre, as outlined in the recently published ‘vision’ document.

However, they query the demand for office space in Altrincham town centre and consider that the loss of rooftop car parking is an issue. Whilst remodelling an existing building is a sustainable approach more could be done to improve the energy efficiency of the scheme. They also raise queries regarding lack of public toilets, potential overshadowing of Stamford Way and potential for the metallic bronze finish to the curtain walling to result in glare. Comments are discussed in more detail in the Observations section of the report.

**Cadent Gas** – No objection subject to an informative making the applicant aware that Cadent Gas Ltd own and operate the gas infrastructure within the area and works must not infringe on legal rights of access and or restrictive covenants that exist.

**Electricity NW** – No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

**GM Ecology Unit (GMEU)** – No objection in principle subject to appropriate conditions and informatives. Comments are discussed in more detail in the Observations section of the report.

**GMP (Design for Security)** – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

**GM Fire and Rescue Service (Fire Safety)** - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

**Lead Local Flood Authority (LLFA)** – No objections.

**Local Highway Authority (LHA)** – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

**Transport for Greater Manchester (TfGM)** – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

**Trafford Council, Arboriculturist** – No objection in principle subject to an appropriate landscaping conditions. Comments are discussed in more detail in the Observations section of the report.

**Trafford Council, Asset Management** - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

**Trafford Council, Heritage Development Officer** – Considers that the proposed works will cause minor harm to the significance of Stamford New Road Conservation Area and Stamford House (GII), Clock Tower on Station Forecourt (GII) & Station Hotel/42 Stamford New Road (GII). The proposal will also result in negligible harm to the setting of 2-8 Kingsway (GII) and Old Market Place Conservation Area. This harm will require a clear and convincing justification and should be weighed against the public benefits of the scheme as required by the NPPF. Comments are discussed in more detail in the Observations section of the report.

**Trafford Council, Pollution & Housing (Contaminated Land)** – No objection

**Trafford Council, Pollution & Housing (Nuisance)** - No objection in principle subject to an appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

**Trafford Council, Strategic Planning and Developments** – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

**Trafford Council, Street Lighting** - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

**Trafford Council, Town Centre Manager** - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

**Trafford Council, Waste Management** - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

**United Utilities** - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Consultation and Stakeholder Engagement undertaken by the applicant.

The supporting 'Record of Community Involvement' states that prior to the submission of the planning application, consultation took place via letter or e-mail with a number of political and local stakeholders to provide them with details of the proposed development, consultation activities taking place and to offer an opportunity to discuss the proposals. In addition and given the importance of accessibility to the site, 31 local groups representing people with disabilities were contacted via e-mail and invited to attend the public exhibition and also to meet with or call the development team if they wished to.

In relation to the wider public, a media release invited feedback on the proposals and invited the public to attend a public consultation event in Stamford Square. There have also been social media posts, direct letters to neighbouring residents and businesses, information leaflets with tear-off freepost feedback forms were distributed door-to-door to 4,462 properties. An online consultation website was also set up which has an online feedback form. All feedback from meetings and written comments was considered prior to submission of the application and engagement will continue throughout the planning process.

## **REPRESENTATIONS**

None

## **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 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.
3. Policies relating to town centres, design, parking and highway safety impacts and impacts on heritage are considered most important in determining this application. These are policies W2, L4, L7 and R1 of the Trafford Core Strategy. Policies L4, L7 and W2 of the Core Strategy are consistent with the NPPF and therefore considered to be up-to-date. Whilst R1 is inconsistent with the NPPF in part it is not considered to be out of date for the purposes of the determination of this planning application. The Altrincham Town Centre Neighbourhood Business Plan (ANBP) was adopted in 2017 and forms part of the Development Plan for Trafford. The ANBP is up to date and carries significant weight in the determination of the application. When considering the overall basket of policies, the "tilted balance" referred to in NPPF paragraph 11 is therefore not engaged.



4. The application site is located within Altrincham Town Centre as defined in the Adopted Trafford Unitary Development Plan (2006).
5. Paragraph 86 of the NPPF states that planning decisions should “*support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation*”.
6. The application seeks the comprehensive redevelopment of the former Rackham’s and Bentleys buildings and adjacent public realm. This would include refurbishment, remodelling, external alterations and two storey upwards extension to create a mixed use development comprising retail, office space, leisure, food and beverage uses.
7. The application represents the first phase of the Trafford Council and Bruntwood Joint Venture (JV)s plans for the long term vision for the wider Stamford Quarter. The application states that while retail will always be at the heart of Stamford Quarter, retailing is changing rapidly and as a result, the Stamford Quarter now contains a number of large empty units such as Rackhams. The aim of the JV is to repurpose these large empty buildings to provide a vibrant mix of uses in the town centre.
8. Place Objective ALO16 of the Core Strategy is ‘To continue to promote Altrincham as the Principal Town Centre and key economic driver, in terms of its employment, retail and leisure opportunities.’
9. Policy W1 Economy states that in order for Trafford to remain competitive and contribute to the growth of the economy of the sub-region, it needs to continue to diversify its range of employment types. It goes on to state that the Council will identify a range of sites for a variety of employment uses and that such uses (including B1 office uses) will be focused in the Regional Centre and the town centres.
10. Policy W2.2 of the Core Strategy states that Altrincham will be the principal focus for high quality comparison retail supported by a range of retail, service, leisure, tourism, office and other town centre-type uses, including residential. Policy W2.11 states that within all town centres, sustainable design will be priority with emphasis on encouraging a mix of uses, active frontages and high quality in the design and finish of the public realm.
11. The proposed site is within the boundary of the adopted Altrincham Town Centre Neighbourhood Business Plan (ANBP). The site is along a ‘Main Shopping Frontage’ on Stamford Square and Stamford New Road as defined by Policy S Main (Primary) Shopping and Mixed Use with Ground Floor Active Frontages of the ANBP. Policy S states that proposals along a Main Shopping Frontage which seek to maintain and enhance a continuous ground floor active retail frontage will be encouraged and supported. Proposals which would result in non-retail use(s) in these frontages will

be resisted unless appropriate evidence is provided to demonstrate that the proposal would result in a positive impact on the attraction of the retail core to shoppers and visitors and thus the experience will be enhanced.

12. The proposal includes retail use on the lower ground floor and the ground floor of the 'Main Shopping Frontage' of Stamford Square and Stamford New Road but also includes non-retail uses of food and drink uses and offices within these frontages. However, it is considered that the proposals as a whole and the combination of uses, will have a positive impact on the frontages by attracting visitors to the retail core and enhancing the experience of the area. Therefore the mixed uses on the 'Main Shopping Frontage' is considered acceptable.
13. The ANBP Design Group have questioned whether sufficient demand for the new office space proposed has been proven and reference Policy OF1 of the ANBP which states that – *'If the Core Strategy provision for an additional 10,000sqm of new office space proves to be inadequate, additional provision should be made within the established office areas on the north side of the town centre; within the area designated Main Shopping Frontages (above ground floor) ...'*
14. Policy OF Office Uses of the ANBP does state that additional office provision should be made within Main Shopping Frontages above ground floor. However the supporting text at para 4.8.6 states that *'A concentration of office accommodation around the interchange would be very sustainable, maximising that multi-modal facility's importance in attracting employment and providing a wide range of transport options available to the workforce. It would also increase the town centre workforce with the consequential advantages.'*
15. It is not considered that the policy requires the applicant to prove demand for the proposed office space although the agent for the application has stated that the inclusion of office floorspace has been underpinned by market information available to the applicant who is also responsible for the management of other local office developments, including the neighbouring Station House. The adjacent development is fully let and there is demand for further office space as a result of this capacity which has informed the decision to proceed with the proposed use at the application site.
16. While it is acknowledged that the proposal includes office use on the ground floor, retail and food and beverage uses will make up the majority of the frontages and only the entrance to the offices would front onto Stamford Square, the remaining office use would be along Stamford Way which is not a Main Shopping Frontage. The limited amount of office use at ground floor is not considered to have a negative impact on the shopping frontage and is therefore considered acceptable.

### Conclusion on Principle of Proposed Uses

17. As set out above the site is in a prominent location within Altrincham Town Centre. The proposal would result in the loss of some retail floorspace on the ground floor of a Main Shopping Frontage and development of non- retail uses.
18. However the application proposes a range of town centre uses and it is considered likely that the proposals would enhance the shopper and visitor experience. The overall mix of uses would be appropriate to this sustainable town centre location in accordance with the NPPF and are likely to enhance the shopper and visitor experience. Additionally the proposal would contribute to the regeneration of this vacant town centre site.

## HERITAGE

19. In determining this application there is a statutory duty under section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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.
20. In addition to this is the statutory duty under section 72 (1) of the Planning (Listed Building & Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
21. The Government has set out its planning policies for design and the historic environment in the NPPF and the accompanying National Planning Practice Guidance. Both the NPPF and the NPPG are material considerations relevant to this application 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.
22. In relation to Heritage assets, Para 194 states that "*local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*"
23. Also of relevance to the determination of this application is paragraph 195 of the NPPF: "*local planning authorities 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*".
24. Paragraph 197 of the NPPF states that "*In determining applications, local planning authorities should take account of..... c) the desirability of new development making a positive contribution to local character and distinctiveness*".

25. Paragraph 199 states that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*
26. Paragraph 200 states 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'*
27. Paragraph 202 of the NPPF states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'*.
28. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness (R1.1) 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. Whilst R1 is inconsistent with the NPPF it is not considered to be out of date for the purposes of the determination of this planning application.

### Significance of the affected Heritage Assets

29. The application site comprises of a large retail unit over three floors with roof top car parking. The lower ground floor is accessed from Stamford New Road, the ground floor from George Street. The site forms part of the Stamford Quarter Shopping Centre located at the northern end of George Street.
30. The site lies adjacent to the Stamford New Road Conservation Area to the east, Old Market Place Conservation Area to the west and within the setting of a number of listed buildings.

### **Old Market Place Conservation Area**

31. The boundary to Character Zone C runs along the southern side of Stamford Street adjacent to the Stamford Quarter Shopping Centre.
32. The majority of buildings within OMP Conservation Area are 19th century or earlier and retain a variety of historic architectural detailing which gives the area a high level of aesthetic value and a sense of historic character.

33. Key views within the Conservation Area are identified within the accompanying SPD 5.3. Due to the gently sloping topography views out of the Conservation Area are possible towards the application site. These include streets leading from the Old Market Place such as Post Office Street, Kingsway and Victoria Street. There are a number of positive contributors identified along Stamford Street and Kingsway.

### **Stamford New Road Conservation Area**

34. The boundary to the Conservation Area runs along the southern side of Stamford New Road opposite the application site and incorporating the Station.

35. The significance of this Conservation Area derives from early 19th century development along Railway Street with a cohesive group of good quality late 19th and early 20th century buildings along Stamford New Road and adjoining streets. Building elevations fronting the street display a variety of good quality architectural styles, detailing and expression, which contribute a high level of aesthetic and historic value to the Conservation Area.

36. Key views within the Conservation Area Appraisal are identified within the accompanying SPD 5.4 and include looking southwards along Stamford New Road adjacent to the clock tower. A number of landmark buildings are identified in the vicinity of the application site and include the Station, clock tower and Stamford House. As with the Old Market Place Conservation Area there are views of the application site and Stamford New Road

37. The majority of buildings in the Conservation Area are identified as positive contributors including the Station.

38. The application site lies within the setting of the following Grade II listed buildings which are significant for their high architectural and historic values;

- 2-8 Kingsway
- Clock Tower on Station Forecourt
- Stamford House
- Station Hotel / 42 Stamford New Road

### **George Street Conservation Area**

39. The application site also lies within the setting of George Street Conservation Area although it is some distance from the northern boundary. The enclosed nature of George Street is such that it is unlikely views out of the Conservation Area to the north will be impacted on by the development.

## **IMPACT ON HERITAGE ASSETS**

40. The Council's Heritage Development Officer has been consulted on the application and makes the following comments (in italics).
41. *There are no objections in principle to the proposed redevelopment of the existing building. The provision of an active frontage to Stamford New Road is welcomed as are improvements to the pedestrian route from Stamford New Road to George Street and the opening up of Stamford Street. In particular the removal of the concrete bridge will open up the area and result in a pleasant and attractive space. There is no objection to the retention of the ramp up from Stamford New Road to Stamford Square subject to the provision of a drawing to an appropriate scale detailing how this would relate to the proposed elevations and corner design.*
42. In relation to this point, the agent for the application has commented that as the ramp already exists it is not considered necessary to provide detailed drawing at this stage of the application but they would be happy to accept a condition requiring a detailed drawing of the ramp and officers agree this would be appropriate.
43. *The addition of green walls and trees into an otherwise blank façade will improve the appearance of the building and wider street scene. The provision of external terraces and the insertion of windows will also enliven the principal elevations. The balustrades around the 'break out' terraces will be prominent features in the elevations; full details of the balustrade and materiality will be required. The proposed lower ground, ground and first floor elevations continue the rhythm and design of the retail frontages along Stamford Square.*
44. Again the agent for the application has stated that they would be happy to provide final balustrade details and materiality via condition
45. *It is noted that the Altrincham and Bowdon Civic Society have raised concerns about the addition of two storeys to the building. However, it is considered that this is acceptable in principle given the scale of buildings in the vicinity. It is agreed that the increase in height will have some impact on the appreciation of 2-8 Kingsway, Grade II listed, in views looking southwards towards the development from Old Market Place. There are also some reservations about the form, appearance and materiality of the extension which will appear at odds with the rich architectural detailing and palette of traditional materials of Stamford House, Station forecourt clock tower & Station Hotel / 42 Stamford New Road, all Grade II listed. The proposed upper floors and roofline will have a strong horizontal emphasis which conflicts with the vertical definition of the lower floors and colonnades. Some articulation is achieved from the proposed fins and it is appreciated this is intended to give a lightweight appearance to the extension. However, broader fins may be more appropriate on the upper floors to provide a strong vertical emphasis to relate to the lower floors, resulting in a cohesive appearance to the building.*
46. *In relation to the roofline, it would be preferable to see a more varied and interesting roofline resulting in a distinctive silhouette. This could be achieved with a parapet*

*which would help to screen the lift overruns. Alternatively, a vertical detail on the upper floors could be extended to meet a roof overhang or provide an interesting coping detail. An element of this is shown on the proposed visual from Stamford New Road however the detail is lost in long distant views of the development.*

47. These comments have been considered by the architectural team and they feel that the proposals as submitted provide a significant uplift in visual interest, transforming the existing building into a high quality development with an extension that does provide a distinctive silhouette but has balanced this appropriately with the surrounding development, heritage assets and proposed uses. They consider that the existing building currently represents an imposing mass which detracts from the surrounding area and heritage assets and that the design has been developed with the fundamental idea of opening up the existing solid mass of the building and reducing a cluttered effect, to maximise views to and from the development, increasing the amount of natural light entering the floorplates. They therefore consider that the lightweight approach is an appropriate design which will significantly enhance the existing dated building and proposed no alterations to the development in response to the Heritage Development Officers comments.
48. *Further information about the proposed palette of materials is required and how they will complement the existing building and their quality. The use of aluminium, curtain wall system and render is disappointing and doesn't reflect the distinctive palette of traditional materials in Altrincham town centre.*
49. *The submitted TVIA is noted and the majority of views indicate the proposed extension in terms of height will sit comfortably alongside Stamford Square, Station House and Clarendon House. The living wall is a positive addition to the Stamford New Road elevation as shown by V5. If there is scope to include more trees/landscaping at this level on the RHS this would be welcomed. V6 shows the view along Kingsway and indicates that the building will be prominent in this view although partially screened by the existing stair tower. The west elevation is noticeable from this direction and in particular I am concerned about the lack of architectural interest to the elevation which is proposed to be rendered in a bronze/brown colour and an alternative treatment should be considered.*
50. The agent for the application has responded to these points by stating that the materials for the proposed development have been carefully selected to reflect the surrounding built up character and whilst precedents may have been derived from elsewhere, it is considered that the materials chosen will integrate with the neighbouring developments and local context. They would however be happy to accept a condition requiring that the specific details of the final materials are submitted for approval. Officers considered that this is appropriate given that the site itself does not sit within a conservation area. Whilst the materials are not traditionally linked to Altrincham, it is considered that they are appropriate within this location and would result in a development which reflect the character and context of the surrounding area.

51. The applicant has also commented that the proposals include a notable uplift in green infrastructure which will offset the colour palette chosen creating an exciting and visually pleasing façade. The new planting and trees will provide an attractive green setting for the building, improving the approach from the Interchange and it is considered this has been maximised to its full extent as presently proposed. It is noted that a line of trees is proposed at existing roof car park level which would filter and soften views of the western elevation of the extension. The materiality and level of green infrastructure presently chosen is therefore considered appropriate within the local setting and will significantly enhance the existing building thereby contributing to a more visually appealing Altrincham Town Centre.

### Consideration of Harm to Heritage Assets

52. 'The Council's Heritage Development Officer has concluded that *'the proposed works will cause minor harm to the significance of Stamford New Road Conservation Area and Stamford House Gll, Clock Tower on Station Forecourt Gll & Station Hotel/42 Stamford New Road Gll. The proposal will also result in negligible harm to the setting of 2-8 Kingsway Gll and Old Market Place Conservation Area. This harm will require a clear and convincing justification and should be weighed against the public benefits of the scheme as required by 199, 200 and 202 of the NPPF.'*

53. This level of harm equates to 'less than substantial harm' in NPPF terms, at the lower end.

54. The agent for the application has responded by stating that a justification against harm was not provided as the Heritage Statement submitted in support of this application concluded that the proposals will not result in any "harm" as defined within the NPPF. The Heritage Statement concludes that the Rackham's Building is considered to be a largely negative contributor to the settings of surrounding designated heritage assets and there is consequently scope to enhance the current environment around the Stamford New Road area. The assessment goes on to state that the proposals will result in a considerable, beneficial change to the composition of the street scene around Stamford New Road, Stamford Way and George Street. The proposed redevelopment of the site is thus considered to have an overall minor-to-moderate beneficial impact upon the built historic environment as a whole. As highlighted above, the Heritage Development Officer's takes a differing view from that of the Heritage Statement however the applicant has stated they consider that the many public benefits of the proposal set out in the supporting planning statement would outweigh the harm identified.

### Conclusion on Heritage Impacts

55. It is noted 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 (and the more important the asset, the greater the weight



should be). The balancing exercise should be undertaken bearing in mind the statutory duty of Section 72 (1) of the Planning (Listed Building & Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas; Section 66 (1) of the Planning (Listed Building & Conservation Areas) Act 1990 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 and Policies R1 and L7 of Trafford's Core Strategy.

56. The Heritage Development Officer has stated that the redevelopment of the building and addition of two storeys is acceptable in principle and that there are a number of positive aspects to the scheme however has identified less than substantial harm to the setting of a number of designated assets. The conclusion of less than substantial harm relates to the form, appearance and materiality of this extension as set out in more detail in the foregoing sections of the report.

57. As harm has been identified, a clear and convincing justification needs to be provided and a balancing exercise undertaken of the harm against the public benefits of the scheme as required by 199, 200 and 202 of the NPPF. It is considered that the redevelopment of this site has a significant number of public benefits, primarily as follows:

- Regeneration of vacant building on a brownfield site
- Significantly improved design of building and public realm including removal of concrete bridges and opening up views into the wider Stamford Quarter
- Increased green infrastructure, landscaping and biodiversity
- The development would act as a catalyst for wider regeneration of Stamford Quarter and has the potential to attract inward investment to Altrincham
- Would result in significant employment generation
- Improved shopper / user experience
- Assist in meeting climate change objectives through sustainable building design, in particular through reuse and repurposing of large amounts of the existing structure to create an energy efficient development that represents an improvement on the Core Strategy and Building Regulations targets in relation to CO2 reduction.
- Increased opportunities for sustainable travel through provision of over 100 cycle parking spaces and associated facilities
- Improved accessible links through the site from Stamford New Road to Stamford Square and opening up of Stamford Way.

58. In conclusion it is considered that in undertaking the balancing exercise required by the NPPF, that the benefits of the scheme outweigh the less than substantial harm identified to heritage assets and in heritage terms the development is considered to be acceptable. In respect of paragraph 11 (d) i. of the NPPF the development does not provide a clear reason for refusal in this respect.

## **DESIGN**

59. Paragraph 126 of the NPPF states: *“The creation of high quality, beautiful and sustainable 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.”*
60. Paragraph 134 states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*
61. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing. This states at para 122 that *‘Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by.’*
62. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”*. 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. It can therefore be given full weight in the decision making process.
63. The application proposes the comprehensive redevelopment of the site and adjacent public realm including refurbishment, remodelling, external alterations and two storey upwards extension to create a mixed use development comprising retail, office space, leisure, food and beverage uses. This approach is considered to be a sustainable re-use of the existing vacant building.
64. The current building dates from the 1970’s and as a result of the design, in particular large blank areas of brick in the main elevations, it is considered that it has a negative impact on the adjacent streetscenes.

### Scale and Height of Extension

65. The redeveloped building, including the proposed two storey upwards extension, would be five storeys when viewed from Stamford New Road and four storeys above Stamford Square due to the significant change in levels across the site. The two storey upwards extension would result in an additional height of 8.9 metres above

the existing rooftop car park level (11.1 metres to the top of the lift overrun and plant but this is smaller in area and set away from the edges of the extension).

66. The Altrincham and Bowdon Civic Society have raised concerns about the height of the building being out of character with the area. However with the addition of two storeys it is comparable to other buildings in the immediate vicinity of the site and subservient to Clarendon House and Station House to the southwest and northeast respectively. On this basis it is not considered to be out of character or unduly dominant in the streetscene.

### External Appearance

67. The design proposes that the existing facades are reworked to open up the currently solid form of the building, maximising views to and from the accommodation. The inclusion of a glazed roof above the central circulation stair further maximises daylight levels within the plan of the building. The introduction of extensive areas of green walling in combination with external terraces containing tree planters will significantly green and enliven the main elevations onto Stamford New Road and Stamford Square. The former Bentleys building on the corner of Stamford New Road and Stamford Way will be refurbished as a standalone retail / café space. This unit is designed to effectively 'turn the corner' to continue the frontage activity onto Stamford Way.
68. At lower ground and ground level the existing colonnade with recessed glazed frontages would be extended to allow access to commercial units, external terraces and provide lift access between Stamford New Road and Stamford Square. It is intended that this will bring increased activity to the streetscene – spilling out onto Stamford New Road and adjacent areas of public realm through the proposed external seating and planting.
69. The two storey vertical upward extension would be formed using a lightweight, glazed curtainwall system to contrast with the solidity of the existing brickwork elevations and would have a contemporary design. The extension would be set back from the existing main external elevation of the building behind the existing concrete parapet. The glazed curtainwall comprises a metallic bronze powder coated aluminium system with vertical rectangular caps or fins at circa 750mm centres. Articulation and depth is achieved through the use of these 'fins' over the glazing. The supporting information states that these deep fins provide a strong vertical emphasis to the extension and also act as brise-soleil, reducing solar gain into the building.
70. At the head of the curtainwall and at third floor level a 250mm deep right angle triangular section transom cap is proposed to provide a subtle break line to the strong repetitive verticality of the mullion caps. The curtain wall system is extended up to form a parapet / balustrade at roof level. The glazing is predominantly clear

solar control vision glass to provide maximum light into the new workspace, with opaque glazed panels at the third floor and uppermost sections adjacent roof level.

71. The treatment of the north-western elevation of the extensions where it adjoins the retained roof car park over the adjacent retail units, differs to provide privacy and solidity to the adjacent car park. This elevation comprises rendered blockwork punctuated with tall slim windows which seek to reference the verticality of the curtainwall. A line of trees is also indicated in front of this elevation to provide additional visual separation to the car park and to soften the appearance.
72. The roof is a warm roof construction which is proposed to be finished with a liquid applied finishing coat, above which the potential photo-voltaic panels would be positioned. Enclosures to plant spaces would also be finished with powder coated aluminium.

### TVIA

73. A Townscape and Visual Impact Assessment has been submitted in support of the application. This establishes a visual baseline environment of the site and its surroundings and mitigation measures. Taking these measures into account, the effects of the development are then predicted. Wireframe views of the proposed development have been provided from 8 viewpoints across the town with a detailed photomontage provided from a further viewpoint (4 'Altrincham Leisure Centre').
74. The report concludes that with regard to visual effects of the nine viewpoints assessed, the development would result in a moderate-minor visual impact from Viewpoints 1, 2, 3, 4, 5 and 9 at year 15 post construction. Taking into account the proposed mitigation measures new tree and ornamental planting, and green walls which will filter and soften views, this effect is considered to be beneficial or neutral in each of these. Receptors at viewpoints 6, 7 and 8 will experience a minor visual impact, which will be either neutral or beneficial.
75. In terms of Townscape Designations, the assessment concludes that the proposed development would result in a moderate-minor beneficial townscape effect on the Stamford New Road and Old Market Place Conservation Areas. The three listed buildings closest to the site including the Station Clock Tower, Stamford House and the Station Hotel would also experience a moderate-minor beneficial effect. The impact on all other designations within the study area have been determined in the TVIA to be negligible.
76. This report finds that at a national level the effect of the development on townscape / landscape character will be negligible. At a local level, the development is considered to result in a negligible magnitude of change on the townscape character of the site and as such a negligible townscape effect is predicted at a local level.

### Public Realm

77. The proposed removal of the concrete bridge links to Sunningdale / Kingfisher House will open up views towards Stamford Square and result in a more attractive link from the Interchange to the wider Stamford Quarter.
78. A number of improvements are also proposed to the public realm in the form of an enhanced public square at Stamford Square, spill out space and a pocket garden at Stamford Way and an improved pedestrian link from Stamford New Road up to Stamford Square. This would include enhanced green infrastructure such as street trees and planters which will sit alongside street furniture, areas of seating and featured lighting.
79. These changes to the public realm are considered beneficial as they will introduce accessible and welcoming areas for people to dwell in or pass through in the Stamford Quarter. Improvements to accessibility through the provision of new steps and a lift supporting the existing ramped access, will improve connections between the site and the wider area, including the Interchange.

### Conclusion on Design

80. While the proposed two storey upwards extension is a contemporary addition to the streetscene, it is considered that the overall design has successfully dealt with the challenges of remodelling and extending an existing building and dealing with significant changes in levels across the site. The scheme enlivens the ground level frontages and adds interest to the upper floors through the inclusion of additional areas of glazing and green wall and planted terraces provided interest to the main elevations. The improvements to the public realm, active frontages and enlivening of Stamford Way are considered to enhance the appearance of this prominent town centre site and overall the design of the development is considered to be compliant with Policy L7.

### **AMENITY**

81. In addition to ensuring that developments are designed to be visually attractive Para 130 of the NPPF advises that planning decisions should ensure that developments:-
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*
82. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.
83. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted

unless it can be demonstrated that adequate mitigation measures can be put into place.

### Overshadowing, Outlook and Privacy

84. The application proposes a two storey upwards extension resulting in an additional height of 8.9 metres above the rooftop car park level (11.1 metres to the top of the lift overrun and plant).
85. There are commercial properties opposite the proposed development to the northeast and southwest and the Interchange is located across Stamford New Road to the southeast. The nearest residential properties to the application site are on Stamford Street, Kingsway and Police Street to the northwest and north of the application site. No residential units are proposed within the development.
86. The distance to the nearest residential properties to the northwest is approximately 50 metres, with intervening retail units and a road. The nearest residential property to the north is a similar distance away and offset in relation to the development, also with an intervening road. In view of these relationships and the existing character of this town centre area, it is not considered that the proposed development would result in loss of light, outlook or privacy for residential occupiers.
87. Bowdon Civic Society and the ANBP Design Group have raised concerns that the extra height of the building will cast shadow over adjacent areas of public realm and adjacent buildings. The surrounding properties and areas are commercial in nature and as such there are no policies which would support refusal of the scheme on this basis. In any event it is not considered that the addition of two storeys would have a significant impact on light in the wider area, given the actual additional height proposed and the relationships with adjacent buildings and areas of public realm.

### Lighting, Noise and Odours

88. All the proposed uses are typically found in town centre locations. The Pollution and Housing section have stated that there are no objections to the proposals in principle. They do note that there is an approved residential scheme 97798/PRO/19 in the immediate vicinity of the application site (at Sunningdale / Kingfisher House) which has not been considered in the acoustic assessment submitted with this application. However the agent for the application has confirmed that this will not be implemented as the relevant areas of Sunningdale / Kingfisher House have been identified in the Joint Venture vision document as being retained as an office building. In addition the conditions attached to 97798/PRO/19 state that the works would need to be completed by 15<sup>th</sup> July 2022 and no work has commenced to date.
89. The supporting documentation for this application does however refer to the 'vision' for the Stamford Quarter, as including 'increasing the number of residents living centrally' and this would introducing more noise sensitive receptors to the locality

which could be negatively impacted by noise if adequate controls to mitigate impacts are not attached to the relevant planning permissions. Therefore a number of conditions relating to noise, hours of operation, lighting and ventilation / extraction are recommended in order to ensure that the proposed mix of uses co-exist to achieve the vision for the Stamford Quarter area whilst ensuring that any negative environmental impacts are adequately controlled.

### Crime Prevention and Security

90. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.
91. The proposals would simplify the networks of pedestrian walkways and ramps / concealed spaces that have provided opportunities for criminal activity in the past. The redevelopment will enhance and enliven the currently vacant property and glazed public facing elements will improve natural surveillance significantly when compared with the existing situation.
92. A Crime Impact Statement (CIS) has been submitted with the application. Greater Manchester Police's Design for Security section has been consulted and support the application subject to the recommendations within the report being followed and that a condition to reflect the physical security specifications set out in the Crime Impact Statement is attached to any consent issued. The agent for the application has agreed to this requirement and to ensure compliance, a requirement for a verification report to be submitted prior to the development being first brought into use is included in the condition wording. On this basis, the proposed development is considered to be acceptable with regard to matters of security and safety.

### Air Quality and Sustainability

93. L5 states that 14.19 *The Trafford Air Quality Management Area identifies where air quality will not reach the national health based objectives. Trafford and the 9 other Greater Manchester Authorities published their Air Quality Action Plan, which sets out how the conurbation will improve air quality. The plan is mainly concerned with tackling transport related emissions, and is closely tied to the Local Transport Plan for Greater Manchester.*
94. The site is not located in an AQMA. The proposal seeks to provide a number of different uses in one development in the town centre and is car free. It is anticipated that the proposal will encourage people to make overlapping trips to the site using sustainable modes of transport and reduce reliance on the car in this area which should assist in reducing emissions in compliance with Policy L5 and the NPPF.
95. Policy L5.1 of the Core Strategy states that new development should maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation. L5.4 goes on

to say that development will need to demonstrate how it contributes towards reducing CO<sub>2</sub> emissions within the Borough. It is considered that Policies L5.1 to L5.11 are out-of-date as they do not reflect NPPF guidance on climate change.

96. The ANBP Design Group have stated that a 'fabric first' approach to upgrading the thermal performance of the existing buildings should have been considered. The supporting Carbon Budget Statement sets out that based on the current policies in place from, the development sits within a Low Carbon Growth Area and therefore the minimum CO<sub>2</sub> reduction target is 15% above the 2010 Building regulations. It goes on to state that the proposed design can, however, achieve an improvement of 9% over above Part L 2013 standards. This represents a better performance than that required by the Core Strategy, which is 15% over above Part L 2010 and approximately 6% over above Part L 2013 standards. This performance has been achieved by the adoption of "be lean and be clean" approach and the use of practical, but efficient services. The high-level assessment of renewable technologies in the Carbon Budget Statement also concludes that Air Source Heat Pumps or solar PV are potentially feasible for the scheme and provision should be made to allow a retrofit solution in the future when budget permits.
97. It is therefore considered that in view of the fact the application proposes the reuse and refurbishment of an existing building, climate change and energy efficiency have been considered in the design of the building and sustainability measures will meet policy targets and a condition is recommended to achieve this.

### Construction

98. The Pollution and Housing section have recommended a Construction Method Statement be required via condition to ensure that noise, dust and other nuisance impacts can be controlled following national guidelines. This is recommended accordingly.

### Conclusion on Amenity Impacts

99. The application proposes a number of typical town centre which are considered to be appropriate within this location. While there is the potential for a range of amenity impacts, given the distances from residential properties and subject to appropriate conditions it is considered that these impacts could be appropriately mitigated and that the proposal would be compliant with Policies L5 and L7 of the Trafford Core Strategy.

## **HIGHWAYS ISSUES, PARKING AND SERVICING**

100. Policy L4 of the Trafford Core Strategy states that *"when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of*



*traffic is not prejudiced or compromised by that development in a significant adverse way”.*

101. Policy also 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. The aim of the policy to deliver sustainable transport is considered to be consistent with the NPPF.
102. Para 105 of the NPPF states *‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.’*
103. Paragraph 111 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”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.
104. 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.
105. The application site is located within Altrincham Town Centre, opposite the Interchange and as such benefits from excellent public transport links. Indeed the site has a Greater Manchester Accessibility Level of 8 which is the highest possible. The central location also means visitors to the site could benefit from linked trips to other town centre facilities. There is on-street and pay and display parking in a number of locations in the town centre including immediately adjacent to the application site.
106. In addition to the submitted plans the application is supported by a Transport Assessment and a Framework Travel Plan. The LHA have been consulted on the application.

### Access and Circulation

107. There are no proposed changes to the existing vehicle access arrangements to the building with the exception of additional landscaping.
108. It is understood all existing pedestrian points of access from/to the adopted public highway will be retained, including the ramped access from Stamford New

Road. New pedestrian access provision will include new internal steps and a lift (both accessible from Stamford New Road).

109. A one way circulatory system is in place serving the Stamford Quarter Multi Storey Car Park. The proposed development would sever this link and therefore amendments are required to introduce two way operation for the remaining retained parking areas and these changes are feasible.

### Servicing

110. It is not proposed to amend the existing servicing arrangements which are undertaken via Stamford Way (currently a private road), although it is proposed to introduce planting and other landscaping (including provision of cycle stands) to improve the aesthetics of the area.
111. The LHA have commented that swept path analysis indicates an HGV, including refuse vehicles, may experience problems navigating around the landscaping, with potential overrun of planted areas indicated by the tracking results in addition to passing close to the proposed cycle stands.
112. However, in response the agent has stated the landscape architects (Planit) and transport consultants (Curtins) have reviewed the swept path analysis of Stamford Way and consider this has been demonstrated in the Transport Assessment as acceptable and they do not believe there are any unacceptable clashes between the landscaping, the cycle parking and the potential vehicular routes.
113. The Waste Management Team have been consulted and no objections have been received.

### Car Parking

114. It is noted that both the Altrincham and Bowdon Civic Society and the ANBP Design Group have raised concerns about the loss of rooftop parking as a result of the proposed development stating that car parking in Altrincham town centre is a problem. The ANBP Design Group cite policies of the ANBP OB 7 and CP.

*OB 7. Promote (a) the adoption of an integrated car parking strategy, to include improved access, signage and information, co-ordinated charging policies and payment systems, to maximise the use of all existing spaces and encourage longer dwell times and provision for town centre residents and workers and those using the interchange; (b) encourage the greater use of public transport, cycles, walking and taxis in accessing services and jobs in the Town Centre, and (c) the provision of additional, safe, mainly short stay parking.*

'CP' – Town Centre Car Parking also states that '*Proposals for additional mainly short stay parking in the town centre will be supported...*

115. The existing site is served by 631 car parking spaces comprising a 372-space multi-storey car park and a further 259 spaces above adjacent buildings. The proposals would see the number of spaces in the multi-storey car park reduced by 60 spaces.
116. Information seen indicates car park data for 2019 has been assessed by the applicant's transport consultant, the result of which show sufficient parking capacity is available to absorb the loss of 60 spaces-
- Saturday 11am – 3pm is the busiest period with a spare capacity of 42% (268 available car parking spaces)
  - Weekday recorded spare capacity at 56% (352 available car parking spaces)
  - The demand for car park spaces was significantly reduced on a Sunday (61% spare capacity)
117. A sensitivity tests for a 20% increase in demand for parking was also completed which showed an average 142 no. available car parking spaces on a Saturday and 262 spaces on a weekday.
118. In addition to the above, the site is located in a highly sustainable town centre location, with access to buses, trains, trams, and taxis available within a one/two-minute walk of the main entrance. In addition, a further 412 public car park spaces are provided within a 15-minute walk (of these, 101 spaces are less than a 10-minute walk away).
119. It is also noted from the submitted transport assessment that the proposed physical changes to the car parking arrangements, (which will create two independent car parking areas and include widening of internal ramps, changes to the circulatory layout, new pedestrian facilities, and the provision of internal signals to manage traffic flow), have been deemed feasible by the transport consultant (and therefore, buildable), and will provide safe access and egress to the parking spaces.
120. It is therefore considered that the proposed loss of 60 spaces would not have an unacceptable impact to the public highway and it is not considered that this approach would be precluded by ANBP Policies OB 7 and CP in view of the sustainable location of the proposal and the fact it encourages the greater use of public transport and in particular, bicycles.

#### Commercial Parking Spaces for the New Development

121. The applicant wishes to allocate circa 129-141 spaces for the proposed commercial uses, weekdays only, with the potential to reduce the number of allocated spaces during busy periods e.g., Christmas, including the run-up to the main festive period.

122. In light of the data analysis undertaken for car park usage (as detailed in section 5.1 above), in combination with the proposed loss of a large department store and fast-food / restaurant business, it is not considered that the intended level of commercial parking would have an unacceptable impact on the adopted highway. However, the LHA would ask that a sufficient number of spaces are retained for use by customers and visitors to the area (the development is located in a highly sustainable location with a high level of public transport options and walking and cycling routes suitable for commuter trips). In response the agent considers this has been addressed within the Transport Statement (Section 6.4) submitted with the application. The Statement clarifies that even with the proposed designated spaces (c.129-141) for the proposed commercial uses there would still be sufficient availability (c.160 spaces) within the wider multi storey car park to serve other customers and visitors. This would be monitored by the applicant and designated parking could be reduced as part of the Travel Plan and during busier periods such as Christmas.

### Accessible Car Parking

123. The accessible car parking standards shown in SPD3 Appendix A are minimum requirements. This is a mixed use sui generis site and therefore there is no overall parking standard that can be used so the parking levels must be assessed on the merits of this particular scheme. As the site is in a town centre there is a general expectation that users will park in shared town centre car parking facilities or travel in by public transport.

124. It is not proposed to reduce the existing number of accessible spaces, albeit those spaces currently located on the rooftop will need to be relocated, and a Grampian condition is required to ensure the spaces are located close to pedestrian access links, correctly sized, accessible, and visible.

125. Notwithstanding the above, the accessibility parking standards at this location, for 200 car parking spaces or more are -

- i) non-food retail, food retail, and cafes/restaurants/hot food takeaways require as a minimum four bays plus 4% of total capacity, and
- ii) office/business use requires 6 spaces plus 2% of capacity.

126. The LHA have commented that using the first (and greater) scenario, 372 car parking spaces are currently provided by the multi-storey car park equating to a requirement for at least 19 spaces. It is stated within the transport assessment that 31 accessible spaces are currently provided which exceeds the minimum number required for the car park, but it is not known if this number is sufficient for the existing use. Therefore, if it has been identified that demand for accessibility spaces is high, the LHA would request the number of spaces is increased accordingly.

127. Whilst there is no requirement within SPD3 to provide a minimum/maximum number of parent and child spaces, as for accessibility spaces, if a high demand for spaces has been identified it is suggested the number of spaces should be increased.

128. In response to this the agent for the application has stated that the Stamford Quarter car park currently has a total of circa 631 spaces in the multi storey and on top of adjacent buildings. 31 of these are accessible bays and 21 are parent and child bays. This provision exceeds the guidance (25 accessible bays would be required based on the 4% figure) and there is no evidence from multiple site visits that either type of bay is over utilised. Following completion of the development, the total number of spaces will reduce by circa 60 but the level of accessible and parent and child parking will remain as per the existing situation. The ratio of accessible/parent and child bays to normal bays will therefore increase. Notwithstanding this, the parking provision is regularly monitored by Bruntwood and if the number of bays was deemed to be inadequate additional bays could be dedicated as accessible or parent and child bays. Subject to the Grampian condition referred to in the foregoing section, the level of accessible parking spaces and parent and child parking is considered acceptable and in exceedance of the requirements.

#### Motorcycle Parking

129. The LHA comment that no information has been provided in relation to the existing or proposed level of motorcycle parking and clarification is sought from the applicant. In response the agent has confirmed that motorcycle parking at the existing multi storey car park will not be affected by the proposed development and the existing provision will be retained. The applicant will continue to monitor this and if demand increases additional spaces will be considered.

#### Cycle Parking and Storage Arrangements

130. It is proposed to provide 100 secure and covered cycle parking spaces which will be located on the lower ground floor and will comprise 88 double stacked racks and 12 Sheffield stands. In addition, lockers, toilets, and shower and changing facilities will also be provided for cyclists to use. It is understood the building management team (or similar) will be responsible for providing access to the proposed facilities and associated maintenance and security arrangements.

131. It is further noted a number of external short-stay parking stands (various locations), and a cycle store on Stamford Way are also proposed, and it is understood these spaces will be available for general use. This is acceptable and the installation of the cycle parking and storage should be secured via condition.

#### Transport Assessment (TA)

132. The proposed development would see the size of the existing site gross internal floor area (GIFA) increased from 63,116 sqft (5,864 sqm) to 95,034 sqft (8,829 sqm) to provide –

- 64,590 sqft (6,001 sqm) of office space, and
- 30,444 sqft (2,828 sqm) of retail and leisure uses retained on the lower floors

133. It is understood from historical press articles that circa 50 people were employed at the department store, in addition to which, the store would have generated a number of customer vehicle trips, (although it is considered a large percentage of these trips would also have included visits to other outlets/locations).

134. However, as detailed by the transport assessment, large department stores are not well represented within the TRICS database and it has not been possible to forecast trip rates for the permitted use, whereas the proposed office space is forecast to generate 55 am and 50 pm peak hour two-way trips.

135. Therefore, when considering the proposed retention of 571 car parking spaces and the assumed impact of the former department store, it is not considered any increase in vehicle numbers generated by the office space would have a severe or unacceptable impact on the adopted highway during the morning and evening peak travel hours.

### TfGM

136. The contents of the submitted Transport Assessment have been reviewed by colleagues within TfGM HFAS and UTC. The trip rate generation is above the 30vph modelling threshold, however the TA argues that as there is an existing use for the site, the number of trips would be considerably less. The TA does not provide the number of trips associated with the extant use as it is stated that the data is not available. TfGM defer to the LHA on this issue to determine if the assessment work is acceptable.

137. In terms of other comments, given the site's highly accessible location within Altrincham Town Centre it is considered that future employees and customers will have access to a wide range of public transport modes and that should help to reduce the number of car trips. The TA confirms that 100 cycle parking spaces will be provided for the development, along with appropriate welfare facilities which is welcomed.

138. A Framework Travel Plan has been submitted with the application and a condition requiring a full travel plan is considered appropriate.

### Construction Impacts

139. LHA have also recommended a Construction Method Statement be required via condition to ensure construction traffic and parking and amenity impacts are managed appropriately.

#### Conclusion and Highways Impacts and Parking

140. The application site is in a highly sustainable location and it is concluded that the proposed loss of 60 spaces would not have an unacceptable impact on the public highway. In addition it is considered that as a result of the development vehicle movements would not result in a severe or unacceptable impact on the adopted highway during the morning and evening peak travel hours. On this basis it is concluded that the residual cumulative impacts on the road network would not be severe and there would not be an unacceptable impact on highway safety. With regard to the provision of accessible parking no reduction in the number of accessible spaces is proposed and the current number of such spaces exceeds policy requirements. Subject to a Grampian condition requiring the suitable relocation of the accessible spaces, it is considered that this is acceptable.

#### **TREES, LANDSCAPING AND ECOLOGY**

141. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.

142. There are no trees on site currently and therefore no impact to assess on existing trees. While no detailed landscaping plans have been submitted the indicative plans show substantial tree planting within the street scene and at podium level and green walls are also proposed. The Council's Arboriculturist has noted that a submitted softworks drawing does show a raft system for trees planted within the pavements which is necessary and the overall indicative landscaping proposals are supported. As the landscaping proposals are integral to the overall redevelopment of the site conditions are required in relation to the details of the landscaping to ensure its longevity. Such conditions will require information relating to species and size of trees to be planted, details of tree pits, raft systems and soil rooting volumes. For trees planted at podium level the conditions will include the requirements for species and size of tree (bearing in mind fruit/flower/leaf fall from height), container details including drainage and how they will be secured if freestanding. With regards the green walls further details will be required via condition in relation to manufacturer and installation details species and density of planting and a maintenance schedule for all of the above features for the lifetime of the development.

143. This approach is supported by Core Strategy Place Objective for Altrincham ALO28 which seeks to maximise opportunities for green roofs and tree planting.

144. On this basis and as the application proposes to significantly increase the level of planting on the site through the use of green walls and tree planting and this is considered beneficial to the green infrastructure network and subject to a landscaping condition is compliant with Policies R3 and R5.
145. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity.
146. Paragraph 180 d) of the NPPF states: *"opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."*
147. The GM Ecology Unit (GMEU) have been consulted on the Ecological Assessment submitted in support of the application. They comment that the site currently has negligible to very low ecological value restricted to bird nesting and very low bat roosting potential. Any measures such as green roof, green wall, bird boxes or bat boxes would result in an enhancement of the site.
148. In relation to bats, they comment that a visual assessment and one dusk emergence survey at an appropriate time of year by suitably experienced ecologists found no evidence of bats roosting in the buildings and only very low levels of bat activity in the area. The GMEU consider that given the very low risk nature of the development and lack of bats recorded that an informative is appropriate to state that under the 2019 Regulations it is an offence to disturb, harm or kill bats and that if a bat is found all work should cease immediately and a suitably licensed bat worker employed and Natural England informed.
149. In relation to nesting birds, the GMEU comment that signs of pigeon nesting were recorded in the building. Pigeons are capable of breeding throughout the year and nesting pigeons have legal protection under the terms of the Wildlife & Countryside Act but are also listed as a pest species and a 'general license' can be applied for from Natural England to allow work to proceed that would damage pigeon's nests. A condition is therefore recommended that no demolition should occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to demolition and written confirmation provided that no active bird nests are present. If the species present is feral pigeon, a general license could be issued by Natural England authorising destruction of feral nests and should be provided to the Local Planning Authority.
150. It is concluded that there are no significant ecological issues relating to the site currently and that issues relating to bats and nesting birds can be resolved via condition and informative. It is considered that the scheme, through the inclusion of green walls and landscape planters, proposes biodiversity enhancements that would



result in net gain for biodiversity, compliant with Policy R2 of the Core Strategy and the NPPF.

## **OTHER MATTERS**

### **Contamination, Flood Risk and Drainage**

151. Policy L5 states that *‘Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place’*.

152. The Council’s Pollution and Housing section do not consider that contaminated land conditions are required.

153. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 167 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.

154. The Drainage Strategy submitted in support of the application states that the existing surface water drainage system is to be un-altered by the proposed development and there given there is no increase in building area and the proposed landscaping scheme provides new ‘soft’ landscaped areas, this will result in reduced hard drained area. The LLFA have been consulted and have confirmed that they have no objections to the application.

### **Other matters**

155. It is noted that the Altrincham and Bowdon Civic Society have objected to the lack of public toilets in the development. There is no policy requirement to provide public toilets in this development and the building did not previously contain public toilets albeit the store did have toilets that could be used by shoppers as will be likely to be the case in the food and drink units at the proposed site. The agent for the application has however stated that discussions regarding this issue are ongoing with the Council.

### **Equalities**

156. 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.

157. 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.

158. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.

159. The agent for the application has submitted an Equality Statement with the application which sets out how the Applicant has addressed equality issues namely those relating to age, disability, pregnancy and maternity, religion or belief, race, sexual orientation, gender reassignment, marriage and civil partnerships, in relation to the proposed development.

160. This states that all of the Applicant's community consultations were designed to be suitable for and accessible to everyone, whether from the local community or further afield. The various means of consultation are set out in the foregoing section.

161. Equalities Issues are set out under a number of sub headings

#### Age

162. *The development will not be subject to any age restrictions which would prevent the public from accessing or occupying the development.*

#### Disability

163. *The design of the proposals has also been developed to ensure full accessibility to a disability. The proposals ensure buildings and surrounding environment takes account of the needs for people with disabilities in relation to the following statutory regulations and the public consultation ahead of the planning application submission included an extensive consultation with key groups with regard to accessibility, identified in liaison with Trafford Councils Principal Community Cohesion & Equalities Officer. Meetings were held with various groups (discussed further within the Statement of Community Involvement) with regard to the accessibility of the proposals and how a betterment could be provided with particular regard to the access to Stamford Square. The proposals therefore have taken full regard to*

*accessibility within all aspects of the design of the development and the outcomes of these discussions have informed the final design with a key change being the inclusion of both a new lift and set of stairs to complement the ramped access to ground level from Stamford New Road.*

### Pregnancy or Maternity

164. *No persons will be prevented from accessing or occupying the development due to being pregnant or a parent. Each entrance provides a level or ramped entrance access into each unit/ the building and lift access throughout the development has been provided alongside stairs which will be able to accommodate prams.*

### Other Equalities Issues

165. *No persons will be restricted from accessing or occupying the development due to their religion or beliefs, race or culture, sexual orientation, gender or marriage or civic partnership status.*

166. The statement sets out that the applicant actively challenges bigotry and discrimination and believes in fairness and equity.

167. In relation to provision of accessible parking, although no parking at all is proposed on the application site, any accessible spaces lost as part of the development would be relocated to the adjacent car park area in a suitable location to be agreed by the Local Planning Authority. There would be no reduction in the overall number of accessible spaces provided and the current number of such spaces exceeds policy requirements. Subject to a Grampian condition requiring the suitable relocation of the accessible spaces, it is considered that this is acceptable.

168. The measures in place to provide a facility accessible to all, including those with a protected characteristic, are considered to be, on balance, an appropriate, practical and reasonable response to the equalities impacts of the scheme.

## **DEVELOPER CONTRIBUTIONS**

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

170. 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. The applicant has indicated on site landscaping in the form set out in the foregoing report and landscaping conditions are attached accordingly.

## **CONCLUSION AND PLANNING BALANCE**

171. Paragraph 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.

172. The proposal complies with the development plan as a whole which would indicate that planning permission should be granted. There are no material considerations, either in the NPPF or otherwise which would suggest a different decision should be reached.

### Adverse Impacts

173. The following adverse impacts of granting permission have been identified:

- Minor harm to the significance of Stamford New Road Conservation Area and the following Grade II Listed buildings - Stamford House, Clock Tower on Station Forecourt, and Station Hotel/42 Stamford New Road
- Negligible harm to the setting of 2-8 Kingsway (also Grade II) and Old Market Place Conservation Area.
- Loss of 60 car parking spaces

174. These adverse impacts must be assessed as to whether they outweigh the benefits of granting permission when assessed against the policies in the NPPF as a whole.

### Scheme Benefits

175. The main benefits that would be delivered by the proposed development are considered to be as follows: -

- Regeneration of vacant building on a brownfield site
- Significantly improved design of building and public realm including removal of concrete bridges and opening up views into the wider Stamford Quarter
- Increased green infrastructure, landscaping and biodiversity
- The development would act as a catalyst for wider regeneration of Stamford Quarter and has the potential to attract inward investment to Altrincham
- Would result in significant employment generation
- Improved shopper / user experience

- Assist in meeting climate change objectives through sustainable building design, in particular through reuse and repurposing of large amounts of the existing structure to create an energy efficient development that represents an improvement on the Core Strategy and Building Regulations targets in relation to CO2 reduction
- Increased opportunities for sustainable travel through provision of over 100 cycle parking spaces and associated facilities
- Improved accessible links through the site from Stamford New Road to Stamford Square and opening up of Stamford Way.

176. The main adverse impacts, relate to the loss of parking spaces and the minor harm identified to the significance of Stamford New Road Conservation Area and three Grade II listed buildings and the negligible harm to the setting of the Old Market Place Conservation Area and a further Grade II listed building for the reasons set out in the relevant sections of the report. However the benefits arising from the scheme are numerous and a number of them can be given significant weight. Substantial weight is afforded to the regeneration of a vacant building on a sustainable brownfield site that will contribute to the vitality of Altrincham Town Centre and bring economic benefits. Significant weight is also given to the improved design, increased green infrastructure and improved accessible links through the site. Weight is also afforded to the other benefits listed above.

177. Having carried out the balancing exercise and considering the basket of development plan policies as a whole it is concluded that the benefits of granting planning permission outweigh the harms of doing so.

178. All other planning matters have been assessed, including design, impacts on the highway network, amenity, ecology and green infrastructure, drainage and contamination. No conflict with the development plan or the NPPF have been found in respect of any of these issues, which have been found to be acceptable, with, where appropriate, specific mitigation to be secured by planning condition.

179. Given the above, the application is recommended for approval.

**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 following submitted plans:

Location Plan - Ownership & Project Boundary ZZ-XX-DR-A-00-001 P03  
Redline plan ZZ-XX-DR-A-00-002 P02  
Site plan ZZ-XX-DR-A-00-003 P02  
Proposed - Gross Internal Areas ZZ-XX-DR-A-05-102 P08  
Proposed - Net Internal Areas ZZ-XX-DR-A-05-103 P11  
Gross External Area - Proposed & Existing ZZ-XX-DR-A-05-104 P02  
Extension Curtain Walling Study ZZ-XX-DR-A-20-400 P01  
Living Wall Study ZZ-XX-DR-A-20-401 P03  
Proposed – Rackham’s Lower Ground Floor ZZ-00-DR-A-20-101 P23  
Proposed – Rackham’s Ground Floor ZZ-01-DR-A-20-101 P23  
Proposed – Rackham’s First Floor ZZ-02-DR-A-20-101 P21  
Proposed – Rackham’s Second Floor ZZ-03-DR-A-20-101 P20  
Proposed – Rackham’s Third Floor ZZ-04-DR-A-20-101 P15  
Proposed – Rackham’s Plant Level ZZ-05-DR-A-20-101 P16  
Proposed – Rackham’s Roof Level ZZ-06-DR-A-20-101 P10  
Proposed - Sections ZZ-XX-DR-A-20-201 P03  
Proposed Elevations ZZ-XX-DR-A-20-301 P09  
Proposed - North & South Elevations ZZ-XX-DR-A-20-302 P06  
Proposed - East & West Elevations ZZ-XX-DR-A-20-303 P06  
Facade Study - South ZZ-XX-DR-A-20-351 P04  
Facade Study - North ZZ-XX-DR-A-20-352 P04  
Facade Study - East ZZ-XX-DR-A-20-353 P0  
Facade Study - West ZZ-XX-DR-A-20-354 P03  
Refuse Store ZZ-XX-SK-A-20-001 P02  
WC Calculations ZZ-XX-SK-A-20-002 P02  
Cycle, shower and locker provision ZZ-XX-SK-A-20-003 P04  
Potential area for photovoltaics ZZ-XX-SK-A-20-006 P03  
Elevations / Roof - Solid vs Open ZZ-XX-SK-A-20-010 P04  
Visual - New Stamford Road A ZZ-XX-DR-A-VR-001 P02  
Visual - New Stamford Road B ZZ-XX-DR-A-VR-002 P03  
Visual - Stamford Square ZZ-XX-DR-A-VR-003 P02  
Visual - Stamford Square Entrance ZZ-XX-DR-A-VR-004 P02  
Visual - New Stamford Road ZZ-XX-DR-A-VR-005 P03

Planting Schedule Stage 3 2422-EX-001-01 02  
Clearance Plan 2422-PLA-GF-XX-DR-L-0001 P02  
Landscape General Arrangement 2422-PLA-GF-XX-DR-L-1000 P02  
Hardworks Plan 2422-PLA-GF-XX-DR-L-1001 P02  
Kerbs & Edges Plan 2422-PLA-GF-XX-DR-L-1002 P02  
Levels Plan 2422-PLA-GF-XX-DR-L-1003 P02  
Site Sections 2422-PLA-GF-XX-DR-L-2000 P02  
Softworks Plan 2422-PLA-GF-XX-DR-L-3000 P02  
Furniture Plan 2422-PLA-GF-XX-DR-L-4000 P02  
Clearance Plan 2422-PLA-LGF-XX-DR-L-0001 P02  
Landscape General Arrangement 2422-PLA-LGF-XX-DR-L-1000 P02

Hardworks Plan 2422-PLA-LGF-XX-DR-L-1001 P02  
Kerbs & Edges Plan 2422-PLA-LGF-XX-DR-L-1002 P02  
Levels Plan 2422-PLA-LGF-XX-DR-L-1003 P02  
Site Sections 2422-PLA-LGF-XX-DR-L-2000 P02  
Softworks Plan 2422-PLA-LGF-XX-DR-L-3000 P02  
Furniture Plan 2422-PLA-LGF-XX-DR-L-4000 P02  
Landscape General Arrangement 2422-PLA-XX-XX-DR-L-1004 P02  
Hardworks Details 2422-PLA-XX-XX-DR-L-5000 P02  
Softworks Details 2422-PLA-XX-XX-DR-L-6000- P02

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

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

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

4. No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the building (including sections and details at 1:20) has first been submitted to and approved in writing by the local planning authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:

- (i) Location of materials and green walls
- (ii) All fenestration details including projections and recesses
- (iii) All entrances into the buildings including gates
- (iv) Elevation details of lift overruns and plant enclosure
- (v) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building
- (vi) The siting of any external façade structures such as meter boxes
- (vii) Any external balustrades / walls around terraces
- (viii) A drawing detailing how the ramp from Stamford new Road to Stamford Square would relate to the proposed elevations and corner design of the building

Development shall proceed in accordance with the approved detailed façade schedule.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policies L7 and R1 and the National Planning Policy Framework

5. The units hereby approved shall be used as Class E(a) (shops), Class E(b) (restaurants and cafes) and Class E(c) (financial and professional) as per the approved floorplans and floorspace schedules and for no other purpose, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) , or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In the interests of the vitality and viability of the town centre and to ensure that the local planning authority can apply an appropriate level of control over the future use of the units, having regard to Policies W2 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 have been submitted to and approved in writing by the Local Planning Authority. The details shall include a full specification for the installation of:-
- Green walls - to include manufacturer, installation details and species and density of planting;
  - Trees planted at podium level – to include species and size of trees, details of containers (method of fixing to the floor, drainage) guying details of trees
  - Pavement trees – to include species and size of tree, details of the raft system including manufacturer, area, soil rooting volume and a plan showing the location of the tree pits and raft system, overlaid with utility drawings to demonstrate that they can be successful installed
  - Details of all other areas of hard surfaced and soft landscaping including materials, any fixed seating, tables and planters, planting plans, specifications and schedules (including planting size, species and numbers/densities)

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 a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the site is satisfactorily landscaped having regard to its design, 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. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading and unloading of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

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

9. The development hereby approved shall not be occupied / brought into use unless and until a Travel Plan, which should include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

10. No development shall take place, including any works of demolition, until a scheme for the relocation of any accessible car parking spaces or parent and child parking spaces to be lost as a result of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The relocated accessible and parent and child parking spaces shall be appropriately located close to pedestrian access links, correctly sized, accessible, and visible. The relocated spaces shall be implemented in

accordance with the approved details before the existing accessible and parent and child spaces to be lost as a result of this development are removed from public use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory accessible parking and parent and child parking provision is retained, 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.

11. Notwithstanding the details shown on the approved plans the development hereby permitted shall not be brought into use until details of the proposed secure cycle parking and storage for the development has 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 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.

12. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition/construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours and location of proposed deliveries to site
- iii. loading and unloading of plant and materials including times of access/egress
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoardings including decorative displays and information for members of the public, including contact details of the site manager
- vi. wheel washing facilities and any other relevant measures for keeping the highway clean
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. proposed days and hours of demolition and construction activity (in accordance with Trafford Councils recommended hours of operation for construction works)
- ix. measures to control the emission of dust and dirt

- x. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- xi. 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

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 Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

13. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within sections 3.3 of the submitted Crime Impact Statement Version B: 17/09/21 Reference: 2019/0387/CIS/02 and the physical security specifications set out in section 4 of that document. Prior to the development being brought into use, a verification report shall be submitted to and approved in writing by the Local Planning Authority which shall confirm that the above recommendations of the Crime Impact Statement have been implemented in full. Thereafter, the development shall be maintained in accordance with the approved details for the lifetime of the development.

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

14. Prior to any above ground construction work first taking place, a scheme detailing the Biodiversity Enhancement Measures proposed on the site, which shall include bat and bird boxes / bricks, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and retained thereafter.

Reason: In order to enhance the biodiversity of the site and to mitigate any potential loss of habitat having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

15. No clearance of trees and 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 clearance 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.

16. The development hereby approved shall not be occupied unless and until a Waste Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how the refuse and recycling bins shall be made available for collection on bin day and then how they will be returned to their approved storage area thereafter. The approved strategy shall be implemented for the lifetime of the development.

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

17. The development hereby approved shall not be occupied unless and until details of energy efficiency measures and any low/zero carbon technologies incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate how carbon emissions of at least 15 per cent below the Building Regulations Target Emissions Rate have been achieved. The approved measures shall be implemented in full.

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.

18. The noise rating level (LAeq,T) from any fixed mechanical or electrical plant and equipment, when operating simultaneously, shall not at any time exceed the LA90, T background noise level without such plant operating, when measured at the nearest noise sensitive premises. Noise measurements and assessments shall be carried out in accordance with BS 4142:2014+A1:2019 (or the prevailing guidance of the time).

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

19. Servicing, deliveries or refuse collections to the development hereby approved shall not take place outside the hours of 07:00 and 21:00 hours on Mondays to Saturdays (including Bank Holidays). Deliveries only may take place on a Sunday between the hours of 08:00 and 16:00.

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

20. The lighting provided in the scheme should be erected and directed so as to avoid nuisance to sensitive premises in close proximity, in accordance with the guidance contained in the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2020.

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

21. Notwithstanding any details shown on the approved plans, before the uses hereby permitted first take place, a scheme showing details of the means of extraction and filtration of cooking odours including details of the finish of any external flue(s), manufacturer's operating instructions and a programme of equipment servicing/maintenance to mitigate odour and noise impacts, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full before the use hereby permitted first takes place and shall remain operational thereafter.

Reason: In order to ensure the efficient dispersal of cooking odours from the premises in the interests of amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to character and appearance of the host building and the surrounding area having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

22. A Noise Management Plan (NMP) for the external areas forming part of this application (including public realm and external areas forming part of commercial premises), shall be submitted to and approved in writing by the Local Planning Authority at least 6 weeks prior to any of the external areas associated with this development being brought into use in order to address potential noise impacts. The NMP shall include as a minimum, written details of the following information;

- i. Organisational responsibility for noise control;
- ii. Hours of operation and scope of entertainment provision
- iii. Imposed planning conditions controlling noise/disturbance;
- iv. Physical and managerial noise controls processes and procedures;
- v. Music noise level controls including music noise limiter settings and any external noise limits;
- vi. Details of how compliance with control limits is achieved and procedure to address non-compliance;
- vii. Details of review of NMP;
- viii. Details of community liaison and complaints logging and investigation

The approved development shall be carried out in full accordance with the approved NMP (or any subsequent NMP that is approved in writing by the Local Planning Authority) thereafter.

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

23. The premises forming the commercial element shall not be open for trade or business outside the hours of 0800 and 2400 hours on any day.

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

24. The flexible events spaces in the Stamford Square/George Street area shall not operate as an events space outside the hours of: 08:00 - 18:00 (Monday - Wednesday); 08:00 - 19:00 (Thursday - Saturday); and 10:00 - 16:00 (Sundays).

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

25. No amplified music or other forms of amplified entertainment shall be permitted to any external part of the commercial premises.

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

26.

No development shall take place until an updated acoustic assessment to include full details of the proposed noise mitigation measures/plant and equipment proposed to demonstrate compliance with the noise criteria identified in the Noise Impact Assessment Report by Hann Tucker Associates ref. 28779/NIA1 dated 7<sup>th</sup> September 2021 has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved updated report.

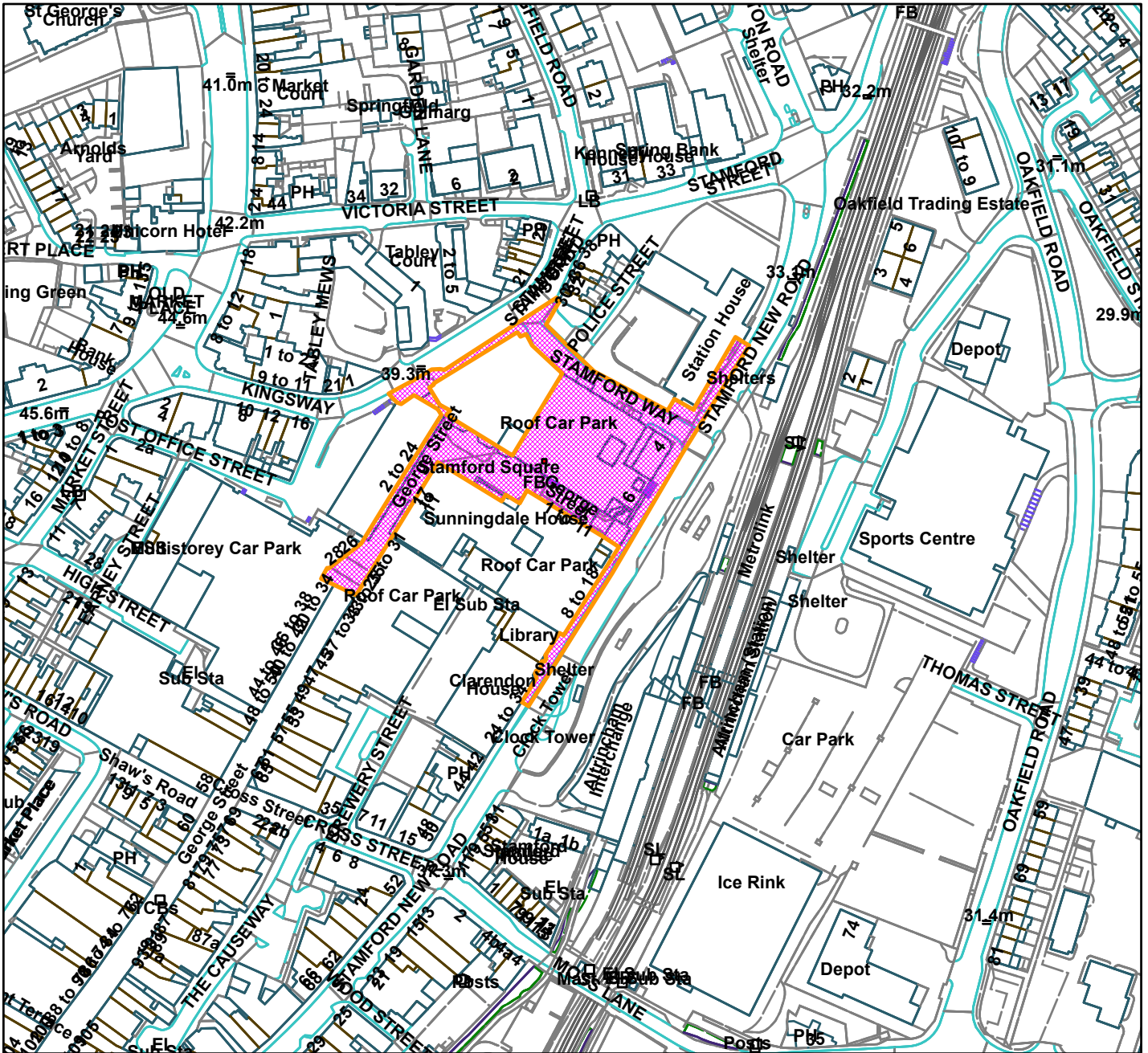
Reason: In the interest of amenity and in compliance with Policy L7 and of the Trafford Core Strategy and the National Planning Policy Framework.

---

JJ



Former Rackhams Department Store And Bentleys Fish And Chip Shop, 2 George Street, Altrincham (site hatched on plan)



Scale: 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

**WARD:** St Marys

**106581/FUL/21**

**DEPARTURE: No**

**Installation of 2 air source heat pumps.**

Woodheys Primary School, Meadway, Sale, M33 4PG

**APPLICANT:** Miss Fisher, Schools Capital Project Manager

**AGENT:** Amey Consulting

**RECOMMENDATION: GRANT**

---

**SITE**

The site relates to Woodheys Primary School, located on the eastern side of Meadway, Sale, in a predominately residential area. The site is predominately single storey with low level blue railings along the front of the site and landscaping along the north, south and western boundaries of the site.

Hardstanding is located to the rear of the site consisting of a playground with astroturf and field located further west. Bungalow properties located on Willow Drive north of the site, share a rear boundary with the northern boundary of the site.

**PROPOSAL**

Two air source heat pumps are proposed adjacent to the western elevation of the school at the north-west corner of the building.

The heat pumps would be located within an external timber noise protection enclosure measuring 1.8m in height, 1.8m in width and 1m in depth.

There would be no increase in floor space.

**DEVELOPMENT PLAN**

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

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



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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L5 – Climate Change

L7 – Design

## **PROPOSALS MAP NOTATION**

None

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

None

## **PLACES FOR EVERYONE (PfE) (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)**

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and submission of the Plan for Examination in Public is expected to be early 2022. PfE is now at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE 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 National Planning Policy Framework (NPPF) on 20 July 2021. 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 it is regularly updated with the most recent amendments made in October 2021. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

104797 - Installation of solar panels to the roof of the main building. – Pending consideration.

All other history relates to school facilities and is not relevant to this application.

## **APPLICANT'S SUBMISSION**

Noise assessment  
Air Source Heat Pump specification  
Existing and Proposed plans and elevations

## **CONSULTATIONS**

**Nuisance** – No objections subject to conditions

## **REPRESENTATIONS**

The neighbour notification period expires on 13/01/2022 and any further representations received will be reported on the Additional Information Report.

6 representations received to date, objecting to the scheme, with comments summarised below:

- The air source heat pumps would not be sufficient enough to heat the size of the building they serve.
- The proposed level of noise is unacceptable and will cause disturbance at night.
- The air source heat pumps would be in close proximity to residential properties.
- The submission of a noise impact assessment implies an unacceptable level of noise output
- Should the site revert fully back to the Council in some future change of education policy, who will pick up the bill for what may be a costly error?
- The acoustic report suggests the sound level is based on one air source heat pump rather than two, and therefore on this basis the acoustic protection would be considered inadequate.
- The report on the noise created cannot guarantee that the noise level will fall within an acceptable level, stating “normal operation of the units is not expected to give rise to such characteristics but where present these will be addressed on installation.” As such, it appears the units do have the capacity to create greater noise levels than quoted.
- The pumps identified will not necessarily be the same specification as those installed so there is no way of knowing what the actual noise levels will be.
- Ground source heat pumps would be more efficient.
- Objections will be forwarded to the MP.

## **OBSERVATIONS**

1. 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. 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.

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 2021 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. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, 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.
5. Policies relating to climate change, visual amenity and the protection of residential amenity are considered most important in the determination of this planning application. These are Policies L5 and L7 of the Core Strategy.
6. Policy L5 of the Core Strategy is generally not consistent with the NPPF in respect of climate change and is considered out of date in part. Policy L7 of the Core Strategy is considered to be up to date. Taken collectively, the policies most important in determining this application are considered to be out of date and so permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
7. Paragraph 154 of the NPPF states: "When determining planning applications for renewable and low carbon development, local planning authorities should:
  - a. not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b. approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

8. Although it can be given less weight, Policy L5 of the Core Strategy states 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.”
9. The principle of installing air source heat pumps at the site is therefore considered acceptable with regard to NPPF guidance and Policy L5 of the Core Strategy. This is subject to appropriate impact on visual and residential amenity.

## DESIGN

10. Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable 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 134 states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...”
11. 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.
12. The proposed air source heat pumps would be located within an external timber noise protection enclosure measuring 1.8m in height, 1.8m in width and 1m in depth, covering an area of 2sqm, located adjacent to the north western corner of the school building facing the rear boundary.
13. The proposed air source heat pumps would be sited a minimum 15m distance from No 5 Willow Drive, and a minimum 20m distance from the corner with No 7 Meadway. Given the proposed siting and the minor scale of the proposal, the development would not be visible within the street scene and it is considered that it would be acceptable in terms of design and visual amenity, subject to a condition requiring more precise details of the design of the enclosure.
14. The proposal is therefore considered to be in accordance with Policy L7 of the Core Strategy and NPPF guidance in terms of design.

## IMPACT ON RESIDENTIAL AMENITY

15. 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”.
16. The massing of the air source heat pumps would be minimal and would not be expected to introduce visual intrusion or loss of light to residents.
17. The applicant has submitted a noise impact assessment, which has modelled the noise impacts on the closest residential properties and concludes that the proposed plant / equipment is not likely to result in adverse noise impacts on the proviso that suitable mitigation is provided in the form of the proposed acoustic enclosure. On this basis, the Council’s Environmental Protection (Nuisance) consultee has raised no objections subject to the scheme (including the noise mitigation measures) being implemented as set out within the noise impact assessment. The Nuisance section has also requested a condition requiring a construction management plan in relation to hours of work, measures to control the emission of dust and dirt during construction and no open fires. However, given the nature of the development, it is considered that this is not necessary in this case.
18. It is noted that concerns have been raised within the representations regarding the noise assessment and the calculations undertaken. The noise consultant has confirmed that the noise assessment was based on two air source heat pumps, and that the calculations contained within the report are correct. The noise consultant states that *‘The noise limit is set at 28dB at night at the nearest noise sensitive receptors and according to our calculations with the inclusion of the Barriers designed (section 4.3); the closest resident should experience below 23dB at night; so fairly below the limits set.’*
19. It is therefore considered that the proposed development would not have any unacceptable noise impacts on the occupiers of nearby residential properties, subject to conditions requiring that the development is implemented in accordance with the submitted noise impact assessment and that the mitigation measures are retained thereafter.
20. As such, it is considered that the proposal would be acceptable in residential amenity terms with regard to Policy L7 of the Core Strategy and relevant NPPF guidance.

## **DEVELOPER CONTRIBUTIONS**

21. The proposal would not result in any increase in floor area and therefore no CIL contributions are required.

22. No other planning obligations are required.

### **PLANNING BALANCE AND CONCLUSION**

23. The installation of air source heat pumps at the site is considered acceptable in principle with regard to Policy L5 of the Core Strategy and NPPF guidance. The proposed development would also be acceptable in terms of design and impact on residential amenity, subject to appropriate conditions. As such, the proposed development would comply with Policy L7 of the Core Strategy and relevant NPPF guidance and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when weighed against the NPPF as a whole. It is therefore recommended that permission be granted subject to conditions.

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing numbers CO00201404\_09\_100 Rev P01, received by the local planning authority on 14<sup>th</sup> December 2021 and CO00201404\_09 Rev P90, received by the local planning authority on 30<sup>th</sup> November 2021, and the details and mitigation measures (including an acoustic barrier) set out in the submitted Plant Noise Assessment (Project number: 60666773 – November 2021), received by the local planning authority on 30<sup>th</sup> November 2021, and these details and mitigation measures (including the acoustic barrier) shall be retained thereafter.

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 not take place unless and until details of the design, materials and colour of the acoustic enclosure hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

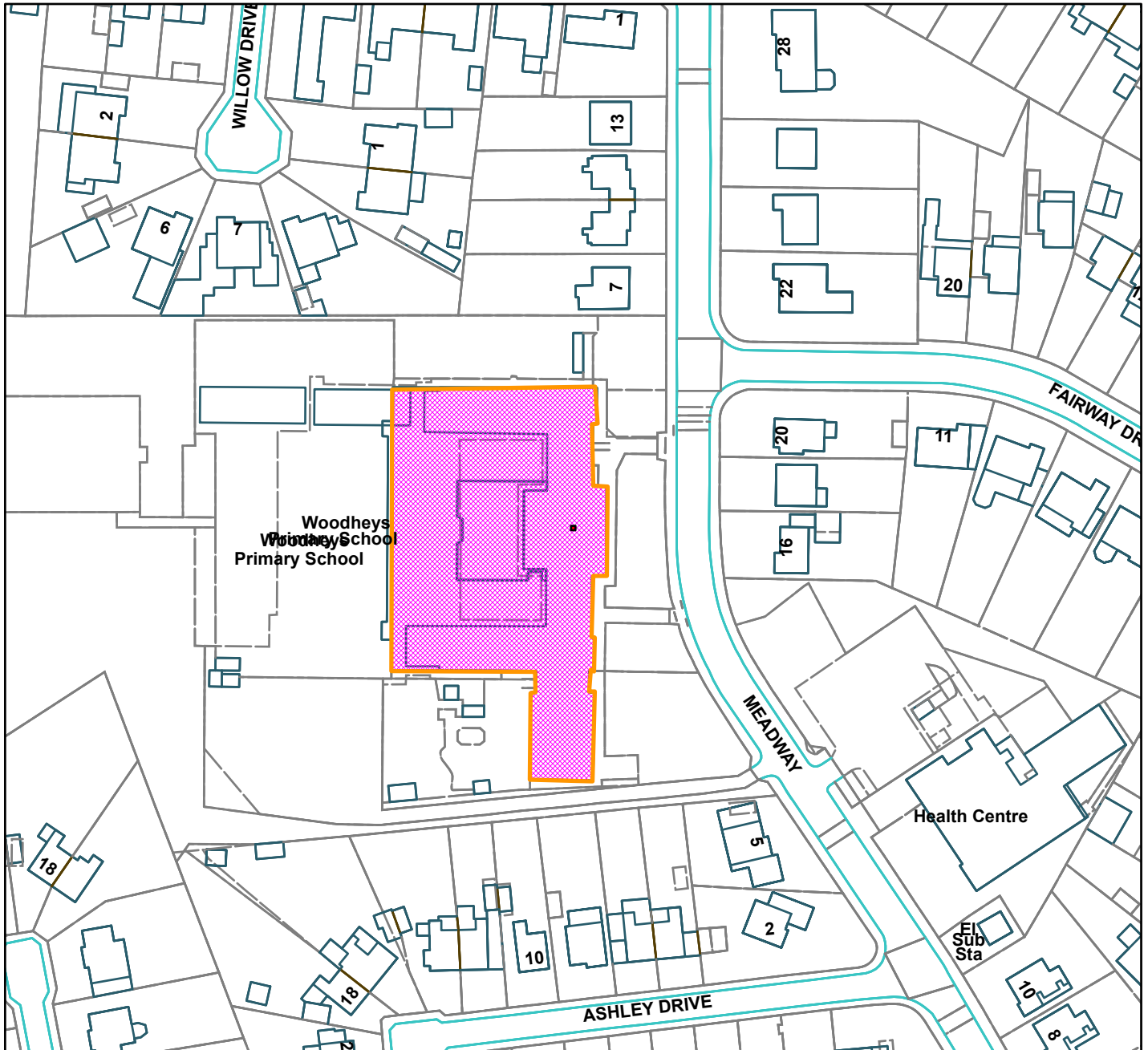
Reason: In the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy and guidance in the National Planning Policy Framework.

---

RGR



Woodheys Primary School Meadway Sale (site hatched on plan)



**Scale:** 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 20/01/2022
Date	10/01/2022
MSA Number	100023172 (2012)

This page is intentionally left blank