



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

Date: Thursday, 9 June 2022

Time: 6.30 pm

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

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

<https://www.youtube.com/channel/UCjwb1OW5x0NSe38sgFU8bKg>

AGENDA	ITEM
1. ATTENDANCES	
To note attendances, including Officers and any apologies for absence.	
2. MEMBERSHIP OF THE COMMITTEE	
To note the Membership, including Chair, Vice-Chair and Opposition Spokesperson, of the Planning and Development Management Committee for the Municipal Year 2022/2023, as agreed by Council on 25 th May, 2022.	2
3. APPOINTMENT OF SUB-COMMITTEE	
The Committee is asked to appoint the Town/Village Green Sub-Committee comprising the Chair, Vice-Chair and Opposition Spokesperson or their nominees for the Municipal Year 2022/2023.	
4. TERMS OF REFERENCE	
To note the Terms of Reference for the Planning and Development Management Committee.	4

5. MEETING DATES

To note the following scheduled meeting dates for the Committee during the 2022/2023 Municipal Year, as agreed by Council on 25th May, 2022.

9th June, 2022

14th July, 2022

11th August, 2022

8th September, 2022

13th October, 2022

10th November, 2022

8th December, 2022

19th January, 2023

9th February, 2023

9th March, 2023

13th April, 2023

11th May, 2023

6. DECLARATIONS OF INTEREST

Members to give notice of any Personal or Prejudicial Interest and the nature of that Interest relating to any item on the Agenda in accordance with the adopted Code of Conduct.

7. MINUTES

To receive and, if so determined, to approve as a correct record the Minutes of the meetings held on 12th and 23rd May, 2022.

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8. QUESTIONS FROM MEMBERS OF THE PUBLIC

A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4pm two working days prior to the meeting. Questions must be within the remit of the Committee or be relevant to items appearing on the agenda and will be submitted in the order in which they were received.

9. ADDITIONAL INFORMATION REPORT

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

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

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

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Applications for Planning Permission	
Application	Site Address/Location of Development
103616	Westwood Foodstores, Warburton Lane, Partington
105654	Former Cartwright Group Site, Atlantic Street, Altrincham, WA14 5EW
105786	Pelican Inn And Hotel, 350 Manchester Road, Altrincham, WA14 5NH
107207	154 Broadway, Davyhulme, M41 7NN

11. **MEMBER UPDATE: APPEAL BY ACRE MANCHESTER LTD AT CITY POINT, 701 CHESTER ROAD AND 2 HORNBY ROAD, STRETFORD, M32 0RW**

To consider the attached report of the Head of Planning and Development.

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

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

SARA TODD

Chief Executive

Membership of the Committee

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

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

This agenda was issued on **30th May, 2022** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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Agenda Item 2

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2022/23

Note on Membership: It is advisable that the number of members serving on both the Planning & Development Management and Licensing Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

COMMITTEE		NO. OF MEMBERS	
PLANNING AND DEVELOPMENT MANAGEMENT		13 (plus 7 Substitutes)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRATS GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Akilah Akinola Louise Dagnall Ben Hartley CH Waseem Hassan Shirley Procter Simon Thomas Laurence Walsh Barry Winstanley V-CH	Dan Bunting Daniel Chalkin OS Dave Morgan	Meena Minnis	Michael Whelton
TOTAL	8	3	1
		1	1

Substitute Members:

Shona Gilbert

Michael Whetton

Jane Brophy

Geraldine
Coggins

Sue Maitland
Tony O'Brien
Kevin Procter

(4)

(1)

(1)

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Terms of Reference

1. To exercise powers in relation to planning and development management over development proposals in the Borough in the context of Government and Council policies and guidance in order to maintain and improve the quality of life and the natural and built environment of the Borough.
2. To exercise powers in relation to the following functions as specified in schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended:
 - (i) town and country planning;
 - (ii) the protection and registration of common land or town and village greens and to register the variation of rights of common; and
 - (iii) the exercise of powers relating to the regulation of the use of highways.
3. To exercise powers under Section 101 of the Local Government Act 1972 in respect of the discharge of functions under the Planning Acts to any other local authority.

Delegation

In exercising the power and duties assigned to them in their terms of reference, the Planning and Development Management Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

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Agenda Item 7

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

12th MAY, 2022

PRESENT:

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

In attendance: Head of Planning and Development (Ms. R. Coley),
Planning and Development Manager (West) (Mr. S. Day),
Planning and Development Manager (East) (Ms. H. Milner),
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),
Solicitor (Planning and Environment) (Ms. J. Cobern),
Governance Officer (Miss M. Cody).

Also present: Councillors Boyes, Whetton and Mrs. Young.

APOLOGY

An apology for absence was received from Councillor Williams.

91. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

92. MINUTES

RESOLVED: That the Minutes of the meeting held on 14th April, 2022, be approved as a correct record and signed by the Chair.

93. QUESTIONS FROM MEMBERS OF THE PUBLIC

A question was submitted by Mr. Ning of Churton Avenue, Sale as follows:-

“Statement of concern that the planning process fails to monitor applicant compliance. Planning performance was last published in September 2013. Recent restructuring of the Planning Compliance Team and increased levels of commercial and personal property development suggests a policy of self validation and self compliance including required inspection of building work.

There is a request for an update of planning performance including Permitted Developments, Appeals and Variations.

There is a request for a 'call in' of 103760-HHA-21 and related 107572-VAR-22 as an example of poor self validation and self compliance.

The impact on Churton Avenue residents and Selsey Avenue Playing Fields locality would be of interest to local press and the wider Trafford community”.

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Prior to the response being given the Head of Planning and Development advised the Committee that the call-in request had been directed back to Mr. Ning to go through Ward Councillors as is appropriate and was advised of the correct procedure, in respect of the other application Mr. Ning was informed that this cannot be called-in as it has already been determined. The response to the question is as follows:-

Trafford Council recognises the value of a professional, proactive and well-resourced planning enforcement function and we have recently restructured the Planning Service to increase our specialist capacity in this area. There is more development taking place in the Borough, but this is reflected in increased numbers of planning applications being submitted.

The Council typically receives around 400 planning enforcement complaints per year which require investigation. A large proportion of these complaints relate to house extensions and allegations of non-compliance with approved plans or exceedance of permitted development tolerances. In many of these cases we find that there is either no breach of planning control, or that the unauthorised development can be regularised through an application for an amendment, variation or retrospective permission.

The number of complaints we receive indicate that residents are vigilant in monitoring development in their neighbourhoods and that they are not afraid to report their concerns to the Council. A programme of proactive monitoring or verification of compliance with householder planning applications would require significant additional resources, but is unlikely to be any more effective in identifying non-compliance than monitoring by residents. Unlike Building Control, there is no statutory inspection regime for planning. It is ultimately a home owner's responsibility to ensure that they comply with planning legislation when extending their home. There is also no requirement for a home owner to notify the Planning Service if they are carrying out works, including extensions, which do not require planning permission, unless those works specifically fall under the prior approval regime.

The service have identified areas where a more proactive approach can be taken by officers, including monitoring of new housing developments, advertisement control and untidy or derelict sites. We will shortly be advertising for a new Enforcement Officer to increase our capacity and capability for delivering these proactive interventions.

In respect of planning performance, a range of data is published quarterly and annually for all local planning authorities, including Trafford, by the Government. The most recent return is for Q1–Q3 2021–22 i.e. between 1 April 2021 and 31 December 2022. The data for Q4 is still being validated. The Government monitors local authority planning performance and can put an authority in 'special measures' if it is not performing adequately.

In Q1– Q3 2021–22 100% of major applications were determined within 13 weeks or an agreed extension of time, 85.7% of minor applications and 79.8% of other applications (mainly householders) were determined within 8 weeks or an agreed extension of time.

In respect of appeals, 50 appeals were determined by the Planning Inspectorate in 2021

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– 22, of which 34 (68%) were dismissed. Only one of the seven appeals determined so far in 2022–23 has been allowed.

Specific data for permitted development and variation applications is not collected by Government as it is not a reflection on a local authority's performance. However, between 1 April 2021 and 31 March 2022, 132 applications for householder prior approval were submitted (where a scheme is permitted development subject to conditions being satisfied and approved by the planning authority), and 283 certificates of lawful development were submitted (to confirm that planning permission is not required). 74 variation of condition applications were submitted, of which 20 were for householder development.

94. 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.

95. 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>
106557/FUL/21 – 10 Mallard Green, Altrincham.	Erection of a two storey dwelling with associated garages.

96. APPLICATION FOR PLANNING PERMISSION 103905/HHA/21 – 24 BONVILLE CHASE, ALTRINCHAM

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of a two storey front, part single storey part two storey side, and a single storey rear extension with the creation of a roof terrace to the rear. External alterations to include new windows and alterations to the rear roof shape.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

It was then moved and seconded that the condition(s) be amended to include measures to protect the oak tree on the boundary with number 22 Bonville Chase.

The motion was put to the vote and declared carried.

It was further moved and seconded that planning permission be granted with the amended condition(s) to include measures to protect the oak tree and the specific

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wording of the condition(s) be delegated to the Head of Planning and Development.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted subject to the conditions now determined with the following amendments to Conditions 7 and 8:-

- (7) No development shall take place unless and until an amended Arboricultural Impact Assessment and Method Statement, which seeks to ensure the retention of tree T1 (as identified in the submitted Arboricultural Impact Assessment and Method Statement, 22/AIA/TRAFF/26 - January 2022), has been submitted to and approved in writing by the Local Planning Authority. The amended Arboricultural Method Statement shall include a survey of the location of the roots of tree T1 in the vicinity of the proposed development and technical solutions to protect the tree including, where necessary, a modified foundation design of the proposed structure within the RPA of tree T1. The development shall be implemented in accordance with the amended Arboricultural Impact Assessment and Method Statement.

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 Method Statement is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

- (8) (i) No development or works of site preparation shall take place unless and until an amended Tree Protection Plan, which seeks to protect the retained tree T1 (as identified in the submitted Arboricultural Impact Assessment and Method Statement, 22/AIA/TRAFF/26 - January 2022), has been submitted to and approved in writing by the Local Planning Authority.

(ii) 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 the approved amended Tree Protection Plan and 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.

97. APPLICATION FOR PLANNING PERMISSION 105482/HHA/21 – 5 KNOWSLEY AVENUE, DAVYHULME

The Head of Planning and Development submitted a report concerning an application for planning permission for the erection of single storey rear extension and new rear dormer to accommodate loft conversion.

It was moved and seconded that planning permission be granted.

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The motion was put to the vote and declared carried.

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

- (1) The development must be begun not later than three years beginning with the date of this permission.
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01150 rev. A, 01250 rev. A, 01350 rev. A, 01351 rev. A and 01000.
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.

98. APPLICATION FOR PLANNING PERMISSION 105708/FUL/21 – INGLEWOOD HOUSE, HALL LANE, PARTINGTON

The Head of Planning and Development submitted a report concerning an application for planning permission for the Change of Use of part of the building from C3(a) to E(f) Use to form a Montessori school (day nursery) with associated parking, maintaining a self-contained residential dwelling, along with a single storey extension following demolition of existing outbuilding.

RESOLVED: That planning permission be granted subject to the conditions now determined with the removal of Condition 9 (relating to restrictions on outdoor play) and an additional condition as follows:-

12. The application building shall not be brought into use as a Montessori School / day nursery unless and until a scheme to provide lift or stair lift access to the first floor of the building has been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The approved scheme / approved measures shall be retained thereafter.
Reason: To ensure that the building is fully accessible / useable by all sections of the community, having regard to Policy L7 of the Trafford Core Strategy and guidance in the NPPF.

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99. APPLICATION FOR PLANNING PERMISSION 105975/FUL/21 – 11-13 RAGLAN ROAD, SALE

The Head of Planning and Development submitted a report concerning an application for planning permission for the redevelopment of existing residential accommodation, including demolition of existing extensions, internal reconfigurations, replacement extensions and separate new build element to create a combined total of 20 no. apartments and external works to facilitate the use.

It was moved and seconded that planning permission be refused.

The motion was put to the vote and declared lost.

It was then moved and seconded that planning permission be granted subject to an additional negatively worded condition to submit a scheme to provide ramped access to the existing building.

The motion was put to the vote and declared carried.

RESOLVED: That planning permission be granted subject to the conditions now determined and to the following additional condition:-

25. The development hereby approved shall not be occupied unless and until a scheme for the provision of a ramped access into the existing building (Raglan House) has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme and be retained thereafter.

Reason: In the interests of working towards providing access for all, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

[Note: Due to the time restrictions on the meeting, the Committee agreed that a reconvened meeting would be held on Monday 23rd May, 2022 at 6.00pm, where consideration of the remaining items 107033/HHA/22, 107309/FUL/22, 107614/FUL/22 and Agenda Item 7 (Proposed Part Stopping Up of Highway Elsinore Road, Stretford) would take place].

The meeting commenced at 6.34 pm and concluded at 9.38 pm.

RECONVENED PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

23rd MAY, 2022

PRESENT:

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

In attendance: Head of Planning and Development (Ms. R. Coley),
Planning and Development Manager (West) (Mr. S. Day),
Planning and Development Manager (East) (Ms. H. Milner),
Principal Highways & Traffic Engineer (Amey) (Mr. G. Evenson),
Solicitor (Planning and Environment) (Ms. J. Cobern),
Governance Officer (Miss M. Cody).

Also present: Councillor Mrs. Young.

APOLOGIES

Apologies for absence were received from Councillors Akinola, Bunting and Winstanley.

100. 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>
107033/HHA/22 – 40 Byrom Street, Altrincham.	Erection of single storey rear extensions.
107309/FUL/22 – Firs Primary School, Firs Road, Sale.	Application for the installation of a new canopy and five air conditioning units.
107614/FUL/22 – Moorlands Junior School, Temple Road, Sale.	Installation of a temporary classroom block for additional classroom space.

101. PROPOSED PART STOPPING UP OF HIGHWAY ELSINORE ROAD, STRETFORD

A report was submitted advising Members of an Application made to the Secretary of State for Transport under S247 of the Town and Country Planning Act 1990 to stop up an area of highway in Stretford to enable development to be carried out in accordance with planning permission granted under reference number 100270/FUL/20.

RESOLVED: That no objection be raised to the Application.

The meeting commenced at 6.00 pm and concluded at 6.45 pm.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 9th JUNE 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 – 9th JUNE 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

Applications for Planning Permission				
Application	Site Address/Location of Development	Ward	Page	Recommendation
<u>103616</u>	Westwood Foodstores Warburton Lane, Partington	Bucklow St Martins	1	Grant
<u>105654</u>	Former Cartwright Group Site , Atlantic Street Altrincham, WA14 5EW	Broadheath	19	Grant
<u>105786</u>	Pelican Inn And Hotel 350 Manchester Road Altrincham, WA14 5NH	Broadheath	73	Refuse
<u>107207</u>	154 Broadway Davyhulme, M41 7NN	Davyhulme West	113	Grant

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

WARD: Bucklow St Martins **103616/OUT/21**

DEPARTURE: NO

Outline application for erection of 6 no. dwellinghouses with all matters reserved.

Westwood Foodstores, Warburton Lane, Partington

APPLICANT: Mr Peter Johnson, Heston Properties Ltd

AGENT: Mr Oliver Ludlam, S+O Design Associates Ltd

RECOMMENDATION: GRANT

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

SITE

This application relates to a parcel of land situated between Chapel Lane and Warburton Lane, Partington. The site is currently unused and covered by grass and shrubs with some mature vegetation to the site boundaries.

The application site is accessed from Warburton Lane with the vehicular access running alongside two businesses that are on land in the applicant's control; a car wash adjacent to Warburton Lane and a repair garage to its rear. The area is otherwise residential in nature.

PROPOSAL

Outline planning permission is sought for the erection of six dwellinghouses with all matters reserved.

The applicant has submitted an indicative site plan which shows six dwellings laid out as three pairs of semi-detached properties with access taken from Warburton Lane and parking provided to the front (west) of the proposed dwellings.

VALUE ADDED

The scheme has been amended with a reduction in the number of proposed dwellings from eight to six in order to protect residential amenity and visual amenity.

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

L1 – Land for New Homes
 L2 – Meeting Housing Needs
 L3 – Regeneration and Reducing Inequalities
 L4 – Sustainable Transport and Accessibility
 L5 – Climate Change
 L7 – Design

SUPPLEMENTARY PLANNING DOCUMENTS

SPD3 – Parking Standards and Design

POLICIES 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 was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is 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 April 2022. 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

APPLICANT'S SUBMISSION

Acoustic Report
Bat Survey

CONSULTATIONS

Environmental Health (Nuisance) – No objection subject to conditions.

Environmental Health (Contaminated Land) – No objection subject to conditions.

Local Highway Authority – No objection.

Greater Manchester Ecology Unit – No objection subject to conditions and informatives.

Design for Security – No objection. Recommendations provided.

LLFA – A condition is required in relation to a surface water drainage scheme.

United Utilities – No objection subject to drainage conditions.

Arboriculturist – A tree survey should be required

REPRESENTATIONS

Letters of objection have been received from five neighbouring properties in response to a neighbour consultation exercise. The following issues were raised:

- The land is contaminated with large amounts of commercial and household waste being buried.
- A neighbour's garden now floods with contaminated ground water.
- Any felling of trees and shrubs on the boundary would be objected to due to loss of privacy and loss of wildlife habitats.
- 8 houses on the plot would be an overdevelopment which would cause more noise and reduce privacy.

- The high apex of the roof could result in further windows and floors which would reduce privacy.
- There is a section beyond each house garden that is not specified use.
- Unclear whether there is suitable access for emergency services.
- The site is full of Japanese Knotweed which has spread to a neighbour's garden.
- The proposed houses would extend along the entire width of a back garden and harm views out from windows to the rear of the house.
- The plans have no measurements.
- Concerns about doctor, dentist, school and shop provision if new houses are built.
- Concerns about slow worms, bats, owls and herons.
- Neighbouring residents of bungalows will lose their privacy.
- A neighbour was told in 1981 that the area was full.

A letter of objection was also received from Partington Parish Council which raised the following concerns:

- An in depth report is required on boundary lines as the application will have a huge impact on residential properties that surround this plot.
- An in-depth report is required on the access road as it is not adequate and is extremely dangerous.
- More detail is required in relation to the properties that are planned as what is shown on the application is not in keeping with the surrounding area.
- An environmental report is required for the land.
- Clarity should be provided on what provisions have been made for the businesses that will be located at the entrance of the new development.

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. Paragraph 11 (d) states 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.

3. The Council does not have a five year supply of housing land. The LPA's most recently published 5 year housing land supply figures is 3.13 years. However, following a comprehensive review of sites and the findings of recent appeal decisions, it is considered that the current level of housing land supply stands at around 3.6 years. A full review of housing land supply will be carried out later in June 2022. There are no protective policies of relevance to the application and so the "tilted balance" of NPPF paragraph 11 is engaged. Permission should therefore be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

HOUSING SUPPLY

4. Policy L1 of the Core Strategy seeks to protect and promote cohesive, mixed and thriving communities, offering the right kind of homes in the right locations. The scale of housing provision and its distribution is designed to meet the needs of the existing community and to support the economic growth of the City Region.
5. Policy L1 states that "Within the overall supply of land made available for new development, the Council will seek to ensure that an adequate range of sites is made available across the Borough to allow a variety of types of housing, including accommodation that is affordable by all sectors of the local community, to be provided, subject to the capacity of the urban area and infrastructure to accommodate the development and the need to protect the environment..."
6. Policy L1.7 states: An indicative 80% target proportion of new housing provision to use brownfield land and buildings over the Plan period has been set. To achieve this, the Council will release previously developed land and sustainable urban area green-field land, in the following order of priority:
 - Firstly, land within the Regional Centre and Inner Areas;
 - Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in Policy L3 and/or strengthen and support Trafford's 4 town centres; and
 - Thirdly land that can be shown to be of benefit to the achievement of the wider Plan objectives set out in Chapters 4 and 5 of this Plan.
7. Policy L2 of the Core Strategy aims to secure an adequate mix of housing types and sizes to meet the needs of the community. It states that "All new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy."
8. Policy L2.2 states: All new development will be required to be:
 - a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents;
 - b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure (schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development;

- c) Not harmful to the character or amenity of the immediately surrounding area; and
 - d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.
9. Policy L2 contains further provisions which aim to secure an appropriate mix of dwelling types to meet the needs of the Borough's communities. This includes increasing the provision of family homes and the requirement for the specific justification of 1 bed general needs accommodation.
 10. It is recognised that Policy L1 of the Core Strategy is out of date and so it will be given limited weight in the planning balance.
 11. The proposal would result in six new residential properties on a site within the urban area and located to the south-west of Partington Local Centre and close to public transport links, local schools and other community facilities.
 12. It is understood that the wider site has historically been used as a vehicle repair garage. It is unclear from the site's planning history and a review of historic mapping whether the area proposed to be built on in this application has previously been developed. It is therefore assessed as being a greenfield site.
 13. The site is not in the Regional Centre or Inner Areas. Partington is a Priority Regeneration Area and the scheme broadly supports the aims of Policy L3 through the provision of family homes with a suitable amount of open amenity space. Nevertheless, the small scale of the development suggests that it cannot be regarded as contributing 'significantly' towards the achievement of these aims. The proposal is considered to be of benefit in achieving the wider Strategic and Place Objectives set out in chapters 4 and 5 of the Core Strategy. This is primarily due to the provision of housing suitable for families and the regeneration of a vacant or derelict site. The principle of developing a greenfield site is therefore considered acceptable in this instance.
 14. The proposal would make a contribution towards meeting housing needs within the Borough by the provision of six additional dwellings (L2.1). The proposed dwellings could be used for family housing (L2.4/L2.6). The development would also likely result in a small economic benefit during its construction phase.
 15. The scheme is considered to be broadly compliant with the aims of Policies L1 and L2 of the Core Strategy as well as relevant NPPF guidance.

DESIGN

16. The NPPF states, in paragraph 126, 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."

17. Policy L7 of the 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.

18. The Council's SPG1: New Residential Development is also relevant and makes the following points:

2.4 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.

10.1 Development should complement the characteristics of the surrounding area. Heights to eaves and to ridge are both important, as is the effect of the overall massing.

10.2 A building on an infill site that is taller than nearby properties may be over-dominant and out of place. It is therefore advisable to consider providing buildings of similar heights to those nearby. If a taller building is to be allowed it will normally need significantly more space around it than would a lower building for it to be properly assimilated in the area. On small infill sites in an area of regular development, any new development significantly higher or lower than the nearby properties is likely to be refused.

15.1 In order to achieve a good standard of development it is essential that external materials should be visually appropriate, of good quality, and sympathetic to the character of the area. Since no materials can be considered typical to the Trafford area as a whole, each case must be treated on its merits.

15.2 Good quality landscaping for the car parking, access and other hard landscaping elements can add considerably to the quality of a scheme and careful consideration should be given to this aspect.

19. The applicant has submitted an indicative site plan which demonstrates six dwellings laid out as three pairs of semi-detached properties. The wider area has

a range of densities with higher density housing along Erskine Road and Verbena Close to the south and lower density development along Warburton Lane and Chapel Lane to the east and west. It is considered that the indicative layout demonstrates that six dwellings can be accommodated at the site in a manner that would not be out of keeping with existing densities in the area. It would not represent the overdevelopment of the site.

20. The submitted site plan also demonstrates that some landscaping would be possible around the site's parking areas and alongside the indicated bike store. A relatively large amount of hardstanding is shown in the area to the front of the houses, although it is recognised that each property would have a reasonably sized front garden. Nevertheless, it is considered that an appropriate balance between landscaping and parking could be secured at reserved matters stage.
21. It is considered that the site is capable of accommodating six dwellings in a way that is appropriate in design terms and would not harm the visual amenity or character of the surrounding area. It is therefore considered that the proposal would comply with Policy L7 of the Core Strategy, SPG1 and relevant NPPF guidance in relation to design.

RESIDENTIAL AMENITY

22. The application site is neighboured by residential properties to the east, south and west. There are also commercial properties to the south west and a property in residential educational use immediately to the west, Fairfield House School. To the north is an undeveloped site where permission has previously been granted for residential development. That permission has since expired.

Chapel Lane Properties

23. The indicative site layout shows a separation distance of 10.5m between the proposed dwellings and the rear (east) site boundary, shared with properties fronting Chapel Lane. The closest residential property to the east is approximately 34m away. These interface distances are considered sufficient to avoid undue loss of light or overbearing impact in relation to these properties.
24. Balconies are indicated to the rear of the proposed dwellings which would face towards the neighbouring properties on Chapel Lane but these details would not be approved through this application. The separation distances to the garden space and dwellings of the Chapel Lane properties would be considered sufficient to avoid undue overlooking being introduced, subject to there being no second storey windows in the rear elevations. If the application sought approval for the indicative layout at this stage, it would be necessary to attach a condition to this effect. However, as all matters are reserved and the layout is not being approved in this application, it is considered that this is a matter that can be considered further at reserved matters stage.
25. There are no further amenity concerns associated with these properties.

Verbena Close Properties

26. There is a minor difference in ground levels between the application site and the Verbena Close properties with the application site gradually sloping upwards away from these properties.
27. The indicative site layout demonstrates a separation distance of 15m between the main rear elevations of the Verbena Close properties and the facing two storey side elevation of the nearest proposed dwelling, which would be positioned to the north and so would not cause overshadowing.
28. No. 6 Verbena Close, the end terrace, has a rear conservatory which would directly face the application site with a separation distance of 13.7m to the nearest proposed dwelling. Given this distance and the glazed nature of the conservatory which also allows outlook to the side across the garden of that property, it is considered that this relationship would not have an unacceptable impact on the amenity of that dwelling.
29. It is considered that, subject to details of the proposed floor levels and the detailed design of the properties, the indicative layout would not be expected to introduce undue harm to the amenity of the Verbena Close properties. It is recommended that a condition is attached requiring details of existing and proposed site levels and proposed finished floor levels.

Land to Rear of Orford House

30. This is the site immediately to the north of the application site. It currently appears as an undeveloped parcel of land that is distinct from the residential properties surrounding it i.e. it does not appear to form a residential garden.
31. Planning permission for the erection of three dwellings was granted on this land in 2014 under application H/71736. It is understood that works at the site, consisting of constructing foundations and footings, were carried out in 2020 but that these were halted once it was established that the 2014 permission had lapsed. There is therefore no extant permission at the site for residential development and the lawful use of that land is understood to remain as garden space associated with Orford House, 55 Warburton Lane.
32. The indicative site layout shows the closest dwelling as being approximately 1.5m away from the boundary with this adjacent site. Whilst this is relatively close for a two storey structure and it is noted that the development would be directly to the south of this land, it is recognised that the rear garden space of Orford House is large and that it was previously proposed that this land would be developed separately from the retained garden area. Any limited impact in terms of overbearing or overshadowing would be to a relatively small amount of garden space. Having regard to these factors, it is considered that the proposal as shown on the indicative plan would not have an unacceptable impact on the residential amenity of the residents of Orford House.

Fairfield House School

33. It is understood that this property is in a residential educational use. The space adjacent to its shared boundary with the application site is used as playing out/garden space. The indicative plan shows an 18m separation distance between the proposed dwellings and this shared boundary and 25m to the building at Fairfield. This is considered sufficient to avoid the introduction of undue visual intrusion, loss of light or overlooking and it is therefore considered that the proposal as shown on the indicative plan would not have an unacceptable impact on the residential amenity of this property.
34. It is therefore considered that the submission demonstrates that the application site is capable of accommodating six dwellings in a manner that would not result in an unacceptable impact on the amenity of the occupiers of neighbouring dwellings.

Amenity of Future Occupiers

35. The applicant has submitted an environmental survey which identified that traffic noise would be the dominant noise source with some commercial noise from the adjacent MOT garage and car wash businesses also contributing. The submitted survey identifies mitigation measures to ensure that habitable rooms would have an acceptable noise environment. A glazing and ventilation solution to windows in the front elevation is proposed. The Council's Nuisance consultee raises no objection to the application on these grounds subject to conditions requiring this solution is implemented and requiring a verification report.
36. The indicative site layout demonstrates three bedroom / four person dwellings with an internal floor space of 103.4m². This exceeds the nationally described space standard of 84m² for such dwellings. It is also noted that the internal floor space also exceeds the standard of 102m² for a three bedroom / six person dwelling over two storeys.
37. The Council's PG1: New Residential Development sets a guideline of 80m² as an acceptable amount of private garden space for a three-bedroom dwelling. Two of the properties are shown with 57m² of private garden space, three with 78m² and one with 129m². Having regard to the size of existing gardens within the wider vicinity of the application site, this is considered to be an acceptable level of provision and it is recognised that each dwelling would have access to a reasonable amount of rear garden space as well as additional front garden space. It is also recognised that the scheme is at outline stage and that the current layout is only indicative.
38. The indicative drawings show balconies to the rear of each dwelling. These are likely to result in overlooking of the adjacent areas of private garden space to the rear of the other proposed dwellings. Nevertheless, it is recognised that this is not a detail that would be approved at this stage and could therefore be fully assessed at reserved matters stage.
39. It is considered that the submission demonstrates that the application site is capable of accommodating six dwellings in a manner that would provide an acceptable level of amenity to future occupiers.

Amenity Conclusion

40. The proposal is considered to be in accordance with Policy L7 of the Core Strategy, PG1: New Residential Development and NPPF guidance with regard to residential amenity.

PARKING AND HIGHWAY SAFETY

41. Policy L4 of the Core Strategy states that maximum levels of car parking for broad classes of development will be used as part of a package of measures to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion.
42. Policy L7 of the Core Strategy states that, in relation to matters of functionality, development must:
 - Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
 - Provide sufficient off-street car and cycle parking, manoeuvring and operational space;
 - Provide sufficient manoeuvring and operational space for service vehicles, as appropriate
43. The application seeks outline approval with all matters, including access and layout, being reserved. Nevertheless, it is recognised that there appears to be only one potential option in terms of the siting of the vehicular access and therefore it needs to be demonstrated that the site is capable of accommodating six dwellings using this access in a manner that would be acceptable on parking and highway safety grounds.
44. The indicative site layout shows that the existing access, shared with the MOT garage, would be retained. The applicant has submitted a site plan which demonstrates suitable visibility splays. Swept path analysis has also been submitted which demonstrates that the proposed parking spaces and existing businesses can be accessed satisfactorily. The LHA therefore raises no objection to the proposed access arrangement.
45. The SPD3 parking standard for a 3-bedroom dwelling is for two off-street parking spaces to be provided. The site layout demonstrates that these can be provided to the front of the dwellings. Whilst there are some concerns with the amount of hardstanding shown on the indicative plan, as noted above, it is considered that the submitted layout demonstrates that an appropriate level of parking could be provided. It is considered that there would be the potential to secure a suitable balance between parking and landscaping at reserved matters stage.
46. Subject to conditions, the proposal is considered to be acceptable on parking and highway safety grounds which accords with Policies L4 and L7 of the Core Strategy, SPD3 and NPPF guidance.

CONTAMINATED LAND

47. Neighbours have made representations stating that the site has been used for depositing and burying waste with concerns that the land is therefore contaminated. The Council's Pollution (Contaminated Land) consultee has been made aware of these concerns and recommends conditions requiring site investigation works and remediation works are attached to any grant of planning permission. Subject to these conditions, the scheme is considered to be acceptable in this regard.

ECOLOGY

48. The applicant has submitted an Ecological Survey which identifies a stand of Japanese Knotweed at the site. It is recommended that a condition requiring a Control and Eradication Method Statement is added to any grant of planning permission.
49. The submitted report concludes that the trees do not support any features that could be used by roosting bats. They have negligible potential to support a bat roost. The ecology consultee notes that bats and their roosts are protected at all times and recommends an informative highlighting this.
50. The proposal requires the removal of some vegetation including small trees. The ecology consultee recommends an informative drawing the applicant's attention to the protected status of birds.
51. A detailed tree survey is currently awaited. However, given that the most significant trees are on the perimeter of the application site / outside the site, it is considered that the development could be implemented without having an unacceptable impact on trees, subject to an appropriate tree protection condition.
52. Subject to appropriate conditions and informatives, the application is therefore considered to be acceptable in terms of ecology and tree impacts with regard to Policy R2 of the Core Strategy and the NPPF.

CONCLUSION

53. The "tilted balance" of NPPF paragraph 11 is engaged due to the application being for residential development and the Council not having a five year supply of housing land.
54. The primary benefit of the scheme is the provision of six dwellings suitable for families in a location relatively close to Partington local centre and close to public transport, schools and other community facilities. The application relates to a windfall site which is considered to be suitable for residential development. Great weight is therefore given to this benefit. The proposal also represents the development of a vacant and relatively untidy site and would provide a small economic benefit during the construction phase.

55. The proposal is in accordance with Policies L1, L2, L4, L7 of the Trafford Core Strategy and accords with the development plan as a whole.
56. In weighing the benefits and dis-benefits of the scheme in terms of the test in NPPF paragraph 11 d) ii), it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when assessed against the NPPF taken as a whole. It is therefore recommended that planning permission is granted subject to conditions.

RECOMMENDATION:

GRANT subject to the following conditions:

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

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

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development first takes place - the access; appearance; landscaping; layout; and scale.

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number WESTWD_1001 – Location Plan.

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

4. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to contamination on site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any

development takes place other than the excluded works listed above. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken
- v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

5. No above ground works shall take place unless and until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

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

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

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

7. The residential units hereby approved shall not be occupied unless and until a glazing and ventilation scheme in accordance with the requirements identified in the submitted "Acoustic Planning Report 0882/APR1", dated 22 October 2021, has been installed to all residential units hereby approved and a verification report specifying the location and details of each element of the scheme for each residential unit has been submitted to and approved in writing by the local planning authority. The glazing and ventilation scheme shall be retained for the lifetime of the development.

Reason: In the interests of protecting residential amenity with regard to Policy L7 of the Core Strategy and relevant NPPF guidance.

8. The residential units hereby approved shall not be occupied unless and until details of a Biodiversity Enhancement Scheme (including a timetable for the implementation of the measures within the scheme) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full in accordance with the approved timetable for implementation and shall be retained thereafter for the lifetime of the development.

Reason: To ensure the protection and enhancement of the natural environment in accordance with Policy R2 of the Trafford Core Strategy and NPPF guidance.

9. Development shall not commence unless and until a Japanese Knotweed Control and Eradication Method Statement (including a timetable for the implementation of the measures within the method statement) has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include:

- Detailed mapping of the distribution of the plant across the site.
- Suitable signage and protection from vehicle tracking and/or earth moving. This is usually 7m from above growing parts of the plant.
- Treatment programme
- Biosecurity protocols for machinery and soil handling & storage.

- Monitoring and retreatment programme for minimum of 5 years post site clearance.

The approved Method Statement shall be implemented in full in accordance with the approved timetable for implementation.

Reason: To prevent the spread of an invasive species in order to ensure the protection of the natural environment in accordance with Policy R2 of the Core Strategy and relevant NPPF guidance.

10. 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.

11. The development hereby permitted shall not take place unless and until a surface water drainage scheme in accordance with the drainage hierarchy (as set out in National Planning Practice Guidance) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a timetable for its implementation. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

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

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

13. The residential units hereby approved shall not be occupied unless and until a scheme for the provision of electric vehicle charging points has been implemented in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved details shall be retained thereafter for the lifetime of the development.

Reason: In the interests of environmental protection having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The residential units hereby approved shall not be occupied unless and until a scheme for secure cycle storage has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle 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.

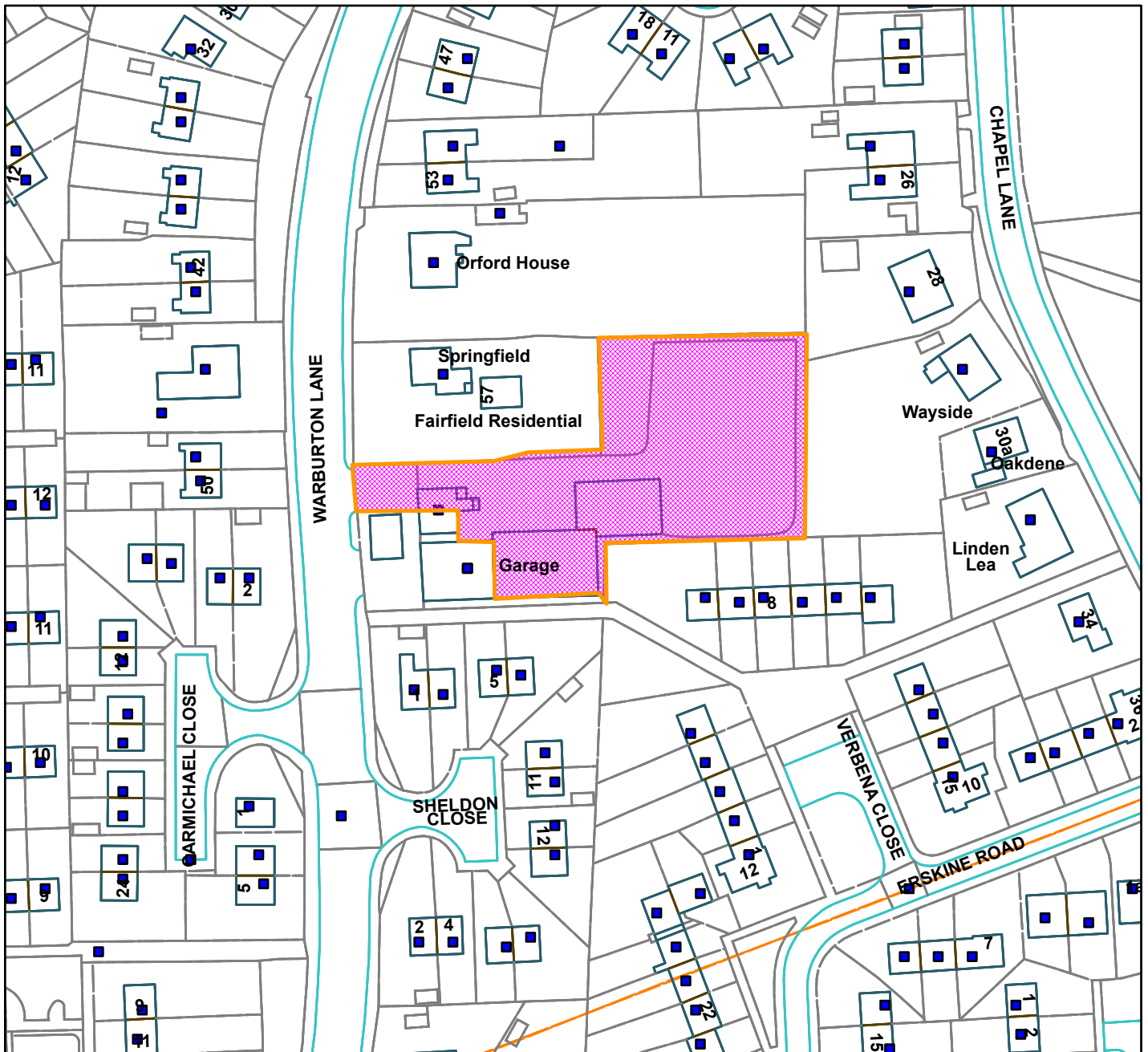
15. No development shall take place until details of existing and proposed site levels and finished floor levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with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

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

JW



Westwood Foodstores, Warburton Lane, Partington (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date - 09/06/2022
Date	27/05/2022
MSA Number	100023172 (2012)

WARD: Broadheath

105654/FUL/21

DEPARTURE: No

Application for alterations to the site to include: demolition of Units C, F-N and ancillary buildings, extensions, remodelling and subdivision to Units A and B and erection of 5no new units all creating E (G) (II)(III),B2 and B8 space with ancillary office use creating a total of 25 units. Alterations to the car parking layout, services, vehicular circulation, new vehicular access to Atlantic Street, closure of existing car park vehicular access, and relocation of the existing substation.

Former Cartwright Group Site , Atlantic Street, Altrincham, WA14 5EW

APPLICANT: Network Space

AGENT: Spawforths

RECOMMENDATION: GRANT

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

Executive Summary

This application seeks permission for the comprehensive redevelopment of the vacant former Cartwrights site on Atlantic Street within the Broadheath Industrial Area. The application site has an historic industrial use and the proposed development seeks to secure the following uses, B2 (General Industry); B8 (Storage or Distribution) and E(g) II & III (Research & Development and Industrial Processes). The proposal would involve the extension and remodeling of two existing units along with the erection of five new industrial buildings. A new vehicular access is proposed along with a new internal road layout, parking and landscaping. The application proposes 24hr operation 7 days a week similar to the previous unrestricted use of the site.

The site measures approximately 4.7ha and is surrounded by industrial and employment/office use to the east, north and west of the site with the Bridgewater Canal located beyond the southern boundary. Beyond the south side of the canal is residential development. Seamon's Moss Bridge (Grade II) is the nearest listed building to the application site located approximately 160m to the south-west of the site and which extends across the canal (Seamon's Road).

The principle of the proposed development is considered to be acceptable (paragraphs 1-8) and complies with the policies contained in the Core Strategy and the NPPF.

The applicant has sought to ensure the amenity of neighbouring residential properties is protected and has amended the site layout following officer concerns. The applicant has committed to a number of conditions aimed to mitigate against noise and

disturbance to neighbouring residential properties. (paragraphs 65-89).

All other detailed matters have been assessed, including the appropriateness of the flexible uses, design, heritage, parking, highway safety (including the new vehicular access), green infrastructure, drainage, contamination 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.

SITE

The application site is located on the south side of Atlantic Street, within the Broadheath industrial area and measures approximately 4.7ha in area. The site has historically been occupied by the Cartwright Group which was involved in commercial vehicle trailer manufacturing, however following the companies administration in September 2020 the site has been vacant.

There are three large expansive steel frame industrial buildings located across the site (Unit A, Unit B and Unit F-N) with one smaller building (Unit C). Throughout the site there are a number of smaller ancillary structures, Astek House is a two storey office building located towards the north side of the site and is currently in use. The former offices of the Cartwright company are located towards the north side of the site and are incorporated within part of the largest of the industrial units on site (Unit F-N).

Vehicular access to the site is taken from two access points on Atlantic Street with one access serving the main industrial yard and buildings, the second access serves the dedicated staff and visitor car park located along the northern side of the site which comprises of approximately 130 parking spaces.

The site is surrounded by industrial and employment/office use to the east, north and west of the site with the Bridgewater Canal located beyond the southern boundary, the towpath of the canal extends beyond the site boundary with a row of trees and vegetation in the intervening space. The towpath is a Public Right of Way (Altrincham 31). On the opposite side of the canal is residential development. The site is not within a Conservation Area but is within the setting of Seamon's Moss Bridge which extends across the canal and is Grade II listed, the bridge is located approximately 160m to the south-west of the site boundary.

Immediately to the east side of the site is Alexander House part of North Quays Business Park which comprises a large industrial unit. It is understood this was also part of the wider Cartwright's site but does not form part of this application and is under a different ownership, the site is subject to a current application under consideration (Ref:105642/FUL/21) for a change of use from B2 (General Industry) to mixed use B8 (Storage and Distribution) and E(a), E(d) and E(g)(i) (Commercial, Business and Service).

The application site is allocated within the Revised UDP Proposals Map within a Main Industrial Area, it is also located within a Flood Zone 1 area (lowest risk of flooding) and a Critical Drainage Area within Trafford Councils Strategic Flood Risk Assessment (SFRA).

The Bridgewater Canal is identified within the Revised UDP Proposals Map as a Site of Importance for Nature Conservation and a Wildlife Corridor, the canal towpath and adjoining verge are also identified as a Wildlife Corridor and Protected Linear Open Space. The Bridgewater Canal is also a Site of Biological Importance.

PROPOSAL

This application proposes the comprehensive redevelopment of the site following the demolition of a number of structures on the site as well as refurbishment of some existing structures industrial units across the site. Erection of 5 x new units and the proposals include the use of the site for within Use Classes B2 (General Industrial); B8 (Storage or Distribution); E(g) (ii) (Research and Development of Products or Processes) and E(g)(iii) (Industrial Processes) and ancillary office use.

During the course of the application amended plans have been received which detailed the realignment and reconfiguration of the layout of a number of the proposed new units particularly towards the southern side of the application site. The submission had proposed 25 units, this has been reduced from 26 units.

Further to this proposal the applicant has also sought separate permission by way of a prior approval for the demolition of the industrial units/structures proposed to be removed. Such works are deemed to be permitted development having regard to Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015) subject to the applicant first seeking the prior approval of the Local Planning Authority. Prior approval was granted on the 8th April 2022 and works are understood to have commenced on site with regards demolition works only in accordance with the approval.

A total employment floorspace of approximately 17,899sqm (GEA) is proposed which includes refurbishment and extension of existing units along with the proposed new units. The application details that the existing GEA is approximately 20,618sqm and therefore the proposal will see a net reduction in GEA of approximately 2,719sqm. Works to existing and proposed units include as follows:-

- Unit A is located along the western boundary of the site, this unit will be extended towards the northern boundary of the site, remodelled and sub-divided to form five units with part mezzanine floorspace.

- Unit B is located to the east side of Unit A and will be extended on its southern elevation, and remodelled to form 15 individual units. Only one of the units B2/4 will have a mezzanine floor space for canteen and ancillary office space.
- Unit C is located to the south side of the site and it is proposed to demolish this unit.
- Units F-N are housed within the largest building on the site which located adjacent to the eastern boundary and which covers a significant area of the site. This entire building is proposed to be demolished. Five new industrial units are proposed to be erected (Units C, D E1, E2 and F). Unit C will be located to the south-west corner of the site with a mezzanine area for ancillary office and storage. Units D, E1 & E2 will be located in the same building with part mezzanine area for ancillary office/storage area, this building will be located along the southern boundary of the site. Unit F would be located centrally within the site and would also incorporate a part mezzanine floor area for ancillary office/storage.

A new vehicular access is proposed to the site from Atlantic Street and located towards the eastern extremity of the site boundary and which would serve new Units F and E2. In addition the existing access which serves the former staff car park area is to be closed and the footpath and roadside kerbing to be reinstated. The wider layout of the site would be realigned to accommodate the proposed development and this would include new internal road layout, pedestrian paths, parking for staff/visitors and manoeuvring areas for HGVs and other commercial vehicles. A total of 316 parking spaces are proposed throughout the site, including 22 as electric charging spaces and 35 as accessible parking spaces. All existing units to be retained will be remodelled and clad in external materials to match the proposed new units. A compound/sub-station housing gas, water and electric services is proposed to be located towards the northern boundary of the site. An electric substation will be located to the east side of new unit F.

DEVELOPMENT PLAN

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

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

superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport & Accessibility

L5 – Climate Change

L6 - Waste

L7 – Design

L8 – Planning Obligations

W1 - Economy

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

PROPOSALS MAP NOTATION

Main Industrial Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

E7 – Main Industrial Area

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Revised SPD1: Planning Obligations

SPD3: Parking Standards and Design

PG12 Industrial Development

Other Relevant Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is 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 DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated on 1st October 2019. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

The application site has an extensive planning history the following are the most recent applications.

107531/DEM/22 - Demolition of the buildings and associated structures as identified on the Demolition Plan (Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015) – Approved 8/04/2022

88648/FUL/16 – Extension to existing production building with associated external alterations – Approved 3/08/2016

87797/FUL/16 – Extension to existing production building; construction of new stores building and 2m high palisade fence enclosure (revision to application 87246/FUL/15) – Approved 6/5/2016.

87246/FUL/15 – Extension to existing production building; construction of new stores building and 3m high palisade fence enclosure – Approved 15/2/2016

76528/FULL/20 – Formation of new access from existing car park onto Atlantic Street together with closure of existing – Approved with conditions 16/05/2011

18/1/4502 – The use of the premises (previously storage) for industrial purposes (compounding of essences) – Approved 19/11/1970

APPLICANT'S SUBMISSION

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

- Design and Access Statement
- Transport Statement
- Travel Plan
- Geo-Environmental Desk Top study
- Flood Risk Assessment and Drainage Strategy
- Noise Assessment (including updated version)
- Dust Management Plan
- Air Quality Assessment

- Construction Environmental Management Plan (CEMP)
- Arboricultural Impact Assessment and Method Statement
- Pre-Demolition Report
- Extended Phase 1 Habitat Survey and Daytime Bat Survey
- Crime Impact Statement
- Carbon Budget Statement
- Road Safety Audit Stage 1

CONSULTATIONS

Local Highway Authority (LHA) – No objections in principle, subject to a number of highway related conditions. Further comments are discussed in the Observations section of this report.

Trafford Council Pollution & Housing (Contaminated Land) – No objection subject to contaminated land conditions. Comments are discussed in more detail in the Observations section of this report.

Trafford Council Pollution & Housing (Nuisance) – No objections subject to relevant conditions. Comments are discussed in more detail in the Observations section of this report.

Trafford Council Pollution & Housing (Air Quality) - No objections, subject to conditions relating to the provision of Electric Vehicle charging points and a Construction Method Statement, further comments discussed in Observations section of the report.

Lead Local Flood Authority (LLFA) – No objections subject to a condition being included requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and Surface Water Drainage Strategy. A condition is also required to provide a management and maintenance plan for the operation of the sustainable drainage scheme

Trafford Council Heritage Development Officer – No objections in principle, request that soft landscaping proposals are supplemented along the southern boundary to screen the development from the Bridgewater Canal and details of the acoustic fence are provided. Further comments are discussed in the Observations section of the report.

Trafford Council Arboriculturist – No objections in principle to proposed trees for removal due to age and condition, recommend tree protection plan condition. Further comments are discussed in the Observations section of the report.

Trafford Council Strategic Planning and Developments - No objections in principle, recommend that Green Infrastructure proposals be considered further to mitigate the loss of trees on site.

Trafford Council Waste Management – No comments to make regarding the proposed development. Further comments are discussed in the Observations section of the report.

Altrincham & Bowdon Civic Society - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Greater Manchester Ecology Unit (GMEU) - No objection in principle subject to conditions/Informatives with regards protected species, nesting birds, invasive species and proximity of development site to the Bridgewater Canal. It has been confirmed that there will be loss of trees on site and landscaping proposals should be improved to secure additional native tree planting on site. Comments are discussed in more detail in the Observations section of this report.

Greater Manchester Police (Design for Security) – No objection in principle, recommend condition to reflect physical security specifications. Comments are discussed in more detail in the Observations section of this report.

Greater Manchester Fire and Rescue Service - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Environment Agency – No objections subject to conditions relating to site remediation strategy with verification report and submission of details with regards any piling or other foundation designs using penetrative methods. Comments are discussed in more detail in the Observations section of this report.

Electricity North West (ENW) – No objections, development is shown to be adjacent to or affects ENW operational land or distribution assets. Applicant to contact ENW to verify details of development.

United Utilities - No objections, recommend conditions regarding surface water which considers the hierarchy of drainage options; management of drainage system and separate system for foul and surface water. Further comments discussed in the Observations section of this report.

Bridgewater Canal Company - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Manchester Airport Group (MAG) - No objections, subject to a number of conditions which include measures to control dust/smoke from construction work; no pools or ponds which could attract birds; lighting to be capped at the horizontal with no upward light spill; no reflective materials to be used; PV panels on roof will require consultation with MAG further comments discussed in the Observations section of this report.

City Airport Ltd - No objections

National Air Traffic Services (NATS) – No safeguarding objection to the proposal

Greater Manchester Ramblers & High Peak – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Peak and Northern Footpath Society - No objections, would recommend conditions to ensure protection of Public Right of Way outside of the application boundary and enhance the amenity value of the footpath with appropriate landscaping and an appropriate noise barrier.

National Trust - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Cadent Gas – No objections, recommend an informative advising applicant to contact Cadent Gas to establish if any easements and other rights that may restrict activity in proximity to Cadent assets in private land and if any diversions are necessary.

Manweb (Pylons) - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

TfGM - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

REPRESENTATIONS

Local residents were consulted on the original proposals and also reconsulted on the revised site layout and updated noise report.

Initial Neighbour Consultation

Neighbours: Letters of objection have been received from 31 individual addresses. The issues raised as follows:-

Highways

- Application proposals are prediction only, traffic levels will only increase
- Traffic levels onto the main A56 already cause congestion at Broadheath junctions during morning/lunchtime and evening rush hours
- Cartwrights had a footpath between Bridgewater Canal and Atlantic Street changed to help their operations some years ago, this should be upgraded as it is close to the new Asda and would be well used if improved.

- Additional traffic levels onto Seamons Road which cannot be accommodated. The bridge has a width constraint
- It is assumed that all vehicles using the site will not be electric
- Local bus (282 service) only runs once an hour not the 5 and 4 per hour am and pm as the travel plan suggests – the site is not well serviced at peak hours
- There should be a restriction on size and weight of vehicles permitted to use Atlantic Street

Impact on Residential Amenity

- Inappropriate for major distribution centre to be located adjacent to an established residential area
- The former Cartwrights business caused noise pollution (diesel engines, waste compactors, air compressors, tannoy announcements, employees shouting, alarm signals reversing trucks) this cannot be allowed to happen again.
- Residents have had disturbed sleep from previous noise levels at the site, these proposals would severely disrupt our quality of life.
- It is noted with dismay that some parts of this to be developed with a future 24hr/7 days a week distribution centre being considered – no respite for neighbours
- Noise levels being constantly present, possibly be a source of harm to people's mental health.
- Previous owners conducted normal business hours, 5 days a week and weekend work was restricted to silent occupations such as paint spraying
- Each unit will have different activities
- 336 car parking spaces, previous business had none
- Location and height of buildings close to fence line (southern boundary), with delivery doors and loading areas causing visual and noise disturbance.
- Planned lighting levels will cause night time pollution and disturbance - additional lighting required to deter crime on site along with CCTV
- Proposed hours of working (24hrs) seeks non-stop activity across the whole site
- Given proposed high number of vehicle movements this will result in higher and dangerous levels of vehicle pollution.
- Normal working hours during the week (possible reduced hours Saturday and no work Sundays) is ample sufficiency for that level of noise
- HGV noise from manoeuvring
- Solvent and chemical releases in the past, how will residents be protected from this
- Proposed buildings and acoustic fence will be an eyesore
- The 3.5m high fence will not mitigate noise, buildings should be reoriented so the buildings act as part of the noise mitigation.
- Site operators licence is restricted so that loading/reversing operations are time restricted to normal working hours
- Noise assessment should be redone to better model the reversing alarms.
- Noise report conveniently ignored nearer residential properties on Pennymoor Drive than the one referenced in the report.

- Little detail on the construction phase, construction hours limited to normal working hours.
- Planning statement indicates that planning conditions can be imposed to control activity in external area/reversing vehicles, therefore acknowledging the disruption such noise will cause but are unwilling to mitigate this by limiting activity to daytime hours – the applicant should be making the changes not relying on the planning department
- Rear gardens of most residents face the site across the canal, time spent in private garden areas will be heavily affected
- The canal is a similar width to an estate road, if it was a road separating residential properties and a development of this nature it would not be acceptable.
- Closer proximity of buildings to residential properties
- The acoustic fence will not have any impact this was evident when Cartwrights added it, the site is too open and noise travels to far distance from it.

Environment

- Location of acoustic fence within tree line and foliage (flora and fauna being disturbed)
- Removal of mature and healthy trees to south and west sides to detriment of nature/residents/canal users/ cyclists and walkers.
- Proposal will result in change in appearance from the canal side
- Site lighting will impact wildlife
- The site supports suitable nesting bird habitats
- Tree cover currently hides a lot of the industrial aspects of the site currently.
- COP26 aims to reduce greenhouse gases, applicant needs to show how their activities will be carbon neutral.

Other Matters

- Design and description of acoustic fence is misleading it's a 'wooden fence'
- The letter from the applicant to residents was misleading and deceptive in not being open and honest about the operational aspects of this development.
- Such a logistical operation should be utilising railway network and sited away from residential areas.
- Concern proposals will impact value of residential properties.
- The proposals will impact the users of the canal towpath
- High density of buildings for the size of the site
- Design of buildings is cramped and overbearing and out of scale and character with the previous buildings.
- The application is not supporting sustainability and is contrary to environmental and social governance principles.
- Without proper controls the new owners will be profit led and show little regard to the local population.

Neighbour Consultation (Revised Layout)

Neighbours: A further 21 letters of objection have been received from 17 individual addresses following the reconsultation on the revised site layout. A number of the representations advise that they still have the same concerns as their original comments on the first consultation. A summary of the additional comments raised as follows:-

- It is requested that improvement works are undertaken to the footpath (as well as realigning it to its original position) that connects the canal path and Atlantic Street. Cartwrights had changed its position.
- It is acknowledged that the applicant has made amendments to the layout to address previous concerns. Suggested that noise barrier returns on the east and west boundaries and raised to 4m in height.
- The site would be better used for offices/data warehousing/call centres, less noise and reduces HGV impacts on air quality.
- Revised noise modelling is much improved and fit for purpose although some technical issues, the background noise monitoring measurements used to assess the relative severity by comparison of the additional modelled noise impact for residents along the canal side are hugely over estimated.
- Site is still proposed for 24hrs a day seven days a week and should be limited to a day time occupancy only.
- Noise pollution and particularly at night. Construction noise also
- Additional traffic volumes around the industrial estate which is already congested and surrounding roads such as the A56.
- HGV's should not use residential streets as 'cut throughs'.
- The traffic management report does not mention of the certain increase of light commercial vehicles using the Seamons Moss bridge.
- Concern regarding external lighting proposals particularly with multiple high intensity spotlights on very tall masts.
- Object to any change to the canal side and removal of any trees or foliage including along the western boundary and also impact on wildlife habitat disruption. Trees should have protection orders
- Concern regarding any solvent releases
- No doggie day care centres on site
- Buildings C,D & E positioned close to canal boundary with little room for maintenance. These buildings will create a wall of steel 13m high.
- HGV Distribution site has no benefit to the immediate residents and should be relocated away from residential areas.
- The realignment of the units does not stop or change the requirement for high levels of manoeuvring of haulage vehicles within the site.
- The warehouses should be built on the north side away from the residents
- More trees should be planted along the canal side.
- The submitted planning documents state that the proposed noise will be 24 hrs per day 365 days a year and according to the documents current proposed noise

levels will fall into the NPPG categories of present and intrusive and present and disruptive.

- The acoustic fence at Carwrights was completely ineffectual as has been demonstrated from residents objections.
- The planning statement suggests 87 and 78 two-way trips in the AM and PM peak hours respectively, this cannot be realistic as there are 336 proposed car parking spaces.
- Overdevelopment of the site.
- The initial plans proposed an acoustic fence, this appears to have been removed.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. S.38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
2. Where development plan policies are out of date, the presumption in favour of sustainable development in the NPPF (as described in paragraph 11d) may apply – namely applying a ‘tilted balance’ under which permission will be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (see paragraph 11d(ii)), or where the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed (see paragraph 11d(i)).
3. The Council’s Core Strategy was adopted in January 2012. It remains broadly compliant with much of the policy in the 2021 NPPF.. 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.
4. Policies relating to the economy, sustainable transport and accessibility, design and amenity are considered to be up to date when considering the application against NPPF paragraph 11 and The ‘tilted balance’ referred to in paragraph 11(d)(ii) of the NPPF is not engaged and the application should be determined in accordance with the development plan unless material considerations indicate otherwise.
5. With regards paragraph 11(d)(i) of the NPPF, analysis later in this report demonstrates that there are no protective policies in the NPPF relating to heritage assets, which provide a clear reason for refusing the proposed development.

Employment Use

6. Policy W1.3 identifies Broadheath as a location where employment uses will be focused. Policy W1.8 states that Broadheath will be retained and supported as a

principal employment location in the south of the Borough. Policy W1 is consistent with the NPPF and is considered up to date. Full weight should therefore be afforded to this policy. The application site is located within Broadheath Main Industrial Area and has been historically used for industrial purposes and operations.

7. The redevelopment of this brownfield site for employment development is in keeping with the NPPF (Paragraph 119) which encourages the effective use of land. Paragraph 81 of the NPPF places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 83 of the NPPF states that planning policies and decisions should recognise and address the specific locational requirements of different sectors, including making provision storage for storage and distribution operations at a variety of scales and in suitably accessible locations.
8. Having regard to Policy W1 the principle of B2 (General Industrial); B8 (Storage or Distribution); E(g)(i) (Offices for Operational or Administrative Functions); E(g)(ii) (Research and Development of Products or Processes) and E(g)(iii) (Industrial Processes) development on this site is considered to be acceptable.

HERITAGE ASSETS

9. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
10. The NPPF identifies the setting of a heritage asset as *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'*.
11. The National Planning Policy Framework (July 2021) sections 192-208 are relevant to this application.
12. In relation to heritage assets, paragraph 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'*.
13. Paragraph 195 states that 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. Paragraph 197 calls on local planning authorities when determining applications to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

14. Paragraph 199 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
15. 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.
16. Paragraph 202 sets out 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.
17. Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
18. The NPPF sets out that harm can either be substantial or less than substantial and the NPPG advises that there will also be cases where development affects heritage assets but from which no harm arises. Significance is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest, which includes any archaeological, architectural, artistic or historic interest. The significance of a heritage asset also derives from an asset's setting, which is defined in the NPPF as 'the surroundings in which a heritage asset is experienced'.
19. 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 designated and non-designated Heritage Assets

20. The nearest designated heritage asset to the application site is Seamon's Moss Bridge (Grade II listed) located approximately 160 metres to the south-west of the site. The nearest non-designated heritage asset to the application site is the Bridgewater Canal which is located beyond the southern boundary of the site.

Seamon's Moss Bridge

21. Seamon's Moss Bridge is a road bridge which extends across the Bridgewater Canal and was believed to have been opened in circa. 1776 when the Bridgewater Canal was first opened. The listing description by Historic England states '*Public road bridge over Bridgewater Canal. Canal opened 1776. John Gilbert engineer. Brick with sandstone dressings. Segmental brick arch below a stone band. Stone copings have been partly replaced by brick. Brick buttresses retain the side walls.*' The bridge was first listed in July 1985. The bridge is signalled controlled as it can only accommodate single file traffic with no HGV's permitted.

Bridgewater Canal

22. The Bridgewater Canal extends beyond the southern boundary of the site and includes the towpath which extends along the northern boundary of the canal adjacent to the site boundary.

23. The Bridgewater Canal is considered to be a non-designated heritage asset in itself. The canal is an historical waterway and has been identified as the first arterial canal in Great Britain. It has been an important industrial and commercial thoroughfare historically used as such for years, having opened in in 1776. In recent years works have been undertaken to upgrade the towpath which runs alongside the Bridgewater Canal (the Bridgewater Way) and it has become a popular route for pedestrians, cyclists and pleasure craft users.

Impact of development on designated and non-designated Heritage assets

24. The applicant has submitted a Heritage Impact Assessment in support of the application.

25. The proposed development will include the erection of four new industrial units adjacent to the southern boundary of the site (Units C, D, E1 & E2). This area is currently part external storage area and also incorporates part of the largest existing building on site Unit F-N.

26. In relation to the listed bridge, a distance of approximately 160metres is retained from the western boundary of the site and Seamon's Moss Bridge. There is a significant belt of mature trees along the southern and western boundary of the application site and outwith the site along the towpath which provides screening in

terms of views into the site. Views from the bridge towards the application site are at an oblique angle providing only partial views of the site.

27. The Pacific Road and Century Park industrial estate is located in the intervening area between Seamon's Moss Bridge and the application site with a number of structures and natural screening along the canal boundary obscuring views towards the application site. The Council's Heritage Development Officer has considered the proposal with regards the listed bridge and notes that whilst the application site falls within the setting of the bridge, the proposed development will not impact the setting of Seamon's Moss Bridge.
28. In relation to the Bridgewater Canal the application site is effectively screened from the canal due to the existing trees within the site and along the towpath and other medium level soft landscaping including Laurel hedging 3m-4m in height interspersed amongst the tree line. The Bridgewater Canal has been subject to extensive redevelopment along much of its course. In terms of the proposed development, the application site has been redundant for just over a year from its previous industrial use and is currently vacant and appears neglected.
29. The Heritage Development officer has stated that the proposed development will site industrial units closer to the Bridgewater Canal and in particular Unit C. It is acknowledged that the site has landscaping along the site boundary but also relies on external landscaping to screen the development. It is recommended that the applicant supplement the soft landscaping proposals within the site which would allow for a greater depth of screening from the towpath and Bridgewater Canal. The officer had also requested details of the new section acoustic fence which is proposed within the site at a height of 3m.
30. There is currently an approximately 3.5m high acoustic fence along part of the southern boundary set behind the tree and landscaping line facing into the site so not readily visible from the towpath. It is understood this fence will now be removed following the repositioning of the new units along the southern boundary. A section of new acoustic fence is also proposed to be located apart way along the south-eastern boundary with the adjacent Industrial site (North Quays Business Park) the fence would extend approximately 50m along this boundary. The Heritage Development Officer (HDO) has considered the acoustic fence details and has no objections subject to additional soft landscaping and final detail of the fence to be provided. The HDO has also advised that a resident has raised concerns over the use of Seamon's Moss Bridge by traffic generated from this development. It is noted that the bridge is restricted to vehicles of a certain width and weight in order to limit the impact upon the bridge.

Conclusion on Heritage Assets

31. It is noted within the NPPF (paragraph 199) that when considering the impact of a proposed development on the significance of a designated heritage asset, great

weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). The balancing exercise should be undertaken taking into account the statutory duty of 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 Traffords Core Strategy.

32. The Heritage Development officer has stated that the proposed development will not impact the setting of Seamon's Moss Bridge.
33. With regards the identified non-designated heritage asset the Bridgewater Canal, in weighing the application, paragraph 203 of the NPPF requires that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The Councils Heritage Development Officer has concluded that subject to the supplementing of the existing soft landscaping buffer along the southern boundary of the site which will also screen the proposed acoustic fence along the south-east side from the towpath and canal there is no objection to the development on heritage grounds. The above measure would address the requirements of paragraph 195 of the NPPF '...to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

LAYOUT, SCALE AND APPERANCE

34. Core Strategy Policy L7 requires 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.
35. Paragraph 126 of the NPPF states that "*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*".
36. 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.
37. 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.

38. The site currently comprises of three large steel frame buildings located across the site with a number of smaller ancillary structures and industrial units. The former office building of the Cartwright Group is located towards the north side of the site and is a two storey building attached to one of the larger industrial units. The staff car-park for Cartwrights is located immediately to the front of the office building and is served by one of the two existing accesses to the site. Astek House is a two storey office building located towards the northern boundary of the site, this building is occupied and does not form part of the redevelopment works.
39. The site will be accessed from the main existing vehicular access from Atlantic Street with a new additional vehicular access also onto Atlantic Street proposed adjacent to the eastern boundary of the site with North Quays Business Park. The Atlantic Street vehicular access to the former staff car park is to be closed as part of the redevelopment works, with the pedestrian pavement reinstated.
40. A new internal road layout is proposed from the main existing access into the site (located immediately opposite Astek House) and will involve the road extending across the north side of the site to the west of the access. The road will extend southwards through the site in two locations. The first section is located to the east side of the site and will serve Unit A, Unit B (west side), Unit C and Unit D. The second section of the road extends centrally through the site and will serve Unit B (east side) and Unit E1. Unit E2 will be served from the new vehicular access located beside the eastern boundary of the site. Unit F will be served by both the new vehicular access and the existing main access. The proposed works throughout the site are summarised follows:

Existing Units – Proposed Extensions and Remodeling Works

41. Unit A – This building is located immediately adjacent to the western boundary of the site and has a narrow configuration measuring approximately 22m x 122m. The building is of conventional construction for an industrial unit with part brick base and cladding system to elevations with a dual pitch roof. It is proposed to extend and remodel this building to form five new smaller units (units A1-A5), the building will be extended towards the northern boundary of the site and will have an overall footprint of 22m x 153m (an increase in the length of the existing building by approximately 31m). The existing building measures approximately 9.6m from ground level to ridge line as part of the proposed works the building ridge height would be increased by approximately 0.4m to 10m.
42. Each of the five new units within the Unit A building would have a main reception with staff and visitor facilities at part ground floor level and a part mezzanine office space area above. The warehouse area for each unit will have a level access for HGV access and a pedestrian door. These units would be considered to be medium

sized units with an internal ground floor area of approximately 656m² (including reception area, access stairwell, visitor toilets, staff restroom and toilets and main warehouse) the mezzanine area at first floor level measures approximately 177m² and would be used for ancillary office space. Parking for staff and visitors would be located to the front of the building with each unit having approximately fifteen parking spaces including one accessible parking space and one electric vehicle charging space. In addition sufficient maneuvering and parking space for a HGV is provided to ensure the internal access road is not restricted when loading/unloading at the units.

43. Unit B – Located to the west side of Astek House towards the north side of the site this building has a footprint of approximately 36m x 86m. This building is proposed to be extended (to the south side of the existing building) and remodeled and would have a footprint of approximately 36m x 109m (an increase in the length of the existing building by 23m). The new building would incorporate 15 new smaller units (B1–B16 with two units B2/B4 amalgamated to form one larger unit). The existing building measures approximately 7.2m - 7.5m to ridge height (roof line varies in height) following the remodeling and extension works the building would retain a similar overall height of approximately 7.5m at the highest point.
44. These units would be considered to be small and range in internal floor area from approximately 195m² to 253m². The largest unit is Unit B2/B4 which has an internal ground floor area of approximately 400m² which includes 2x offices a reception area and the main warehouse area. This unit also has the only mezzanine area within the entire Unit B building this measures approximately 130m² in floor area. Of the 15 units only eight have a dedicated office/reception area. A central fire escape corridor extends along the entire length of the building with each unit having a fire escape door leading to the corridor and fire escape doors at each end of the building. The units located along the west side of the building (B1, B3, B5, B7, B9, B11, B13 and B15) have provision for a HGV to park and manoeuvre without restricting the internal access road. These units have four parking spaces to the front including an accessible parking space, Units B9 & B11 have eight parking spaces.
45. The units along the east side of the building have sufficient space for small/medium size vans to load/off load at each unit but not provision for HGV's. The parking provision along this side of the building allows for three or four spaces to each unit with each provided with an accessible space and an electric vehicle charging space. Six additional spaces are located around the north side of the building.
46. Unit C – This is the smallest of the four existing industrial buildings building across the site. It is located to the south side of unit B and near to the southern boundary. The building has a footprint of approximately 15m x 30m and is now proposed to be demolished having originally been indicated to be retained and extended and remodeled.

47. Unit F-N – This building is the largest building across the site and is sub-divided into nine smaller units including the former office building of Cartwrights along its northern elevation. The building has a footprint of approximately 94m x 124m. As part of the proposed development this entire building would be demolished and three new units would be erected in its place and referenced as Units E1, E2 and Unit F.

Proposed New Detached Units

48. Unit C – This new unit is proposed towards the south-western corner of the site close to the boundary with the canal side (a distance of approximately 5m is retained at the nearest point to the southern boundary and 4m to the western boundary). The building would have a footprint of approximately 26m x 53m and a ridge height of approximately 10.6m. This building would have an internal ground floor area of approximately 1370m² with a first floor mezzanine floor area providing ancillary office space and staff toilets covering an area of approximately 155m².

49. The unit will have a secure service yard and car parking area located towards the front (north facing side) of the building. Parking provision will include twenty three spaces, two of which will be accessible and one electric vehicle charging space. The building will have two level access openings for HGVs on the north side of the building and the main access to the reception area is also located on this same elevation.

50. Unit D – This unit is located adjacent to the southern boundary (retaining a distance of approximately 10m to the boundary at the nearest point). The unit is part of one larger building which will also incorporate units E1 & E2. Unit D will have a footprint of approximately 42m x 30m and would have a ridge height of approximately 11.2m. This unit would have an internal ground floor area of approximately 1261m² with a first floor mezzanine area providing ancillary office space and staff toilets covering an area of approximately 128m².

51. The unit will have a service yard and car parking area located towards the front (north facing side) of the building. Parking provision will include eleven spaces, one of which will be accessible. The building will have two level access openings for HGVs on the north side of the building and the main access to the reception area is also located on this same elevation.

52. Unit E1 – This unit adjoins unit D and retains a distance of approximately 5.5m at the nearest point to the southern boundary. Unit E1 has a footprint of approximately 48m x 39m and a ridge height of approximately 13.5m. The internal ground floor area of this unit will measure approximately 1814m², the first floor mezzanine area will measure approximately 183m² with staff toilets and ancillary office space.

53. The unit will have a secure service yard and car parking area located towards the front (north facing side) of the building. Parking provision will include twenty two spaces, two of which will be accessible parking. The building will have two level

access openings for HGVs on the north side of the building and the main access to the reception area is also located on this same elevation.

54. Unit E2 – This unit adjoins unit E1 and retains a distance of approximately 11m at the nearest point to the southern boundary and approximately 15m to the eastern boundary. Unit E2 has a footprint of approximately 65m x 39m with a ridge height of approximately 13.5m. The internal ground floor area of this unit will measure approximately 2418m², the first floor mezzanine area will measure approximately 269m² with staff toilets and ancillary office space.
55. The unit will have a secure service yard and car parking area located towards the front (north facing side) of the building and additional car parking along the eastern side of the building. Parking provision will include thirty five spaces, two of which will be accessible parking. The building will have two level docking access openings for HGVs on the north side of the building as well as two main HGV openings, the main access to the reception area is also located on this same elevation.
56. Unit F – This is the largest individual unit and is located centrally within the site and with a footprint of approximately 52m x 69m. The building will also incorporate a double span dual pitch roof and will have a ridge height of approximately 12.8m. The internal ground floor area will measure approximately 3442m² and the first floor mezzanine area which incorporates ancillary office and staff toilets will measure approximately 208m².
57. The unit will have a secure service yard located towards the front (north facing side) of the building and includes parking for 5 HGVs. The unit will have two level docking access openings for HGVs on the north side of the building as well as two main HGV openings. The car park for this unit is located to the east side of the building with a total of fifty five spaces including three accessible spaces. The main access to the reception area is located on the eastern elevation.
58. The layout of the new industrial units and the extended and remodeled units are not considered to raise any concerns with regards visual amenity and the streetscene. The existing Unit A will be extended towards the north side of the site and will retain a distance of approximately 6m to the northern boundary with Atlantic Street. This will require the removal of a number of trees in the application site to facilitate the extension. To the west side of the site is a number of office units within Century Park Industrial estate. One unit on Aegean Road (1 Aegean Road) is positioned approximately 5m from the northern boundary with Atlantic Street which is a similar position to that which the extended Unit A would occupy. The adjacent unit at Aegean Road would screen views of the extended unit when approaching from the west side of Atlantic Street. Existing soft landscaping along Atlantic Street (approximate 3m high hedge) screens views into the site, however the extended unit will be visible from Atlantic Street especially when approaching from the east side. However its location close to the site boundary is not considered out of keeping with the character of the area which is predominantly industrial and employment related

buildings many of which are located close to road side boundaries and of a similar scale and appearance as the proposed extended unit.

59. The four units located adjacent to the southern boundary of the site (Units C, D, E1 and E2) would be visible from the towpath alongside the canal and also from the residential properties on the opposite side of the canal. There is currently a row of trees within the application site southern boundary and outwith the boundary which do restrict views in and out of the site. The heights of the new units along this boundary range from approximately 10.6m – 13.5m so would be visible especially from the opposite side of the canal, notwithstanding the existing screen from the trees and soft landscaping along the tow path boundary. However it is not considered these new units will cause any adverse harm to the character of this area, given the context of the site and the surrounding land on this side of the canal which is predominantly industrial and which applies for a significant length of the canal side towards the A56 to the east with similar development in the wider Broadheath Industrial area. The existing site has an historic industrial use with industrial buildings located close to the canal side boundary.
60. The applicant does not propose to remove any of these trees along the southern boundary (apart from dead/decaying trees) but does propose removing trees along the western return of the boundary to facilitate the erection of Unit C. Immediately adjacent to proposed Unit C on the other side of the application site's western boundary is an industrial building. This building would partially screen views of the new Unit C especially from the west side of the site. As part of any grant of planning permission a condition would be attached to ensure adequate soft landscaping and tree planting is provided along boundaries to aid screening of the site.
61. All the remodeled buildings and the new units will be steel portal framed buildings which will have gable ends with dual pitch roofs.
62. In addition all refurbished and new units will be constructed in the same external materials providing a uniform appearance across the entire site. The proposed materials are conventional materials used on industrial buildings and will include three different cladding systems with different profiles and contrasting grey and silver metallic finishes. Glazing across the units will be aluminum framed grey finish and a number of the buildings will have spandrel panels and curtain wall systems. Rainwater systems will be external square profile PVC in grey finish. If the application is approved an appropriate condition would be included to ensure submission of all external materials to approval by the Local Planning Authority prior to their installation.
63. The applicant has proposed to locate a structure towards the northern boundary of the site to house gas, water and electric connections. This would be set back from the roadside boundary within the site and screened by existing landscaping and proposed supplementary planting. An electric sub-station is proposed towards the east side of the site. A condition would be attached to request final details of the

sub-station and the gas/water/electric housing. An existing timber acoustic fence (vertical timber sections and metal posts) is located alongside part of the southern boundary it is proposed to remove this now that the buildings have been realigned along this boundary. A new section of 3m high acoustic fence is proposed along the south-eastern boundary and an acoustic gated barrier between units C and D.

Conclusion on Layout, Scale Appearance

64. The functional design and appearance of the proposed units is considered acceptable and appropriate to the industrial nature of the surrounding area and the proposal is not considered to result in any adverse impact on visual amenity. The proposal is therefore considered to be in accordance with Policy L7 of the Core Strategy and the NPPF.

RESIDENTIAL AMENITY

65. In addition to ensuring that developments are designed to be visually attractive paragraph 130 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.

66. Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should *a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – avoid noise giving rise to significant adverse impacts on health and quality of life.*

67. The National Planning Practice Guidance (NPPG) provides further guidance with regard to the assessment of noise within the context of the NPPF and also in line with the explanatory note of the Noise Policy Statement for England (NPSE). Paragraph: 003 Ref ID:30-003-20190722 of the NPPG states that this would include identifying whether the overall effect of the noise exposure (including the impact during construction phase wherever applicable) is, or would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

68. The NPPG identifies the observed effect levels of noise (Paragraph: 004 Reference ID:30-004-20190722) as:

- Significant observed adverse effect level: This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- Lowest observed adverse effect level: This is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- No observed effect level: this is the level of noise exposure below which no effect at

all on health or quality of life can be detected.

69. Policy L5.13 of the Trafford Core Strategy 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 in place'*.
70. Policy L7.3 requires new development to be compatible with the surrounding area and not to prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance.

Relationship of Development Layout with Residential Properties

71. The nearest residential properties to the site are located to the south side of the site (on the opposite side of the canal) on Honiton Way; Chudleigh Close; Holcombe Close and Yeoford Drive with additional residential areas extending beyond these nearby streets. The majority of properties along the canal side have their rear garden area extending up to the canal edge, there is no canal towpath on the side with the residential properties.
72. A distance of approximately 25m is retained from the canal edge which is effectively the rear boundary of the resident's gardens across the canal to the site boundary. As stated previously in this report, four new units will be located near to the southern boundary of the site (units C, D, E1 & E2). The boundary has a row of trees within and outwith the boundary and Laurel bushes and other soft landscaping which provides a suitable natural screen from the towpath and for residents beyond the canal.
73. The distance retained between these new units and the rear elevations of the nearest properties facing the site ranges between approximately 35m-40m given the orientation of the properties with the site boundary and unit positions. It is not considered the proposed closest units to the southern boundary would result in any undue overshadowing or loss of light given the distances retained. In addition the existing site boundary has a significant extent of tree cover which does also help screen the application site from the south side. As stated previously the local Planning Authority will seek to secure supplementary planting along this boundary.

Noise

74. The former Cartwrights site was subject to extensive complaints in the past from local residents with regards noise from the industrial processes that occurred at the site. These complaints related to noise not only during the day but also in the evening and night time and culminated in a noise abatement notice being served by the Council to seek to remedy the noise nuisance. In addition a large number of objections to this scheme included the potential for noise and disturbance to nearby

residential properties.

75. As originally proposed the layout of the development near to the southern end of the site included three external maneuvering and service yard areas with parking provision located immediately adjacent to the sites boundary. Concern was raised by officers that the proposed layout in particular the external maneuvering and loading areas would result in an unacceptable level of noise. Although the extension of an acoustic fence further along the boundary was proposed, this fence is 3.5m high and would have been the only means of mitigation against noise transfer.
76. The applicant undertook a review of the site layout and proceed to substitute the original layout plans with the current iteration as detailed in this report. This revised layout resulted in units C, D, E1 and E2 extending across the entire width of the southern end of the site. The new units would have all their external maneuvering and loading/unloading areas located on the northern side of the new units facing into the site rather than beside the site boundary. This allows the new buildings to effectively act as a noise barrier. It is also proposed to provide a new section of acoustic fencing along the south eastern return of the site to screen an area of staff car-parking beside unit E2.
77. The application submission indicates the applicant's proposal for the site to operate 24 hours a day, 365 days a year. The applicant has advised officers that the requirement for 24hr operations is to make the site viable and attract end users who require the flexibility of unrestricted hours of operation. As part of the application submission a noise report was submitted. The Council's noise and pollution officer in Environmental Health considered the original noise report submitted and concluded that it required further assessment work in order to address all potential sources of noise that could originate from the site with regards the proposed uses.
78. The updated report based on the updated and amended layout, considered the noise impact of the day time and night time (24-hour) operation of the potential external sources of noise at the site and includes new building services plant; noise breakout from industrial buildings (units C, D, E1 and E2 which are those nearest residential properties); good deliveries (HGV movements and loading and unloading) forklift truck movements and car parking.
79. The updated noise report concludes that noise levels are expected to change by up to a maximum of +1.1dB during the proposed hours of usage and this falls within the No Observed Adverse Effect Level having regard to advice within the NPPG. The noise assessment further reports that cumulative operational noise levels are predicted to be below the guideline noise intrusion criteria at nearby properties during the daytime and night-time periods assuming both a windows-open and windows-closed scenario and are predicted to fall below the Lowest Observed Adverse Effect Level. A 3m high acoustic fence barrier is proposed along the south east corner of the site and a solid acoustic 2m high gated barrier between Units C & D is recommended within the noise report as appropriate mitigation to those parts of

the southern boundary not fully enclosed by the building structures.

80. The Councils Pollution section have considered the updated noise report and have accepted its findings, based also on the revised site layout plan which includes the realignment of the southernmost units near to the canal side boundary. A number of conditions have been recommended (detailed under the Recommendations section of this report) and include development to be built in accordance with noise insulation and mitigation measures identified within the noise report in relation to units C,D E1 & E2; submission of report prior to occupation detailing how external fixed plant will meet noise level criteria as detailed in the submitted noise assessment and including mitigation measures and submission of a noise management plan regarding external areas of the site.
81. It is acknowledged that the application site when previously operated by the former Cartwrights business was a source of some previous noise complaints from local residents. Many of the issues associated with the historic operations was due to the old and outdated industrial units which were constructed with no acoustic treatment to the buildings. The proposed new units will be constructed and designed using modern building standards and materials and as part of any permission granted will be conditioned to be acoustically treated and sound proofed to mitigate noise from within the building.
82. Historically a large part of the site near to the southern boundary was used for external storage and operations and the lawful use of the site would allow this again. This permission allows the impact of the site to be controlled through conditions and introduces a building line along the southern boundary which is considered to mitigate and limit noise and disturbance from the site.
83. Local residents have indicated a clear objection to the use of the site 24/7 stating that the location of the site to nearby residential properties will result in an adverse impact to residential amenity particularly during evening and night time periods. Local residents have detailed previous experiences with the activities at the site when operated by Cartwrights, including noise during the evenings and at night time.
84. It is considered that following the realignment of the new units along the southern boundary to now have all external activity facing into the site screened by the new buildings along with the proposed noise related conditions to ensure appropriate mitigation and enforcement of such measures that the proposed development is considered acceptable in this location and in accordance with Policy L7 of the Core Strategy and the guidance within the NPPF.

External Lighting

85. The applicant has not provided any details of external lighting as final details for units and external areas not yet determined. In order to ensure that no adverse impact will result from light pollution with regards nearby residential properties an appropriate condition will be included on any grant of planning permission for the

submission of a scheme of external lighting to be submitted and agreed by the Local Planning Authority.

Air Quality

86. The applicant has submitted an air quality assessment in support of the application proposals which has been considered by the Councils Pollution officer. The conclusions reached within the report predict that changes in annual mean concentrations of nitrogen dioxide do not lead to a significant impact at any sensitive receptors and that air quality at the development site will be suitable for future site users.
87. The modelling work undertaken also confirms that all concentration changes are negligible with reference to the Institute Air Quality Management significance criteria. However, it is considered that incorporating mitigation into the scheme will help to reduce any increase in emissions associated with development traffic flows and it is recommended that a condition is included to secure electric vehicle charging points throughout the development based on the provision of at least one electric vehicle rapid point per 1000m² of commercial/ industrial development. Based on the quantum of new development this would equate to the provision of at least 20 EV points, the masterplan for the site suggests that the applicant will be providing at least 22 electric charging points.
88. With regards the construction phase of the development the qualitative construction dust risk assessment shows that the site is medium risk for adverse impacts during demolition and construction in the absence of mitigation being in place. To effectively reduce the risk of impacts to negligible, appropriate mitigation measures should be adopted and it is therefore recommended by the Councils Pollution officer that a Construction Environmental Management Plan (CEMP) is included on any grant of planning permission. The applicant has provided a sample CEMP and Dust Management Plan as part of the application submission which includes a number of measures to ensure dust is controlled at site during construction works.

Conclusion on residential amenity

89. The proposed development following the revised layout and the mitigation measures as detailed above are considered to now address the previous concerns regarding operations at the site particularly with regards noise associated with the use of the site 24hrs seven days a week. Appropriate conditions to be included to mitigate with regards noise, air quality and external lighting proposals.
90. The proposed development is therefore considered unacceptable in regards to residential amenity and contrary to advice with Core Strategy Policy L5.13 and L7 and advice within the NPPF.

ACCESS, HIGHWAYS AND PARKING

91. Paragraph 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.

92. Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
93. Policy L4.7 states that 'The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured'.
94. Policy L4.14 to L4.16 sets out the requirement to comply with the adopted maximum car and cycle parking standards as set out in Appendix 3 to the Core Strategy and within adopted SPD3. The setting of maximum parking standards as set out in section L4.15 and Appendix 3 is inconsistent with the NPPF and in that regard is considered out of date and less weight should be afforded to this part of the policy.
95. Policy L7 states that 'In relation to matters of functionality, development must: Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, maneuvering and operational space.
96. The applicant has provided a Transport Statement (TS) and a Travel Plan as part of the application submission. A Stage 1 Road Safety Audit has also been provided.

Transport Statement

97. The applicant has submitted a Transport Statement in support of the development proposals. It states that vehicular trip generation assessment in the context of the extant land use the proposals are expected to have a net reduction on traffic on the local highway network given the proposed reduction in the overall floorspace. The statement suggests that the development proposals are acceptable with regards layout and parking standards and access. The statement indicates that development is accessible by sustainable travel modes including on foot, by cycle and public transport (bus, rail and metrolink) with Navigation Road identified as the nearest rail and metrolink stop approximately 2km from the site.

Sustainability

98. The Transport Statement considers the site to be in a sustainable location with nearby amenities and services including retail uses, employment areas, food outlets and leisure facilities towards the A56 and wider Broadheath Industrial Area. With regards The Greater Manchester Accessibility Levels the site is identified as having an

accessibility rating of 3 (levels are 1-8 with 1 being the lowest). This would suggest that the site is not within a highly sustainable location and in particular not well served by public transport options such as metro-link which is quite a distance from the site. There are a number of bus stops along Atlantic Street and George Richards Way with one bus stop opposite the site. The site has an extant industrial use and has been used as such for a considerable period of time. The redevelopment of the site will provide opportunities to promote alternative sustainable forms of transport for staff and visitors.

99. The applicant has submitted a Travel Plan which sets out the objectives to achieve a reduction of journey lengths and frequency of single occupancy car trips; reduce the reliance upon the private car; promote car sharing, walking; cycling and public transport and in particular the health and environmental benefits of using sustainable travel modes. Achieving a high rate of staff using public transport and cycling and walking particularly for local residents employed at the site will reduce demand for parking spaces at the site and reliance on single occupancy car journeys. The LHA have raised no objections to the submitted Travel Plan and have requested that the Travel Plan is conditioned to be implemented, reviewed and monitored as necessary with details of such reviews submitted to the Local Planning Authority for approval.

Access Arrangements

100. The proposed development will involve the formation of a new vehicular access onto Atlantic Street located towards the eastern extremity of the site. As detailed earlier in this report the vehicular access will serve unit F and unit E2. The LHA have requested that a condition is included for details of auto-tracks for the internal road and accesses to be submitted and agreed in writing prior to the development commencing.
101. The revised proposals will also involve the retention of the main vehicular access to the site and the closure of the access to the former Cartwrights staff car park. The main existing access to the site for all vehicular traffic including HGVs is located centrally along the Atlantic Street boundary and also provides access to the office building Astek House, there are no vehicular gates existing or proposed at this entrance onto Atlantic Street. When currently entering from this access vehicles turn right within the site where a set of vehicle gates are located. This arrangements will still apply following the redevelopment of the site. The LHA had requested the applicant provide a Stage 1 Road Safety Audit with regards the existing main vehicular access and the new proposed access. The applicant has subsequently commissioned the road safety audit which concluded that both access should have dropped kerbs to reduce the risk of pedestrian trips. In addition visibility splays should be kept free of any vegetation/overhanging branches. A condition is proposed requesting final details of the vehicular accesses addressing these issues.
102. Pedestrian access from the main site entrance to the different units is defined by a main footpath which extends across the new internal road beside Astek House.

The LHA had requested that the applicant provide a pedestrian pathway plan which the applicant has subsequently undertaken. This path connects to a series of walkways and paths located around car park areas and reception areas of all the units to minimise conflict between pedestrians and cars and HGVs. The LHA are currently assessing the pedestrian plan for the site and an update will be provided on the additional information report.

Servicing Arrangements

103. Within the applicant's Planning Statement it is indicated that each unit has space for waste and refuse storage and recycling with locations shown on the proposed plans. In order to understand location of waste storage on site an appropriate condition will be attached requiring details of a waste management strategy to be submitted for approval. The applicant has stated within their Design & Access statement that it is intended that each unit occupier will engage private waste collections, an indicative plan has been provided which indicates six bin stall locations throughout the site. The Council's Waste section have raised no objections to the proposals.
104. The LHA have been consulted on the servicing arrangements and have raised no objections. They have stated that should the applicant change their proposals and use Trafford Council waste collection service then they should note the model type of the waste collection vehicle used by Trafford to ensure the site layout can accommodate the stated vehicle type (details provided to the applicant within the LHA consultation response).

Car Parking Arrangements

105. The LHA have advised that having regard to SPD3: Parking Standards and Design for this location B8 use requires one space per 100sqm and B2 use requires one space per 45sqm. Following receipt of the revised layout and new units the total internal floorspace figure is approximately 17,899sqm and as such a total of 397 spaces would be required if the site was utilised full as B2 use, the current site would require 458 spaces under the Council's parking standards but currently has approximately 130 spaces. The applicant proposes a total of 316 spaces across the site. These spaces include allocated spaces located around each unit as detailed earlier in this report. In addition there are a number of areas of additional communal spaces located within the site which will act as overflow parking when required. The LHA have considered the level of parking provision and have raised no objections in principle. As the end users of the units are not yet known, particularly with regards their individual requirements, the LHA have recommended a condition (condition 31) that requires submission of a Parking and Servicing Statement to be provided prior to occupation of any of the units.

Accessible Car Parking Arrangements

106. The accessibility parking standards as detailed within SPD3 are minimum requirements. SPD3 states that at this location, where it is proposed to provide 200 car parking spaces or more B1 (now E(G))/B2/B8 use requires six bays plus 2% of total capacity. It is proposed to provide 35 accessible parking spaces which is in excess of the minimum amount of spaces required under the stated guidelines (circa. 14spaces). These spaces are provided and located conveniently outside of the unit/office entrances with dropped kerbs to allow for ease of access.

Motorcycle & Cycle Parking

107. Advice within SPD3 states that parking for motor cycles should be located on a flat surface and in an area that is overlooked by staff or members of the public and well-lit, particularly if it is anticipated that any motorcycles would be parked for two hours or more (any long-stay spaces would also need to be covered). Secure anchorage points or railings sited 0.6m above ground level should be provided. B1(now E(G)) use requires one space per 750 sqm (minimum of 2 spaces), B2 use requires one space per 1000 sqm (minimum of 2 spaces) & B8 use requires one space per 2000 sqm (minimum of 2 spaces). The LHA would therefore request that an appropriate condition is included to secure details of motorcycle parking provision across the site.

108. The cycle parking standards as detailed within SPD3 are minimum requirements. Class B1 (now E(G)) requires 1 space per 300sqm (minimum of 2 spaces) which equates to approximately 61 spaces on E(G) use only. B2 use requires one space per 45 sqm (minimum of 2 spaces) which, for the proposed floor area (based on B2 use) would equate to a minimum of 40 spaces. Sole B8 use would require 21 spaces which is based on 1 space per 850sqm. As yet the applicant is not aware of the end users so specific details of cycle parking provision not detailed. The applicant has provided an indicative plan that indicates cycle parking within the industrial units. An appropriate condition will be included in order to secure details of appropriate cycle parking and secure cycle storage across the development site.

Adopted Highway

109. If it is the intention of the developer for the proposed internal roads to be adopted advice should be sought from the LHA with regards highway adoption. Whilst the Highway Authority comments on planning applications, planning consent cannot be deemed as acceptance of suitability for adoption. A construction method statement condition is requested by the LHA as part of any approval to ensure adopted highway is kept free of construction debris and construction traffic parking does not block the highway.

Public Right of Way & Traffic Regulation Orders (TRO)

110. A definitive right of way (PROW Altrincham 31) runs adjacent to the site along the canal side. The LHA have advised that a condition would be required for the details

any proposed acoustic barrier adjacent to the PROW. The initial proposals did include an acoustic fence adjacent to this boundary, however following the realigned units on the south side the acoustic fence is no longer proposed along the southern boundary. The applicant is also advised that should the PROW need to be closed during construction a Temporary Traffic Regulation Order would be required and to seek advice from the Councils Streetworks team. It is not envisaged that the construction works will not impact upon the operation of the PROW.

111. The LHA have noted that there are yellow line restrictions along the adopted highway on Atlantic Street. As part of the new access proposals the LHA would seek a contribution under S278 of the Highway Act when detailed design is agreed to undertake TRO review and implement any subsequent parking control measures. The applicant has queried this requirement and the LHA are reviewing this requirement, an update will be provided on the additional information report to committee.

Conclusion on access, highways and parking

112. The development is considered not to result in any unacceptable impact on highway safety or with regards the road network. Sufficient car parking provision has been detailed with further information to be submitted regarding cycle and motor cycle provision and implementation and monitoring of the submitted Travel Plan. The development is therefore considered to comply with the requirements of Core Strategy policies L4 and L7 and advice within the NPPF.

FLOODRISK, DRAINAGE & CONTAMINATION

113. Policy L5.13 of the Trafford Core Strategy 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 in place'*.
114. 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 in high risk areas of flooding is safe without increasing flood risk elsewhere.

Flood Risk & Drainage

115. The application site is located within a Critical Drainage Area as specified within Trafford Council's Strategic Flood Risk Assessment. Reference to the Environment Agency Flood Zone maps indicate the site is within a Flood Zone 1 area (lowest risk of flooding).

116. The applicant has submitted a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy as part of the development proposals. Both documents have been considered by the Lead Local Flood Authority (LLFA) who have raised no objections to the proposal. The LLFA have recommended that a condition be attached to any grant of planning permission to ensure development is carried out in accordance with the submitted FRA and Surface water Drainage Strategy. A separate condition is recommended to request details of a management and maintenance plan of the sustainable drainage scheme.
117. United Utilities have also considered the submitted FRA and Drainage strategy and have raised no objections. They have recommended a condition that foul and surface water are drained on separate systems and also a condition in relation to a surface water scheme based on the hierarchy of drainage options. A management and maintenance of sustainable drainage scheme condition is also recommended.

Contamination

118. The Councils Pollution officer has considered the Geo-Environmental Desk Top Study submitted as part of the application and also notes that a Phase 1 site investigation document referenced in the desk top study has not been provided as part of the application submission, making it difficult for officers to support the conclusions made. The desk top report refers to contamination that is present in locations across the site which may present a risk to groundwater, water supplies and services which are installed as part of the new development. Risks to future site users from contamination present are likely to be low due to the industrial nature of the development and hard standing layer which is in place across the majority of the site.
119. However, the assessment notes that further site investigation is required to gather a more complete understanding of the location of contamination sources across the site, categorising risks to groundwater and an assessment of ground gas potentially present at site. The pollution officer recommends that a condition be included to require a further site investigation and risk assessment survey to be submitted to the LPA prior to development commencing and a condition requiring the submission of a verification report to be submitted prior to occupation of the development.
120. The Environment Agency have also been consulted on the proposals and have no objection, subject to the inclusion of the same two conditions as recommended by the Councils Pollution officer as well as a condition requiring details of any piling or any other foundation designs using penetrative measures.

TREES & LANDSCAPING

121. Policy R3 of the Core Strategy seeks to protect and enhance the Boroughs 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.

122. The applicant has submitted an Arboricultural Impact assessment of the tree coverage across the site and which has been considered by the Council's Tree officer. The survey identifies that the majority of trees at this site are mostly confined to boundaries and comprise belts of structure planting or self-seeded specimens. Arboricultural value ranges from moderate to low with only two groups that have high value these are located along the southern boundary.
123. The proposals will require the removal of three individual trees, three groups of trees and part of two groups of threes, these have moderate and low value. A total of approximately twenty one trees are proposed to be removed. The two main areas for tree removal are the north-west corner of the site boundary with approximately five trees to be removed (these straddle the boundary, two low quality and three moderate quality). The second area is the south-west corner of the site with approximately ten trees to be removed (these are identified as eight low quality and two moderate quality). A further six trees near to the front boundary of the site are also proposed to be removed (these include four low quality and two moderate quality).
124. The Council's Tree officer has raised no objections to the proposals. Officers discussed the possibility of retaining some of the trees along the south west corner of the site with the tree officer. The trees in these two groups are predominantly Poplar and Willow species which are short lived species that grow very tall very quickly. These trees are already mature so it is expected that in the next 10-15 years they will start to decline. There is a number of dead trees currently within the group. The applicant as part of their original proposals is proposed six new trees all of which would be located along the northern boundary. This level of tree replacement was considered insufficient given the amount of trees being removed. The applicant has subsequently provided an updated landscaping plan which now details 20 new trees including new trees to supplement the southern boundary of the site (10 trees indicated in that area). This increase in tree planting is welcome and a landscaping condition will be included which will also ensure details of appropriate soil pits and soil volumes to ensure these new trees in an urban setting thrive.
125. It is acknowledged that this is an industrial site with limited existing area for planting, however the southern end of the site has particular amenity benefits alongside the canal and it is important to ensure appropriate tree shrub planting is encouraged in this location and across the site where sufficient space allows. The council would therefore seek to secure additional tree planting and soft landscaping throughout the site particularly along the south and south west sides, secured through an the landscaping condition. The southern boundary of the site has a significant belt of mature trees and hedge cover, the proposed plans show that none of these trees are to be removed as part of the proposed works. An appropriate Tree Protection

condition would also be included to ensure protection of retained trees during construction works.

126. In terms of hard landscaping the site is currently secured by approximately 2m-3m high metal fencing along the northern and western boundary with palisade fencing along the eastern boundary. Part of the southern boundary comprises the 3m-3.5m high closed timber acoustic fence with a palisade fence set behind adjacent to the tree and landscaping buffer. The submitted details include for the erection of a new section of acoustic fence along the south-east corner of the site to screen activity from a section of new car parking area adjacent to the side of unit E2. The applicant has provided an indicative external works plan which details the different surfaces across the site for the new internal road system, manoeuvring areas and pavements, final details would be secured through the landscaping condition. The plan also indicates fencing around the different unit service yards and new vehicular gates within the site layout. No final detail on these has been provided but would also be secured through the landscaping condition.

ECOLOGY & BIODIVERSITY

127. Policy R2 of the Core Strategy seeks to protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban countryside assets and protect the natural environment throughout the construction process. Policy R2 is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPFs emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.

128. Paragraph 174 of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 180 of the NPPF advises that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

129. As part of the application submission the applicant has provided an extended Phase 1 Habitat Survey and Daytime Bat Survey which has considered the impact of the proposed development on protected species. The report has been considered by Greater Manchester Ecology Unit.

130. The report identified that there are no statutory designated sites of importance to nature conservation within 1km of the site. The nearest designated sites are Dunham Park Site of Special Scientific Interest (SSSI) which is located 1.7km south west of the application site and Brookheys Covert (SSSI) which is located 1.9km north west of the site. The nearest non-statutory designated site is the Bridgewater

Canal which is a site of Biological importance (SBI) and which is located just beyond the southern boundary of the site.

131. The report stated that no invasive species as listed on Schedule 9 of the Wildlife & Countryside Act 1981 (as amended) were observed on or immediately adjacent to the site. This would include species such as Cotoneaster; Japanese Knotweed and Himalayan Balsam.
132. The report includes an assessment of a number of protected species in regards to the proposed development:-
133. Great Crested Newt (GCN) – No waterbodies exist on site. No ponds exist within 250m of the site. The site supports very limited suitable GCN terrestrial habitat, the bare ground on site is not considered suitable, the hedgerow offers potential cover and foraging habitat for amphibians but is isolated from other suitable habitats.
134. Bats – Buildings and trees were visually assessed for bat roosting potential, no evidence of bats was located and all buildings and trees assessed as having negligible bat roosting potential. GMEU have no objections to the findings of the bat survey but would recommend (that as building 4 within the survey is the largest building to be demolished) that occasional use by bats cannot be ruled out and an informative to be included to reinforce the protection of bats and the measures to be followed should evidence of bats be found during demolition works. In addition a condition is required to ensure an appropriate external lighting plan is submitted for approval that considers the potential impacts to wildlife, in particular the functionality of the Bridgewater Canal as a dark corridor for bats.
135. Nesting Birds - There are suitable trees throughout the site than can accommodate nesting birds and possibly to the roof area of building 4. GMEU have recommended that if any removal of trees is proposed during bird nesting season (March – August) or demolition of building 4 during that period then a bird nesting survey must first be undertaken.
136. Badger – It is illegal to disturb a badger whilst it is in a sett, to kill, injure or take a badger and to obstruct the entrance to a badger sett. No evidence of badger activity such as latrines or snuffle holes was located on site.
137. Water Vole & Otter – No signs of otter or water Vole were found during the survey. The adjacent Bridgewater Canal has concrete banks which is not suitable for Otter holts or Water Vole burrows. In addition the towpath alongside the canal and the site is subject to a lot of activity by members of the public.
138. GMEU would recommend a condition is attached for the submission of a Construction and Environmental Management Plan to ensure protection of the canal during construction works on site.

Contributing and Enhancing the Natural Environment

139. Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. GMEU have advised that the majority of the site has negligible ecological value. The application proposals suggest there would be a net loss of trees as a result of the development. A number of trees are proposed to be removed along the south west corner of the site and elsewhere which constitutes a slight weakening of the planting particularly along the Bridgewater Canal which is a wildlife corridor. There is also the associated loss of bird nesting habitat as a result of the tree removals on site
140. GMEU therefore recommend the landscape proposals are improved to include additional tree planting along the boundary with the Bridgewater Canal to strengthen its functionality as a wildlife corridor and provide mitigation for loss of trees elsewhere on the site. Any replacement trees should be native. It is also recommended that bird and bat boxes are provided on retained trees, details of which would be secured by condition.

Conclusion on Ecology and bio-diversity

141. There are no significant ecological issues or constraints relating to the application site presently and that issues regarding bats, nesting birds and protection of the canal can be secured through appropriate conditions and informatives. It is considered that the proposed development, through the provision of additional tree planting and bird and bat boxes, proposes biodiversity enhancements that would result in net gain for biodiversity in accordance with Policy R2 of the Core Strategy and the NPPF.

SUSTAINABILITY AND ENERGY EFFICIENCY

142. Policy L5.1 of the Core Strategy states that new development should maximize its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralized energy generation. L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO₂ 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. Paragraph 154 of the NPPF states that new development should be planned in ways that can help reduce greenhouse gas emissions, such as through its location orientation and design.
143. The applicant has submitted a Sustainability and Energy Statement in support of the proposed development. The report details how CO₂ emissions could be successfully reduced to achieve set targets that could be incorporated as part of the built fabric to reduce heat loss and ensure efficient operation of the buildings.
144. These measures include high performance thermal insulation and thermally efficient

glazing. Several renewable energy options considered feasible for the development include district heating systems and photovoltaic panels. A condition would be included to ensure specific details of energy efficiency measures that would be incorporated into the development are secured.

CRIME & SECURITY

145. Core Strategy Policy L7.4 relates to matters of design and security and states that development must be designed in a way that reduces opportunities for crime and that does not have an adverse impact on public safety. 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 achieving inclusive and safe places and, together with the advice within the Councils SPG:PG24 Crime and Security, it can therefore be given full weight in the decision making process.
146. The applicant has submitted a Crime Impact Statement (CIS) in support of the proposal. GMP have considered the submitted CIS and have stated that a condition be attached to reflect the physical security specifications set out in section 10 of the CIS. These include measures such as appropriate boundary treatments; laminated glass to accessible areas; provide appropriate security standard external doors; and cycle parking in well secured areas with natural surveillance.

EQUALITY ASSESSMENT

147. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 130 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
148. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
149. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications
150. The proposed development will include provision of 35 accessible parking spaces across the development, the Councils car parking standards for this level of

development would be circa 14 spaces. These spaces are located in close proximity to reception and entrance areas will well defined walkways and demarcated surface markings. The applicant has stated that as the service yard and storage areas are unsafe environments for the wheelchair bound, visually and audibly impaired and that provision under Building Regulation Approved Document M (Access to and use of buildings) has been limited to the provision of ambulant disabled staircases and steps within these areas as necessary. Pedestrian and cyclist approaches to the buildings formalised entry point designated as level (walkways greater than 1:20) avoiding the need for formal ramps, steps or balustrades.

151. All of the new units with mezzanine floors at first floor level have lift locations allocated on floor plans. Accessible toilets are located across all the new buildings at ground floor level and including the mezzanine floor areas for the new units. Seven of the fifteen new units within Unit B have warehouse space only with no detailed toilet or staff rest area detailed on the floor plans. The applicant has confirmed that these seven units have been designed to provide flexibility in leasing. If an occupier wanted to take two adjoining units (eg B1 and B3) they would not have to knock down an existing toilet blocks/welfare area in one of the units to free up the warehouse space. If an occupier wanted to take one of the units without a toilet/welfare area the units are designed to have the necessary drainage and water 'pop-up' services to provide toilets/welfare facilities as would be required under building regulations.
152. The largest unit within the existing building Unit B is the combined units B2/B4 which is the only unit within unit B that has a mezzanine floor. This mezzanine floor is an existing feature of the building and does not have a lift. The ground floor of this new unit has an accessible toilet and staff welfare area.
153. The measures proposed to provide access 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

154. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of "industry and warehousing" development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
155. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide additional tree, shrub and other soft landscaping on site as part of the landscaping proposals.

PLANNING BALANCE AND CONCLUSION

156. S38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
157. 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.
158. The Council's Core Strategy was adopted in January 2012. It remains broadly compliant with much of the policy in the 2021 NPPF. In respect of this application the development plan is considered to be up to date for decision making purposes and the application should be determined in accordance with the development plan unless material considerations indicate otherwise. An assessment of the scheme having regard to Paragraph 11(d) (i) of the NPPF identifies that there is no clear reason for refusal on heritage grounds.
159. The application site is located within the Broadheath Industrial Area where the principle of employment development is considered to be acceptable. The proposals will see the re-use of some existing industrial buildings and new buildings all of which are located within a brownfield site. Development on such brownfield sites is considered to be acceptable in terms of local planning policy and the NPPF (paragraph 119). Government advice also requires Local Planning Authorities when considering proposals and making decisions that contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated or unstable land where appropriate (paragraph 174).
160. The design, layout and appearance of the proposed development is considered to be acceptable and appropriate to its use in this area. The development includes sufficient car-parking provision, pedestrian access, maneuvering space for vehicles including HGVs and a new vehicular access following the closure of one of the two existing accesses onto Atlantic Street. The proposed development would comply with Policies L4 and L7 of the Trafford Core Strategy.
161. The site is significantly large and open and is therefore difficult to contain noise in its current form and layout given that there are no robust means of screening noisy activity within the site to nearby residential properties. The applicant has undertaken changes to the layout of the development in order to realign the new units along the southern boundary of the site to function as a physical barrier to mitigate noise transfer. The applicant has also accepted a number of noise related conditions to also mitigate against noise from activities on site and also of particular importance internal activity within the new units which will be acoustically treated.
162. It is important to note that significant weight must be given to the fallback position of the site which has an existing industrial use and which has existed for a considerable period of time. The site could be used for entire open air storage and

associated industrial activities with no form of noise mitigation in place without the requirement of any further planning approvals. The proposed development would deliver modern industrial units that are more sympathetic to mitigating against noise pollution with associated planning conditions to ensure acceptable noise levels are maintained at the site.

163. The proposed development will provide a number of significant benefits which are afforded considerable weight in the consideration of the proposal. The proposal will modernise and refurbish old industrial buildings and provide new modern industrial buildings to the site bringing an existing vacant site back into use. The proposed redevelopment of the site would be subject to significant investment by the applicant and would provide economic growth and regeneration attracting inward investment and creating job opportunities. The use of the site as proposed is considered acceptable in principle subject to appropriate conditions as detailed earlier in this report to mitigate against impacting upon residential amenity.
164. All other detailed matters have been assessed including land contamination, drainage, ecology, heritage and security. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account. The scheme complies with the development plan which is the starting point for decision making and is therefore recommended for approval.

RECOMMENDATION: GRANT, with 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 premises to which this relates shall be used for Industrial processes and Research & Development (Class E(g)(ii)(iii)); General Industry (Class B2) or Storage and Distribution (Class B8) and ancillary offices and no other purposes (including any other purpose within 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: Other uses within the same Use Class may have a detrimental effect on the neighbourhood and the restriction to the use proposed will enable the Local Planning Authority to consider any further change of use on its merits, having regard to Policies L4 and L7 of the Trafford Core Strategy.

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

- Drwg No: 12223-AEW-SI-XX-DR-A-1001 Rev.P02 – Site Location Plan
- Drwg No: 12223-AEW-XX-XX-DR-A-0503 Rev.P7 – Proposed Masterplan
- Drwg No: 12223-AEW-XX-XX-DR-A-0504 Rev.P5 – Proposed External Finishes
- Drwg No: 4183-01 Rev.B – Landscape Proposals
- Drwg No: 12223-AEW-XX-XX-DR-A-0507 Rev.P1 – Proposed Pedestrian Connectivity
- Drwg No: 12223-AEW-BA-ZZ-DR-A-0545 Rev.P02 – Unit A Proposed GA Floor Plans
- Drwg No: 12223-AEW-BA-RF-DR-A-0546 Rev.P01 – Unit A Proposed GA Roof Plan
- Drwg No: 12223-AEW-BA-XX-DR-A-0547 Rev.P02 – Unit A Proposed GA Elevations
- Drwg No: 12223-AEW-BA-XX-DR-A-0548 Rev.P02 - Unit A Proposed GA Sections
- Drwg No: 12223-AEW-BB-ZZ-DR-A-0555 Rev.P02 – Unit B Proposed GA Floor Plans
- Drwg No: 12223-AEW-BB-RF-DR-A-0556 Rev.P01 – Unit B Proposed GA Roof Plan
- Drwg No: 12223-AEW-BB-XX-DR-A-0557 Rev.P02 – Unit B Proposed GA Elevations
- Drwg No: 12223-AEW-BB-XX-DR-A-0558 Rev.P01 – Unit B Proposed GA Sections
- Drwg No: 12223-AEW-BC-ZZ-DR-A-0561 Rev.P02 – Unit C Proposed GA Floor Plans
- Drwg No: 12223-AEW-BC-RF-DR-A-0562 Rev.P01 – Unit C Proposed GA Roof Plan
- Drwg No: 12223-AEW-BC-XX-DR-A-0563 Rev.P02 – Unit C Proposed GA Elevations
- Drwg No: 12223-AEW-BC-XX-DR-A-0564 Rev.P01 – Unit C Proposed GA Sections
- Drwg No: 12223-AEW-DE-ZZ-DR-A-0621 Rev.P01 – Units D, E1 & E2 Proposed GA Floor Plans
- Drwg No: 12223-AEW-DE-RF-DR-A-0622 Rev.P01 – Units D, E1 & E2 Proposed GA Roof Plans
- Drwg No: 12223-AEW-DE-XX-DR-A-0623 Rev.P01 – Units D, E1 & E2 Proposed GA Elevations
- Drwg No: 12223-AEW-DE-XX-DR-A-0624 Rev.P01 – Units D, E1 & E2 Proposed GA Sections
- Drwg No: 12223-AEW-BF-ZZ-DR-A-0631 Rev.P01 – Unit F Proposed Ground Floor Plan

- Drwg No: 12223-AEW-BF-RF-DR-A-0632 Rev.P01 – Unit F Proposed Roof Plan
- Drwg No: 12223-AEW-BF-XX-DR-A-0633 Rev.P01 – Unit F Proposed Elevations
- Drwg No: 12223-AEW-BF-XX-DR-A-0634 Rev.P01 – Unit F Proposed Sections

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

4. Notwithstanding any description of materials in the application, no above-ground construction works shall take place until samples and full specifications of all materials to be used externally on all parts of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site as identified on Tree Solutions Drawing Ref: 21/AIA/TRAFF/21 02 have been protected in accordance with the tree protection measures as set out in the Tree Solutions Arboricultural Impact Assessment & Method Statement (Ref:21/AIA/Trafford/21). The protection measures shall be retained throughout the period of construction and no activity prohibited by the Arboricultural Impact assessment & Method Statement shall take place within the exclusion zones / root protection areas identified on Tree Solutions Drawing Ref: 21/AIA/TRAFF/21 03.

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.

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 boundary and internal site fences/gates, the formation of any green roofs, banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), details of the raft system in relation to the trees to include area the system will cover and soil to be used 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 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 location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development shall take place, including any works of demolition, until a Construction Environmental Method Statement 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. loading and unloading of plant and materials including times of access/egress
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoardings including decorative displays and information for members of the public, including contact details of the site manager
- v. wheel washing facilities, including measures for keeping the highway clean
- vi. measures to control the emission of dust and dirt during demolition and construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- 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 prevent disturbance to adjacent dwellings from noise and vibration, in accordance with the principles of Best Practicable Means as

described in BS 5228:2009 (parts 1 and 2) including from piling activity and plant such as generators.

- x. 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.
- xi. procedures for dealing with any complaints
- xii. measures to ensure protection of the canal from construction activity

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L4 and Policy 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.

9. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 10 of the submitted Crime Impact Statement (Graphite Security Ref:CIS01-GS-SY-ZZ-RP-Y-0001-S4-B)

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

10. Other than demolition of buildings and structures down to ground level and site clearance works, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by Local Planning Authority. The assessment shall investigate the nature and extent of any contamination across the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination;
- ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site;
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and

v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. It is necessary for this information to be submitted and agreed prior to commencement given the need to undertake appropriate mitigation prior to the start of the construction works.

11. The development hereby approved shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

12. No piling or any other foundation designs using penetrative methods shall take place unless and until a scheme which demonstrates that there will be no resultant unacceptable risk to groundwater has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: For the future protection of the water environment from risks arising from land contamination, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The noise insulation and mitigation measures of Units C, D, E1 & E2 identified in the submitted Noise Impact Assessment (reference 784-B026128) shall be incorporated into the buildings and landscaping hereby permitted and shall be implemented at all times throughout the construction and operational life of the facility. Written validation shall be submitted to and approved by the local planning authority confirming that the required noise insulation and mitigation works have been implemented prior to the first occupation of the development.

Reason: In the interests of the amenity of the occupiers of nearby premises, having regard to Policies L5.13 and L7 of the Trafford Core Strategy.

14. No use of the development hereby permitted until, a report to demonstrating how the noise level ($L_{A,T}$) from all external fixed plant and machinery, when rated in accordance with BS 4142: 2014, will meet the criteria detailed within the noise assessment 'Broadheath Network Centre, Reference 784-B026128 is submitted to and approved in writing by the Local Planning Authority. Any mitigation measures required to achieve compliance with this condition shall be retained in good order for the duration of the development.

Reason: In the interests of the amenity of the occupiers of nearby premises, having regard to Policies L5.13 and L7 of the Trafford Core Strategy.

15. No use of the development hereby approved until, a noise management plan relating to the external areas of the site has been submitted to, and approved in writing by, the local planning authority. The plan shall include, but not be limited to, details regarding the following:

- i) Identification of loading and unloading areas
- ii) Methods to be employed to minimise noise from vehicle movements around the site e.g speed restrictions, roadways, site management.
- iii) Methods to be employed to minimise noise from loading/unloading including usage of fork lift trucks.

The development shall thereafter be carried out in full accordance with the agreed noise management plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of the occupiers of nearby premises, having regard to Policies L5.13 and L7 of the Trafford Core Strategy.

16. Prior to the erection of any floodlights/external lighting, a detailed lighting strategy providing details of light spillage and any required mitigation measures shall be submitted and approved in writing by the Local Planning Authority. All exterior lighting to be capped at the horizontal with no upward light spill. Thereafter the development shall be constructed and retained in accordance with the agreed lighting strategy.

Reason: In the interests of the amenity of the occupiers of nearby premises and protect the wildlife value of the site having regard to Policies L5.13; L7 and R2 of the Trafford Core Strategy.

17. Prior to the first occupation of the development hereby approved, details of the of the acoustic fence to the south east boundary and acoustic gated barrier between units C and D shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interests of the amenity of the occupiers of nearby premises, having regard to Policies L5.13 and L7 of the Trafford Core Strategy.

18. 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

19. Prior to the first occupation of the development hereby approved a scheme detailing the provision of bat and bird boxes throughout the site in accordance with the recommendations within the submitted Ecology Report (Rachel Hacking Ecology June-August 2021), shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure suitable biodiversity measures are incorporated into the development, having regard to Policy R2 of the Trafford Core Strategy and the NPPF.

20. The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment (Tetra Tech – B026128 – March2022) which includes:-

- Drainage Plan in accordance with DWG No:B026128 TTE HML 53 Dr C 501 T04.
- Provision of flood storage attenuation on the development area to a 1 in 100 +CC standard.
- Limiting the surface water run-off generated by the 1 in 100 +CC critical storm so that it will not exceed 10.3l/s and not increase the risk of flooding off-site.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere by ensuring that storage of flood water is provided having regard to Policies L5 and L7 of the Trafford Core Strategy and the NPPF.

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

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

22. No development shall take place until a management and maintenance plan for the lifetime of the development which shall include the arrangements for an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime has been submitted to and approved in writing by the Local Planning authority. Development shall be carried out in accordance with the approved details.

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

23. The development hereby approved shall not be occupied unless and until full details of secure cycle and motorcycle parking have 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 parking provision is made in the interests of promoting sustainable development and in the interest to visual amenity, 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.

24. The development hereby approved shall not be 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 (Employee travel surveys shall be completed every 12 (twelve) months from the date of first operation).

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

25. No part of the development hereby approved shall be brought into use until a scheme detailing the provision of low emission vehicle charging points and other passive infrastructure for future use has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.

Reason: in the interests of sustainability and reducing air pollution having regard to Policies L5 and L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

26. Prior to their installation, details of the sub-station and gas and electric housing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity having regard to Policy L5 and L7 of the Trafford Core Strategy and the NPPF.

27. No development shall take place until details of the new and retained vehicular accesses to Atlantic Street including maintenance of the visibility splays have been submitted and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.

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

28. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles 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.

29. Prior to the development being brought into use, a Service Management Plan, which shall include a waste management strategy shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include a strategy for the appropriate management of deliveries and waste removal. The servicing provision shall be provided before the development is first brought into use and deliveries shall thereafter take place in accordance with the approved plan.

Reason: To ensure that the site is properly and safely serviced in the interests of highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

30. Before the development hereby approved is first brought into use the existing redundant vehicular crossing from the former car park area onto Atlantic Street as indicated on Drwg No: 12223-AEW-XX-XX-DR-A-0503 Rev.P7 Proposed Masterplan, shall have been permanently closed and reinstated in accordance with details which shall have been first submitted to and approved in writing by the Local Planning Authority.

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

31. In the event that any unit hereby approved is to be occupied by a use falling within Use Class E (G)(II)(III), B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), and prior to the occupation of that unit, a Parking and Servicing Statement shall first be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide evidence to demonstrate that adequate car parking and servicing provision can be provided for that unit and shall include a revised parking and servicing layout and bespoke Travel Plan as necessary. Parking and servicing shall be provided in accordance with the approved Parking and Servicing Statement prior to occupation and retained thereafter.

Reason: To ensure that adequate servicing and car parking is provided for each unit for its intended use, having regard to Policies L4 and L7 of the Trafford Core Strategy, Supplementary Planning Document 3 - Parking Standards and Design and the National Planning Policy Framework.

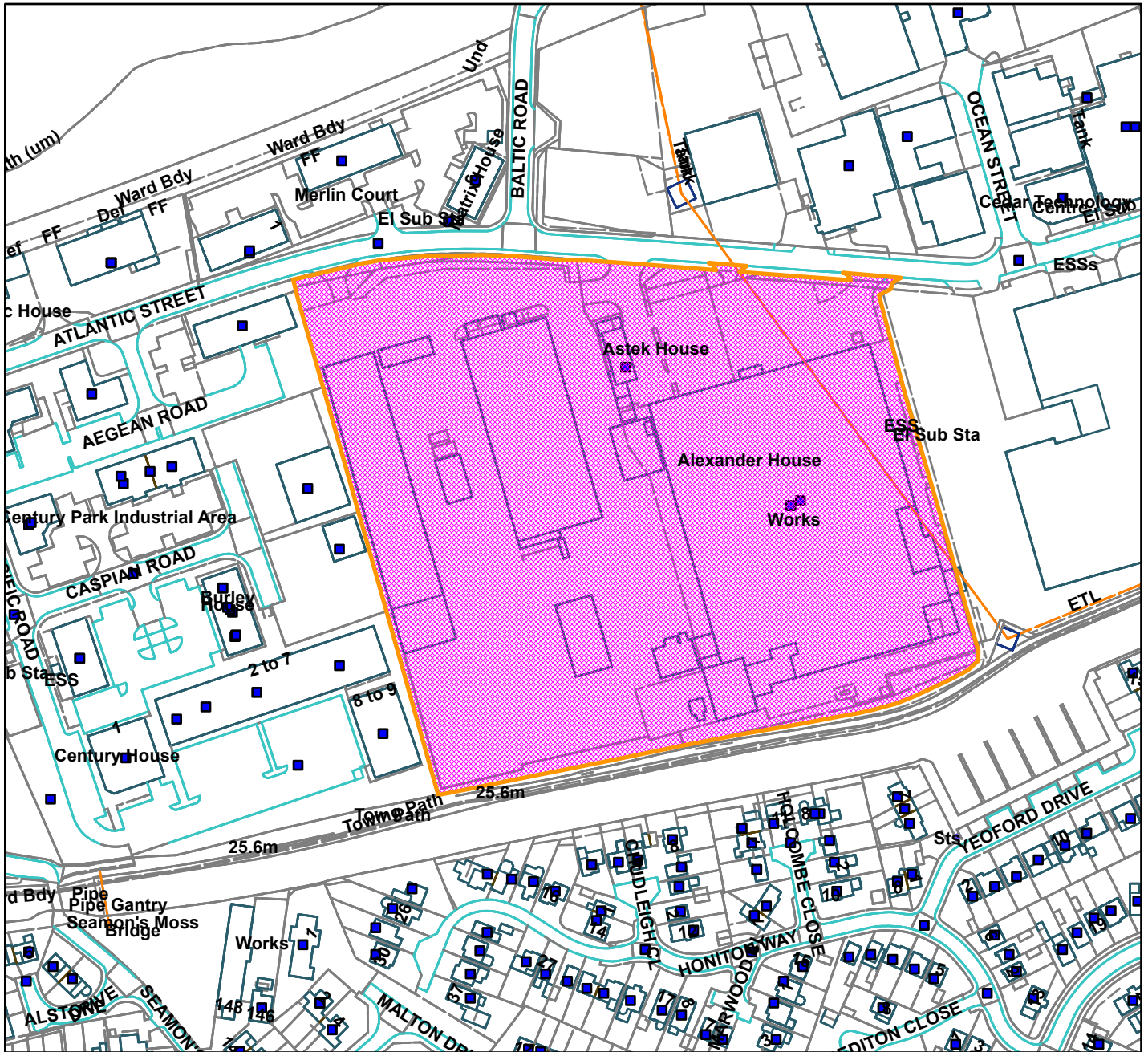
32.No development shall take place until auto-tracking details for both vehicular accesses and the internal road layout have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

CM



Former Cartright Group Site, Atlantic Street, Altrincham (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committe date - 09/06/2022
Date	27/05/2022
MSA Number	100023172 (2012)

WARD: Broadheath

105786/FUL/21

DEPARTURE: No

Demolition of existing buildings and their replacement with a specialist residential scheme to provide a care home (Use Class C2) and fully accessible and adaptable apartment scheme (Use Class C3), new access, car parking provision, open space and associated work.

Pelican Inn and Hotel, 350 Manchester Road, Altrincham, WA14 5NH

APPLICANT: New Care (Altrincham) Ltd.

AGENT: Miss Poppy Hilton, Eden Planning and Development Ltd.

RECOMMENDATION: That Members resolve that they would have been minded to refuse the application, had they been able to determine it.

The applicant (now appellant) has lodged an appeal against the Council's non-determination of this planning application. Whilst the submission of this type of appeal has removed the ability of this Council to determine the application, Committee still needs to consider how it would have determined the application had it been able to do so, in order to define the Council's position on the appeal.

Executive Summary

The site relates to The Pelican Inn public house and Altrincham Lodge hotel with surrounding land, situated adjacent to the A56 in Timperley. The application seeks full planning permission for the demolition of all buildings within the site, and their replacement with an apartment building containing 22no residential units and a care home with 75no beds. The proposals also include a new access point from the A56, car parking provision and associated landscaping and amenity space.

The proposal would result in the total loss of a non-designated heritage asset, along with the loss of a community facility without appropriate justification (The Pelican Inn). Furthermore, the proposal would fail to deliver a policy-compliant level of affordable housing, the case for which is not supported by a viability appraisal. The proposed development is also considered to be out of character with the urban grain of the surrounding area, visually intrusive in the street scene and would represent the overdevelopment of the site by reason of its layout, height, scale, and massing. In addition, the development is not considered to provide a good standard of amenity for future residents.

As the development includes residential development and the Council is currently unable to demonstrate a five year supply of deliverable housing sites, the proposal falls to be considered in the context of NPPF paragraph 11(d)(ii) – the tilted balance. The planning balance is set out in full in the main body of the report, however it is concluded that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so. As such, it is recommended that Members resolve that they would have been minded to refuse the application, had they been able to determine it, for the reasons listed.

SITE

This application relates to an L-shaped site situated on the south-eastern side of the A56 in Timperley. The site is currently occupied by two connected buildings, neither of which are currently in use: The Pelican Inn fronting the A56 and the Altrincham Lodge hotel within the rear part of the site. The Pelican is a two storey building with attic accommodation, constructed of red brick, stone dressings and first floor half-timbered detailing with a slate roof. This is considered to be a non-designated heritage asset.

The hotel is a low two storey structure with three 'wings' running adjacent to the site boundaries. This is in a state of disrepair, having not been in use since 2019. Much of the remainder of the site is occupied by hard-surfaced parking areas, with space for 84no vehicles to the north and south of the Pelican and within the 'courtyard' area of the hotel. A grassed area with several mature trees, which are covered by a Tree Preservation Order (TPO) is located within the northern part of the site.

Land to the east is residential in character and primarily comprised of two storey semi-detached properties, albeit two pairs of bungalows are situated immediately adjacent to the site. Sinderland Brook runs immediately adjacent to the north of the site, beyond which is a parade of two storey commercial properties. Bordering the southern boundary of the site is an electricity substation, residential properties, garages and a row of two storey commercial properties which front the A56. Opposite the site on the western side of the A56 is a car rental facility, adjacent to which is the eastern boundary of De Quincey Park. In general terms, properties fronting this part of the A56 are predominantly used for commercial purposes whilst the primary land use is for residential purposes beyond these to the east and west.

The nearest designated heritage assets are the Grade II listed Watling Gate, approximately 170m to the east and the Grade II listed Gatepiers and Walls to Timperley Lodge, approximately 285m to the south-west. As noted above, the Pelican Inn is considered to be a non-designated heritage asset, as is 'Siddall's Bridge' on the A56 to the north. Manchester Road (A56) is a significant historic route through the borough and is generally on the same alignment as the original Roman road known as Watling Street (50 AD to 400 AD).

With the exception of a small area of land adjacent to Sinderland Brook, the site falls within Flood Zone 1. The adjacent A56 constitutes an Air Quality Management Area.

PROPOSAL

Full planning permission is sought for the demolition of all existing buildings on site and the erection of two replacement buildings: a care home and a residential apartment block. The proposed care home is a three storey T-shaped building, with a small section stepping down to two storeys adjacent to the eastern site boundary. This is situated in the southern part of the site and fronts the A56, extending back towards the boundary with Malpas Drive. The apartment building is a part-four storey, part-three storey

structure and is rectangular in form. This is situated north of the care home and also fronts the A56. Both buildings are proposed to be of brickwork with large elements of glazing, whilst the upper storey of the apartment building has a grey standing seam clad finish.

The care home provides 75no beds and is understood to be capable of offering care for residents of all dependency levels, including those requiring dementia care. The building includes communal balconies and external seating areas, whilst provision is also made for residents' café, lounge, dining areas and hair salon. The apartment building provides 5no one-bed units and 17no two-bed units, which are intended to be adaptable and accessible dwellings, designed to meet Part M(2) of the Building Regulations. Notwithstanding this, only 8no of the units would meet the requirements of the nationally described space standards.

The landscaped area in the northern part of the site, including TPOs would be retained and is intended to serve as amenity space for residents of the apartment building. The care home would be served by the communal balconies, as well as a sensory garden and kitchen garden adjacent to the southern and eastern site boundaries. 22no car parking spaces are proposed for the apartment building, 2no of which are accessible spaces and 4no of which have electric vehicle charging points. The care home is served by 28no car parking spaces, inclusive of 3no accessible spaces and 2no electric vehicle charging points.

The applicant considers that 'Vacant Building Credit' should be applicable to the scheme (discussed below) and has offered 5no of the residential units on an affordable basis.

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

Strategic Objectives SO1, SO2, SO5, SO6, SO7 and SO8

Relevant Place Objectives for Altrincham

- L1 – Land for New Homes
- L2 – Meeting Housing Needs
- 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

SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE

- Revised SPD1 – Planning Obligations
- SPD2 – A56 Corridor Development Guidelines
- SPD3 – Parking Standards & Design
- PG1 – New Residential Development

PROPOSALS MAP NOTATION

- Sites of Importance for Nature Conservation
- Protected Linear Open Land

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None relevant.

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 was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14th February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is 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 April 2022. 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

H/68761: Erection of kitchen extension to rear and two jumbrellas to front – Approved with conditions 18/03/2008.

H41542: Construction of new sloping roof over flat roof to existing motel buildings – Approved 20/12/1995.

H32216: Erection of single storey extensions to side and rear of existing buildings and associated alterations including erection of new wall and gates – Approved with conditions 02/11/1990.

H29952: Replacement of existing flat roofs over rear bedroom blocks with pitched roofs – Approved 01/11/1989.

H26289: Erection of side extension to form new entrance, rear extension to form enlarged kitchen to provide toilet and alterations to rear elevation to form new entrance – Approved with conditions 05/01/1988.

APPLICANT'S SUBMISSION

- Air Quality Assessment
- Archaeological Desk Based Assessment
- Bat Activity Survey Report
- Carbon Budget Statement (Apartments and Care Home)
- Crime Impact Statement (Apartments and Care Home)
- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Further Supporting Highways Information
- Heritage Assessment
- Noise Impact Assessment
- Planning Addendum

- Planning Need Assessment (Elderly Care Home)
- Planning Statement
- Preliminary Arboricultural Survey
- Preliminary Ecological Appraisal and Bat Scoping Report
- Report Concerning Economic Viability of Reopening and Sustaining a Public House Use
- Statement of Community Involvement
- Transport Assessment
- Waste Management Statement
- Written Scheme of Investigation for Archaeological Works

CONSULTATIONS

Arboriculturist: No objection, conditions recommended.

Cadent Gas: No objection, informative provided.

Campaign for Real Ale (CAMRA): Objection to loss of public house.

Environmental Protection (Air Quality): No objection, conditions recommended.

Environmental Protection (Contaminated Land): No objection, conditions recommended.

Environmental Protection (Nuisance): Plant noise not provided – can be conditioned.

Greater Manchester Archaeological Advisory Service: No objection, conditions recommended.

Greater Manchester Ecology Unit: No objection.

Greater Manchester Police (Design for Security): No objection, conditions recommended.

Heritage Development Officer: Objection – demolition of existing public house is not supported. Full comments reported later in report.

Lead Local Flood Authority: No objection, conditions recommended.

Local Highway Authority: No objections in principle, amendments needed to proposed road markings on A56.

Trafford Council (Adult Social Care): Comments to be reported in Additional Information Report.

Trafford Council (Education): Contribution towards education facilities required – calculation provided.

Trafford Council (Waste Services): Comments provided regarding location of proposed bin stores.

United Utilities: No objection, conditions recommended.

REPRESENTATIONS

Letters of objection have been received from 15no addresses. These raise the following concerns/comments:

- Building is in a prominent position, should not be demolished
- Design of Pelican contributes a great deal to character of the area
- Building/site has historic importance
- Would rather see the conversion of existing building – was a much loved public house and local landmark
- Streetscene is appalling and insulting architecturally and aesthetically – no obvious character or distinguishing features Impact on views from nearby dwellings
- Public house is viable, of heritage value, benefits the community and visitors and must be marketed for at least 12 months as a going concern
- Residents have no similar nearby facilities
- Overbearing and overlooking impact on surrounding properties
- Many buildings described in Planning Addendum are a considerable distance from the site and cannot be seen from it
- No similarity with existing urban grain
- Three storeys will impact on privacy/sunlight – should be no more than two
- Bin store location will be an eyesore and will cause harm from noise, smells and impact on privacy
- Overdevelopment of the site
- Impact of noise from people and traffic on nearby dwellings
- Additional traffic generation and congestion in an area with existing issues
- Impact on sunlight reaching neighbouring garden/house
- Pollution and impact on the environment
- Impact on property prices
- Impact on standard of living of tenants/residents of nearby dwellings
- Should not be any access from Malpas Drive
- Same size brick wall as existing should be provided to Malpas Drive
- Impact of additional residents on school places
- Parking permits for existing residents should be provided
- May be remains of archaeological importance
- Trees should be preserved
- Impact on ecology should be considered

- Building should be retained to avoid release of embodied carbon
- Loss of community green space – moving boundary wall would cause loss of amenity and would impact trees and streetscene
- Proposed fencing is inadequate and inappropriate
- Inadequate and insufficient parking spaces
- Impact on infrastructure, GPs, schools and roads
- Impact of nursing home on local surgeries
- Trees and greenery will be lost
- Opportunity to improve the site would be lost
- Insufficient detail in Transport Assessment – does not demonstrate safe and suitable access
- Use of TRICS data is flawed
- Issues with access/egress for servicing vehicles
- Cycle parking provision is inadequate
- Statement of Community Involvement is inaccurate
- The Planning Addendum is inaccurate

2no letters of support have been received. These make suggestions for the improvement of the scheme, but the following comment is made in support:

- Pleased that the site will only be accessed from Manchester Road and current green space will remain

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Policy position:

1. Section 38(6) 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.
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. Paragraph 11(c) of the NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11(d) states 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.
- 4. The Council does not, at present, have a five year supply of immediately available housing land, so paragraph 11(d) is therefore automatically engaged.
- 5. The footnote to paragraph 11(d)(i) explains that the policies of the NPPF referred to include those which relate to habitats protection, designated heritage assets (as well as non-designated heritage assets of archaeological interest) and flood risk. The assessment of the scheme on these particular areas (set out later in this report) does not lead to a conclusion that ‘provides a clear reason for refusing the development proposed’. Whilst issues have been raised regarding the impact of the development on a non-designated heritage asset, the significance of this is not associated with its archaeological interest and as such, refusal on the basis of paragraph 11(d)(i) would not be justified. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged. Planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This exercise is set out within the ‘Planning Balance and Conclusion’ section of this report.

Loss of community facility:

- 6. Paragraph 93 of the NPPF seeks to provide the social, recreational and cultural facilities and services the community needs. This requires planning decisions to plan positively for the provision and use of community facilities (including public houses), and to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs. Although the Pelican Inn is now closed, the proposed development would result in the permanent loss of a community facility from the site. Whilst the application site is not listed as a formal ‘Asset of Community Value’, the NPPF does not make any distinction when setting out the need to safeguard pubs as community facilities (supported by appeal decision APP/J2285/W/20/3259455).
- 7. As noted earlier in this report, Places for Everyone (PfE) is 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. Policy JP-P-3 ‘Cultural Facilities’ sets out that the Plan will *“proactively develop and support cultural businesses and attractions in our cities and towns through a range of measures...”*. These include *“protecting existing heritage, cultural and community venues, facilities and uses.”*
- 8. Changes brought about through the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2 Order 2017) saw the removal of permitted development rights including the demolition of pubs, meaning

that planning consent is required in all cases before a pub can be demolished. The use class of public houses is now 'sui generis' where it was previously A4, with the effect that no changes of use from a public house would constitute permitted development. These changes, followed by changes to the use classes order in 2020 sets the Government's narrative regarding their community value.

9. Public houses provide a social function within the community, providing a meeting space for friends, families, community groups and more. In an age where more and more services are provided online, the importance of retaining facilities that provide for face-to-face interaction and socialising has become highlighted. A number of representations from local residents comment that the pub was a valued facility, one noting that The Pelican "*was a much loved public house and local landmark*". Others state that the pub benefited the community and visitors from further afield, and that residents have no similar nearby facilities. Whilst the pub has closed, this is not necessarily an indication that it was not a valued community facility, or that its loss is acceptable; the closure may just as feasibly be down to the way in which it was run or the offer of the operator. This position is supported by a number of appeal decisions (including APP/Q0505/A/11/2167572).
10. Comments on the application have been provided by the Trafford & Hulme Branch of the Campaign for Real Ale (CAMRA), whose stated mission is to promote and advocate pubs and clubs as social centres, and part of the UK's cultural heritage. An objection to the proposed development has been raised on the basis that no attempt has been made to market the public house as a going concern since its closure in July 2020. Without such marketing for at least 12 months, CAMRA states that it is impossible to say whether the pub is viable as an ongoing concern and that to lose it without such a test would be contrary to the NPPF. The comments also note that the nearest pub, the Railway at Broadheath, is 0.6 miles away and whilst valuable as a community pub in its own right, is of a different type and unable to provide some of the community functions which were provided by The Pelican. Other, more comparable pubs (such as Bewley Farm, Navigation, Moss Trooper) are between 0.8 and 1 mile away.
11. The applicant has submitted an Economic Viability Report in support of the application, which concludes that the public house "*does not have a credible or economically sustainable future trading as a public house*". This conclusion is based on a number of factors, one of which is the impact of the pandemic. CAMRA advises that their figures indicate a decline in permanent pub closures despite the benefit, suggesting this should not be a determinative factor in whether a pub use would be viable. The physical condition of the pub is also referred to, however this is not based on any structural survey and in any case, the neglect of the building by its owners could not reasonably constitute justification for its loss. Officer have visited the site, including inside The Pelican and although in a slightly rundown state, there is no evidence to suggest that it could not be brought back into use as a public house.

12. Assumptions are also made that the pub could not attract passing trade or enjoy more local custom, however this could well be down to the way in which the pub has been run and the offer available, rather than being an indication that a facility such as this is not viable in this location. Section 4.2 of the report considers alternative nearby pubs, however this fails to note that the nearest facility is at least 0.6 miles away and as noted above, the nearest pubs are not directly comparable to The Pelican (i.e. functioning as an occasional taproom and not offering food service).

13. Of particular note is section 4.3.1 of the report which states the following:

The property had been in the ownership of Greene King and their predecessors for many years and transacted in September 2020 with McGoff Construction. McGoff Construction have subsequently acquired the freehold interest on a conditional contract. Therefore the price they are contracted to will reflect the benefit of any planning consent granted and is therefore likely to be higher than the value of the pub and lodge assuming continued operating use.

14. It is entirely unreasonable for the loss of a community facility to be justified on the basis that the deal for the land/property doesn't allow for its retention.

15. The conclusion that the pub is unviable is based upon a number of assumptions which are subject to question. Notwithstanding this, and as advised by CAMRA, the only way for the lack of viability to be appropriately tested is for the pub to be marketed for at least 12 months at a valuation reflecting its continued use as a public house. This has not been done, with the property being marketed with 'offers invited' rather than for continued use as a public house, and through channels not traditionally used in the pub trade. The report makes clear that such a method was likely to attract a 'variety of potential purchasers'.

16. On the basis of the above, Officers are unable to conclude that the loss of the public house as a community facility has been appropriately justified, having regard to paragraph 93 of the NPPF.

Proposed care home use:

17. Policy L2.17 of the Core Strategy states that developers will be required to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of the borough's older residents.

18. The applicant has submitted a Planning Need Assessment in respect of the proposed care home. This concludes that there is a quantitative need for care home beds within the market catchment and local authority area, in particular nursing and dementia care. This also states that a good proportion of those requiring care are likely to be self-funded, and their choice of care home will be based on location, quality of care and accommodation and proximity to friends and

family. It is understood that the proposed care home will be capable of caring for residents of all dependency levels, including those requiring dementia care.

19. Discussions have taken place between Officers, Trafford CCG and the Council's Adult Social Care Service. Concerns have been expressed by these consultees regarding the proposed care home, however full comments will be reported in the Additional Information Report to committee. These are not expected to tip the planning balance in favour of approving the application.

Residential development – need and mix:

20. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 60 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
21. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest calculation suggests that the Council's supply is approximately 3.6 years. Therefore, there exists a need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
22. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The NPPF also requires policies and decisions to support development that makes efficient use of land, whilst Objective 3 and Policy JP-S 1 of the draft Places for Everyone document encourages best use to be made of brownfield sites (and vacant buildings). The application site is brownfield, previously developed land and notwithstanding issues associated with the loss of the existing public house, the principle of developing land in this location for residential purposes is acceptable in itself. The site is also considered to be in a sustainable location, in particular given the proximity to bus routes along the A56 and the Timperley Metrolink stop.
23. The NPPF at paragraph 61 requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided. Policy L2.4 states that the

Council will seek to achieve a target split of 70:30; small:large (3+ beds) residential units with 50% of the small homes being suitable for families. Most of the residential units are two-bed dwellings and all are designed to be in accordance with Part M4(2) of the Building Regulations (accessible and adaptable dwellings). Officers are satisfied that an appropriate mix of housing would be delivered in this location, having regard to the need to achieve appropriate densities.

Affordable housing:

24. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market:affordable housing. Policy L2.14 states that the expected method of delivery for affordable housing will be on site. The site falls within a 'Hot' market location for the purposes of applying Policy L2 and with the Borough now in 'Good' market conditions, this relates to a requirement for 45% of the proposed residential units provided to be delivered on an affordable basis; this equates to 10no affordable units.
25. The NPPF defines affordable housing as: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 65 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer, whilst the NPPG advises that 'First Homes' should account for at least 25% of all affordable units delivered.
26. The applicant has offered to deliver 22% affordable housing on site (5no units), being of the view that 'Vacant Building Credit' (VBC) should apply to the proposed development. The NPPG explains that VBC is intended to incentivise brownfield development to bring them back into use, and would enable the gross floorspace of existing buildings on the site to be offset against the proposed floorspace for the purposes of calculating a scheme's affordable housing requirement. This goes on to say that in considering how VBC should apply to a particular development, local planning authorities should have regard to the intention of national policy. This notes that in doing so, it may be appropriate for authorities to consider whether the building has been made vacant for the sole purposes of re-development.
27. The Council does not consider VBC in its adopted development plan, nor in any supplementary planning documents, whilst no reference is made to VBC within the draft Places for Everyone. Officers are not satisfied that VBC is necessary to incentivise the redevelopment of the site and to bring it back into use, and do not consider that VBC should be applicable in this case.

28. The applicant advises that the pub closed in 2019 as a result of the Covid-19 pandemic but officially ceased operating in July 2020, whilst the motel closed in 2019. It cannot therefore be demonstrated that the buildings have been vacant for a period of 5 years; Officers are unable to conclude that the buildings have not been made vacant for the sole purpose of redevelopment.
29. Given the above, the policy requirement for affordable housing is 45% and the applicant's offer of 22% therefore fails to meet this requirement and is not supported by a viability appraisal. As such, the application fails to accord with Policies L2 and L8 of the Core Strategy, SPD1, the NPPF and NPPG, and is unacceptable in this respect.

HERITAGE MATTERS

Policy background:

30. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets.
31. Paragraph 203 of the NPPF identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
32. Some of the language used within Section 16 of the NPPF also features in Policy R1, either within the policy itself or in the accompanying justification. That policy protection exists for buildings and features that may not be formally recognised by statute is also present in both. Elements of Policy R1 relevant to non-designated heritage assets is consistent with the NPPF, and full weight can therefore be afforded to this policy in the determination of this application.

Significance of heritage assets:

The Pelican Inn:

33. The Pelican Inn was commenced in May 1931 and was designed by G Westcott F.M.S.A. of Bridge Street Manchester. The Inn replaced an earlier public house, 'The Old Pelican Hotel' which is known to have stood on the site from at least the early 19th century. The building was then demolished following the completion of the new public house in 1932. Fields to the east of the site were also associated

with the former Hotel. A coaching inn is understood to have occupied the site from at least the 17th century.

34. The Pelican Inn is a substantial building comprising of two storeys with attic accommodation and partial cellar. The plan form is regular with the principal elevation fronting Manchester Road and dominated by three jettied gables; the central gable most advanced with open porch later infilled. The building is constructed from a dark red pressed brick laid in a stretcher bond with herringbone infill panels and stone dressings. At first floor is extensive half-timbered detailing which extends to the gables and side elevations resulting in a striking and distinctive appearance to the Inn. Timber framing surrounds windows at ground floor with large posts supporting the gable decorated with vine motifs. The former entrance to an off licence is evident to the right hand side. A number of original leaded crittal windows survive, each floor defined with a distinctive pattern adding further interest to the building. The roof is pitched and clad with Westmorland slate with sprocketed eaves and three extensive chimney stacks. There have been some minor alterations such as the partially infilled porch, signage and modern colour scheme. The architectural emphasis of the building is focused on the principal elevation which is a well-balanced, symmetrical composition.
35. The rear elevation is plainer in appearance, predominately constructed from brick and partially rendered. A large stained glass window incorporating a pelican serves the staircase and is a central feature. There have been a number of late 20th century alterations to this elevation including the insertion of uPVC windows, a kitchen extension and covered walkway linking to the motel. The latter largely follows the footprint of the former bowling green. The loss of this original feature and the extensive surface car park surrounding the building has impacted on its setting, nevertheless the forecourt remains to the principal elevation and is defined by the original boundary wall.
36. An area of mature trees, soft landscaping and hedging also remains adjacent to Sinderland Brook complementing the setting. To the east and south lies suburban housing, thought to be constructed as 'Homes Fit for Heroes'. The heritage asset dominates views looking northwards and southwards along Manchester Road. The scale, height and distinctive architectural features including timber framing, roofscape, prominent gables and chimney stacks result in a striking and recognisable local landmark occupying an historic position on the border of Sale and Altrincham.
37. Internally the public house has been modernised, particularly at ground floor, with some surviving plan form (function room and staff accommodation) on the upper floors. Original fixtures and fittings are mostly confined to the first and second floors with a fireplace to the south elevation at ground floor.
38. The replacement 'reformed' building was designed for Groves & Whitnall in a Tudor revival style known at the time as 'Brewers Tudor'. Breweries often built

pubs in the Brewers Tudor style during this period as local landmarks but also had a sense of longevity and familiarity. This style had a close affinity with the pubs of yesteryear and invoked notions of old style hospitality. Designs often incorporated half-timbered gables as well as elements and materials which reflected local vernacular architecture. The interwar period saw many breweries across the country rebuilding their public houses to expand their appeal and create bigger, better pubs with restaurants, gardens and community meeting spaces. These would attract more respectable customers and appeal to families and particularly women. The pubs of the interwar years were also responsible for a number of innovations including the pub garden, car park, off licence, function/assembly room and large dining areas. Interestingly the Pelican Inn also has a strong symmetry to its frontage which appears to be a nod towards the Neo Georgian style also popular during the period and emphasising the substantial frontage to attract patrons.

39. Groves & Whitnall Ltd, was founded by William Groves and Arthur Whitnall in October 1868. Whilst a largely local brewery, it included 591 public houses when registered at the turn of 20th century across Greater Manchester, Cheshire & Derbyshire. In 1961 they were acquired by Greenall Whitley & Co. Ltd and brewing ceased in March 1972. The Pelican Inn was one of only a few purpose built public houses constructed by the brewery during the interwar period.
40. George Westcott (1875-1940) was articled to William Ball and thereby with the Boddington family of Manchester brewers. After serving in the First World War he reached the rank of Lieutenant-Colonel and was awarded the Military OBE. He also served on Manchester City Council from 1911 and from 1928-29 was Lord Mayor of Manchester. In 1932 he became a director of Manchester United Football Club. He was well known and took an active part in the religious, political and social life of the city.
41. Colonel Westcott had an extensive architectural practice from 1901 and undertook many commissions for the alteration and building of public houses across Greater Manchester. Among his major commissions, he designed the workshops at Henshaw's Institution, the Northern Hospital in Cheetham Hill and the Art Deco Motor Coach station in Lower Mosley Street, now demolished. From the mid-twenties he obtained increasing amounts of brewery work, becoming an acknowledged expert on licensing matters. Many of these commissions were for Boddington's Brewery with which he was connected by marriage, but not exclusively so. He was elected a Fellow of the RIBA in 1935 and was also a member of the Manchester Society of Architects.
42. Following the publication by Historic England in 2015, 'The Urban and Suburban Public House in Interwar England 1918-1939', it is widely recognised that "*Interwar public houses are now a sadly overlooked and threatened building type, with very few surviving today following high rates of closure, alteration and demolition*".

43. The Pelican Inn is significant for its architectural, archaeological and historic (illustrative and associative) values. There is a good level of architectural integrity with a well-balanced composition, palette of traditional materials and distinctive architectural features by a local architect and political figure; its landmark status resulting from its scale, height, prominence and positioning on a major historic route; survival of historic fabric and illustration of the development of public houses during the interwar period; the potential for archaeological value associated with the historic development of the site as a coaching inn and siting adjacent to Watling Street.

Siddall's Bridge:

44. Siddall's Bridge lies outside the application site and carries the A56 over the Brook forming the boundary between Sale & Altrincham. Siddall's Bridge was erected in 1756 when the road was widened to form part of the turnpike from Manchester to Altrincham. The eastern parapet appears to have been rebuilt. It is named after the Siddall family of nearby Woodhey. The structure is clearly identified on the 1838 Cheshire tithe map.

Impact of development on heritage assets:

45. The application proposes the demolition of the Pelican Inn and its replacement with a specialist residential scheme to provide a care home and a fully accessible and adaptable apartment scheme, new access, car parking provision, open space and associated work. The proposed development will result in the total loss of significance of this non-designated heritage asset and the applicant has failed to address NPPF paragraph 195: *"to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal"*.
46. The proposed development is considered not to harm the setting of Siddall's Bridge.

Balance and conclusion:

47. As noted above, the NPPF advises that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, the proposal would result in the total loss of the identified non-designated heritage asset through its demolition, which would have an adverse and irreversible impact on its significance. The Pelican Inn is considered to have a high level of significance, within the category of 'non-designated heritage assets', as identified and demonstrated within the above assessment. In particular, it is noted that it has landmark status, is a threatened building type and is associated with a local architect and political figure.

48. The planning balance for the application is set out in full later in this report, however Officers do not consider that there are any considerations which would render the loss of this asset acceptable, bearing in mind its high degree of significance and the severe impact associated with its entire loss. As noted above, the applicant has failed to avoid or minimise the conflict between the asset's conservation and the proposal, contrary to NPPF paragraph 195; a scheme could be delivered at the site which includes the retention (and possible conversion) of the building without the need for its total loss. Overall, the proposed development is contrary to paragraphs 195 and 203 of the NPPF and policy R1 of the Trafford Core Strategy.

ARCHAEOLOGY

49. Policy R1.8 of the Core Strategy states that in areas of archaeological importance developers will be required to:
- Identify the presence or absence of remains of archaeological significance and take into account the potential for new finds; and
 - Set out a framework for dealing with investigation, recording and preservation of any remains.
50. Paragraph 194 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
51. The application is accompanied by an Archaeological Desk Based Assessment (DBA) and a Written Scheme of Investigation for Archaeological Work (WSI). The DBA identifies that the Greater Manchester Historic Environment Record (HER) records that two fragments of Romano-British and possibly Saxon pottery were discovered during the construction of the 20th century Pelican Inn within the site boundary. The 20th century Pelican replaced an earlier early-19th century public house, which possibly illustrated the rapid 20th century expansion of residential development in the local area and motivations for rebuilding the public house. Historic map regression identifies that the 19th century public house had a number of further outbuildings and possibly associated former field boundaries surrounding it, within the site boundary.
52. The DBA notes that any remains relating to the previous 19th century public house would provide information on the extent and character of the 19th century Pelican Inn, but also potentially on its relationship with the surrounding pre-existing historical landscape. The level of preservation beneath the 20th century redevelopment is unknown and there is potential for below-ground remains from the 19th century Pelican Inn, as well as possible earlier Romano-British activity, as evidenced by the discovery of Romano-British pottery within the site boundary.

This is also supported by the proximity of the Manchester (Mamucium) to Chester (Deva) Roman road. Therefore, archaeological assets dating to the Romano-British period found within the site boundary would be of high archaeological interest, due their survival and rarity.

53. The WSI details a scheme of archaeological work to be carried out at the site, should consent be granted.
54. The Greater Manchester Archaeological Advisory Service (GMAAS) has been consulted and confirms that it is in agreement with the conclusions regarding the required mitigation, should planning permission be granted. The application is therefore acceptable with regard to matters of archaeology.

DESIGN AND APPEARANCE

55. 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”*.
56. 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 130 lists criteria which are necessary for well designed, including ensuring that they add to the overall quality of the area, are visually attractive and are sympathetic to local character and history.
57. 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.
58. The National Design Guide (NDG) sets out ten characteristics which illustrate the Government’s priorities for well-designed places. Great emphasis in the NDG is placed on the importance of context and identity, stating that well-designed new development should understand and relate well to the site, its local and wider context, and respond well to the features of the site itself and the surrounding context beyond the site boundary.
59. The grain of the area surrounding the application site is characterised by semi-detached residential properties in modest plots to the east and south: a

characteristically suburban area. The A56 has some buildings, or groups of buildings with larger footprints, such as the parade of commercial uses to the south of the site, although these are rectangular in form and do not exceed two storeys. The existing buildings on site also do not exceed two storeys in height, with The Pelican having attic accommodation.

60. It is considered that neither proposed building reflects the above-described urban grain of the surroundings, which is generally comprised of two storey units within smaller plots; there are no other buildings of the height, form and mass proposed until a considerable distance further along the A56 to the south (for example Trafford College). The depth of the care home building in particular, extending into the rear part of the site at 3 storeys is at odds with the surrounding grain, form and character; the mass and extent of the building is apparent in the submitted site sections and side elevations, where it would in no way relate to the nearby 1-2 storey semi-detached residential properties. This is directly contrary to paragraph 43 of the NDG which requires well-designed development to be integrated into its wider surroundings and based on an understanding of the existing situation, including patterns of built form to inform its layout, grain, form and scale.
61. It is acknowledged that the existing hotel in the rear part of the site does not represent high quality design and is very close to the site boundaries, albeit for a two storey building, it is not particularly tall and therefore has a limited impact on the streetscene. However any replacement development would need to be of an appropriate scale and mass for the site and its context, and the removal of the existing hotel does not constitute justification for a below-standard replacement.
62. Excluding the area of protected trees to the north of the site, the development occupies most of the site frontage and is unrelenting, with little relief in terms of spacing or the form of the buildings. The existing Pelican Inn has a frontage of 36m, whilst the two proposed buildings would have a combined frontage of 70m. The proposed buildings also project significantly closer to the A56 than the existing pub building, and in close proximity to a proposed 2.1 metre high railing, resulting in a cramped appearance on the site, and providing no room for tree planting. These factors, together with the limited space between the buildings and their additional height (discussed below) are considered to result in the overdevelopment of the site, and a development with a detrimental impact on the streetscene, being visually intrusive and overly dominant. This would be particularly apparent given the quality of building (the Pelican) being replaced and the lack of identity or any detailing or design features in the proposed buildings which pay regard to this historic or surrounding character, again contrary to the NDG characteristic of 'context' or 'identity'. Comparisons are drawn by the applicant to the terrace of commercial properties to the south, and whilst the frontage length of this and the care home are similar, the proposed development is of greater height and substantially greater mass, extending well into the rear of the site. This is not considered to be an appropriate comparison; the mass of the proposed building would dwarf the commercial parade to the south.

63. The applicant also draws a comparison between the height of the existing and proposed buildings, however the third storey of the existing pub is largely set within its roof space, whereas the development will have 3-4 full storeys of accommodation and a much greater eaves height and impression of height, with no relief in the form of any roof detailing. The existing pub is a landmark building due to its design, use and spacious surroundings; in this context, its additional height compared to surrounding buildings is considered appropriate whilst the proposed development would not have the same 'landmark' status, and would also have significantly greater mass and footprint. As such, there are no mitigating factors to warrant the approval of replacement buildings which lack identity and are of such significantly greater mass and height than those currently on site. No drawings have been submitted to indicate the level of design detail proposed to the facades of the buildings.
64. The detailed design of the apartment building is similar to that fronting the former Bayer site further along the A56 to the south, albeit without the modelling and architectural detailing of that building. There are however material differences between the context of the two sites: the former Bayer site is close to a number of other large buildings in spacious plots, including the car dealership and garage opposite and office buildings to the north. The apartment building that sits on the site frontage replaced a former office building of a similar height and mass. This is a very different urban grain to the application site discussed above, which has no building of such scale in its immediate context.
65. The roof top element of the apartment building is considered to be excessive and is not representative of high quality design. The width of this element in particular is excessive, whilst the extent of standing seam cladding, and the lack of a significant recess to the central curtain walling element are also detrimental to its overall appearance. The applicant states in the Planning Addendum that these issues could be looked at, and the top floor of the building redesigned. However no such amendments have been made to the application, and it is the submitted plans which must be assessed. The above issues contribute to the visual intrusion of the development and its overall poor design. Revised plans show the use of a darker coloured brick to some areas, however this does little to address the more substantial concerns of Officers.
66. The care home is also considered to be visually intrusive and out of context in views from Malpas Drive, particularly during times of the year when trees are not in leaf. The scale of the building and its relationship to this boundary are not considered appropriate, and it fails to integrate well with its surroundings, which comprises predominantly two storey semis with some bungalows. As noted above, the poor relationship of the existing hotel to its surroundings is acknowledged, however the care home would be a much taller building and does not make the most of the opportunities presented by this part of the site. Officers have suggested that two storey semi-detached dwellings may be more appropriate to

the Malpas Drive frontage, however this option has not been pursued by the applicant. Section 5 of the submitted Planning Addendum seeks to explain why a smaller care home is not desirable from an operational perspective. This is not justification for a building which is too large for the site, and further demonstrates that the design of the scheme does not stem from an appreciation of the character and context of the application site. There is also no access point into the building from its frontage on Manchester Road, which is not considered to be a desirable approach from a legibility perspective.

67. The applicant has attempted to make comparisons between elements of the proposed development and aspects of surrounding buildings and existing buildings on site, for example height or length of frontage. Whilst there are examples of buildings where certain elements of the scheme are comparable, it is not appropriate to consider each of these in isolation; rather it is the combination of the scale, height, form, design and massing which renders the scheme unacceptable and out of character with its surroundings. For example, commercial buildings to the south have a similar frontage but without comparable height or depth; the existing hotel extends into the rear of the site but at a much lower height; the existing pub has three storeys of accommodation, but the upper storey is contained within the roof space, reducing its impression of height. Other larger buildings referred to are a considerable distance from the site and are not deemed to be suitable comparators when assessing the context of the application site (as described above). In taking these maxima from various elements of existing and surrounding buildings, the application fails to consider the cumulative impact of the height, massing, form and footprint of the two proposed buildings, which together contribute to the inappropriateness of the development.
68. The proposed development, by reason of its scale, height, massing, layout and design would represent an overdevelopment of the site, would be out of character with the urban grain of the surrounding area and would be visually intrusive in the street scene. For these reasons, the application would represent poor design, contrary to Policy L7 of the Core Strategy, Section 12 of the NPPF (in particular paragraphs 126 and 130) and relevant guidance contained within National Planning Practice Guidance and the National Design Guide.

RESIDENTIAL AMENITY

69. 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”*.

Overlooking/overshadowing:

70. The Council's adopted Planning Guidance 1: New Residential Development (PG1) provides guidance on separation distances between proposed development and residential properties. Although this document is of some age (2004), it does still carry some weight in the decision making process. Relevant recommended separation distances are as follows:
- Facing windows – Two storeys: 21m across highways/27m across gardens. Three storeys or more: 24m across highways/27m across gardens;
 - Main windows facing a garden boundary – 10.5m (two storeys)/13.5m (two storey flats, or houses with 3 or more storeys);
 - Main elevation facing a blank elevation – 15m.
71. The properties most likely to be affected by the proposed development are those on Malpas Drive to the east and Cholmondeley Avenue to the south. It is acknowledged that the existing motel has an impact on its immediate neighbours to some degree, constituting a two storey structure immediately adjacent to three boundaries.
72. The proposed apartment building will be situated approximately 19m from the rear garden boundary of properties on Malpas Drive at the nearest point, and 32.5m from the nearest rear elevation of these properties. This is sufficient to accord with the distances in PG1 and the apartment building is not considered to have an unacceptable overlooking or overshadowing impact on these or any other neighbouring properties.
73. The proposed care home would be situated approximately 25m from the side boundary of No 9 Malpas Drive and 28m from the dwelling itself. This is sufficient to ensure no detrimental impact on its occupiers. The care home would be 27.5m from properties on the eastern side of Malpas Drive, again ensuring no detrimental overlooking or overshadowing impact. The care home would be approximately 12m from the side boundary of No 7 Malpas Drive to the south. Whilst this doesn't meet the separation distances suggested by PG1, Officers acknowledge that the motel to be replaced currently has a significant impact on this property given its proximity to the boundary, and the separation distance only falls short by 1.5m. Notwithstanding the concerns set out elsewhere in this report, the relationship between No 7 Malpas Drive and the site is considered to be acceptable with regard to matters of overlooking and overshadowing.

Amenity space for future residents:

74. The application proposes that the existing area of green space (including trees) within the northern part of the site would be retained as amenity space for the use of residents of the proposed apartment building, with some hard surfaced areas incorporated. Whilst Officers do not object to the use of this 'woodland' area as amenity space, it is not considered to be ideally located for this purpose. It would be dominated by mature trees, thereby receiving limited direct sunlight and is also

likely to be overshadowed by the proposed apartment building in summer months in particular. It would also be in close proximity to the noisy and heavily trafficked A56 and being close to Sinderland Brook, may well be expected to attract midges and other insects. Shared amenity space would be better provided in a sunnier and more inviting location to the rear of the building (for example a space similar to that provided for the care home residents). The area provided is not considered to deliver an adequate quantum and quality of open space that residents are likely to spend a lot of time in.

75. The majority of the apartments do not have any private outdoor amenity space, with only the ground floor units benefitting from areas of paving. Those to the front of the building are small, enclosed by high railings and in close proximity to traffic on the A56 and would not be pleasant areas in which to spend time. Those to the rear directly abut car parking spaces, which again is not considered to be a well thought out arrangement, with the potential for noise and exhaust fumes from vehicles. Officers consider that all new residential units should be provided with some private amenity space in the interests of the health and wellbeing of future residents; this is supported by paragraph 132 of the National Design Guide, which states that private amenity spaces enhance visual and outdoor amenity and can also provide a degree of privacy and separation for living areas from adjoining public space. The majority of residents would have no access to any private amenity space (such as balconies) with reliance being placed on the communal space within the northern part of the site and the suboptimal ground floor patios. The communal space is not considered to fulfil the same function as a private area, which could have been provided as part of the detailed design of the building. The apartment element of the scheme would therefore fail to provide a good standard of amenity for future residents, to the detriment of their wellbeing.
76. In addition, although the submitted Design and Access Statement states that the internal arrangements of the apartments are 'broadly in line with the National Space Standards', this is not the case. Only 8no of the 22no apartments would comply with the nationally described space standards; of the 17no two-bed units, only 3no meet these standards. This contributes to the sub-standard level of amenity for future residents.
77. Given the above, it is considered that the apartment scheme would fail to provide a good standard of amenity for future residents, to the detriment of their wellbeing and would not meet the requirements of Core Strategy Policy L7, paragraph 130(f) of the NPPF (which seeks to ensure a high standard of amenity for future users), or guidance contained in paragraph 132 of the National Design Guide.
78. The care home would be served by a 'sensory garden', with a kitchen garden, sun terrace and veranda. Whilst no private balconies are provided, it is considered that this is an appropriate approach to this buildings, given the number of rooms proposed. Residents would be served by communal balconies as well as other areas of outdoor seating at ground level. It is considered that the scale and

location of the proposed external areas serving the care home would be sufficient to provide a pleasant environment for future residents.

Noise:

79. The application is accompanied by a Noise Impact Assessment which considers suitable design criteria for noise mitigation, relating to a glazing and ventilation scheme for residential units associated with the proposed development. The Assessment concludes that potential adverse impacts can be adequately mitigated through good acoustic design to ensure noise is not detrimental to the amenity of future occupants.
80. The Council's Environmental Protection service notes that noise emitted from the proposed external fixed plant has not been modelled, and that this has the potential to impact on future residents and existing neighbours. The applicant advises that they are not currently in a position to specify the external fixed plant to be incorporated, as this would be determined at a later time. Environmental Protection advises that whilst being preferable for this to be specified at application stage, there is no reason why relevant criteria for plant noise could not be achieved and as such, the submission of these details and compliance with such criteria could be secured by condition. It is therefore not considered reasonable for this to form a reason for refusal.

Other impacts:

81. The proposed location of the bin store serving the apartments immediately adjacent to the garden boundary with neighbouring houses is not considered to be a neighbourly arrangement, due to noise and odours and demonstrates a lack of consideration in the design of the scheme. It is considered that bin stores should be incorporated into the fabric of a building where possible, for reasons of amenity and visual impact; the applicant advises that this would result in the loss of a residential unit and reduced efficiency of the scheme. The applicant does however advise that the bin store could be built from brick and acoustically treated to minimise harm to residential amenity.

HIGHWAY MATTERS

82. 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"*.
83. 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". Policy L4 is considered to be largely up-to-date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up-to-date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'. Nevertheless it is considered that Policy L4 can be afforded substantial weight.

Car parking:

84. The Council's adopted SPD3: Parking Standards and Design seeks a maximum of 39no car parking spaces for the apartment building and 15no spaces for the care home. The application proposes 22no spaces for the residential building (a shortfall of 17no spaces) and 28no spaces for the care home (an excess of 13no spaces).
85. The submitted Transport Assessment (TA) seeks to demonstrate the accessibility of the site by non-car modes and provides a Framework Travel Plan to encourage future residents to travel by sustainable means. The TA highlights the accessibility of the site by foot, bicycle, bus and tram. In particular, it is noted that there are numerous bus services calling at nearby stops on the A56, connecting the site with destinations including Altrincham, Sale and Manchester. In addition, the Timperley Metrolink stop is approximately 11 minutes away by foot and also connects to these destinations. The site is considered to be in a sustainable location in this respect.
86. The Local Highway Authority (LHA) advises that the proposed level of parking provision is considered acceptable, particularly given the location of the site and access to public transport links. Officers are satisfied that sufficient parking provision would be delivered for the scheme as a whole, with an overall shortfall of only 4no spaces from the adopted maximum standards. Officers have queried the approach to the allocation of parking spaces, and an update on this point will be provided via the Additional Information Report. A Travel Plan would also be required by condition to help encourage sustainable transport choices, which would be a realistic option in this location.
87. With regard to accessible spaces, SPD3 states that provision for residential uses will be determined on a case-by-case basis. 2no of the 22no spaces serving the apartment building are proposed to be accessible. No objections to this level of provision are raised by the LHA and this is considered to be appropriate for the scale of the development. With regard to the care home, SPD seeks provision of 3no bays or 6% of total capacity, whichever is greater. The application proposes the inclusion of 3no accessible bays to serve the care home, which equates to

over 10% of the total capacity. This is in accordance with SPD3 and is an acceptable level of provision.

88. Officers are satisfied that the proposed level of car parking provision is sufficient in respect of both the apartment building and care home.

Access and impact on highway network:

89. The submitted TA considers the traffic impact of the development on the local highway network. A site access plan, swept path analysis and Stage 1 Road Safety Audit for the proposed access point have also been provided.
90. The TA considers the vehicle trip generation of the existing lawful uses within the site (i.e. a public house and hotel) and compares this with the likely trip generation of the proposed development. The TRICS database has been used to ascertain these figures during peak hours: 08.00-09.00 and 16.00-17.00 on weekdays. The TA states that the proposed development is likely to result in an overall reduction in vehicle movements compared with the existing lawful uses on the site (were they in operation), with 2no fewer two-way trips predicted in the AM peak and 34no fewer predicted in the PM peak. In conclusion, the TA states that the proposals will not have a material impact or give rise to any highway capacity issues, and that the predicted level of traffic can be accommodated onto the local highway network.
91. The LHA concurs with the above conclusions, noting that it does not consider that the proposed development will result in an increased number of motor vehicle trips in comparison to the permitted use, and as such will not have a severe impact on the adopted public highway at this location, nor existing traffic flows along Manchester Road (A56).
92. Representations raise concerns with the level of detail and accuracy of the submitted Transport Statement, TRICS data and further supporting information. With regards to vehicle trips numbers, this is not an undeveloped site and comprises a large public house, a 48-bedroom motel and 84no parking spaces. Therefore when assessing the site, it is necessary that trip numbers are obtained for both the permitted and proposed uses and a comparison provided between the two, in order to help demonstrate whether the proposed development is likely to have a severe impact to the adopted highway. As noted above, the applicant's transport consultant has used TRICS to forecast vehicle trip numbers for both the existing and proposed uses. TRICS is an industry standard database which is widely used across the country and accepted practice within the industry. It is acknowledged that the system is flexible, though practitioners are encouraged to comply with the Good Practice Guide to ensure use of correct procedures and consistency. The TRICS data has been provided by the consultant, including the filtering and parameter selection and parameter summaries (the omission of which can intimate misuse of the system).

93. Given the above, the LHA and Officers are satisfied that the application is accompanied by appropriate supporting information, and that proposed development would accord with the requirements of the Core Strategy and NPPF in respect of its impact on the highway network.
94. With regard to site access arrangements, it is proposed that the two existing vehicular access points will be closed, with a new access point formed between the proposed apartment and care home buildings from the A56. The existing dropped kerb vehicle crossovers would be removed with the footway fully reinstated. Submitted drawings indicate that the new access will be 6 metres wide, with 2 metre wide footways on both sides of the carriageway. Dropped kerbs and tactile pavers would be provided at the uncontrolled pedestrian crossing, and visibility splays to demonstrate the acceptability of these arrangements have also been submitted.
95. The LHA is satisfied with the proposed access arrangements, however concerns are raised regarding the proposed 'yellow box' markings on the A56 adjacent to the new access point. It is understood that these are generally only used at junctions rather than access points, and that 'keep clear' markings would be more appropriate here; these are suggested in the submitted Stage 1 Road Safety Audit. Officers are satisfied that a planning condition to secure the necessary and appropriate works within the adopted highway would be sufficient to address this issue were planning permission to be granted.

Cycle Parking:

96. The minimum cycle parking standards as detailed within SPD3 seek one cycle parking space for a one-bed dwelling (either allocated or communal), and one communal or two allocated spaces for a two-bed dwelling. For a Class C2 care home, one space per 40 beds (and a minimum of two spaces) is required.
97. The application proposes the provision of one secure and weatherproof external cycle store for each of the proposed care home and apartment building, both of which are combined with (though separated from) waste storage facilities. That for the care home is situated towards the south-east boundary of the site, adjacent to Malpas Drive, whilst that serving the apartments is within the northern part of the car park.
98. The store for the care home is intended to provide two cycle parking stands or racks spaced 1m apart, whilst that for the apartment block proposes three stands or racks, also spaced 1m apart. The LHA requests that multi-lock stands or racks are provided within these stores which must be capable of securing the front and back wheels and the cycle frame at the same time. A condition is requested to this effect. Subject to such a condition, the proposed development is considered to be acceptable in this respect.

Servicing:

99. The application proposes that a waste contractor would undertake two waste and recycling collections per week from the proposed development. Servicing would take place on site and not from the adopted highway. Swept path analysis has been submitted to demonstrate that a refuse collection vehicle can enter the site, access the waste storage locations and exit the site in a forward gear. The LHA is satisfied with the application in this respect.
100. Concerns are raised in representations that a refuse vehicle, when turning left out of the site, will cross over into the opposing traffic lane. An HGV, articulated vehicles or public service vehicle entering an opposing lane when turning happens at numerous road junctions and access points across the country. It is also possible that HGVs previously egressing the site have crossed the opposing lane when doing so. In addition, the swept path analysis indicates the incursion will be minimal and the traffic lane will not be wholly obstructed, which the LHA is satisfied with. With regard to maximum reversing distances for such vehicles, the LHA advises that these are not mandatory with flexibility being needed depending on the nature of a particular site. In this case, the LHA and Officers are satisfied with the proposed servicing arrangements.

Summary of highway matters:

101. The proposed development is deemed to be in accordance with local and national planning policy in respect of highway impacts and the 'residual cumulative impacts' are not considered to be 'severe' (as set out in NPPF paragraph 109). The Local Highway Authority is satisfied with the proposed development, including parking provision subject to a number of appropriately worded planning conditions. On this basis, the proposed development is considered to be acceptable in this respect.

AIR QUALITY

102. Policy L5 of the Trafford Core Strategy 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*". Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it.
103. Paragraph 186 of the NPPF seeks to ensure that opportunities to improve air quality or mitigate impacts are identified, with the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones being taken into account. The adjacent A56 is within the Greater Manchester AQMA, which is designated for the potential exceedance of the annual mean nitrogen dioxide (NO₂) air quality objective.

104. The application is accompanied by an Air Quality Assessment which considers the impacts associated with the construction and operational phase of the development. With respect to the construction phase, the Assessment concludes that the site is medium risk for adverse impacts during demolition and construction in the absence of mitigation being in place. The Council's Environmental Protection service advises that in order to effectively reduce the risk of impacts to negligible, appropriate mitigation measures should be adopted in the form of a Construction Environmental Management Plan. This should be required by condition as part of any consent issued.
105. In terms of operational phase impacts, the Assessment predicts that changes in annual mean concentrations of nitrogen dioxide will not lead to a significant impact at any receptor and that air quality at the development site will be suitable for future site users. The modelling also confirms that all concentration changes are negligible with reference to the Institute of Air Quality Management significance criteria. As advised by the Council's Environmental Protection service, incorporating mitigation into the scheme will help to reduce any increase in emissions associated with development traffic flows and as such, a condition requiring the provision of electric vehicle charging points is recommended (1 per 10 spaces). The proposed plans currently show 6no EV charging points and as such, a condition would be necessary to ensure an appropriate number of such points is delivered if planning permission were to be granted.

FLOODING AND DRAINAGE

106. 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 163 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.
107. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of sea and river flooding. The proposed uses are considered to constitute 'more vulnerable' uses in flood risk terms, as defined by the NPPG. The flood risk vulnerability and flood zone compatibility table contained within NPPG identifies all forms of development proposed as being 'appropriate' in this location in flood risk terms.
108. The application is accompanied by a Flood Risk Assessment and Drainage Strategy. This concludes that the site is not at risk of flooding from external sources, that there is no increased risk of flooding from the site and that the delivery of a minimum floor level will ensure that the proposed development is not at risk from any potential breach from the Bridgewater Canal.

109. In terms of drainage, a public combined sewer will be used (as per the existing site), however discharge rates will be reduced through the use of underground attenuation.
110. The Lead Local Flood Authority has been consulted and does not raise objections to the proposed development, subject to the imposition of a condition requiring the implementation of measures set out in the Flood Risk Assessment and Drainage Strategy if planning permission were to be granted. United Utilities has also advised that the application is acceptable subject to a condition.

TREES AND LANDSCAPING

111. 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.
112. The application is accompanied by a Preliminary Arboricultural Survey. This identifies all existing trees within and adjacent to the site and categorises them based upon their quality and value. Tree removals necessary to accommodate the proposed development are identified. A number of trees within the northern part of the site are subject to a Tree Preservation Order (TPO). One tree is given the highest category 'A' rating, although this is not proposed to be removed. A number of trees are classified as category 'B', having moderate value though again, none of these are identified for removal. The remaining trees are all either low quality category 'C', or those likely to have a short life span, irrespective of whether the proposed development proceeds (category 'U'). Only category 'U' trees are proposed to be felled.
113. The Council's Arboriculturist has been consulted and does not raise any objections to the tree removal associated with the proposed development, noting that those protected by a TPO in the northern part of the site are not to be significantly affected; only those which are dead or significantly decayed are proposed for removal. A condition requiring a tree protection plan and replacement planting details would be required if planning permission were to be granted.
114. In terms of proposed landscaping, the extent of development including areas of hard surfacing is such that little room is left for meaningful landscaping outside of the existing 'woodland' area in the northern part of the site. Whilst some tree planting is shown, the amount of space available for such landscaping means that these would not be particularly large specimens and the overall impression of the scheme would be one dominated by built development and parking areas. This is a direct result of the overdevelopment of the site and excessive scale of development proposed.

ECOLOGY

115. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 180 of the NPPF states that *"if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*. Policy R2 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 protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
116. The application is accompanied by a Preliminary Ecological Appraisal and Bat Scoping Report. This concludes that the buildings to be demolished offer low to medium potential for roosting bats, however the surrounding site offers potential foraging habitat due to the good connectivity through the linear corridor created by Sinderland Brook, which leads directly to the parks on either side of the site. This also recommends the removal of invasive species, the avoidance of vegetation clearance within the bird nesting season and additional planting.
117. As a result of the findings of the preliminary appraisal, a Bat Activity Survey was carried out and a report submitted. This concludes that the buildings on site do not currently contain a bat roost and that work can proceed without any bat-related constraints. This makes some recommendations regarding the provision of bat boxes/bricks and lighting design.
118. The Greater Manchester Ecology Unit has been consulted and confirms that no further information is required prior to determination of the application. Subject to conditions relating to the recommendations of the above reports were planning permission to be granted, the application is considered to be acceptable with regard to matters of ecology.

ENERGY USE AND CARBON REDUCTION

119. 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 CO2 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, whilst the remainder of the policy is compliant with the NPPF and remains up-to-date.
120. The application is accompanied by a Carbon Budget Statement for both the care home and apartment building. In respect of the residential apartment building, this

states that the building would be 'all electric' and the information provided demonstrates that the building would comply with Building Regulations AD Part L1A as well as achieving CO₂ reductions of at least 5% above current Building Regulations (initial calculations show that a 7.7% improvement could be achieved). The Statement in respect of the care home concludes that the same improvements can be achieved.

121. On this basis, Officers are satisfied that the proposed development will be able to achieve the goals of Core Strategy Policy L5 and the NPPF in this respect.

DEVELOPER CONTRIBUTIONS

Community Infrastructure Levy (CIL):

122. The proposed development would be liable to a CIL charging rate of £0 per sqm, falling within a 'moderate' charging zone.

Affordable housing:

123. Officers' position on affordable housing is set out in full elsewhere in this report. To summarise, Officers are not satisfied that Vacant Building Credit (VBC) is necessary to incentivise the redevelopment of the site and therefore do not consider that VBC should be applicable in this case. The policy requirement for affordable housing is 45% and the applicant's offer is 22%, without the support of a viability appraisal. As such, the application fails to accord with Policies L2 and L8 of the Core Strategy, SPD1, the NPPF and NPPG, and is unacceptable in this respect.

Education:

124. Given that the percentage of current vacancies in nearby primary and secondary schools is below the required operating margin of 5-10%, and that the development has an estimated pupil yield of 4no primary and 3no secondary pupils, a contribution is required. The Council's Education service has provided a calculation for this contribution; this equates to £62,948 for Primary provision and £65,616 for Secondary. A legal agreement would be required to secure this contribution were planning permission to be granted.

Spatial green infrastructure:

125. Core Strategy Policy R5 seeks to address key areas of deficiency in quality and quantity of open space. SPD1 states that large residential developments of approximately 100 units, or that provide homes for 300 people or more, will need to provide new open space as part of the site design. Given the scale of the development proposed, a contribution towards off-site improvements would be

appropriate in this instance. Based on the calculation set out in SPD, this equates to a contribution of approximately £6,000.

Healthcare:

126. As noted earlier in this report, discussions have taken place between Officers, Trafford CCG and the Council's Adult Social Care Service. Concerns have been expressed by these consultees regarding the proposed care home, however full comments, including the need for any contributions will be reported in the Additional Information Report to committee. These are not expected to tip the planning balance in favour of approving the application.

OTHER MATTERS

Contaminated land:

127. The Council's Environmental Protection service advises that although the development site is not identified as being potentially contaminated under the Council Contaminated Land Strategy, there is concern that contamination potentially has occurred through fuel storage at the site and made ground that potentially may be present. To ensure that future site users are not exposed to adverse risks from contaminated land, were planning permission to be granted, conditions are recommended to require the submission of contaminated land surveys and investigations. Subject to such conditions, the application is considered to be acceptable in this respect.

Security and safety:

128. 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. Paragraphs 92 and 130 of the NPPF require planning decisions to achieve inclusive and safe places which are *"safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion"*.
129. Crime Impact Statements (CIS) produced by Greater Manchester Police for the care home and apartment building have been submitted alongside the application. Greater Manchester Police's Design for Security section has been consulted and supports the application subject to the layout issues within Section 3.3 of the CISs being addressed and the physical security measures within Section 4 of these documents being conditioned.
130. Officers consider that the layout issues referred to could be appropriately addressed through suitably worded planning conditions, for example in relation to lighting and boundary treatments if planning permission were to be granted. No

particular concerns are raised regarding the security of the proposed development or safety of future residents and as such, the application is considered to be acceptable in this respect.

External lighting:

131. The final details of any proposed external lighting have not been provided at this stage. As such, a condition would need be attached if planning permission were to be granted requiring the submission of a lighting scheme before the development is first brought into use. This will ensure there is no harm to amenity through excessive light levels and will also ensure that any external lighting does not cause disturbance to bats and other wildlife in the surrounding area. Otherwise the proposed development is deemed to be acceptable in this respect.

Other issues raised in representations:

132. Most of the concerns raised by respondents to the public consultation have been addressed in the appropriate sections of this report above, however a number of other concerns not covered are considered below.

133. The impact of the proposed development on property values and views are raised in some representations. These are not material planning considerations for which permission could reasonably withheld, although matters of residential amenity are considered elsewhere in this report.

134. Concerns are raised that the proposed development will encroach upon the footway serving Malpas Drive. Clarity has been sought from the applicant, who confirms that the development will not affect this footway and that an easement associated with the adjacent substation would prevent such work in any event. It is also noted that the submitted plans are based on a topographical survey, which differs to some extent from OS Plans and therefore it is confirmed that development is proposed entirely within the site with no encroachment on any adopted highway.

EQUALITIES

135. 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/gender, and sexual orientation.

136. 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.

137. 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.

138. An Equalities Statement has been requested from the applicant and an update on these matters will be provided in the Additional Information Report. It is noted that lifts will be provided within both buildings, whilst the apartments are designed to be accessible and adaptable in accordance with Part M(2) of the Building Regulations.

PLANNING BALANCE AND CONCLUSION

139. 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.

140. 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. As the Council does not have a five year supply of housing land, paragraph 11(d) of the NPPF is engaged. An assessment of the scheme against paragraph 11(d)(i) does not suggest that there is a clear reason for refusal of the application when considering the matters referred to in footnote 7. The application therefore falls to be considered against Paragraph 11(d)(ii): granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

141. The adverse impacts of granting approval for the proposed development are summarised as follows:

- Irreversible harm to the significance of a non-designated heritage asset caused by its total loss;
- An insufficient contribution towards affordable housing provision;
- The loss of a public house (community facility) without appropriate justification;
- Overdevelopment of the site and poorly designed development which would be out of character with the urban grain of the surrounding area and visually

intrusive in the street scene due to its layout, scale, height, design and massing;

- A poor level of amenity for future residents with consequential impacts on wellbeing because of a lack of private amenity space for the majority of future residents of the apartment building, the provision of a poorly located area of shared amenity space for the same residents, and the majority of apartments failing to comply with the nationally described space standards;
- Inadequate space within the site to provide an appropriate level of soft landscaping.

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

- The provision of 22no residential dwellings on a brownfield site within the urban area, contributing towards the Council's housing supply;
- Bringing a site which is not currently in use, back into use (albeit through the harmful demolition of a heritage asset, the loss of a community facility and the failure to deliver a well-designed, high quality scheme);
- Some economic benefits associated with job creation and increased expenditure.

143. Comments from Trafford CCG and the Council's Adult Social Care service will be addressed in the Additional Information Report to committee, however these issues are not likely to tip the balance in favour of approval.

Conclusion:

144. The adverse impacts identified above are afforded substantial weight in the planning balance. To expand on some of these harms, the total loss of a non-designated heritage asset weighs considerably against the proposal, particularly where there is the potential for this to be retained as part of a redesigned scheme. In addition, the clear emphasis in national planning policy on the importance of good design means the lack of design quality is also afforded substantial weight. Similarly, the need for affordable housing in Trafford and nationally is such that an unjustified under provision weighs strongly against the application. Very substantial weight is attached to the appeal scheme's conflict with the development plan as a whole.

145. Substantial positive weight is given to the contribution the scheme will make to the Council's five year housing land supply and limited weight is afforded to the other benefits identified above. It should be noted that similar benefits could be derived from an alternative scheme for the site which does not result in the harms identified. The applicant has sought to identify additional benefits within the submitted Planning Statement, however these are not deemed to be scheme-specific, many being policy requirements which would need to be delivered as part of any scheme for the redevelopment of the site. The adverse impacts listed above

and substantiated throughout this report are substantial and numerous, and having carried out the weighted balancing exercise under Paragraph 11(d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so. There are therefore no material considerations to indicate that the application should be determined other than in accordance with the development plan. As such, it is recommended that Members resolve that they would have been minded to refuse the application, had they been able to determine it, for the reasons set out below.

RECOMMENDATION:

That Members would have been minded to **REFUSE** planning permission for the following reasons had they been able to determine the application:

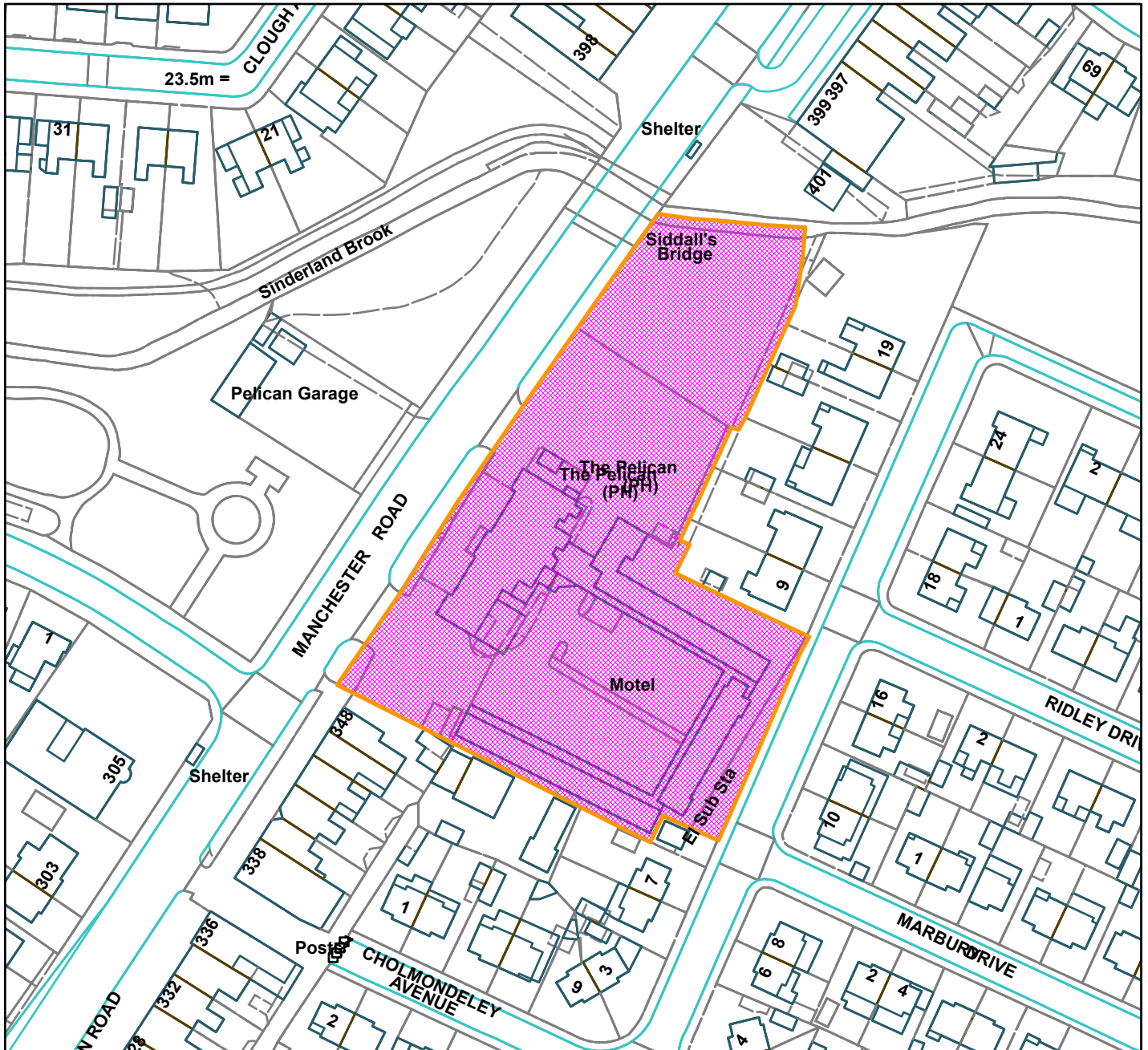
1. The proposed development would result in the total loss of a non-designated heritage asset (The Pelican Inn), which would have an adverse and irreversible impact on its significance. On balance, the benefits of the scheme would not outweigh the severe harm that would be caused to this non-designated heritage asset, contrary to Policy R1 of the Trafford Core Strategy and paragraph 203 of the National Planning Policy Framework. The application also fails to avoid or minimise the conflict between the asset's conservation and the proposal, contrary to paragraph 195 of the National Planning Policy Framework.
2. The application fails to provide a development plan policy compliant level of on-site affordable housing, and no viability appraisal has been submitted to support this position. For this reason, the application fails to comply with Policies L2 and L8 of the Trafford Core Strategy, the Council's adopted Revised Supplementary Planning Document 1 (SPD1), the National Planning Policy Framework and National Planning Practice Guidance.
3. The proposed development, by reason of its scale, height, massing, layout and design represents an overdevelopment of the site, would be out of character with the urban grain of the surrounding area and would be visually intrusive in the street scene. For these reasons, the development would represent poor design and would fail to comply with Policy L7 of the Trafford Core Strategy, paragraphs 126 and 130 of the National Planning Policy Framework, and relevant guidance contained within National Planning Practice Guidance and the National Design Guide.
4. The application fails to appropriately justify the loss of a public house as a community facility. For this reason, it cannot be concluded that the proposed development would not cause harm to the social and cultural needs of the community, contrary to paragraph 93 of the National Planning Policy Framework.
5. The proposed residential development, by reason of a lack of appropriate outdoor private and shared amenity space, and shortfall of most apartments from the

nationally described space standards would fail to provide a good standard of amenity for future residents, to the detriment of their wellbeing, contrary to Policy L7 of the Trafford Core Strategy, paragraph 130 of the National Planning Policy Framework and guidance contained within the National Design Guide.

JD



Pelican Inn And Hotel, 350 Manchester Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/06/22
Date	27/05/2022
MSA Number	100023172 (2016)

WARD: Davyhulme West

107207/COU/22

DEPARTURE: No

Change of use of dwellinghouse to use as accommodation for supported living (Class C2) for up to 3 children.

154 Broadway, Davyhulme, Manchester, M41 7NN

APPLICANT: BeKind Care Limited

AGENT: Plande

RECOMMENDATION: GRANT with Conditions

This application is reported to the Planning and Development Management Committee as the application has received more than six objections contrary to the officer recommendation

SITE

The application site is a detached four bedroom dwellinghouse with an integrated garage and a conservatory to the rear elevation. There is a shared access/drive off Broadway which serves the row of residential properties.

There is some soft landscaping, a pedestrian path and hard-standing able to accommodate three vehicles. Google Street View images indicate that the hard-standing for three parking spaces has been in situ since at least 2014.

There is a private garden to the rear with a 1.8/2m high fence on the rear and side boundaries.

The surrounding area is predominantly residential with Broadway Park on the opposite side of Broadway and Davyhulme Medical Centre in close proximity.

Condition 11 of the original consent for the residential development, H/ARM/67033, removed permitted development rights from these properties. In addition to other restrictions, the condition states that no external alterations or extensions shall be carried out to the dwellings & no vehicle standing space or hard surfacing shall be provided within the curtilage of dwellings unless planning permission for such development has been granted by the local planning authority.

PROPOSAL

The applicant seeks planning permission to change the use of the property from a dwellinghouse (Use Class C3) to a use as supported living accommodation (Use Class C2) for three children under the age of 18.

It is proposed to accommodate up to three children with three / four non-resident carers

working on a shift basis. There would always be a minimum of two staff members on site. During the night, there would be two staff members on site, one awake and one sleeping member of staff.

Each child would have their own bedroom and the fourth bedroom would provide sleeping accommodation for a staff member staying overnight.

The existing garage would be altered to provide an internal office and would retain a store to the front. There are no proposed external alterations to the property.

The planning statement states that *'The overall ethos of the scheme is to provide, as near as possible, a homely environment for people to enable them to live in local communities. The property will provide a home-like environment but with the relevant facilities and adaption to ensure residents can live a safe and independent life, with the relevant support from staff as and when required.'* It continues *'BeKind is a new, family led "home from home" residential setting that will provide a home for children in the care system who have a diagnosed learning disability.'*

There is no increase in floor space.

Value Added

During the application process the applicant's agent provided additional information regarding the proposed use and operation.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for new Homes

L2 - Meeting Housing Needs

L4 - Sustainable Transport and Accessibility

L5 – Climate Change
L7 - Design

PROPOSALS MAP NOTATION

None.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

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 was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is 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 1st October 2019. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/ARM/67033 - Reserved matters application pursuant to outline planning approval H/LPA/OUT/62194 for erection of 50 dwellings (consisting of 24 no. four bedroom houses and 26 no. three bedroom houses) and 30 apartments (consisting of 18 no. two bedroom apartments and 12 no. one bedroom apartments) with associated access, landscaping, car parking, garages and other ancillary structures. Approval sought for details of layout, scale, appearance, access and landscaping. Approved with conditions, 5 May 2011.

APPLICANT'S SUBMISSION

Planning Statement Ref.22003 Rev.E

CONSULTATIONS

Local Highway Authority – No objection.

Pollution Control (Nuisance) – No objection subject to conditions to limit the proposed C2 use to a maximum of three children under the age of 18 and request an operating plan prior to commencement of the use.

REPRESENTATIONS

Following the latest consultation, two further letters have been received from neighbours who had commented previously, one reiterating their concerns and one withdrawing their objection (leaving a total of 15 objections).

The application was publicised by neighbour notification letters and site notice. 16 letters of objection from 13 residential properties were received which raise the following issues:

- Opposed to development
- Noise
- Lower the value of neighbouring properties.
- Increase in traffic and car-parking (to local access way)
- Whilst detached properties, properties are close in proximity
- Concern of proposed use and potential anti-social behaviour
- Increase in disturbance from staff, visitors and residents (including comings and goings of children to school, family visitors, care professionals)
- Inadequate parking (for visitors, staff, maintenance etc);
- Inadequate size of house and garden for communal living/children's home;
- Concern of noise during shift changes;
- Concern of safety of children in local area;
- Concern regarding potential anti-social behaviour of residents (due to complex needs and behaviour)
- Dangerous for children with behavioural problems due to proximity to main road;
- Detrimental to neighbourhood/community;
- Use could be for housing adults with anti-social problems;
- Parking spaces were not part of original development – two spaces added later with removal of landscaping. Query space adequate for disabled parking.
- Refer to SPD3 consideration of amenity and air pollution.
- Existing issue of youths in area;
- Queries of number of staff, working in partnerships with agencies, how the care will operate.
- Not in keeping with quiet residential area by introducing a business that requires planning consent. Gives grounds for other business to get the go ahead.
- Unclear if staff sleeping at property or would children be left alone if they do not have a need.
- No mention in Trafford Local Plan of a need for Children's homes.
- Safety concerns.

- Loss of Privacy.
- Legal matter - Condition on freehold – dwelling not be used for any trade business profession or occupation but will occupy the dwelling house for the purposes of a private dwelling. Also not to cause a nuisance, damage or annoyance or disturbance to any neighbouring property.
- Property subject to a lease.
- A window is required to the proposed office to comply with building regulations.
- Reduction of residential homes in Trafford.
- Lacks information on the change of use.
- BeKind Limited is registered to Standard Industry Code 87900 which has a range of uses.
- Homes were not built for any other purpose.

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. 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 the 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 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version.
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 states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states 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. Policy L7 is considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date and can be given full weight in the decision making process.
6. The site is located within a predominantly residential area which is undesignated on the Unitary Development Plan Proposals Map. Paragraph 60 of the NPPF states that: *"To support the Government's objective of significantly boosting the supply of homes, it is important that... the needs of groups with specific housing requirements are addressed..."* The proposal would add to the wider mix of housing types within this part of the Borough and it is considered that the proposal would make a positive contribution towards meeting supported living housing needs. The proposed change from the current residential use to a residential care facility is considered to be acceptable in principle, subject to consideration of any amenity and parking / highway impacts as discussed further below.

DESIGN AND IMPACT ON THE STREET SCENE

7. Paragraph 124 of the NPPF states: *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*
8. Policy L7 of the Trafford Core Strategy states: *In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.*
9. The proposal, whilst altering the internal garage accommodation to an office and store, does not propose any external alterations to the property. As such there would be no impact on the visual amenity of the streetscene and the surrounding area and the proposed development would comply with Policy L7 and guidance in the NPPF in relation to design.

IMPACT ON RESIDENTIAL AMENITY

10. 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.

11. The proposal does not propose any external alterations and as such will have no impact in terms of over-bearing, over-shadowing, over-looking or visual intrusion in relation to neighbouring residential properties.
12. The habitable areas such as kitchens, living rooms and bedrooms would be unaltered and the property would retain a good standard of amenity provision for future occupiers. The existing garage would be altered to create an internal office and store, which would not include the provision of windows, however these are not main habitable rooms and therefore the resulting layout is considered to be acceptable in terms of the amenity for future occupiers.

Noise / Disturbance

13. The proposal would result in the change of use of the current dwelling house to a residential institution providing supported living accommodation for up to three children (under the age of 18) with 24 hour staff support ranging from two to four depending on the time of day.
14. The care home would provide whole life living accommodation for children with diagnosed learning disabilities. The planning statement advises *'The children may have a range of learning disabilities and needs including autism, attachment, learning difficulties and social communication needs. Some of the children will have emotional and behavioural difficulties.'*
15. The site would be accessed by the occupants and staff members, relatives and other support specialists such as social workers. The additional information confirms that *'There will always be a minimum of two staff members on site'* and advises that *'children will not be allowed out of the home independently without a member of staff due to their special needs/disabilities'*.
16. These comings and goings and vehicle movements may lead to some increased level of activity over and above that which would normally be associated with a dwellinghouse.
17. Additional information was submitted during the application to clarify the use and operation. Further to a review of the supporting information, the Pollution Control (Nuisance) Team has raised no objections to the proposal subject to a condition to limit the use to supported living accommodation for three children under the age of 18 and the submission of an operating plan to be approved by the Local Planning Authority (LPA) prior to commencement of the use. The applicant has confirmed they are agreeable to these recommended conditions.

18. Having regard to the Nuisance consultation response, it is considered that, subject to appropriate conditions, the level of activity associated with the proposed use would not be so significant that it would result in any unacceptable noise impacts on surrounding residential properties. It is considered reasonable to condition the use and operation to ensure that the scale and operation of the proposed C2 use would not result in potential detriment to surrounding residential amenity in the future.
19. The proposed bin and parking facilities would be similar to existing and considered acceptable for the form and scale of use.
20. It is therefore considered that the development would not have any unacceptable impact on the residential amenity of the occupiers of neighbouring residential properties and would comply with Core Strategy Policy L7 and the NPPF in this respect.

HIGHWAYS, PARKING AND SERVICING

21. 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.*
22. 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.*
23. The car parking standards are detailed within Supplementary Planning Document 3 (SPD3) and advise the provision of one off-road car parking space for each five beds of C2 use (residential accommodation) proposed.
24. The proposed development comprises supported living accommodation for up to three children with a bedroom each and fourth bedroom for a staff member.
25. It is noted the existing garage is to be converted to an office and store, however no changes are proposed to the existing external parking provision.
26. As noted above, Google Street View images indicate that an area of hardstanding providing three parking spaces has been in situ since at least 2014. It is noted that the original consent (H/ARM/67033) for the housing development included a condition removing permitted development rights for the creation of hardstanding or the provision of additional parking within the curtilage of the property. However, the increased area of hardstanding was created more

than four years ago and would therefore now be lawful and immune from enforcement action.

27. The site would continue to accommodate three parking spaces on hard-standing to the front of the dwelling house. There is room to accommodate cycle parking within the site and it is recommended that a cycle parking condition is attached. The Local Highway Authority has no objection to the proposal.
28. It is therefore considered that the development would have an acceptable highways, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD and the NPPF.

EQUALITY

29. The public sector equality duty (PSED), contained in the Equalities Act 2010, requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
30. Section 149 – Public sector equality duty (PSED) of the Equality Act 2010 states:
(1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
31. 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.
32. Disability is a 'protected characteristic' under the Equalities Act 2010 and the Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. The application 'Planning Statement' states the change of use is to provide *'bespoke supported living accommodation for up to 3 young persons.'* The statement continues *'The children may have a range of learning disabilities and needs including autism, attachment, learning difficulties and social communication needs. Some of the children will have emotional and behavioural difficulties.'*

33. The Planning Statement advises that *'BeKind is a new, family led "home from home" residential setting that will provide a home for children in the care system who have a diagnosed learning disability.'*
34. The development would provide a form of supported living accommodation within the locality of Davyhulme and would advance equality within Trafford's housing accommodation.
35. The scheme would be required to be designed in accordance with relevant Building Regulations. The applicant's submitted Planning Statement says that *"Access, internally and externally to all units will be fully compliant with the Building Regulations, including Part M."*
36. The agent has confirmed that the applicant would be willing to provide a stair-lift if necessary (if a physically disabled child was referred to them who was thought to be a suitable match to the other children in the home). However, the applicant does not envisage that this will be required, given the proposed residents, and would prefer not to install one where it isn't needed, as this would reduce the effective width of the staircase for everyone and could result in potential safety issues (e.g. if people were to mess around with it). It is considered that reasonable measures could be implemented by the applicant to provide appropriate access for disabled users of the premises.
37. The car parking layout also includes one parking space that measures approximately 6.2m long x 3.1m wide with a 1m wide footpath immediately adjacent to this, which would comply with the dimensions for an accessibility space.
38. No other benefits or dis-benefits have been identified to persons with any other protected characteristic.
39. It is considered that the measures proposed to provide a facility accessible to all, in addition to those that would be required through the Building Regulations application, would, on balance, provide an appropriate, practical and reasonable response to the equalities impacts of the scheme.

OTHER MATTERS

40. Addressing the further neighbour comments as noted above and which have not been addressed in the Observation section above, comments are as follows.
- Impacts on property values and the freehold / leasehold conditions are not material planning considerations.

- The provision of care may be provided by a business, however the proposed Use Class C2 use is a form of residential use.
- A Building Regulations application would be required for the change of use and partial conversion of the garage. The office would not be required to have a window but mechanical ventilation would be required.
- It is considered that sufficient information has been provided about the proposed use, occupants and operations for officers to make a proper assessment of the proposals.

DEVELOPER CONTRIBUTIONS

41. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of all other development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
42. No other planning obligations are required.

CONCLUSION

43. The proposed change from a dwellinghouse (Use Class C3) to supported living accommodation for up to three children (Use Class C2) is considered to be acceptable in principle. All other detailed matters have been assessed, including parking and highway safety and impact on residential amenity. The proposed development is considered to be acceptable in these respects, with, where appropriate, planning conditions recommended to control the operation of the use. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site.
44. The proposal is therefore considered to be in accordance with Core Strategy Policies L1, L2, L4, L5 and L7 and complies with the development plan, the Parking Standards & Design SPD and guidance in the NPPF. It is therefore recommended that planning permission should 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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a care home for children under the age of 18 (with a maximum of 3 resident children) and for no other purposes within Class C2 of the above Order or otherwise.

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:
 - 02-001 Rev. P1 – Location Plan (received by the local planning authority on 11 February 2022);
 - 02-102 Rev. P01 – Proposed Site Plan (received by the local planning authority on 11 February 2022);
 - 03-101 Rev. P01 – Proposed GA Plans (received by the local planning authority on 11 February 2022); and
 - 05-101 Rev. P01 – Proposed Elevations (received by the local planning authority on 11 February 2022).

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

4. The application premises shall not be brought into use as supported living accommodation (Class C2) unless and until an Operating Plan has been submitted to and approved in writing by the Local Planning Authority. The Operating Plan shall include details on how the residential care home accommodation (Use Class C2) will be operated including numbers and ages of people to be accommodated, protocols for the provision of care and supervision, the organisation of visitors, staff shift change patterns, noise reduction policies, a daily operating plan detailing typical routines, neighbour communications and mechanisms for neighbours to report issues / concerns and how these would be actioned. The supported living accommodation (Class C2) use hereby permitted shall be operated in complete accordance with the Operating Plan at all times.

Reason: In the interests of residential amenity having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

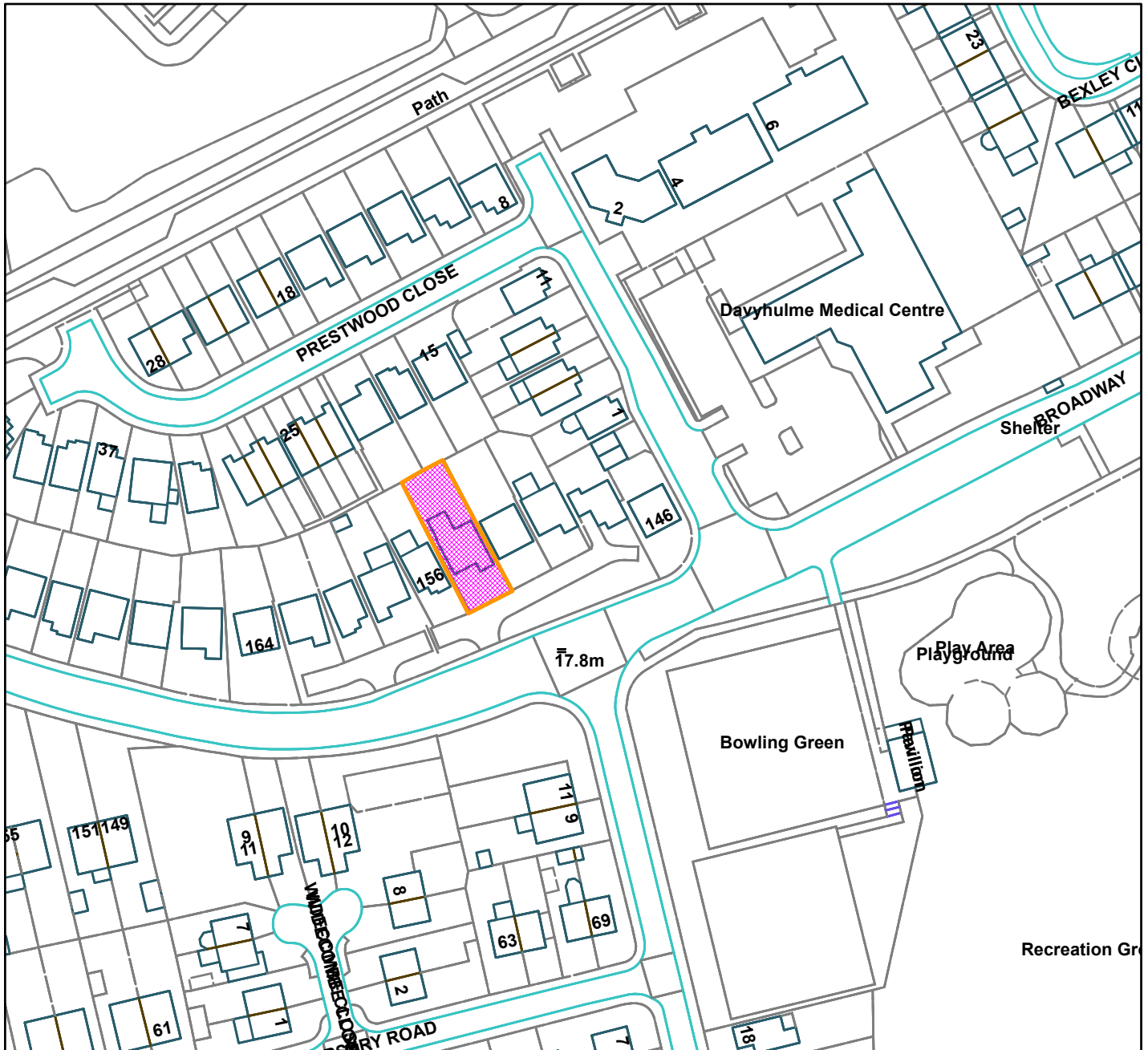
5. The application premises shall not be brought into use as supported living accommodation (Class C2) unless and until a scheme for secure cycle storage has been provided on site in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle 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.

TM



154 Broadway, Davyhulme (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 09/06/22
Date	27/05/2022
MSA Number	100023172 (2016)

TRAFFORD COUNCIL

Report to: Planning and Development Management Committee
Date: 9 June 2022
Report for: Decision
Report of: Head of Planning and Development

Report Title

Member Update:
Appeal by Acre Manchester Ltd at City Point, 701 Chester Road and 2 Hornby Road, Stretford, M32 0RW

LPA ref. 104811/FUL/21
Appeal ref. APP/Q4245/W/22/3299133

Summary

This report provides an update to Members of the Planning and Development Management Committee in respect of an appeal submitted by Acre Manchester Ltd following the Committee's decision to refuse application 104811/FUL/21 contrary to officer recommendation at the meeting of the Planning and Development Management Committee on 10th March 2022. The appeal site comprises the City Point office building and curtilage at 701 Chester Road and the adjacent residential property at 2, Hornby Road in Stretford. The appellant has requested that the appeal be dealt with via a Public Inquiry.

Since the decision of the Committee in March the layout plans for the development have been reviewed again in conjunction with the Local Highway Authority and Counsel and concerns have been raised about the following statement within the highways reason for refusal (Reason 3):

The proposed drop off and pick up point on Warwick Road would result in an unacceptable loss of pedestrian footway to the detriment of pedestrian safety.

This is factually inaccurate and may have resulted from a misunderstanding of the plans displayed at the Committee meeting. The plan shows a clear 2m wide footway partly set into the site and an area for adoption by the Local Highway Authority. As such authorisation is sought to remove this sentence from the highways reason for refusal due to concerns over the potential for the Council to be deemed to have acted unreasonably in this regard.

Recommendation

That the Planning and Development Management Committee authorise officers to remove the sentence relating to the loss of pedestrian footway from the highways reasons for refusal (reason 3) in the upcoming appeal in respect of planning application 104811/FUL/21.

Contact person for access to background papers and further information:

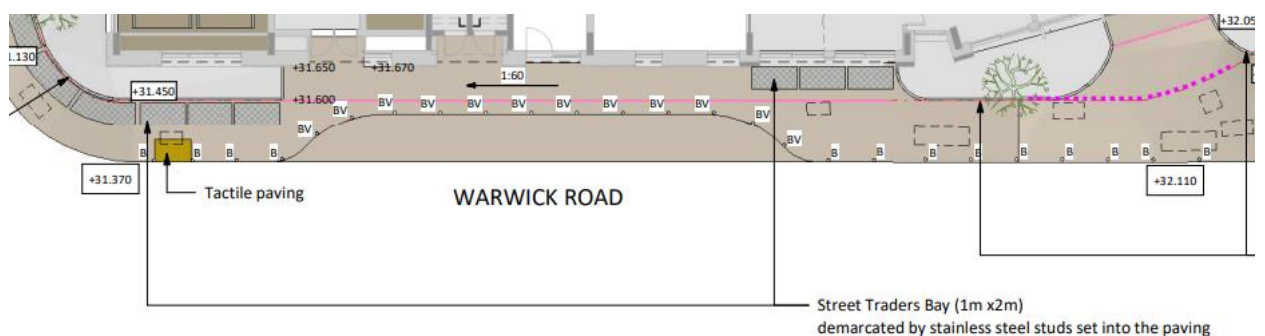
Name: Rebecca Coley
Extension: 0161 912 4788

Introduction and Background

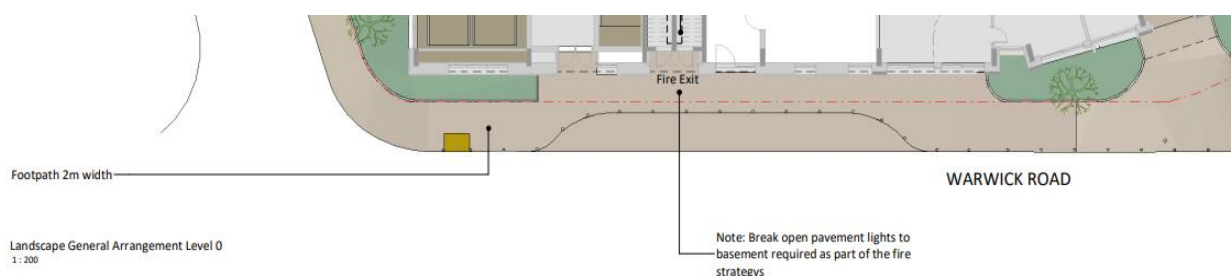
1. At its meeting of 10 March 2022 the Planning and Development Management Committee refused planning permission contrary to officer recommendation for application ref. 104811/FUL/21. This proposed: *Demolition of existing office building and erection of 169 bed hotel, comprising between 4 and 10 storeys of hotel accommodation and ancillary uses including ground floor café, plus basement with pool and gym and screened rooftop plant area and tower feature. Associated parking and servicing areas with main vehicular access off Hornby Road and associated changes to the public realm. Use of No. 2 Hornby Road for hotel staff accommodation.*
2. Three reasons for refusal were stated as follows:
 - The proposed development, by reason of its design, external appearance, scale, height and massing would result in an unduly dominant and obtrusive form of development, which would be out of keeping with the character of the surrounding area. As such, the proposed development would have a detrimental impact on the character and visual appearance of the street scene and the surrounding area. It is therefore considered that the proposed development does not represent good design and would fail to comply with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.*
 - *The proposed development by reason of its height, scale and massing in close proximity to adjacent residential properties, would give rise to an unduly overbearing and overdominant impact and result in harmful overlooking to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy and the National Planning Framework.*
 - *The proposed development would generate an additional demand for car parking which cannot be accommodated on this site in a satisfactory manner with the result that vehicles would be forced to park on surrounding highways to the detriment of residential amenity. In addition the development would provide insufficient parking space for disabled persons. The proposed drop off and pick up point on Warwick Road would result in an unacceptable loss of pedestrian footway to the detriment of pedestrian safety. The proposal is therefore contrary to Policies L4 and L7 of the Trafford Core Strategy, SPD3: Parking Standards and Design and the National Planning Policy Framework*
3. An earlier application ref. 98676/FUL/19 for *Demolition of existing office building and erection of 190 bed hotel, varying in height from 2 - 16 storeys of accommodation plus basement and screened rooftop plant area and tower feature. Associated parking and servicing areas with main vehicular access off Hornby Road associated changes to the public realm* was also refused contrary to officer recommendation in January 2020 with four reasons for refusal. A subsequent written representations

appeal was submitted and the Inspector dismissed the appeal on the basis of two of the reasons (residential amenity and parking).

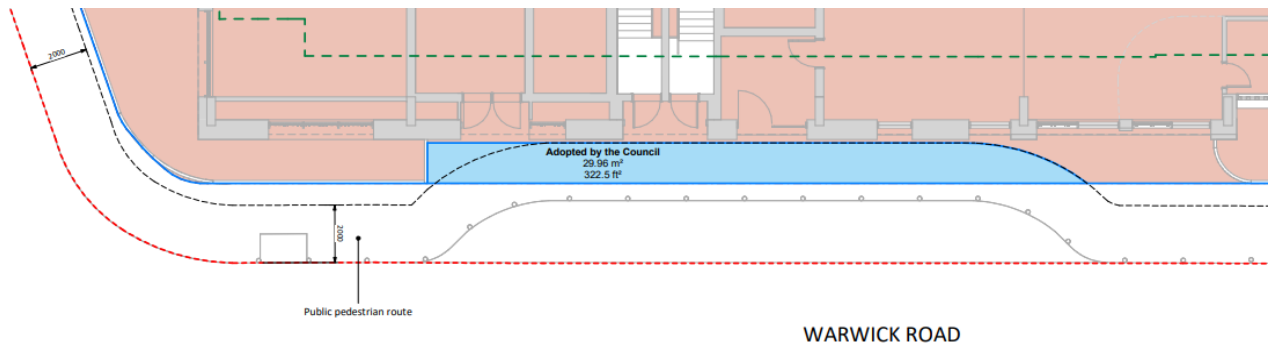
4. The appellant has now appealed the most recent refusal and has requested that the appeal is heard by way of Public Inquiry. The Council has requested that this is downgraded to a Written Representations appeal and the matter is currently with the Planning Inspectorate for a decision.
5. The original report to Committee of 10th March 2022 stated that subject to the proposed conditions and a S106 legal obligation relating to the Traffic Regulation Order review/alteration the LHA had no objection to the application. They have reiterated that position in relation to the submission of the appeal.
6. In relation specifically to the part of reason 3 relating to the *'unacceptable loss of pedestrian footway to the detriment of pedestrian safety'*, this is factually incorrect and it appears that there would be no evidence to substantiate this element of the reason for refusal. It is possible that plans displayed on the overhead projector at the Committee meeting may have been somewhat confusing as they included areas demarcated for potential Street Traders Bays on the Hard Landscape plan (see below). It is important to note that during event days when the Street Traders Bays would be in use, it is intended that the layby would be closed and able to be utilised by pedestrians, and this matter could be controlled by planning condition and via highways agreements.



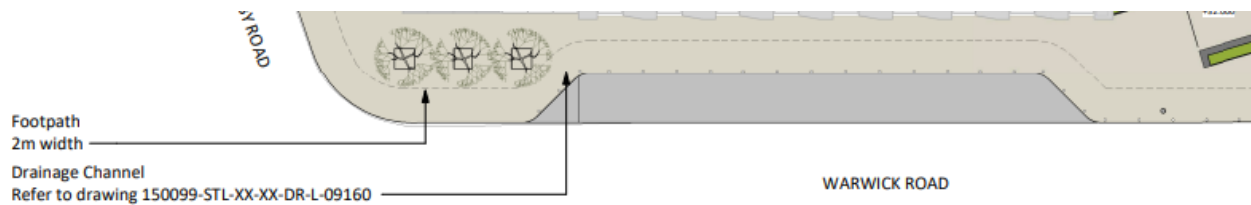
7. The same section of the site is shown on the Landscape General Arrangement plan below which states a 2 metre wide footpath width.



8. The submitted Land Adoption plan (below) which also formed part of the application shows the area of land being given over to the Council for adoption to offset the footway to be used for the pick-up and drop off layby in order that a public pedestrian route of 2 metres could be maintained.



9. It is also of relevance that a very similar arrangement was proposed in the previous application ref 98676/FUL/19 (as shown below) and this did not form part of the previous reasons for refusal.



10. Additionally in the appeal relating to the previous refusal the Inspector noted that ‘a drop off area that would be available for use by taxis or similar would be created on Warwick Road.’ He raised no concerns about the impact of this on the footway or pedestrian safety.
11. In the preparation of the case to defend the appeal, concern has been raised that the Council could have costs awarded against it due to unreasonable behaviour. The Government’s Planning Practice Guidance (PPG) lists examples of unreasonable behaviour. They include;
- failure to produce evidence to substantiate each reason for refusal on appeal,
 - vague, generalised or inaccurate assertions about a proposal’s impact, which are unsupported by any objective analysis,
 - persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable
12. When considering the above Members would need to consider the evidence available to support the reasons for refusal which would be advanced at an appeal, this evidence should be robust, accurate and supported by robust analysis. Officers advise that there is no cogent or accurate evidence which supports the suggestion that the proposal would result in an overall loss of pedestrian footway or unduly impact on pedestrian safety. Unless the Council is able to advance evidence (that is clear, specific and accurate), then there is a significant risk that an award of costs will be made against the Council in respect of that part of the third reason for refusal.
13. If it lacks cogent and accurate evidence in support of any of its objections, the position should be reviewed as a matter of urgency before the appeal advances significantly.
14. In view of the appeal submission and potential for the award of costs, Members may also wish to consider the robustness of the other reasons for refusal if they are so minded.

RECOMMENDATION

15. It is recommended that the Planning and Development Management Committee authorise officers to remove the reference to the loss of pedestrian footway and consequent impact on pedestrian safety from reason for refusal 3 in relation to the submitted appeal in respect of planning application 104811/FUL/21.

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