

**WARD:** Hale Central

**84072/FULL/2014**

**DEPARTURE:** No

**Erection of timber fencing and raised decking to rear in association with use as an external seating area and installation of timber cladding to front elevation (works retrospective). Use of external area to rear in association with use of premises as a drinking establishment.**

The Moose Bar, 193 Ashley Road, Hale, WA15 9SQ

**APPLICANT:** The Little Deli Company (Knutsford) Ltd

**AGENT:** N/A

**RECOMMENDATION: GRANT**

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## **SITE**

The application site is located on the east side of Ashley Rd and comprises a two storey terrace building within the commercial centre of Hale village. The premises are currently used as a drinking establishment (The Moose Bar), planning approval granted in November 2013, having previously been in use as a book shop. The premises include the ground floor and basement area, with the first floor part of the building occupied by an accountant (193a Ashley Road), which has a separate access onto Ashley Rd from the application site. To the south-east (adjoining) side of the site is Vikings (195 Ashley Road), a hardware shop, which has an area of storage and office at first floor level. To the north west side of the site (attached) is a single storey building, The Nail Studio, (191a Ashley Road) adjoining The Nail Studio is Gastronomy, a delicatessen, which occupies the ground and first floor, at the second floor is a residential apartment which is in the same ownership as Gastronomy.

To the rear of the site is a small yard area which forms part of the application site and which shares a boundary with residential properties on Addison Road. A detached two storey office building which has recently been completed (The Mews) is located directly to the rear of 189-191 Ashley Road. A rear pedestrian passageway extends along the rear of 189-191 Ashley Road providing access to the rear of the commercial premises which front onto Ashley Rd.

The site is within Hale Town & District Shopping Centre and is allocated as an 'Other Important Shopping Frontage'.

The site is not currently within a conservation area; however as part of the Hale Station Conservation Area Appraisal, it is proposed to extend the boundary of the conservation area along Ashley Road which would incorporate the application site. The appraisal

process is not yet concluded and is subject to a public consultation process and can be given little weight at this time.

## **PROPOSAL**

The original planning approval (81501/COU/2013) involved a change of use from A1 (Retail) to A4 (Drinking Establishment). Condition 4 of this approval stated:

*The external area to the rear of the site shall not be used by customers after 2100hrs daily Monday - Sunday. The use of the external area by customers is for a limited period expiring on the 20th November 2014 after which the use of the external area hereby permitted shall be discontinued.*

The current application proposes the continued use of the external area as a permanent arrangement with use of the external area up to 2000hours daily. The application also seeks retrospective approval for the erection of timber decking and fencing to the rear of the site and timber cladding to the front elevation of the premises.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

W1 – Economy

W2 – Town Centres & Retail

## **PROPOSALS MAP NOTATION**

Town and District Shopping Centre

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

S13 – Non- Shop Service Uses within Town and District Shopping Centre

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

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

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

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

## **RELEVANT PLANNING HISTORY**

81501/COU/2013 – Change of use from Class A1 (retail) to use class A4 (drinking establishments) – Approved 20 November 2013

H/66190 – Erection of single storey rear extension including repositioning of air conditioning units – Approved 02 March 2007.

## **CONSULTATIONS**

**United Utilities** – United Utilities advise that manholes are not covered over and access is maintained 24/7. As this is a decking area and any problems occur with the sewer then the owner would have to remove the decking for United Utilities to access the sewer.

**Pollution and Licensing** – Pollution and licensing commented on the license application for the use of the outside drinking area in 2014 and confirmed that:

*The use of the external drinking area to the rear of the property should not be permitted beyond 9pm.*

Should this condition be extended to the planning permission for the external area, they would have no further objection.

## **REPRESENTATIONS**

**Neighbours:-** Objections to the proposal have been received from 9 separate addresses, raising the following concerns:-

- Tables, chairs and beer barrels block access along the line of the alleyway.
- The new fencing has blocked access to the rear of Vikings (195 Ashley Rd) and refuse contractors will not now collect bins from the rear ginnel area.
- Broken glasses left outside neighbouring premises, increase in vermin, and inadequate waste management at the site.

- Noise carries across to rear garden areas and to nearby offices.
- Fence to patio area should be raised and sound insulated.
- Owner has put signage up as a courtesy to neighbours asking customers to leave by 8pm, but the licence allows use until 9pm – The use of the external bar area should be to 8pm.
- Air pollution from people smoking (nearby resident suffers from asthma).
- The beer garden is inappropriate in a residential area.
- The Land Registry copy of title and title plan would suggest that no structures to be erected along rear passageway (right of way).
- External area was not within the red edge of the original planning application.
- The decking area restricts access to the drainage network (manhole covered by decking).
- Additional parking on surrounding streets.

Councillor Mrs Young and Councillor Candish have both raised concerns over noise from the external beer garden area as well as barbeques being used in the external area and have suggested the use of appropriate acoustic cladding to the fence to mitigate any noise from those patrons sitting outside.

## **OBSERVATIONS**

### DESIGN & LAYOUT

1. The physical works undertaken which the applicant is seeking retrospective planning approval for, relate to timber decking and fencing to the rear of the site and sections of timber cladding around the main front elevation of the premises to the ground floor area only.
2. The front elevation of the premises includes an aluminium window and door frame with a projecting fabric canopy above, all of which had previously been insitu when the premises were in use as a bookshop but have since been finished in a dark grey colour following the change of use to a public bar. The new timber cladding is located to the stall riser, and the pilasters either side of the window and premises entrance, in addition the cladding extends across the top of the main window and door opening. The cladding is pressure treated timber panels positioned horizontally across the stall riser and fascia board and vertically to the pilasters.
3. Whilst the use of timber cladding is not a common material used on the front elevations of nearby commercial buildings, the amount of cladding to the front elevation is limited and results in a contemporary appearance to the premises which is considered to have a neutral appearance within the streetscene. Along Ashley Road there is a variation in shop frontage finishes with painted render, tile, stone and painted timber. The premises previously had a cream colour artificial tile to the stall riser and the pilaster between both pedestrian doors, with the other end pilaster painted light blue. The new external finish to the premises

is considered as a positive change to the character of the building and general streetscene.

4. The area of decking to the rear covers the entire external area to the premises (approx. 5.5m x 6.7m); the decking also extends along the side of the single storey rear outrigger to the premises up to the rear elevation of 191A Ashley Rd (The Nail Studio). The decking varies in height between approximately 155mm and 170mm. Moveable tables and chairs are located across the decking area.
5. The fencing has been erected along the rear and side boundaries of the external area. The section of fencing along the shared rear boundary with 15 Addison Road is approximately 2.4m in height and extends across the entire rear boundary of the site (approx. 5.5m) and is close boarded in its construction. Attached to the rear fence is a raised seating area along the entirety of the fence and is approximately 800mm above the surface of the decking.
6. The fence along the south east boundary with Vikings (approx. 6.5m in length and 2.1m in height) has a timber gate and sloping ramp to allow access to the rear of Vikings. To the north-west boundary of the site, the adjacent office building, The Mews, extends up to the shared boundary. The fence along this section of the site is positioned immediately adjacent to the building and extends along the entire boundary (approximately 1.9m in height) and partly wrapping around the front elevation of the building before extending across to the rear of 191A Ashley Road. An opening has been left in this section of the fence to allow unrestricted access across the right of way to the rear of Vikings hardware shop.
7. The decking and fencing as erected on site are not considered to have any adverse impact on visual amenity and are considered appropriate in this context.

## RESIDENTIAL AMENITY

8. The initial approval included a condition restricting the use of the external area to the rear for a temporary period of one year; the use of this area was initially for use by smokers only. The applicant has subsequently erected the decking area and the area has been used by smokers and as an additional drinking area.
9. The nearest residential properties are the flat at 191 Ashley Road (above Gastronomy), 2 Westgate and 13 & 15 Addison Road to the rear of the site. Representations from residents include reports of audible noise from the beer garden area particularly when residents are in their gardens. The Council's Pollution and Licensing section have not been in receipt of any complaints regarding noise from the external area.
10. The permitted hours of use of the premises are from 1000hrs – 2300 hrs Mondays-Sundays inclusive, these hours of use conditioned as part of the original planning approval and the premises licence. The licencing conditions for

the premises allow use of the external area for consumption of alcohol up to 2100hrs Monday-Sunday inclusive. The applicant has erected signage within the beer garden for patrons to vacate the area by 2000hrs. A number of the residents have suggested that the perimeter fence be increased in height and insulated to screen noise, along with the use of the beer garden being restricted to 2000hrs Mondays – Sundays inclusive. With regards the insulating of the fence to restrict noise, the Council's Pollution & Licensing section have suggested that the use of the close boarded fence as erected acts as a suitable noise barrier.

11. The use of the external area has been operating unrestricted in terms of the number of patrons using it at any time. A noise management plan agreed as part of the original application for change of use (Ref:81501/COU/2013) included the following undertakings by the management of the business:-

- During hours of trading all external doors to remain closed
- Regular checks by staff of the external area
- Use of the external area no later than 2000hrs daily (displayed by signage)
- Appropriate signage to ask customers to respect neighbours
- Staff trained and regular team meetings to ensure noise is managed
- Copy of noise management plan displayed within the premises for employee and public reference.

12. The rear patio area is a small area and as indicated it currently operates unrestricted with regards numbers of patrons. The applicant has proactively sought to minimise any disruption to adjacent residents by closing the rear beer garden area by 2000hrs on a daily basis, notwithstanding that the area could be used under his current licence up to 2100hrs. A number of the residents, particularly those on Addison Road have suggested an increase in the fence height, sound insulating the fence and restricting use until 2000hrs.

13. The rear fence with Addison Road measures approximately 2.4m in height, is of close boarded construction and is considered by the Councils Pollution & Licensing section to be an adequate screen to restrict noise. The fact that some noise from users of the beer garden is audible in the garden areas of surrounding properties is not a reason to refuse planning permission; the level of noise would need to be such that there was an adverse impact on the amenity of the residents of those properties. It should also be noted that the Council can also rely on its powers under the Environmental Protection Acts, should there be a statutory nuisance arising, and the planning system should not seek to duplicate those powers.

14. It is considered that through appropriate conditions, the use of the rear area can be managed and controlled to ensure that activity does not cause disamenity to nearby residents. The applicant has proposed the use of the external area be limited to 2000hrs Monday – Sunday inclusive. Whilst the Council had initially

granted use up to 2100hrs on a one year trial basis, it is evident from the applicant's own restriction on hours of use until 2000hrs and neighbours' observations that 2000hrs appears to be an appropriate time given the proximity of nearby residential properties. It is also considered appropriate to prevent amplified music/television sports coverage and food preparation taking place within the external area.

15. The owner of the Mews office building had raised a specific concern regarding the erection of a section of the new fence immediately adjacent to a ground floor window of the new office building. Following discussions with the applicant, an amended plan has been received which shows a reduction of the fence height from approx. 1.9m to 1.5m. A number of the adjacent premises who use the rear passageway had raised concerns about rubbish and bins being left by the Moose bar along the passageway. The applicant has also provided an amended plan to now show the bins for the business being positioned within the rear area of the application site. A recent visit to the site by the planning officer confirmed that the bins are now placed within the application site.

## OTHER ISSUES

16. A number of the representations referred to a manhole to the rear of the application site being covered by the new decking. Following consultation with United Utilities they have confirmed that if a problem occurred with the sewer then the owner would have to remove a section of the decking to allow United Utilities access.
17. It was brought to the Council's attention that the neighbouring premises had a right of way across the rear passageway and the owner has notified these businesses and served the appropriate notice as part of the planning application process. A copy of the Land Registry Title Plan has also been submitted by a neighbouring owner to indicate a small area where no development (fences and or structures) should be erected. This is a specific requirement of the title deeds and is a civil issue between all the parties and does not influence the Council's determination of the proposal.
18. The proposal raises no issues regarding trees or ecology; the site has no parking provision on site - most adjacent businesses also rely on public car-parking.

## DEVELOPER CONTRIBUTIONS

19. The proposal raises no requirement for any developer contributions with regards the Community Infrastructure Levy and SPD1: Planning Obligations.

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

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:- Drawing: Proposed Bin Store/Elevation received 16/09/2015; Drawing: Proposed Bin Store received 11/09/2015 and Drawing: Site Location Plan received 22/10/2014 unless otherwise agreed in writing by the Local Planning Authority.
2. There shall be no use of the external beer garden before 1000hours or after 2000 hours Monday to Sunday Inclusive.
3. No amplified music/television noise or barbeques (or other methods of external food preparation) shall be permitted to any external part of the site.

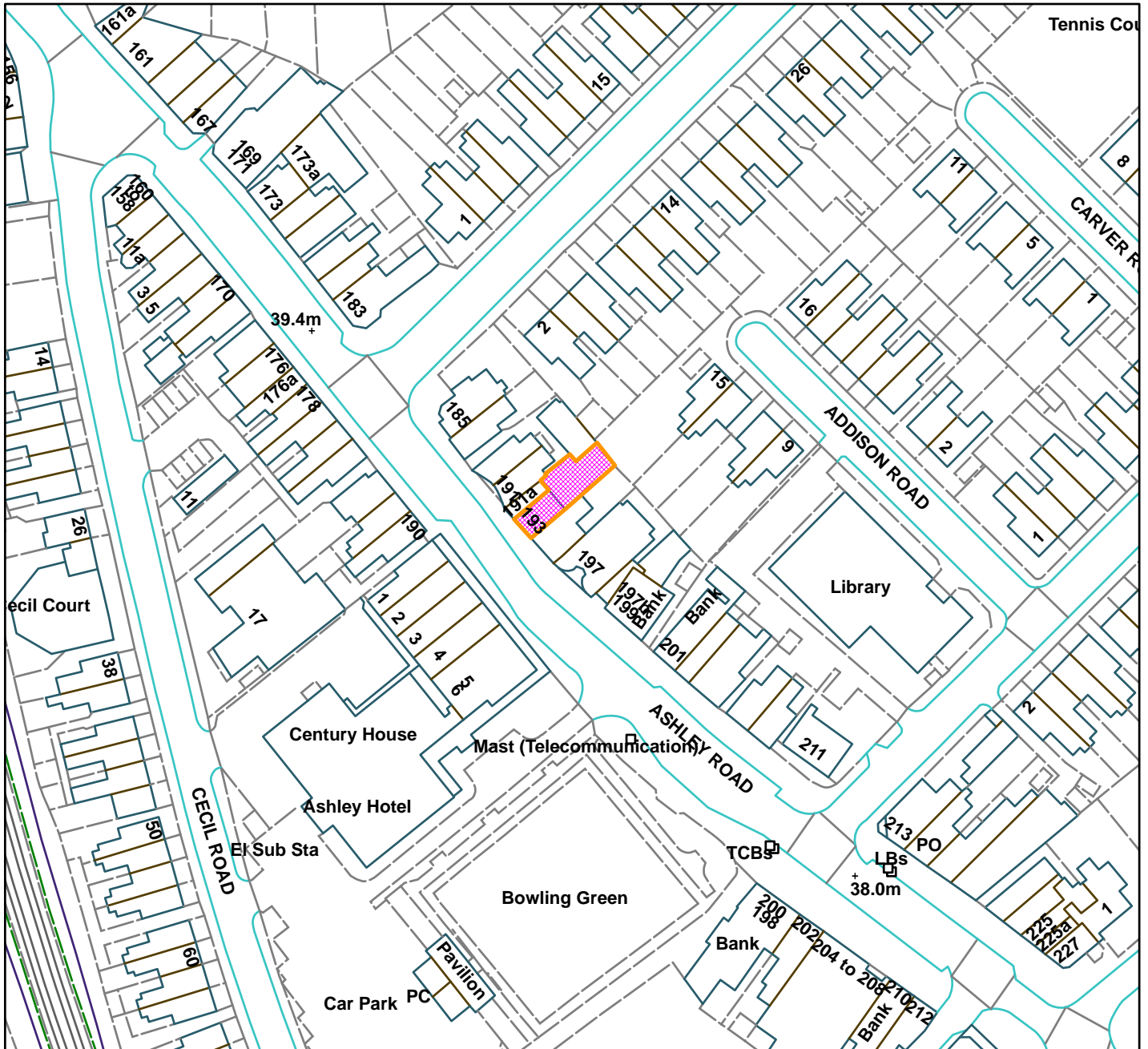
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Hale Bookshop, 193 Ashley Road, Hale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/02/2016
Date	28/01/2016
MSA Number	100023172 (2012)

**Erection of 8 no. two-storey detached dwellinghouses together with associated car parking; landscaping; creation of vehicular access off Davyhulme Road and demolition of existing outbuildings at the site.**

Yew Tree Farm, 240 Davyhulme Road, Flixton, M41 8QH,

**APPLICANT:** Branley Homes Ltd

**AGENT:** Ludlam Associates

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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## **SITE**

The application relates to greenfield land situated on the northern side of Davyhulme Road. The application site previously lay within the curtilage of 240 Davyhulme Road, which bounds the site to the west. 240 Davyhulme Road consists of a farmhouse and former stable, both of which are grade 2 listed buildings. The farmhouse is dated 1713 and is constructed from rendered brick with a graduated stone slate roof. The property is two storeys, orientated to face Davyhulme Road. The stable is located to the east of the farmhouse and set back from the road. This structure is in a derelict condition and dates from the early eighteenth century. Formerly two storeys, the first floor of the stables have been demolished. The building is constructed in brick with stone quoins. Adjacent to the northern elevation is a single storey twentieth century structure, although there is no record of planning permission being granted for this structure.

A public footpath, Bent Lanes, bounds the site to the east. Residential bungalows on Woodhouse Road are situated to the east and north-east of the site. Residential bungalows on Ryeburn Walk are also situated to the west of the site. Davyhulme Park Golf Course is situated opposite the site on the southern side of Davyhulme Road.

The application site contains mature trees along the eastern boundary and dense shrubbery along the northern boundary. A low level fence lies along the southern front boundary of the site and a timber post fence lies along the western boundary of the site.

## **PROPOSAL**

The application proposes the erection of eight detached dwellinghouses, each with associated off road car parking and/or attached garage and landscaping. Plots 2, 3 and 7 would be the same style of dwellinghouse, and would have a ridge height of 9.2m. Plots 1, 4, 6 and 8 would be of the similar design with a ridge height also of 9.2m. Plot 5

would be individual in design with a ridge height of 7.2m. Plot 5 would contain 4 bedrooms and all the other dwellings would contain 5 bedrooms.

The proposal also includes the creation of a vehicular access off Davyhulme Road, with associated landscaping and fencing.

The increase in floor space of the proposed development would be 1,610 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations  
R1 – Historic Environment  
R2 – Natural Environment

## **PROPOSALS MAP NOTATION**

Unallocated

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

Planning Guidelines: New Residential Development  
SPD1: Planning Obligations  
SPD3: Parking Standards and Design

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

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

In relation to the NPPF, of particular relevance to this development is Chapter 12 - Conserving and Enhancing the Historic Environment, and corresponding guidance within the NPPG.

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

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

### **RELEVANT PLANNING HISTORY**

**76607/FULL/2011** - Erection of 5 no. two-storey detached dwellinghouses with associated car parking / detached garages and landscaping and creation of vehicular access off Davyhulme Road on a parcel of land that included part of the application site. Approved with Conditions 4th July 2014

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement, including a heritage statement relating to the impact of the proposal on the adjacent Listed Buildings. Also an Arboricultural Survey, Bat Survey and Flood Risk Assessment have been submitted. Information provided is referred to where relevant in the Observations section of this report.

### **CONSULTATIONS**

**Local Highway Authority** – No objections in principle. Further comments are discussed in detail in the Observations section of the report.

**Pollution & Licensing (Contaminated Land)** – No objections. A contaminated land condition is recommended.

**Lead Local Flood Authority** – No objections, subject to a drainage condition.

**Greater Manchester Archaeological Advisory Service (GMAAS)** – Satisfied that the proposals do not pose a threat to any known or suspected archaeological interest.

**United Utilities** – No objections, subject to drainage conditions.

**Electricity North West** – No objections.

**Greater Manchester Ecology Unit (GMEU)** - No objections.

**Greater Manchester Police** - No objections.

## **REPRESENTATIONS**

Seven letters of objection were received in regards to the original planning application drawings (prior to the submitted amendments), which were from properties on Yew Tree Drive, Woodhouse Road and Davyhulme Road. These letters raised the following concerns: -

- Land ownership to the northern boundary questioned. Branley Homes confirmed they own this land; nevertheless land ownership is not a material planning consideration.
- Due to the land levels, the proposed houses at Plots 4 and 5 will tower above any nearby properties. Bungalows at 143, 145, 147 and 149 will find themselves looking up at houses that are fully 2 storeys high.
- It is impossible to form an impression of the impact of these houses as the only plans available have no dimensions shown. In particular the impact of Plot 5 at the top of the existing bank looking over the bungalows below.
- There is no mention of fences and how high these are going to be.
- One resident has no objection subject to privacy distances being acceptable.
- There are very few areas of local historic farmland. At present the site affords clear views to the far countryside from Davyhulme Road and these will be destroyed by the proposal. When using the Bents Lane path the buildings will impact upon the rural historic nature of the old lane.
- The land is inhabited by a diverse mixture of wildlife and the land is of immense value to local residents
- Loss of more green space.

## **OBSERVATIONS**

### **BACKGROUND**

1. Following detailed discussions between the Local Planning Authority and the applicants, the proposal has been amended. The design and layout of the properties have been amended alongside the access road and streetscene drawings having been submitted. The development maintains a set back from Davyhulme Road and Plot 5 closest to Woodhouse Road has been amended in design to ensure it would sit comfortably with the existing neighbouring properties. The amended proposals are discussed in detail in this report.

### **PRINCIPLE OF RESIDENTIAL DEVELOPMENT**

2. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

3. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
4. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply, Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the site is identified in the Council's SHLAA (Strategic Housing Land Availability Assessment), and the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 8 new family houses in a sustainable location. Most of the site is currently undeveloped, albeit some agricultural buildings and it is therefore considered to be sustainable urban greenfield land. Whilst the Council is also currently failing to meet its target of locating 80% of new housing provision on previously developed brownfield land, the scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The principle of the development is therefore considered to be acceptable.

## RESIDENTIAL AMENITY

5. Residential properties (including bungalows) on Woodhouse Road are situated to the north and east of the site. A footpath, Bent Lanes, and highway known as Woodhouse Road, lie between the application site and these properties. Residential bungalows on Ryeburn Walk are situated to the west of the site and residential properties on Davyhulme Road are also situated to the east and west of the site.
6. Trafford Planning Guidelines: New Residential Development states that for new two storey dwellings in cases where special provisions for creating internal and external privacy are not employed, the minimum distance between dwellings which have major facing windows is 21m across public highways and 27m across private gardens. The guidelines further state that where privacy and visual amenity is achieved by permanent screening, such as walls or fences, or by window design and location, these distances may be reduced. The guidelines

also acknowledge that a rigid adherence to spacing standards can stifle creativity in design and result in uniformity of development. It states that the Council is looking to encourage imaginative design solutions and in doing so accepts the need for a flexible approach to privacy distances between buildings within a development site, where good design or the particular circumstances of the site allow this.

7. The proposed dwelling situated closest to No.143 and 145 Woodhouse Road would be Plot 5. A minimum distance of 26m, increasing to 30m would remain between this proposed dwelling and these neighbouring bungalow properties. It is recognised that Plot 5 would be situated at a higher ground level than the neighbouring properties (the ground floor level would be situated approximately 2.5m higher than the ground level at the No.143 & 145). However, this distance would be across a public highway and would be looking towards the front elevations of Nos. 143 and 145, not private garden areas. The applicants also propose to provide additional planting along the northern boundary of the site to provide a buffer between the properties and to create an additional form of screening to reduce the impression of overlooking. A landscaping condition is recommended to ensure that this is provided and to ensure species where planting is proposed help soften the impact of the proposed development on neighbouring properties. A minimum distance of 28m would lie between this property and the front corner of No.147. This distance would also be across a vehicular highway.
8. The proposed dwelling situated closest to No.155 Woodhouse Road is Plot 4. This property would be situated facing east and west. Only part of the rear elevation of Plot 4 would face the side elevation of No. 155 and a minimum distance of 21m would lie between the rear elevation of Plot 4 and the closest corner of No.155. It is recognised that this distance is also across a public footpath, Bent Lanes. Existing mature planting lies along the eastern boundary of the application site, which is proposed to be retained. Dense mature evergreen planting also lies along a significant proportion of the front boundary of No.155, which collectively would screen many views of the proposed development from No.155.
9. The neighbouring property No.232 Davyhulme Road is situated to the east of the site and benefits from 50.8m long rear garden. Plot 1 is situated closest to No.232 and would be set back from No.232 and positioned at an angle facing towards the lower rear garden of No.232. A minimum distance of 26m would lie between this proposed dwelling and the rear elevation of No.232. The rear elevations of Plots 2 and 3 would also face the lower rear garden of No.232 and a minimum distance of between 16.8m and 17.5m would remain between the proposed dwellings and the boundary of this neighbouring garden. Mature planting along the eastern boundary of the application site and along the western boundary of No.232 would also partially screen views of the proposed development from No.232.

10. The proposed dwelling on Plot 5 would be situated adjacent to No.17 Ryeburn Walk. The proposed dwelling would project forward of the front elevation of No.17 in a stepped formation by between approximately 0.8m-1m. A minimum distance of 5m would lie between the proposed dwelling and the side elevation of No.17. The part of the dwelling closest to No.17 would project 0.8m beyond the front of No.17. This relationship is considered to be acceptable and it is also recognised that the proposed dwelling as viewed from Ryeburn Walk would have the appearance of a bungalow, which has a ridge height that would be approximately 0.9m higher than No.17.
11. The proposed dwelling situated closest to Nos. 15 and 17 Ryeburn Walk to the south would be Plot 6. The flank elevation of this dwelling would be positioned between 15-19m from the front elevations of Nos. 15 and 17 Ryeburn Walk, in accordance with the Council's Planning Guidelines: New Residential Development.
12. Plots 6, 7 and 8 would be positioned in closest proximity to the Listed Buildings, 240 Davyhulme Road and the adjacent stable. Between 16m - 22m would be retained between the side elevation of the derelict stable and the rear elevations of Plots 6, 7 and 8. This would be in accordance with the Council's Planning Guidelines: New Residential Development. Furthermore, between 37m to 42m would be retained between the rear elevations of the new houses and the side elevation of 240 Davyhulme Road.
13. The proposed dwellings within the site would be separated by a minimum distance of 21m across the proposed new access road. This would ensure sufficient privacy distances between the new dwellings for the future occupants.
14. It is therefore considered that, given the above detailed separation distances, the proposed development would not result in an undue loss of privacy or have an overbearing impact on neighbouring residential properties. It is also considered that the proposed development would have an acceptable level of amenity for the future occupants.

## IMPACT ON HERITAGE ASSETS

15. When assessing the impact of the development on the setting of the adjacent listed buildings, due regard must be given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving its setting.
16. With regards to the historic environment the NPPF states that local planning authorities should take account of:



- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131).

17. Policy 132 of the NPPF states the more significant the heritage asset the greater the presumption in favour of its conservation.

### Impact on Listed buildings

18. The application site lies within the setting of a largely urban landscape and two designated heritage assets, both Grade II listed, namely the farmhouse and stable situated at No.240 Davyhulme Road. These heritage assets are individually listed in their own right. The stable is in a state of disrepair and has been for a number of years. Only the walls remain at ground floor level, with the roof and first floor level walls no longer existing.
19. The Council are aware that the applicants have made an application to Historic England to de-list the Grade II listed stable due to its dilapidated condition. At the time of writing this report it is understood that a decision on this application is pending. Nevertheless for the purposes of consideration of this application, the current state of the stable building is not considered to lessen its significance when assessing the impact of the proposed development on its setting.
20. It is considered the significance of both listed buildings is mainly in their fabric and construction. The listing for the Grade II listed stable discusses the early C18. Flemish bond brick and other materials used in its construction. The listing for the Grade II listed farmhouse also makes reference to materials and particular details including interior beams. Having considered this and the existing setting of both listed buildings, it is considered that the setting of both has already been compromised to a large extent by the construction of existing adjacent residential development, namely at Ryeburn Place. Residential bungalows on Ryeburn Place surround the site to the north and the west, with a single storey bungalow located immediately adjacent to the Grade II listed farmhouse.
21. It is considered the important historical relationship in terms of function between the Farmhouse and the stable structure surrounded by a spacious historic agricultural setting and these non-designated heritage assets has already been compromised, with much of the original curtilage farmland having been sold off and developed for housing.

### Impact on non-designated heritage assets

22. In addition to the above mentioned listed buildings, the site is considered to be adjacent to a number of non-designated heritage assets. These include the property at No. 232 Davyhulme Road and Bents Lane footpath, located to the east, both of which are present on the 1888 Ordnance Survey map. Additionally No. 273 Davyhulme Road located to the south of the site across the road is considered to be a non-designated heritage asset.
23. Policy 135 of the NPPF states "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 affect directly or indirectly 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."

### Benefits of the scheme

24. Policy 134 of the NPPF states "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."
25. It is acknowledged that the proposal would result in a degree of harm to the setting of the heritage assets, being located on part of the traditional agricultural land associated with the listed farmhouse and stable. However, while this open space makes a positive contribution to the character and appearance of the area and setting of the listed buildings when viewed from Davyhulme Road, this must be weighed against the positive impacts of the development, in accordance with the NPPF and its presumption in favour of sustainable development.
26. It is considered the proposal would result in less than substantial harm and it is recognised there are public benefits to the scheme. The land and structure at 240 Davyhulme Road has remained un-kept and in a state of disrepair for a number of years and this proposal would result in a development that would improve the visual appearance of the site and provide public benefit in the form of the provision of 8 additional family sized dwellings (3 additional dwellings on top of the previous permitted scheme at the site) to this part of the borough in a sustainable location. As discussed previously, much of the original curtilage of the farmhouse has previously been sold off for housing development and the setting of the heritage assets has already been compromised. Consequently it is considered the public benefit of additional family sized residential dwellings outweighs the less than substantial harm caused to the setting of the listed buildings and the non-designated heritage assets in this case.
27. The development comprises sustainable development and complies with Paragraphs 14 and 134 of the NPPF. In reaching this decision due regard has been given to S66 of The Planning (Listed Buildings and Conservation Areas)

Act 1990. Therefore it is considered that the application would be in accordance with relevant Local and National policies summarised in the report.

## DESIGN

28. National planning policy as set out in the NPPF states that the Government attaches great importance to the design of the built environment and how good design is a key aspect of sustainable development (Section 7 of the NPPF). NPPF requires developments to add to the overall quality of the area; respond to local character and history and reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Amongst the core planning principles the NPPF states that planning should: “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” “take account of the different roles and character of different areas, promoting the vitality of our main urban areas...” (Set out in paragraph 17).
29. The proposed dwellings would be situated in a relatively informal layout and the dwellings closest to the listed buildings (Plots 6 - 8) would be slightly staggered to ensure that the development would not form a solid linear backdrop to the listed buildings when viewed eastwards along Davyhulme Road. Planting along the boundary with the listed buildings and the proposed dwellings would also serve to buffer the proposed development and help soften the appearance of the development in the context of the listed buildings.
30. The proposed dwellings have been designed with modest features together with traditional materials. It is considered the dwellings would sit quietly in their setting and their detailed design would complement the traditional rural setting of the site. At the southern end of the site, closest to Davyhulme Road, the proposed development would be set back and a substantial area of open space with landscaping would be retained. The proposed dwellings at Plots 1 and 8 would be set back between 15-21.5m from Davyhulme Road. It is considered that through retaining this area undeveloped, this would allow views across to the two listed buildings and also to non-designated heritage asset No. 232 Davyhulme Road. Landscaping within this area will ensure the proposed development would not appear over prominent within the existing streetscene and would serve as a reminder of the original farmland setting of the site.

## ACCESS, HIGHWAYS AND PARKING

31. The proposed development would comprise of four and five bedroom dwellinghouses and as such three off road car parking spaces are required for each of the dwellings to comply with the Council’s car parking standards.
32. The application includes the provision of at least three car parking spaces for each dwelling, in the form of off road car parking spaces and a garage per

property, which are proposed in an acceptable form. It is therefore considered that the proposed development would not result in on-street car parking demand in the surrounding area. The Local Highways Authority (LHA) has no objections to the scheme, given amended plans have overcome initial concerns. The application includes the creation of a new vehicular access road off Davyhulme Road to serve the proposed development. The creation of a new vehicular access in this location is considered acceptable and the width of the access and proposed footway are also considered acceptable. The access road has been amended since initial submission to be more direct with a shallower bend to improve visibility for vehicles entering and exiting the site and driveway layouts have been amended to ensure parking is safe and there would be no necessity for on street parking. The proposal is considered to comply with Policies L4 and L7 of the Core Strategy.

## FLOOD RISK AND DRAINAGE

33. A Flood Risk Assessment has been submitted with the application and notes that the site is identified as being located mainly within Flood Zone 1 (low risk) of the Environment Agency Flood Zones with the northern tip of the site infringing on a Flood Zone 2. Based on the available information the probability of the site flooding from surface water is low and the risk of flooding from other sources is also low. It is recommended any approval includes conditions relating to submissions of schemes to limit the surface water run-off generated by the proposed development and to manage the risk of flooding from overland flow of surface water.
34. The proposal is considered acceptable in terms of flood risk and drainage, subject to conditions.

## DEVELOPER CONTRIBUTIONS

35. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Consequently private market houses would be liable to a CIL charge rate of £40 per square metre.
36. The contribution for Specific Green Infrastructure is based upon the requirement to provide 24 trees. The applicant has indicated that they wish to provide these trees within the site and a landscaping plan has been submitted. This indicates over 24 trees would be provided at the site. A condition is recommended requiring compliance with the landscaping scheme.
37. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Urmston area is identified as a "moderate" market location where the affordable housing contribution set out in Policy L2 is 10% due

to 'cold market conditions.' This equates to a requirement for 1 of the 8 dwellings to be affordable.

38. The applicant has submitted a viability appraisal in terms of affordable housing provision. This is being considered by the Council's Estates Section (Amey) and the outcome of their assessment will be reported in the Additional Information Report.

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

(A) That the application will propose a satisfactory development for the site upon completion of a legal agreement which will secure affordable housing provision, in accordance with Policy L2 of the Core Strategy.

(B) In the circumstances where the S106 Agreement has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development; and

(C) That upon satisfactory completion of the above legal agreement / undertaking, 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.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 4020/101 REV G, 4020/110 REV E, 4020/111 REV E, 4020/133 REV B, 4020/002 REV B and 4020/132 REV B, unless otherwise agreed in writing by the Local Planning Authority.

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

4. The landscaping works shown on the approved plan, 06/120/01 v1.3 'Proposed Residential Development Landscape Proposals' shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

6. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) 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. 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,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

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

8. The car parking, servicing and vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be provided and made fully available for use prior to any part of the development being first brought into use and shall be retained thereafter for their intended purpose.

9. Notwithstanding the details shown on the submitted plans and the requirements of Condition 2 of this permission, and prior to the creation of the parking area, a scheme

identifying a porous material to be used in the hard standing or a scheme directing run-off water from that hard standing to a permeable or porous area or surface, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

10. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

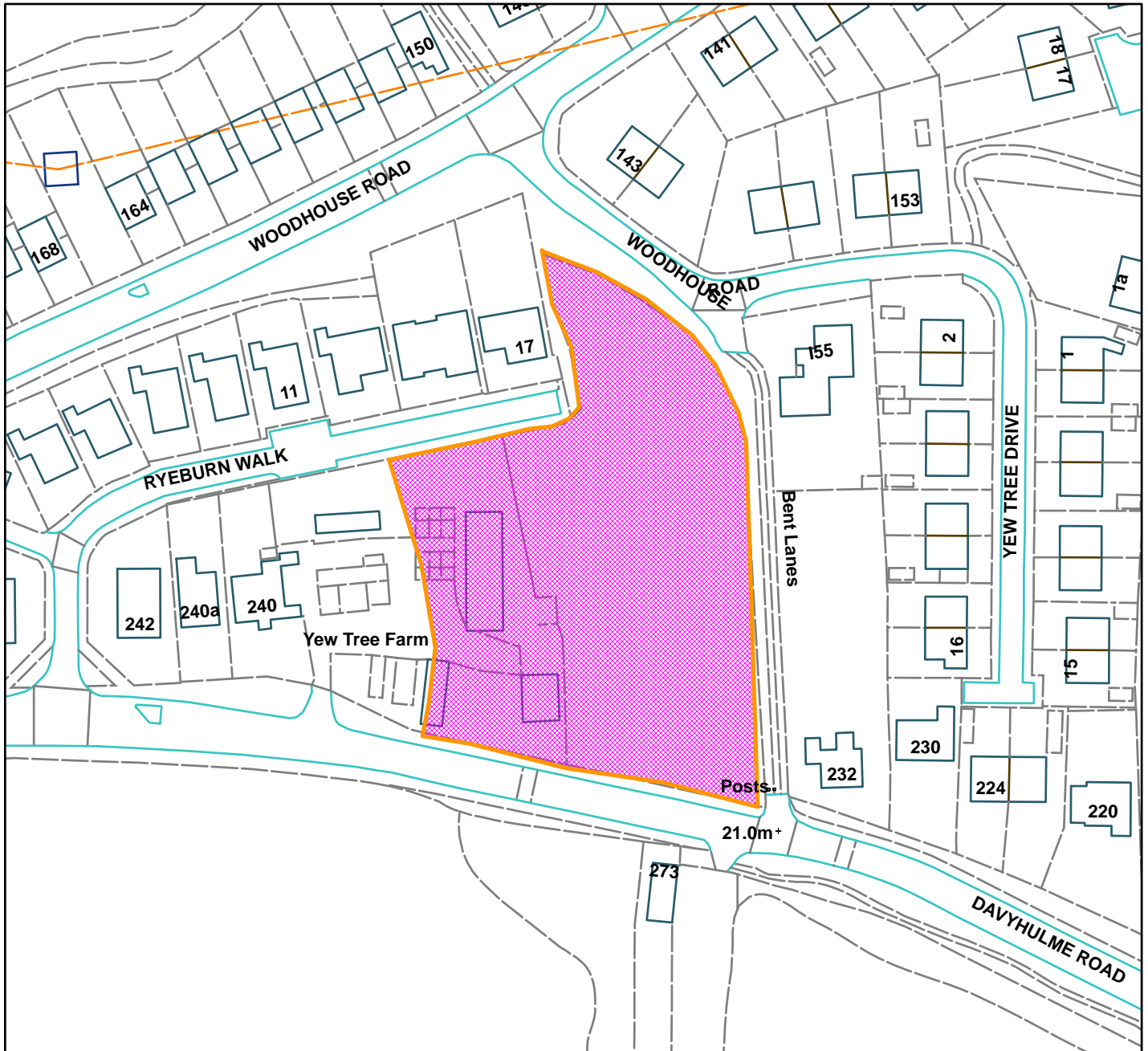
11. The site shall be drained via separate systems for the disposal of foul and surface water.

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LB



Yew Tree Farm, 240 Davyhulme Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)



**WARD:** Bowdon

**86115/FUL/15**

**DEPARTURE:** No

**Erection of 9 no. floodlighting columns (10 no. luminaires) at 6.7 metres high to courts 4 and 5.**

Bowdon Lawn Tennis Club, Elcho Road, Bowdon, WA14 2TH

**APPLICANT:** Bowdon Lawn Tennis Club

**AGENT:** CT Planning

**RECOMMENDATION: GRANT**

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**SITE**

The application site comprises an established tennis club with 8 no. grass courts and 5 no. all weather courts. There is an existing car park accessed off Green Walk with parking for approximately 40 cars.

The surrounding area is predominantly residential and is bounded by residential properties on all sides with the exception of the north east boundary which adjoins Altrincham Grammar School for Girls.

This application relates specifically to courts 4 and 5 which are all-weather courts.

The application site is located within the Devisdale Conservation Area.

**PROPOSAL**

The application seeks consent for the floodlighting of Courts 4 and 5 by way of the erection of 9 no. 6.7 metre high lighting columns. It is proposed that the floodlighting system will be used until 21:30 hours on any day.

The lighting columns would measure 0.114 metres in diameter with horizontally mounted luminaires and are proposed to be painted Holly Green.

**DEVELOPMENT PLAN**

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

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L5 – Climate Change

L7 – Design

R1 – Historic Environment

R5 – Open Space and Recreation

## **PROPOSALS MAP NOTATION**

Protected Open Space

The Devisdale Conservation Area

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

ENV21 – Devisdale Conservation Area

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

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

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

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

## **OTHER RELEVANT LEGISLATION**

Planning (Listed Buildings and Conservation Areas) Act 1990

## **RELEVANT PLANNING HISTORY**

84577/FUL/14 – Resurfacing of courts 6-9 with an artificial grass surface. Approved with conditions 30<sup>th</sup> March 2015

84338/FUL/14 – Erection of 12 no. floodlighting columns with maximum height of 8m. Approved with conditions 30<sup>th</sup> March 2015

H/CC/54983 – Conservation Area Consent for the demolition of the existing clubhouse in connection with the erection of a new clubhouse Approved with conditions 04/11/2002

H/54978 – Demolition of existing clubhouse and erection of new clubhouse comprising clubroom and bar, kitchen, changing accommodation and ancillary facilities. Approved with conditions 04/11/2001

H/47151 – Construction of an additional all-weather tennis court to south west of existing court, with 3.6m high chain link fencing to north west and south east sides. Approved with condition 19/05/1999

H/42226 – Erection of 9 no. 6m high lighting columns and light fittings to illuminate 2 no. existing all-weather tennis courts. Non-determination and subsequently dismissed at appeal September 1996

H/40641 – Erection of 18 no. 6m high lighting columns and light fittings to illuminate 4 no. existing all weather tennis courts. Refused 24/05/1995 and subsequently dismissed at appeal September 1996

H/32447 – Construction of an all-weather tennis court and erection of 3.5m high chain link fence surround. Approved with condition 19/12/1990

H/27497 – Erection of 9 ten metre high columns to floodlight two tennis courts. Refused 17/08/1988

## **APPLICANT'S SUBMISSION**

A Design and Access Statement and Lighting Report have been submitted as part of the application and are referred to in the main observations section of this report where relevant. Other considerations referred to in the Design and Access Statement are summarised below:

- Bowdon Lawn Tennis Club is a well-established sporting facility within Bowdon, having been established in 1877.
- The proposal will increase recreational opportunities in the local area.
- The site is within easy reach of surrounding residential areas by means of walking, cycling and public transport.
- The proposal is consistent with the Policies of the National Planning Policy Framework and Core Strategy Policy R5 concerned with promoting sport and recreation.

## **CONSULTATIONS**

**Pollution & Licensing** – No objection to the development

**GMEU** – A bat survey is not required and it is considered that an overall objection to the application on ecological grounds could not be sustained.

## **REPRESENTATIONS**

**Bowdon Conservation Group** – Consider that the proposal would be detrimental to the status of the Conservation Area as a Heritage Asset and impose an adverse, unreasonable and unacceptable visual impact upon amenity and the living conditions of adjoining occupiers. Additionally it is considered that the Council, in their determination of planning application 84338/FUL/14 attributed no weight to the Planning Inspector's report ref T/APP/Q4245/A/95/259132/P7 & T/APP/Q4245/A/96/266974/P7 dated 13<sup>th</sup> September 1996 and was mistaken to rely on the views expressed in the Planning Inspector's report for an appeal in 2006 at Hale Barns Tennis Club (ref APP/Q4245/A/05/1174635).

12 no. letters of objection have been received from neighbouring residents. The main points raised are summarised below:

- Inconsistencies in the presentation of supporting material;
- Lack of consultation with neighbours by the Club;
- No site notices displayed;
- Detrimental to the character of the Conservation Area;
- Light pollution and glare affecting neighbouring properties;
- Concern regarding the impact of lighting on wildlife;
- Sky glow;
- Highway safety as a result of overspill vehicles parking on Green Walk causing an obstruction;
- Extended noise associated with play into the winter months;
- Adverse visual impact on the skyline;

2 no. letters of support have been received. The main points raised are summarised below:

- Important to the continued development of the club and provision of quality leisure facilities and coaching in the area;
- Will enable the club to install better quality lighting than the current temporary lighting provided and with considerably less spillage

## **OBSERVATIONS**

### **BACKGROUND**

1. Bowdon Lawn Tennis Club is an established club with a total of 13 courts, 8 of which are grass and 5 with an all-weather surface. Permission was recently granted under application 84577/FUL/14 for the resurfacing of courts 6-9 with an artificial grass surface.
2. There is a detailed history of applications relating to floodlighting at the club including applications for floodlighting to 2 no. and 4 no. courts which were refused and subsequently dismissed at appeal in 1996 (ref T/APP/Q4245/A/95/259132/P7 and T/APP/Q4245/A/96/266974/P7). The Inspector considered the main issues in both appeal to be:

- (i) The effect of the respective number of proposed 6m high lighting columns and light fittings on the living conditions of adjoining occupiers, with particular reference to visual intrusion, noise and disturbance.
  - (ii) The effect of the respective number of proposed 6m high lighting columns and light fittings on the character and appearance of the Devisdale Conservation Area.
3. Courts 1-5 are currently lit by 'temporary' lights which are moveable and it has been accepted previously by the Local Planning Authority that these do not require planning permission.
4. Notwithstanding this, an abatement notice was issued by Environmental Protection to prevent the use of these lights which was causing a nuisance to neighbouring residential properties. The abatement notice was challenged in Trafford Magistrates court however this failed and the notice is still in place.
5. Permission was granted under 84338/FUL/14 for the erection of 12 no. floodlighting columns to light courts 6-9.

## **PRINCIPLE OF DEVELOPMENT**

6. Paragraph 70 of National Planning Policy Framework (NPPF) advises that planning policies and decisions should plan positively for the provision and use of sports venues. Paragraph 73 continues that "Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities."
7. Policy R5 of the Trafford Core Strategy (Open Space, Sport & Recreation) advises that the Council should seek to protect existing and secure the provision of areas of open space and outdoor sports facilities and protect and improve the quality of open space and outdoor sports facilities so they are fit for purpose.
8. Improvements to existing sports facilities are therefore acceptable in principle and the main considerations in this application are the impact on residential amenity, visual impact, the impact on the character of the Conservation Area and streetscene more generally and the impact on wildlife.

## **IMPACT ON RESIDENTIAL AMENITY**

### Lighting

9. The National Planning Policy Guidance (NPPG) provides advice on Light Pollution and acknowledges that artificial light provides "valuable benefits to society, including through extending opportunities for sport and recreation, and can be essential to a new development." It recognises however that it can be

“obtrusive and cause disturbance and harm through the creation of light pollution.”

10. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Policy L7 of the Trafford Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of adjacent properties. Further to which Core Strategy policy L5 states that development that has the potential to cause adverse pollution of light will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.
11. Guidance Notes for the Reduction of Obtrusive Light GN01:2011 prepared by the Institution of Lighting Professionals identify five different Environmental Zones from E0 (protected) to E4 (urban) based on the individual characteristics of the site. These guidance notes state that within a suburban location (E3) the maximum spillage onto neighbouring windows should not exceed 10 lux and this is reduced to 5 lux for a rural (village or a relatively dark outer suburban (E2) location.
12. The initial lighting assessment submitted with this application referred to the vegetation barrier at the back of Courts 4 and 5 which are located within the gardens of private properties and therefore outside of the clubs control. An amended lighting assessment has been submitted at the request of Environmental Protection officers. This shows that both the 5 lux and 10 lux lines are some distance from the nearest house, namely 31 Green Courts. The Environmental Protection officers have reviewed the submitted lighting assessment and raise no objections to the scheme subject to restricting the hours of use and implementing the scheme in accordance with the submitted details. The Environmental Protection officers have indicated that they are satisfied that the proposed floodlighting would not cause a statutory nuisance to nearby residents and also advise that the proposal would reduce glare considerably from that currently experienced by neighbouring properties caused by the moveable lights.
13. Notwithstanding that there would be no statutory nuisance, the more general impact of the light or sky glow is also a consideration in the determination of this application. This matter is considered within subsequent sections of this report with particular reference to potential impact on the character of the area and impact on the Conservation Area.

## Noise

14. The proposed hours of use for the floodlights are the same as approved under application 8433/FUL/14. It was considered that whilst the floodlights would extend play in the winter months, cold temperatures and adverse weather

conditions as well as the dark evenings generally mean that this is a time when residents are not sitting out in their garden and have more windows closed in their homes. Days when the evenings are still warm and the nights are starting to draw in (late August/September) are the only times when there may be a potential for conflict with people enjoying their gardens whilst the play is extended into the evening. It is also unlikely that the courts will be used to their maximum potential every day. On this basis, it is not considered that the potential impact on residential amenity is sufficient to warrant the refusal of this application.

## **IMPACT ON CHARACTER OF THE SURROUNDING AREA/CONSERVATION AREA**

15. The Devisdale Conservation Area is centred around The Devisdale, an historic piece of open land formerly belonging to the Earl of Stamford. The application site falls within the proposed character Zone B: The Devisdale in the The Devisdale Conservation Area Appraisal Consultation Draft June 2015 which is “..comprised of The Devisdale and the other properties and Tennis Club to the north of Green Walk... The character of this zone is one of community and open green space, with sweeping views surrounded by trees.
16. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*” in the determination of planning applications.
17. One of the key tests of the National Planning Policy Framework (NPPF) in relation to development within Conservation Areas is whether the proposal would result in any substantial harm or loss of irreplaceable heritage assets. The harm of the proposed development on the characteristics of this zone of the Conservation Area are considered below.
18. The proposed columns are slimline and are to be painted Holly Green. The agent has agreed to the use of retractable columns which will be conditioned to be lowered outside of hours of use. This will lessen the visual impact of the columns themselves when not in use and it is not considered that the presence of the columns at full height during the hours of operation only will cause sufficient harm to the character of the area or the Conservation Area to warrant refusal.
19. The Devisdale Conservation Area is spacious and characterised by low density development with landscaping dominant, resulting in the darkness of the area surrounding the application site at night time.
20. No analysis of the effects of sky glow has been submitted however, the floodlighting columns will stand 6.7 metres high and are therefore taller than any

screening to the site boundary, and on this basis the lights would be visible from outside of the site. It is noted that the surrounding area is predominantly residential, low density and dark in nature outside of hours of sunlight.

21. It is acknowledged that the proposal would introduce an area of light or 'skyglow' which would be visible from outside of the site. It was accepted under planning application 84338/FUL/14 that as this would be temporary and restricted to 21:30 during the winter months only that the impact of the light would not be unduly harmful to the character of the Conservation Area. It is considered that these reasons are still applicable in the determination of this application.
22. The site is sufficiently removed and separated by the school facilities that it would not lead to harm to the character of the Devisdale Open Space.
23. It is considered that the proposal would result in less than substantial harm to the Conservation Area. Paragraph 134 of NPPF advises 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 securing its optimal viable use."
24. The proposal is considered to be in accordance with Policy R5 of the Trafford Core Strategy in terms of promoting existing leisure uses in the interest of meeting the needs of residents and ensures the continuing provision of this leisure facility within this part of the Conservation Area which is characterised by its open space and community use. Redevelopment of the site in the event that the proposed floodlighting is refused and the future needs of the Club are not met, has the potential to have a greater impact on the character of the Conservation Area due to the role that these facilities play in its character. The public benefit is therefore clear and as such would outweigh the limited harm caused by the proposed floodlights.

## **IMPACT ON WILDLIFE**

25. Concerns have been raised by residents in respect of the potential impact on wildlife. Greater Manchester Ecology Unit (GMEU) has been consulted as part of the application process to provide advice on this matter. They advise that bats are sometimes known to be disturbed, and can be displaced by, artificial lighting and therefore the proposed floodlighting may have some potential to cause harm to bats. They however note that the floodlights will not be located in a particularly sensitive location as regards bats (the lights will not illuminate woodlands, waterbodies or water courses, for example) and the lights will not directly illuminate any features or structures with high potential to support a bat roost. GMEU indicate that their databases do not show any bat roost locations within the 'zone of influence' of the lights whilst the tree line along the north-western boundary of the site may support foraging bats but has limited potential to



support bat roosting sites. They note that the tennis club is located in a residential area which is already subject to levels of artificial lighting.

26. GMEU state that bats are most active in the summer months when floodlighting will be needed less rather than in the winter months, when bats are inactive. Pipistrelle bats (the bat species most commonly found in the area) are well adapted to urban areas and are less disturbed by lighting than other species.
27. GMEU consider that the lighting is relatively small-scale and localised and the design of the lighting has allowed for directional control to avoid excessive light spillage and the use of the lighting is capable of being closely managed. GMEU therefore consider that an objection to the application on ecological grounds could not be sustained.
28. GMEU have recommended a condition to restrict the use of floodlights past 21.30 hours in the months of June, July and August as bats do forage in the area and some precautions as regards avoidance of possible harm to bats are therefore necessary

## **PREVIOUS APPEAL DECISION**

29. The two main issues raised in the Inspector's report for the 1996 appeal decision relate to the impact on the character of the surrounding area and the impact on neighbouring properties.
30. In terms of the potential impact on neighbouring amenity, this application has been considered on its own merits. The LUX plan provided with the application demonstrates that there would be no significant light spillage into neighbouring properties and the proposed scheme would not cause a statutory nuisance. It should also be recognised that the proposed scheme would constitute an improvement to the harm currently caused by the existing moveable lights which do not require planning permission.
31. It is likely that the proposed scheme will improve skyglow/band of light visible from outside the courts in general terms. A combination of modern luminaires, their correct installation and minimisation of up-lighting is likely to minimise sky glow. NPPG advises that "Good design, correct installation and ongoing maintenance are essential to the effectiveness of lighting schemes." In addition, the proposed scheme is a permanent and fixed scheme as opposed to temporary movable lights, and this will result in an overall improvement.

## **OTHER MATTERS**

32. Concerns have been raised regarding inconsistencies in the plans and documents submitted including the number and height of the columns and the relationship with neighbouring properties.

33. The agent has confirmed that the amended Lighting Report submitted by Luminance Pro Lighting Systems Ltd (dated 10/12/2015) is correct and the application is for the erection of 9. no. columns (10 no. luminaires) at 6.7m high.

34. Regarding the relationship with neighbouring properties, distances to boundaries were measured on site within residents' gardens and were checked on plans. It is considered that the plans present an accurate representation of the relationship between the courts and the neighbouring gardens.

35. The correct site notices have been displayed at several locations around the site (Green Walk, Green Courts and Elcho Road) on 19<sup>th</sup> August 2015.

## **DEVELOPER CONTRIBUTIONS**

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

37. No other planning obligations are required.

## **CONCLUSIONS**

38. The scheme has been assessed against the development plan and national guidance and it is considered that the proposed development will not result in undue harm to the amenity of neighbouring residents, the character of the conservation area, or ecological matters, subject to the inclusion of conditions. The proposed scheme complies with policies L5, L7, and R1 of the Trafford Core Strategy and the NPPF and therefore it is recommended that planning permission is granted subject to the conditions listed below.

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

1. The development must be begun not later than the expiration of three (3) years beginning within the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 4360.99, 5133-4, 1453-05 Rev A 1453-04 Rev A
3. The floodlighting columns hereby approved shall be powder coated prior to their installation in Holly Green or an alternative colour which has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the columns shall be retained in that colour.
4. The floodlights hereby approved shall not be illuminated outside the following times: 15:30 to 21:30 hours on any day.

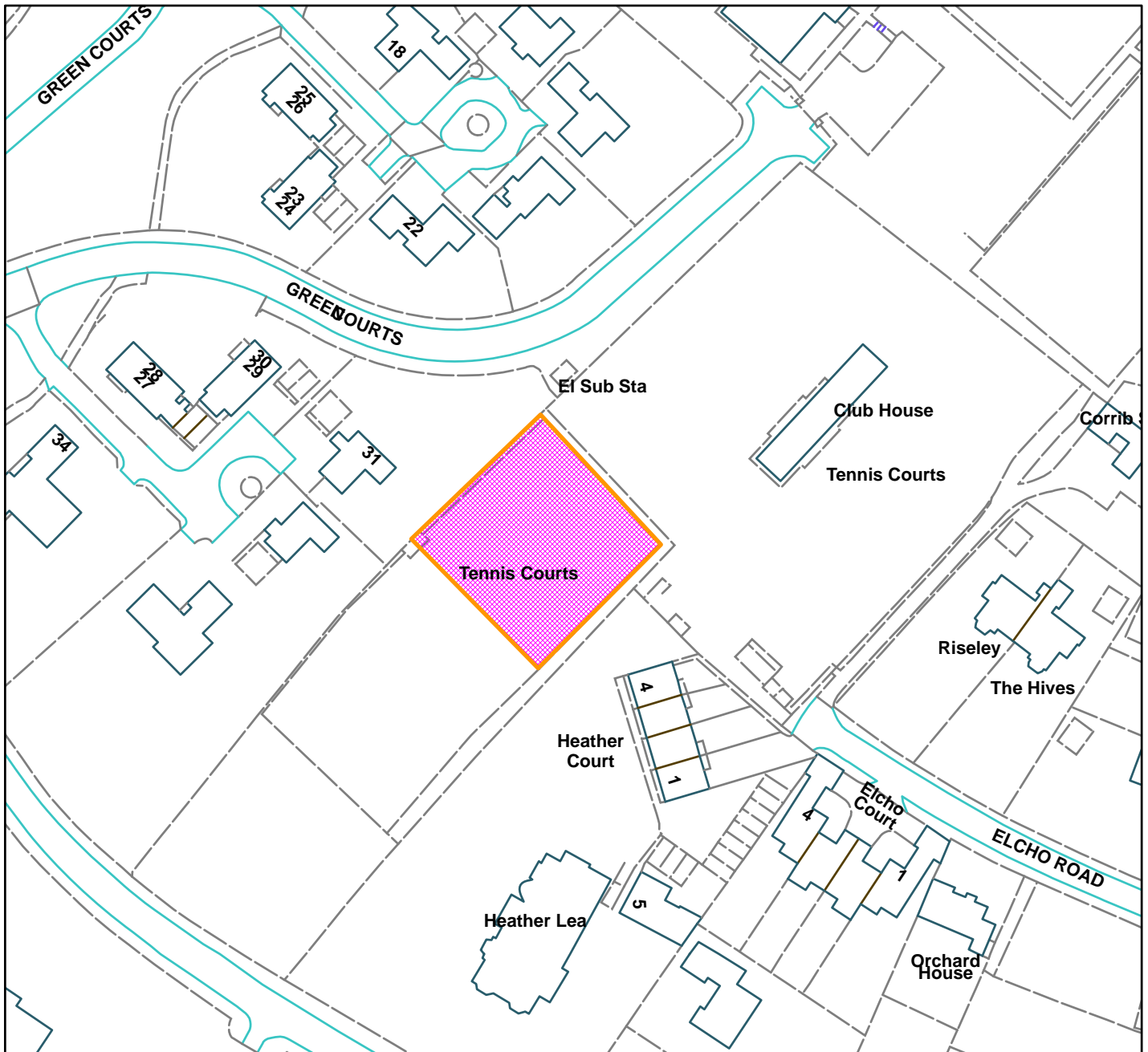
5. Notwithstanding the details shown on the submitted plans and the requirements of Condition 2 of this permission, the proposed lighting columns shall be of a retractable design and shall be kept in their retractable position at all times outside of the authorised hours of use. The specific retractable design of the columns shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The columns shall be thereafter retained in accordance with the agreed details.
6. The development shall be carried out in accordance with the lighting scheme detailed within the Illuminance Pro Lighting Systems report Bowdon Lawn Tennis Club, dated 10-12-2015. A verification report shall be submitted to and approved in writing by the Local Planning Authority which confirms that the approved lighting scheme has been installed before the courts are first brought into use.

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JE



Bowdon Lawn Tennis Club, Elcho Road, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**WARD:** Priory

**86213/FUL/15**

**DEPARTURE: No**

**Erection of 2 no. three storey plus basement level flat roof buildings to provide 12 no. one bedroom residential apartments at upper levels and mixed use office (B1 Use Class) and retail (A1 Use Class) at ground floor levels. Associated car parking and boundary treatment.**

9-13 Washway Road, Sale, M33 7AD

**APPLICANT:** Brightpoint Investments Ltd

**AGENT:** Studio 34

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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## **SITE**

The application relates to a site located on the south-eastern side of Washway Road (the A56). Until recently two storey mid-terraced properties occupied the site. Car parking serving these buildings was accessed from Hayfield Street which bounds the site to the rear. The previous buildings comprised of shop buildings with office accommodation above. The buildings had been vacant for many years and were in a very poor condition, having experienced rain water damage.

Following submission of this planning application, the buildings were unlawfully demolished. Consequently the description of development has been amended to reflect the current situation at the site and a further public consultation has been undertaken.

The site is situated within Sale Town Centre and commercial premises bound the site to both sides and on the opposite side of the road.

## **PROPOSAL**

It is proposed to erect 2 no. three storey (plus basement) level flat roof buildings with associated car parking at the site.

At the front of the site facing Washway Road, the proposed building would provide 8 no. one bedroom residential apartments at first and second floor levels while at ground floor level 4 no. mixed use office (B1 Use Class) and retail (A1 Use Class) units would be provided. These would each feature glazed shopfronts fronting Washway Road. The proposed residential accommodation would be accessed from the rear via a small courtyard, accessed off Hayfield Street.

To the rear of the site a further three storey (plus basement) building would be constructed. This would provide 4no. one bedroom residential apartments at first and second floor levels. These would be accessed from the proposed small courtyard via Hayfield Street. At ground floor level one retail (A1 Use Class) unit is proposed. This would feature a glazed shopfront addressing Hayfield Street.

Beneath both buildings and the rear courtyard, basement level parking is proposed. This would accommodate 12no. parking bays for residential use and 4no. parking bays for retail use. These would be accessed via a car lift located within the rear ground floor level courtyard. At ground floor level in the said courtyard, a further 6 no. parking bays are proposed for use by the occupants of the residential accommodation.

Refuse and bicycle storage is also proposed to be accommodated within the rear ground floor level courtyard.

New brick walls are proposed to the rear at the boundaries of the site. The buildings are to be constructed and finished in brick and details of external facing materials are to be agreed prior to above ground development taking place.

Amended plans have been received since initial submission. The amended plans address initial concerns raised by Officers regarding the detailed design of the proposed buildings. The detailed design of the staircase to the main building has been amended and fenestration to the rear building fronting Hayfield Street has been amended. Details of proposed solar panels to the roof of the building have also been provided on the submitted plans.

The proposal would result in the following increase in floor area: -

- 343.01m<sup>2</sup> increase in non-residential floor area
- 652.63m<sup>2</sup> in residential floor area

## **DEVELOPMENT PLAN**

**For the purpose of this planning 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**

L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
W1 - Economy  
W2 – Town Centres and Retail

### **PROPOSALS MAP NOTATION**

Town and District Shopping Centres

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

None

### **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

Planning Guidelines: New Residential Development  
SPD1: Planning Obligations  
SPD2: A56 Corridor Development Guidelines  
SPD3: Parking Standards and Design

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

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

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

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

### **RELEVANT PLANNING HISTORY**

**84919/FUL/15** - External alterations to front and rear elevations including: installation of new shop fronts at ground floor level; installation of stairwell and access balcony to first floor flats on rear elevation; installation of new windows and openings at ground floor and first floor levels; erection of new roof including an increase in the height of the roof; revisions to parking layout and bin storage. Approved 18.05.2015

**84396/PAJ/14** - Change of use from existing offices (Class B1) at first floor level to 4no. apartments (Class C3). Application for determination as to whether prior approval is required under Schedule 2 Part 3 Class J of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) – Approved 23.01.2015.

**84395/FUL/14** - Change of use of existing ground and first floor level office use (B1 Use) to a mixed use scheme consisting of retail (A1 and A2 Use) at front ground floor level and community use (D1 Use) at rear ground and first floor levels. Associated external alterations including extension of retail premises on ground floor of no. 9 Washway Road, roof extension and elevational alterations – Withdrawn.

**H/LPA/OUT/55187** - Demolition of buildings and erection of two storey retail/office premises with car parking and access from Hayfield Street. Approved 17.12.2002

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement. The information provided within this statement is referred to where relevant within this report.

### **CONSULTATIONS**

**LHA** – No objections, comments are discussed in full in the Observations section of this report.

**Lead Local Flood Authority** - No objections, subject to condition. Recommend a condition requiring the peak discharge rate of storm water to be in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Council's Level 2 Hybrid SFRA; details of any SUDs facility to be forwarded; and details of the implementation, maintenance and management of the sustainable drainage scheme to be submitted and approved.

**Pollutions and Licensing (Noise)** – No objections, comments are discussed in full in the Observations section of this report.

**Pollutions and Licensing (Contaminated Land)** – No objections.

### **REPRESENTATIONS**

The application was subject to public consultation in July 2015. The description of development was:

*"Alterations works to rear of retail units 9-13 at ground floor, addition of access balcony to flats at first and second floor, addition of second floor, new parapet wall and flat roof fronting washway road and addition of external access stairs to rear of 9-13 Washway Road, Sale. Proposed demolition of existing rear block facing Hayfield Street and new erection of mixed use two storey block (Use Class C3 and A1)."*

One letter of objection was received. The issues raised are summarised as follows:

- The building is too large for the site. The proposal should be refused for over massing.



- It will change the look of Washway Road significantly.
- It will increase the ridge height.
- The retail unit behind the building will never be let.
- Use of the basement for parking is fraught with problems together with the car lift.
- Why all one bedroom flats? There is a need for 2 bedroom apartments.

Given the circumstances of the case and the fact the previous buildings were demolished during the consideration of this subject planning application, the description of development has been amended to reflect this. A further public consultation has been undertaken with the amended description of development. To date, no further representations have been received.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

#### Residential Development

1. The NPPF includes within its core planning principles the need to deliver the homes that are needed and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy L2 of the Core Strategy (Meeting Housing Needs) 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. Of relevance to this application it requires new development to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, not harmful to the character or amenity of the immediate surrounding area and in accordance with Policy L7 (Design) and other relevant policies within the Development Plan.
2. The NPPF also states local planning authorities should recognise that residential development can play an important role in ensuring the vitality of town centres and should set out policies to encourage residential development on appropriate sites. Policy W2 of the Core Strategy states that Sale Town Centre is capable of delivering 100 residential units.
3. Policy L2 of the Trafford Core Strategy states that the proposed mix of dwelling type and size should contribute to meeting the housing needs of the Borough. One bed, general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. In this case the site is located within Sale Town Centre and it is acknowledged that there is market demand for one bedroom properties in and on the edge of Sale Town Centre.
4. The application relates to the re-development of a previously developed town centre site within a highly sustainable and accessible location, well served by

public transport. The site is within walking distance of Sale Metrolink and various bus services and the location is also well placed for town centre amenities including places of work, shops, financial and professional services, leisure uses and other amenities. Having regard to the above and policies that support residential development in the town centre, the provision of 12 apartments in this location is fully compliant with the NPPF and Policies L2 and W2 from a land use point of view.

### Retail Use

5. The application refers to retail use for the ground floor units fronting both Hayfield Street and Washway Road, although it also refers to the units at ground floor fronting Washway Road potentially being Use Class B1 also. Both these uses are 'main town centre uses' as defined in Annex 2 of the NPPF and would be acceptable in this town centre location. The provision of retail or other main town centre uses fronting Washway Road and Hayfield Street is fully compliant with the NPPF and Core Strategy Policy W2 which seeks to promote the vitality and viability of town centres. The proposed introduction of a retail unit to Hayfield Street would be compliant with the NPPF and Policy W2 by creating a new active frontage in this part of the street.
6. The proposed development is in accordance with the objectives of the NPPF comprising development in a sustainable location that would contribute towards the regeneration of the town centre, has the potential to improve the appearance of the presently vacant site and the character and appearance of this part of Sale Town Centre and would boost the supply of housing. The principle of the development is therefore in accordance with the NPPF and the Trafford Core Strategy (Policies L2 and W2 and Strategic Objectives SO1 and SO4) and there is no land use policy objection to the proposal.

### DESIGN AND VISUAL IMPACT

7. The previous buildings within the site were in a poor condition and had been vacant for a number of years. They failed to make a positive impact on the existing street scene and the character of the surrounding area.
8. The proposed buildings would be three storeys in height with a basement level beneath. Both buildings would feature a flat roof and have a modest and robust architectural style. At ground floor level both buildings would feature glazed shopfronts with fascias above. Providing glazed shopfronts would be in accordance with the A56 Corridor Developments Guidelines (SPD2), which identifies No's 9 – 19b (odd) Washway Road as a frontage that needs improvement.
9. The second floor level of the building fronting Washway Road would be set back behind a parapet providing shallow terraces to the upper level residential

accommodation. There is little design consistency along this part of Washway Road and that proposed would be modest. It is considered that the erection of a building of this size fronting Washway Road would respect the scale and form of the surrounding environment. The commercial units at ground floor level would provide an active frontage to the road and surface car parking would be located to the rear of the building, thus complying with the guidance set out in the A56 Corridor Developments Guidelines (SPD2). At the rear of the building, glass balustrading and a central external staircase would provide visual interest and fenestration would provide a vertical emphasis.

10. At the rear of the site, the building fronting Hayfield Street would have a similar appearance to that described above, however it would feature recessed balconies for the residential accommodation at upper levels. These together with the proposed high level windows to the residential flats would provide visual interest to the northern flank elevation of the building.
11. On the roof of both buildings, solar panels are proposed to be installed. On the Washway Road building these would be set back 5m from the front elevation and a minimum of 2.7m from the rear elevation. Similarly on the roof of the Hayfield Street building, these would be set back 8m from the front elevation and 1.5m from the rear elevation. Given the panels would be centrally located on the roof of both buildings and given the modern design of the building, it is considered this element of the scheme would be in keeping with the design of the building. Mechanical plant is a common necessity on the roofs of town centre buildings and given the set back from the front elevations of both buildings, it is not considered the proposal would result in a detrimental impact upon the character and appearance of the town centre.
12. A brick wall with pedestrian and vehicular gates would be introduced to the Hayfield Street boundary to provide security to the rear courtyard of the development. The proposed wall would form a screen to the proposed refuse bins and it is considered that this wall would form a more attractive feature within the street scene than openly exposed refuse bins, whilst not appearing over dominant. Notwithstanding details shown on the plans, a condition is recommended to enable further consideration of the proposed boundary wall height.
13. On the opposite side of Washway Road and to the south of the site is the Grade II Listed Building known historically as Tatton Cinema, located at 22 Washway Road. This building was built in 1933 in a neo-Egyptian style and retains much of its original interior. The National Planning Policy Framework (NPPF) at paragraph 132 states the more significant the heritage asset the greater the presumption in favour of its conservation.
14. In this case it is not considered the proposed development would affect the setting of Tatton Cinema. The listing description for Tatton Cinema puts great

weight on the interior of the building and given the existing development around the cinema, that proposed is not considered to affect the setting of the cinema.

## RESIDENTIAL AMENITY

15. Policy L7 states development must 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. The Council's Guidelines for new residential development recommends that where there would be major facing windows, three storey dwellings (houses and flats) should retain a minimum distance of 24m across public highways and 30 metres across private gardens.
16. Given the location of the site in the town centre, there are no residential properties in close proximity to the proposed buildings. The closest residential properties to the site are located at The Willows development, 21-23 Washway Road, south of the subject site. Nevertheless the proposed residential apartments fronting Washway Road would retain a separation distance of just over 24m from the commercial properties opposite. These are all shop premises with storage or office accommodation on upper floors.
17. At the rear, the proposed residential apartments would overlook the proposed courtyard. There are no residential properties to the rear of the site and there would be 34m between the rear elevation of the Washway Road building and the rear boundary, ensuring there are no detrimental residential amenity impacts. A minimum distance of 15m would be retained between the rear elevation of the Washway Road building and that of the proposed Hayfield Street building. This would be in accordance with the Council's Planning Guidelines: New Residential Development.
18. The proposed Hayfield Street building would feature high level windows in the northern side elevation. Nevertheless this elevation faces onto existing commercial premises to the north of the site (81-89 School Road) only. Similarly the proposed recessed balconies to this elevation are considered acceptable given the surrounding properties are in commercial use only. Additionally there are only commercial properties located opposite on Hayfield Street and 24m is retained between the building opposite and the proposed new building. This relationship is not considered uncharacteristic of the urban grain elsewhere in Sale Town Centre.
19. To the south the site shares a boundary with 12 Hayfield Street. These premises are in use as an arts café at ground floor level with a private function room at first floor level. Therefore there would be no detrimental impact upon amenity arising from the proposed relationship with this building.

20. In total, 8 of the apartments would benefit from private balconies and outdoor space. While 4no. apartments would not benefit from private amenity space; it is considered the site is located in good walking distance to various areas of public space. Communal refuse bins associated with the apartments are set to be accommodated within the rear courtyard.
21. In terms of noise arising from the location of the site next to the A56 and in the town centre close to sources of noise which may have an adverse effect on potential users of the building, including from pubs, Pollution and Licensing have been consulted and raise no objections. It is considered that anyone choosing to live in such a location should accept that they will hear noise associated with typical town centre activities. The Council's licensing regime requires that measures be taken to ensure disturbance is kept to a minimum and if noise complaints are received there are nuisance powers available to address anti-social behaviour. Therefore it is considered that the scheme would provide an acceptable standard of amenity for future occupiers.

#### LANDSCAPING / SPATIAL GREEN INFRASTRUCTURE

22. Policy L7 requires development to make appropriate provision for open space, where appropriate, in accordance with Policy R5 which requires all development to contribute on an appropriate scale to the provision of the standards set out in the policy either by way of on-site provision, off site provision or by way of a financial contribution towards improving quantity or quality of provision. Such provision will be secured in accordance with Policy L8 and SPD1: Planning Obligations. SPD1 indicates that Spatial Green Infrastructure will be required for developments of between 5 and 99 dwellings although on-site provision is only a requirement where the scheme is for over 100 dwellings; therefore in this case provision would not be expected on site. Given the location and scale of the development there is little opportunity for onsite landscaping in this case however there is to be a rear courtyard. Nevertheless the scheme includes private amenity space for the majority of the occupiers and furthermore, the requirements of the occupiers for open space and play area provision and the impact this demand would have on existing facilities in the area would be met by CIL.
23. 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. SPD1 sets out a requirement for 1 tree per apartment or the provision of alternative Green Infrastructure treatments in lieu of, or in combination with, tree provision such as native species hedge, green roof, green wall, etc. To comply with this requirement the development would need to provide 12 trees. Having regard to the nature and location of the site it would not be feasible or appropriate to plant this number of trees on site. There is potential for a green roof given the large areas of flat roof on the scheme and some landscaping to the front of the retail unit fronting Hayfield Street, although this has not been discussed with the developer to date. In order to ensure

appropriate Green Infrastructure treatment is provided, a condition would need to be attached to any permission.

## ACCESSIBILITY AND CAR PARKING

24. The site is very well placed for access to non-car modes of travel being within walking distance of the Metrolink and comprehensive bus services. The town centre location of the site also offers good opportunities to walk and cycle to places of work, shops and other facilities.
25. The Local Highway Authority has been consulted and raised no objections. It is considered the provision of one car parking space per apartment is acceptable in this location, albeit the majority accessed via a vehicle lift, given the accessibility of public transport and the proximity of town centre parking. This would accord with SPD3 Parking Standards and Design (2012). Furthermore the allotted parking for the retail units is considered to be acceptable, given the availability of town centre parking.
26. Vehicular access is proposed off Hayfield Street and this is considered to be acceptable. Similarly no objections are raised in relation to servicing. The proposed bin store near the Hayfield Street access would result in refuse vehicles servicing from the road and while the parking bays numbered 5 and 6 are not ideal, it is considered these would function satisfactorily. The proposed cycle parking is also considered to be acceptable. Conditions relating to servicing and cycle parking are proposed.

## FLOOD RISK AND DRAINAGE

27. The Lead Local Flood Authority have been consulted on the application and have raised no objections subject to an appropriate condition to constrain the peak discharge of storm water from this development through a sustainable urban drainage solution. A planning condition is therefore proposed to secure an appropriate drainage solution.

## CONTAMINATED LAND

28. In relation to contaminated land, Pollutions and Licensing have been consulted and have not requested any site investigation reports. No objections are raised in relation to contaminated land.

## DEVELOPER CONTRIBUTIONS

29. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the moderate zone' for residential development, consequently private market apartments will be liable to a CIL charge rate of £0 per square metre, in

line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

30. The proposed commercial elements on the ground floor fall under the category of 'all other' development consequently these will not be liable to CIL. In the event the units were occupied by a supermarket-type use, the CIL charge rate would be £0 as it lies within Sale town centre, which is nil rated in the Charging Schedule.

#### AFFORDABLE HOUSING AND VIABILITY

31. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Sale area is identified as a "moderate" market location where the affordable housing contribution set out in Policy L2 is 10% under poor market conditions. This equates to a requirement for 1 of the 12 no. residential units to be affordable.
32. The applicant has submitted a viability appraisal in terms of affordable housing provision. This is being considered by the Council's Estates Section (Amey) and the outcome of their assessment will be reported in the Additional Information Report.

#### **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

(A) That the application will propose a satisfactory development for the site upon completion of a legal agreement which will secure affordable housing provision, in accordance with Policy L2 of the Core Strategy.

(B) In the circumstances where the S106 Agreement has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development; and

(C) That upon satisfactory completion of the above legal agreement / undertaking, 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.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 01 P, 02 P REV A, 03 P REV E, 04 P REV A, 05 P REV B, 06 P REV A and 07 P REV A, unless otherwise agreed in writing by the Local Planning Authority.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
4. No external roller shutter / security shutters shall be installed to doors or windows or other openings other than in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
5. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
6. The car parking, servicing and vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be provided and made fully available for use prior to any part of the development being first brought into use and shall be retained thereafter for their intended purpose.
7. Notwithstanding the details shown on the approved plans and prior to the first occupation of the apartments hereby permitted, details of secure cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The details shall include siting, number of spaces, details of locking mechanisms, stands and storage areas to demonstrate they meet the Council's standards. The approved scheme shall be implemented before any of the apartments are occupied and shall be retained at all times thereafter.
8. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the



requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

9. No development shall take place, 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:

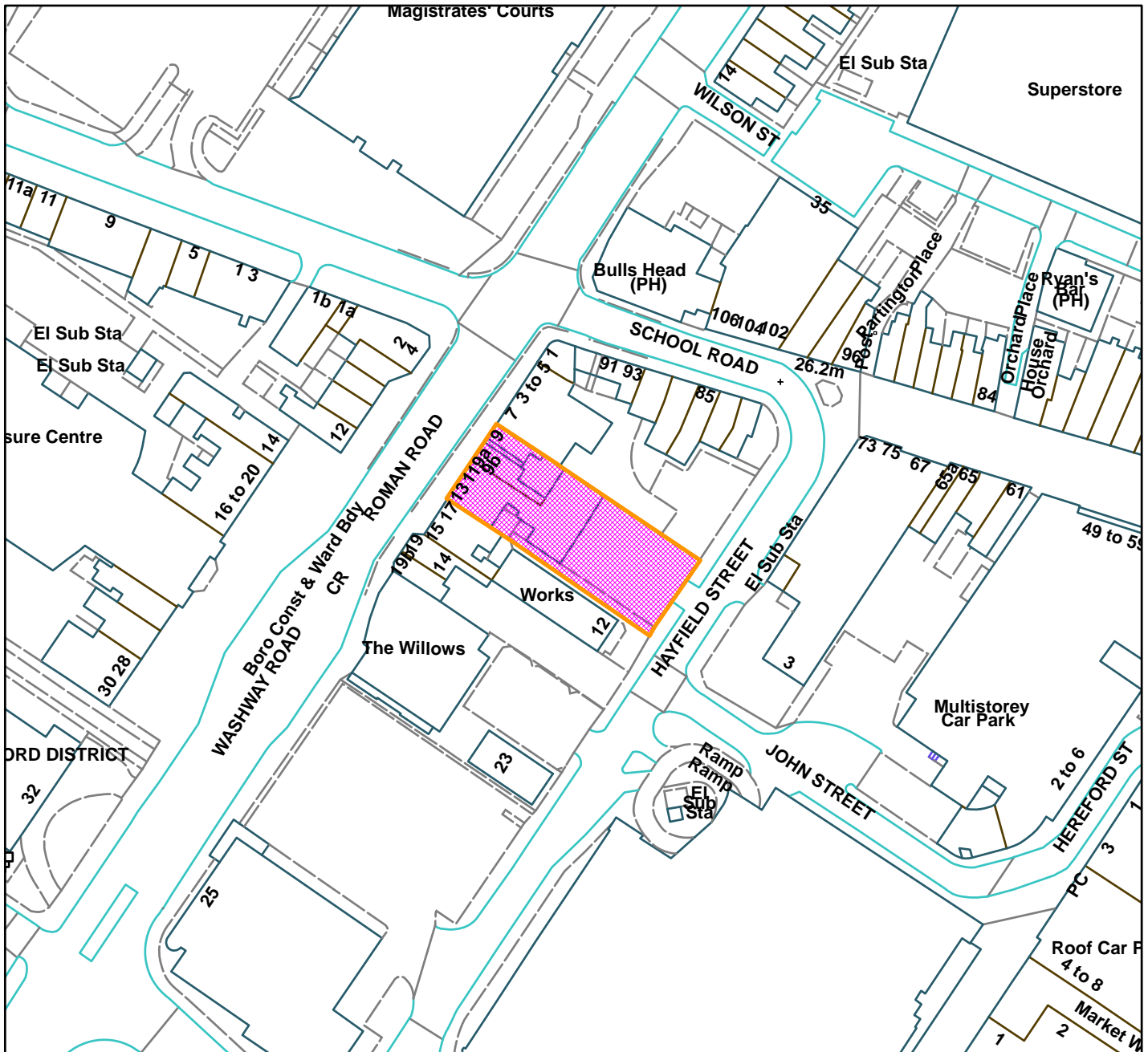
- i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v. wheel washing facilities
  - vi. measures to control the emission of dust and dirt during construction
  - vii. a scheme for recycling/disposing of waste resulting from construction works.
10. The development hereby approved shall not be occupied until details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household and commercial waste, have been submitted and approved in writing by the Local Planning Authority. The approved bin stores shall be completed prior to the first occupation of the apartments and commercial units and shall be retained thereafter.
  11. Notwithstanding any description of boundary treatment in the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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LB



9-13 Washway Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**Demolition of existing detached dwelling and adjacent commercial workshop. Outline application for the erection of 8 No. three bed dwellings and associated parking and access with all matters reserved.**

Neuholme, Manchester Road, Partington, M31 4FB

**APPLICANT:** Mr Smith

**AGENT:** Kitson Architecture

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning Development Control Committee because the applicant is a Member of Council and the Planning Development Control Committee.**

### **SITE**

The application site is 0.1785ha in area and comprises of a two storey detached dwellinghouse, a single storey detached garage and a single storey detached commercial workshop. The workshop is currently empty following the relocation of the business.

The site is located on the northern side of Manchester Road. Two storey terraced residential properties are situated to the north and west of the site; a pedestrian footpath leading to Hallcroft lies between the site and residential properties to the west. An electricity substation and a vehicular access road leading to allotment gardens bound the site to the east. St. Mary's Church, which is a Grade II Listed Building, is also situated to the east of the site.

### **PROPOSAL**

The application seeks outline approval for the demolition of the existing dwellinghouse, garage and commercial workshop and the redevelopment of the site to provide 8 residential dwellinghouses with a new vehicular access and associated car parking.

Consent is sought for the principle of the development with details regarding the access, siting, design, layout and landscaping reserved for subsequent approval. An indicative layout has been submitted showing that the housing provision could comprise 8no. three bedroom dwellinghouses in the form of 4 pairs of semi-detached properties.

The total floorspace of all of the proposed new dwellings would be 847 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- 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  
L3 - Regeneration and Reducing Inequalities  
L4 - Sustainable Transport and Accessibility  
L5 - Climate Change  
L7 - Design  
L8 - Planning Obligations  
R1 – Historic Environment  
R2 - Natural Environment

Strategic Objectives:

SO1 – Meeting Housing Needs

Place Objectives:

PAO1: To provide an appropriate level of new residential development to tackle population decline and achieve sustainable growth.

PAO3: To establish a better balance in type and tenure of housing in the area.

### **PROPOSALS MAP NOTATION**

Partington Priority Regeneration Area

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

H11 – Priority Regeneration Area - Partington

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

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

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

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

## **RELEVANT PLANNING HISTORY**

H39681 - Change of use of highway land to private garden; erection of two metre high chain link boundary fencing – Approved with conditions 19.01.1995.

The following applications relate to the commercial workshop: -

H32561 - Erection of single storey rear extension to launderette – Approved with conditions 29.01.1991.

H31062 - Erection of single storey rear extension to existing shop and single and 2 storey extensions to form shop, garage and first floor flat – Approved with conditions 09.05.1990.

H30911 - Erection of a dwellinghouse with integral garage – Approve with conditions.

H18502 - Erection of extension to existing launderette to for additional retail unit with flat over in roof space – Approved with conditions 29.09.1983.

H16447 - Change of use from betting office to shop for retail sales, repairs and construction of guitars – Approved with conditions 05.07.1982.

## **APPLICANT'S SUBMISSION**

The applicant has submitted a Planning Statement, which includes a Housing Development Statement, a Heritage Assessment, a Transport Statement, a Tree Survey and an Ecological and Biodiversity Survey. The information provided within these documents is discussed where relevant within this report.

## **CONSULTATIONS**

**LHA** – No objections, comments are discussed in full in the Observations section of this report.

**Lead Local Flood Authority** – No objections. Recommend a Sustainable Urban Drainage condition is attached.

**United Utilities** – No objections, recommends a condition requiring that foul and surface water shall be drained on separate systems and a condition relating to surface water drainage.

**Health and Safety Executive (PAHDI) – No objections.**

## **REPRESENTATIONS**

No representations from neighbouring residents have been received.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The application seeks outline planning permission for the demolition of the existing residential dwellinghouse, garage and commercial workshop and the erection of up to 8 dwellinghouses. The NPPF and the Trafford Core Strategy set out clearly that garden land is classified as greenfield land, therefore the application site is part brownfield and part greenfield land.
2. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
3. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
4. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the schemes contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply,
5. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 8 new family houses in a sustainable location. The majority of the site is brownfield and would assist in meeting the Council's target of locating 80% of new housing provision on previously developed brownfield land. The scheme is considered to be acceptable in relation to Policies L1.7 and

L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy.

6. Additionally, the site is located within the Priority Regeneration Area of Partington and is within 0.2km of the local shopping centre. The applicant has submitted a supporting statement in relation to Policy L1.7, setting out the proposal's conformity with a number of Strategic Objectives. The application site is located within an established residential area and is considered to be within a sustainable location close to public transport links. It is considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 and the Partington Place Objective PAO1 in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size and density to meet the needs of the community.
7. The principle of residential development taking place on this site is therefore considered to be acceptable.

## RESIDENTIAL AMENITY

8. Policy L7.3 of the Core Strategy states that development must not prejudice the amenity of future occupants 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. The impact on neighbouring dwellings is considered in the light of the Council's Planning Guidelines for New Residential Development (SPG4), particularly the requirements to retain distances of 15m between buildings with a main elevation facing a two storey blank gable, 21m across public highways (24m in the case of three storey buildings), 27m across private gardens where there are major facing windows (unless permitted development rights are removed) and 10.5m to rear garden boundaries from main windows.
9. As the application only seeks outline consent with all matters reserved, the applicant has submitted an indicative layout for the provision of 8 semi-detached dwellinghouses within the site which is put forward to demonstrate that the site could accommodate the number of dwellings applied for; albeit the final development may not take this form. The indicative plans show that a minimum distance of 13.2m could be achieved between the proposed dwellings and the side blank gable elevation of No.7 Manchester Road and 13.4m between two of the proposed dwellings to the front of the site. Whilst this is less than the 15m recommended within the Council's guidelines between habitable room windows and neighbouring two storey blank elevations, the applicant has demonstrated that where this relationship would occur, clear glazed habitable room windows could be provided on an alternative elevation to the property, thus providing an acceptable level of amenity for the occupants.

10. The indicative plan also shows a minimum garden length of 8.7m (9.6m from first floor window to rear boundary) for one of the plots proposed to the rear of the site. Whilst this is less than the 10.5m recommended within the Council's guidelines, it is noted that the neighbouring rear properties are situated at a 90 degree angle away from this pair of semi-detached properties and the indicative plan shows the rear gardens of dwellings to the rear of the site would adjoin the lower ends of the neighbouring rear gardens where the neighbours have existing garages and sheds. The reduced garden length is therefore considered acceptable in this instance.
11. The indicative plans therefore demonstrate that a layout can be achieved that would not result in overlooking, a loss of privacy or have an overbearing impact on any of the neighbouring residents and would provide an acceptable provision of private amenity space for future occupants of the proposed development.
12. It is therefore considered that the provision of 8 three bedroom dwellinghouses within the site could be achieved in a way that would not unduly impact on the amenity of neighbouring residents and would provide an acceptable level of amenity for future occupants of the proposed development. The precise layout proposed would need to come forward through a reserved matters application in any event, over which the Council would have control.

## VISUAL IMPACT

13. Although the proposed layout of the development is to be considered at reserved matters stage, an indicative site layout plan has been submitted which demonstrates that 8 no. 3 bedroom semi-detached dwellings can be accommodated within the site.
14. Issues regarding massing, design and landscaping will be considered in detail as part of a reserved matters application, however the indicative plans and Design and Access Statement submitted show that a development can be achieved that addresses the street scene of Manchester Road, whilst not appearing over prominent within the existing street scene. The indicative scale of the proposed dwellinghouses, as two storey semi-detached properties, is also considered to be in keeping with the surrounding dwellinghouses on Manchester Road and Hallcroft.
15. The indicative layout also demonstrates that areas of landscaping can be achieved within the site to serve each of the properties and to form an attractive layout of properties that would not result in an undue level of hardstanding to the front of each of the houses.



## HERITAGE

16. The development would affect the setting of a Grade II Listed Building: St. Mary's Church. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty of Local Planning Authorities in considering whether to grant planning permission for development which affects a listing building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interest which it possesses.
17. In accordance with Policy R1 of the Trafford Core Strategy and paragraph 128 of the NPPF, the applicant has submitted a Heritage Assessment in relation to the proposed development and St. Mary's Church. The church lies to the east of the site; an access road leading to allotment gardens to the north-east of the site lies between the application site and the church.
18. The church building is of North European Gothic style, with later Arts and Craft style additions. Within the curtilage of the church are the church hall and ancillary rooms which were added in 1975 and 1991. The applicant has identified that St. Mary's Church was designed by architect George Truefitt and built 1883-1884 as Partington was growing during the construction of the Manchester Ship Canal, when the village gained some importance as a coal port on the canal/railway junction. The church holds a strong position on the roundabout junction of Manchester Road, Manchester New Road and Moss Lane and is also visible, along with the application site, from the recently redeveloped shopping centre. The significance of the church lies in its fabric and, in respect of its setting, the open aspect of its curtilage.
19. The indicative layout shows a minimum distance of 30.4m lying between the proposed nearest dwellinghouse and the church building. It is recognised that an existing two storey dwellinghouse currently lies within the eastern part of the site and the indicative plan shows a proposed dwelling being situated only 1.1m closer to the church building than the existing property. The development would not have any impact on the fabric of the church and would not encroach upon the open aspect of its curtilage. This is assisted by the separation given by the access road leading up to the allotments and the existing electricity substation. Although the new development and the church would be visible in tandem views along Manchester Road in both directions, there would not be a significant change to the setting of the church from the current situation.
20. It is considered that the proposed development would not adversely impact on the open setting or detract from the character of this Grade II Listed Building and thus would result in no harm to its significance. It is also noted that the proposed development would result in the loss of the existing commercial workshop, which is currently vacant and, although the building itself has a neutral impact on the church building, its curtilage development is unsympathetic to the character of

the surrounding area, particularly in respect of the palisade fencing around the site and does not positively contribute to the existing street scene. Therefore the replacement of the workshop building with residential properties that are in keeping with the character of the surrounding area would positively impact on the existing street scene and character of the surrounding area and in turn positively contribute to the setting of the church.

21. Paragraph 132 of the NPPF sets out the tests that need to be considered when assessing the impact of a proposed development on the significance of a designated heritage asset. It is considered for the reasons detailed above that the proposed development would not harm the significance of the designated heritage asset.

## HIGHWAY SAFETY AND PARKING PROVISION

22. Policy L4 of the Trafford Core Strategy seeks to ensure that all new developments do not adversely affect highway safety, with each development being provided with adequate on-site parking, having regard to the maximum standards set out in appendix 3. The submitted indicative layout plan shows the provision of 2 car parking spaces per dwellinghouse, which complies with the Council's car parking standards for three bedroom dwellinghouses.
23. The application also proposes the creation of a new access road into the site off Manchester Road. The LHA has confirmed that the indicative layout of the proposed access road and car parking spaces are considered acceptable on highway safety grounds.
24. It is therefore considered that the applicant has demonstrated that an acceptable layout could be achieved within the site that would not result in on-street parking and would not pose a danger to highway safety.

## ECOLOGY / TREES

25. The applicant has submitted an Ecological and Biodiversity Survey with the application, which identifies the site as having low potential for bat roosting, particularly in relation to the buildings which are proposed to be demolished as part of the development. The Greater Manchester Ecology Unit (GMEU) has raised no objections to the application on ecological grounds.
26. The applicant has also submitted a Tree Survey. The survey identifies that the site contains three trees that are protected by Tree Preservation Orders. However, some of the details within the survey appear to be out of date as the Council's Arboricultural Officer has confirmed that one of these trees fell down in a storm a number of years ago and another was lawfully felled approximately five years ago in the interests of safety. The remaining protected tree is a Sycamore tree and is proposed to be retained as part of the proposed development. A

condition is recommended requiring the submission of a tree protection scheme to ensure that the tree does not become damaged as a result of the proposed development.

27. It is noted that the proposal includes the removal of other non-protected trees and shrubs within the site. This is considered acceptable as the indicative layout shows that replacement landscaping including tree planting can be provided within the site. Full proposed landscaping details will be considered at the reserved matters stage.

## FLOOD RISK AND DRAINAGE

28. The application site is located within Flood Zone 1. Policy L5.18 of the Core Strategy aims to reduce surface water run-off through the use of appropriate measures. The Lead Local Flood Authority (LLFA) has commented on the application and has raised no objections to the proposed development. The LLFA has recommended that peak discharge storm water rates should be constrained in accordance with the limits indicated in the Council's Level 2 Hybrid Strategy Flood Risk Assessment. These matters can be secured by condition, included within the recommendation. .

## DEVELOPER CONTRIBUTIONS

29. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £20 per square metre, and apartments will be liable to a CIL charge rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
30. 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. SPD1 sets out a requirement for 3 additional trees per dwellinghouse or the provision of alternative Green Infrastructure treatments in lieu of, or in combination with, tree provision such as native species hedge, green roof, green wall, etc.
31. As landscaping is a reserved matter, the details of provision of specific green infrastructure will need to be considered at that stage. Notwithstanding this, it is considered that the submitted indicative layout shows that suitable provision could be achieved.

## CONCLUSION

32. The demolition of the existing dwellinghouse and commercial workshop and the erection of eight semi-detached dwellinghouses with associated car parking and landscaping is considered acceptable. It has been demonstrated that a layout

can be achieved that would not have a detrimental impact on residential amenity, highway safety, nearby heritage assets and the street scene.

33. It is therefore considered that the proposal would accord with paragraph 14 of the NPPF, which sets out a presumption in favour of sustainable development. The development would contribute to the supply of housing in the Borough. Where potential harm has been identified, it has been mitigated by suitable planning conditions. Therefore any adverse impacts do not significantly or demonstrably outweigh the benefits and as such the application is recommended for approval.

**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.
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.
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 227-001.
4. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.
5. The site shall be drained via separate systems for the disposal of foul and surface water.
6. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) 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. 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,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

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

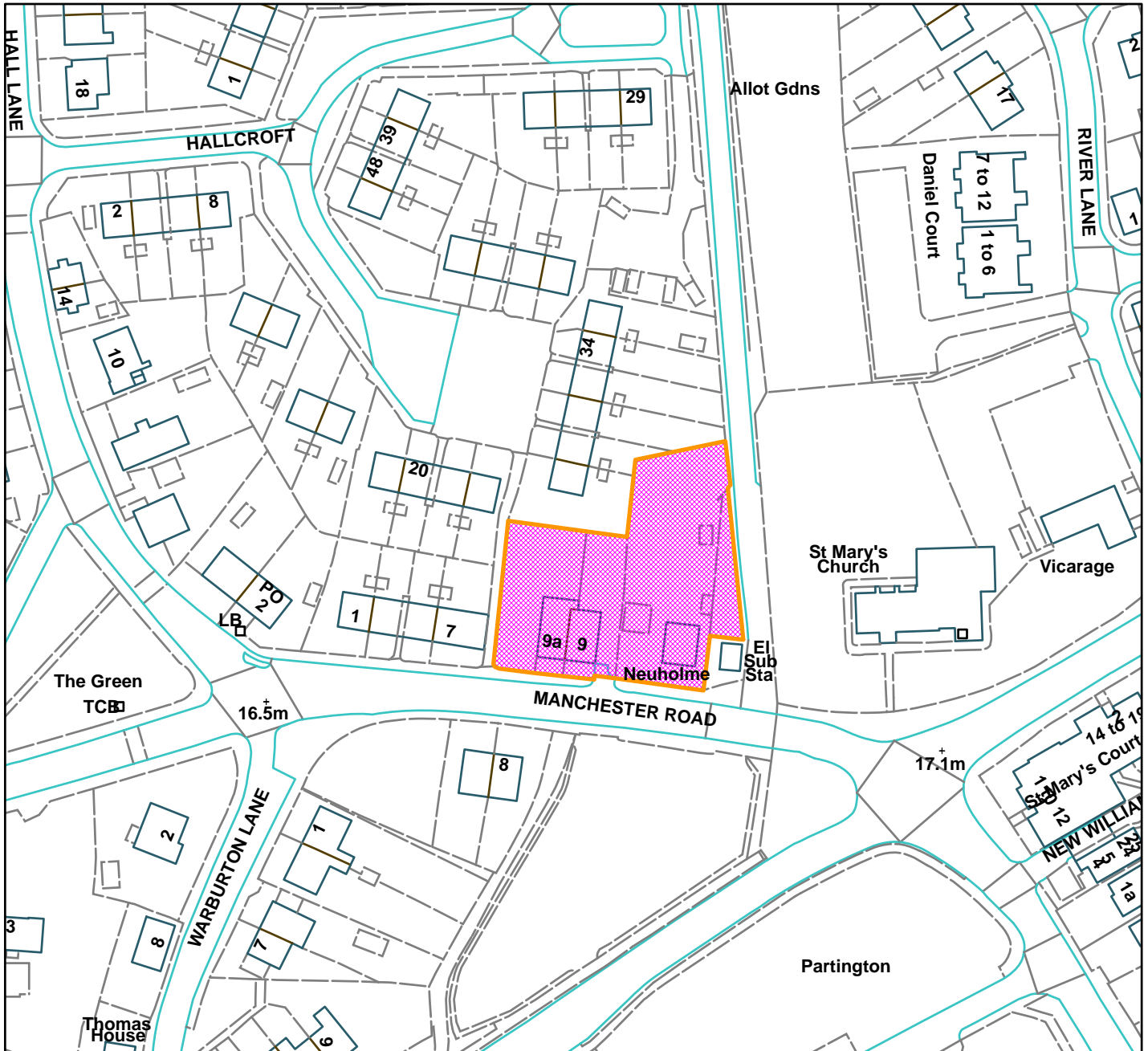
7. No development shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout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

VW

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Neuholme, Manchester Road, Partington (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**WARD:** Gorse Hill

**86904/FUL/15**

**DEPARTURE: No**

**Application for the construction of a liquid carbon dioxide production and storage plant together with tanker filling facility. Units comprise of 4No. storage tanks, gas purification and liquid production components and associated buildings and infrastructure. The latter includes piping, steelwork support structures and roadway improvements including a vehicle weighbridge.**

Cargil, Trafford Park Road, Trafford Park, M17 1PA

**APPLICANT:** BOC UK & Ireland

**AGENT:** CBS Ltd

**RECOMMENDATION: GRANT**

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## **SITE**

The application site relates to the Cargill industrial site, located to the northern side of Guinness Road, Trafford Park. The site encompasses a number of different individual buildings and plants associated with the production of food and beverages. It is bound to the north by the Manchester Ship Canal and to the east by Centenary Way leading to the M602. To the southern and western sides of the site lie other industrial units.

## **PROPOSAL**

The application details the construction of a liquid carbon dioxide production and storage plant, together with a tanker filling facility. The development would comprise of 4No. Carbon Dioxide storage tanks, gas purification and liquid production components and the associated buildings and infrastructure. The latter would include piping, steelwork support structures and site-internal roadway improvements; including a vehicle weighbridge.

The development would create 145.4sqm of additional floor space within the site.

A recent application for the demolition of 1 large silo building and 3 other units located to the far eastern side of the Cargil site was recently approved by the Council, application reference 87439/DEM/16; the demolition of these units however, would have no bearing on this application.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L5 – Climate Change

L7 – Design

W1 – Economy

## **PROPOSALS MAP NOTATION**

TP1 - Trafford Park Core Industrial Area

D5 - Special Health and Safety Development Control Sub-areas

E7 - Main Industrial Areas

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

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

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

This online resource was launch on the 6<sup>th</sup> March 2014 and follows a review of planning policy guidance. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

87439/DEM/16 - Demolition of No3 bulk starch silos, No1 dry starch silo and supporting structure, No1 starch sifter building and No1 bulk starch control building(Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015). – Prior Approval Not Required – 29/02/2016.

86629/DEM/15 - Demolition of starch dryer plant building and adjacent single storey



office and electrical equipment room (Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior Approval Not Required – 27/10/2015.

84788/FUL/15 - Extension on the west side of an existing three storey plant building to accommodate new and replacement plant for the wheat cleaning process. Approved with conditions - 22<sup>nd</sup> May 2015.

76958/FULL/2011 - Erection of 2 no. storage silos. Approved with conditions - 16<sup>th</sup> August 2011.

H/63181 - Alterations and expansion of existing plant comprising erection of a combined heat and power plant, wheat plant and building, bulk outloading building and pellet store, carbon furnace building and control facility. Extension to existing cooling towers. Approved with conditions - 13<sup>th</sup> February 2006.

H/56553 - Erection of cladded enclosure to weighbridge. Approved with conditions - 6<sup>th</sup> June 2003.

H45227- Demolition of existing spray dryer building and erection of a new building to house a new caramel production plant. Approved – 26<sup>th</sup> February 1998

### **APPLICANT'S SUBMISSION**

None

### **CONSULTATIONS**

#### **Health and Safety Executives:**

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

#### **Greater Manchester Police – Design for Security:**

No comments to make on the application.

#### **Pollution and Licensing**

Have no objections in respect of this application provided a condition is imposed in respect of the potential for contaminated land.

#### **Salford City Council:**

No objection.

#### **Drainage:**

Recommend a condition to constrain the peak discharge rate of storm water in accordance with the Manchester City, Salford City and Trafford Councils level 2 Hybrid Strategic Flood Risk Assessment.

**Local Highways Authority:**

No objection.

The existing site has on-site parking provision to accommodate 60+ vehicles. Trafford Parking Standards state that for a storage and distribution building use, 1 parking space should be provided for every 100sqm of Gross Floor Area, the existing on-site parking provision is deemed adequate for this additional use.

It is also to my understanding that the new vehicular route for the liquid carbon dioxide production and storage plant area will tie into the existing road network within the site and that no increase in traffic to and from the site is expected, therefore the LHA have no objections to these proposals on highway grounds.

**REPRESENTATIONS**

None

**OBSERVATIONS****PRINCIPLE OF DEVELOPMENT**

1. The application site is situated within the Trafford Park Core Industrial Area and is designated as being within a Main Industrial Area on the Revised Trafford Unitary Development Plan. Policy W1 of the Core Strategy lists Trafford Park as one of the places that the Council will focus employment uses. W1 further states that Trafford Park Core will be a key location for industry and business activity within the Manchester City Region Inner Area and will be the principal location for employment development in the Borough. The focus will be on the provision of modern industrial, storage and distribution and office development. The proposed development is therefore considered to comply with the aims of W1 and is thus considered acceptable in principle. The main areas for consideration are therefore the visual impact of the proposed development and the impact on the highway network.

**DESIGN AND VISUAL AMENITY**

2. Policy L7 of the Core Strategy states that when considering planning applications for development within the Borough, development should be appropriate in its context; make best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and be compatible with the surrounding area.
3. The proposed development would be for the creation of a new, site internal, liquid carbon dioxide production and storage plant. The works would consist of

the erection of 4no. storage tanks, a machine house, (housing the electronics for the wider plant and this would be the main building in which workers would enter) a control facility building, a weigh house and a drivers' shelter. The works would also see the erection of 2no. liquidation stacks and an internal weighbridge.

4. The plant would be erected internally within the site; this area of the application site currently remains largely vacant, except for existing pipework running through the site. The proposed site area remains largely screened from view from Guinness Road, screened via the neighbouring industrial units to the sites south-western side and the sites internal car park and existing plants/structures to its south-eastern side.
5. Given the siting of the proposed works as described above, much of the proposed lower level structures would not therefore be readily visible from any clear public vantage point, with the exception of Harp Road; this road however is already characterised by industrial uses and thus the proposed works would be in keeping with the sites existing context.
6. The works do however detail the erection of 4no. carbon dioxide storage tanks, these would have a height of 38.8m and would thus be visible from a long range to all sides of the site. Although considered to be large structures, these storage units would not be any different to existing units on the site, which are of a similar scale; many of these are sited along the Bridgewater Canal running to the rear of the site and thus the new units would be screened from view when viewed from the sites northern side, within Salford's administrative area. The units would also be visible from Guinness Road and the wider area, however given that the wider vicinity of the site comprises of similar industrial and storage uses, and given the number of similar structures within the site itself, the proposed works are considered to be acceptable.
7. The units would be finished in white external cladding, matching existing tankers and other similar sized structures within the site and thus these would remain in keeping with the wider site area. Although the proposed machine house, control building, weigh house and drivers' shelter would not be visible from any clear public vantage point, as these would also be finished in similar white cladding to existing structures within the site these are also considered to be acceptable. The proposed works are therefore considered to be in line with policy L7 of the TBC Core strategy and relevant policies within the NPPF.

## RESIDENTIAL AMENITY

8. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing,

overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.

9. There lie no residential properties in close range to the application site. The nearest such properties being those located to the sites northern side, beyond the Bridgewater canal within the Salford City Area. The nearest surrounding uses are considered as being non-sensitive industrial/storage uses, and the applicant has further confirmed that the proposed plant and associated works would not lead to an increase in noise generation within the site, and any such generation would be contained within the site itself. It should further be noted that the Council's Pollution and Licensing team has raised no objections to the proposed development and as such the proposal is considered to be acceptable from an amenity point of view.
10. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy.

#### HIGHWAY SAFETY AND PARKING PROVISION

11. The proposed development would not result in additional staff being employed on the site and would not result in the loss of any of the existing car parking provision within the overall Cargil site. The proposal would also use existing vehicular accesses and internal roads to access/maintain the units. The proposal is therefore considered acceptable on highways grounds. It should also be noted that the Local Highways Authority has not objected to the proposal.

#### CONCLUSION

12. The proposed Carbon Dioxide production plant and associated development is considered acceptable given the location of the site within the Trafford Park Core Industrial Area and the works being part of the existing Cargil site. The proposal is considered to create a sustainable form of development that would deliver economic, social and environmental benefits, as outlined in the NPPF. Due to the location of the site, the positioning of the proposed units within the site and the other surrounding industrial buildings, it is considered that the proposal would not have a detrimental visual impact or any unacceptable detrimental bearing on the amenity of other premises or the wider highway network. As such it is considered that the proposal complies with the relevant policies of the Trafford Core Strategy and thus the development plan and therefore it is recommended that planning permission be granted.

**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.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: P03A Rev. A, P01B Rev. B, P04A Rev. A and P02A Rev. A.
3. The development hereby permitted shall be constructed entirely in the materials detailed on plan No. P03 A, Rev. A.
4. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.
5. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) 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. 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.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in

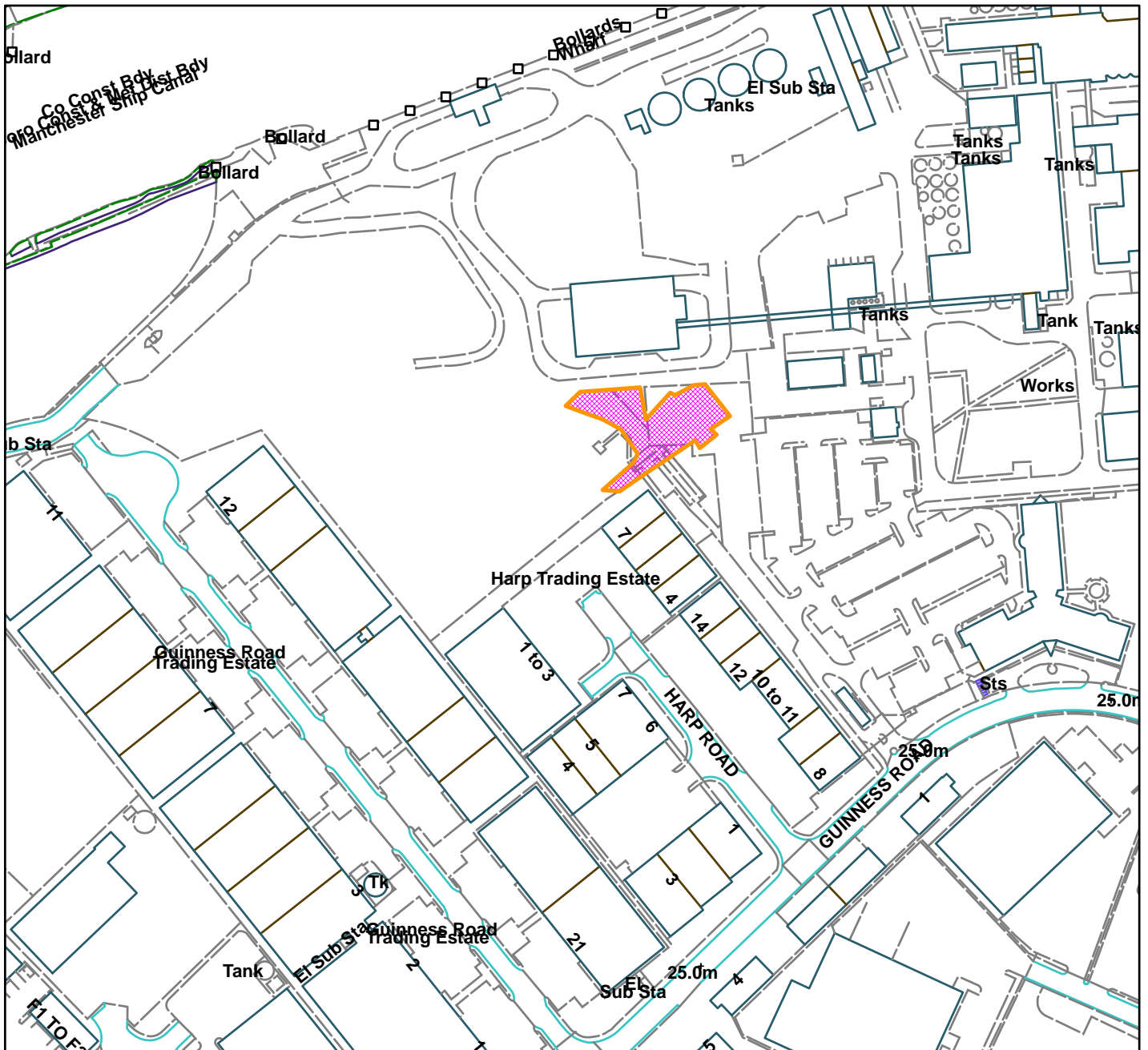
writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

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IG



Cargil, Trafford Park Road, Trafford Park (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**Demolition of former YWCA Hostel and redevelopment of the site with a residential development providing 41 dwellings comprising of 6 mews houses and 35 apartments, with associated car parking and landscaping.**

Alexandra House, 80 St Johns Road, Altrincham, WA14 2LZ

**APPLICANT:** Real Estate Investment (Altrincham) Limited

**AGENT:** Paul Butler Associates

**RECOMMENDATION: GRANT**

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## **SITE**

Alexandra House is a large part 3/part 5 storey building located at the junction of St John's Road with Ashley Road to the south of Altrincham town centre and within The Downs Conservation Area. The site extends to 0.36 hectares and comprises the existing building, car parking/hardstanding on the west side on the site and a group of trees on the east side of the site adjacent to Ashley Road and along part of St John's Road. These trees and other vegetation presently obscure the site from Ashley Road and the junction. The building dates from 1968-9 and was formerly a Young Women's Christian Association Hostel. It has been vacant since 2009, the windows are boarded up and the grounds poorly maintained. Prior to construction of Alexandra House the site was occupied by a pair of semi-detached villa's (Alderbank and The Bower).

The surrounding area is predominantly residential in character and comprises mainly large semi-detached and detached villas in mature gardens. St John's Court to the west side of the site comprises 2 storey apartments. Littlemere Court to the south is a 4 storey block of apartments. The Church of St John the Evangelist opposite the site is a grade II listed building and a prominent landmark from a number of directions. Adjacent to the church are apartments at St John's Mews and St John's Medical Centre. Bowdon Preparatory School for Girls occupies a large site on the corner of Ashley Road and Cavendish Road south of the site.

## **PROPOSAL**

Permission is sought to demolish the existing building and redevelop the site with 41 dwellings, comprising a five storey block of 35 apartments and 6no. two storey mews houses together with associated car parking and landscaping. The proposed apartments would be positioned in an L-shaped formation extending along both Ashley Road (block A) and St John's Road (block B). It would be partly on the footprint of the existing building although occupying a larger overall footprint. The mews houses are



proposed in the south west corner of the site, adjacent to the southern and western boundaries. The proposed accommodation comprises 12 x 2 bed flats, 23 x 3 bed flats and the 6 mews houses would be 1 bed.

The scheme includes 80 car park spaces, which includes a car park on the Ashley Road side of the site providing 22 spaces, 6 spaces to the front of the building and a basement car park providing 52 spaces. The layout also provides for a communal courtyard and landscaping, children's nature garden and croquet lawn.

Amended plans have been submitted in response to comments made by officers and in the representations. In summary the amended plans increase the gap retained between the proposed apartments and the west side boundary and amend the St John's Road elevation.

The total floorspace of the proposed development would be 4,700 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 - Land for New Homes  
L2 - Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R1 - Historic Environment  
R2 - Natural Environment  
R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

Conservation Area

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

ENV21 – Conservation Areas

H4 – Release of Other Land for Development

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

Planning Guidelines: New Residential Development

SPD1: Planning Obligations

SPD3: Parking Standards and Design

SPD5.5: The Downs Conservation Area Appraisal

The Downs Conservation Area Management Plan – Consultation Draft

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

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

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

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

## **RELEVANT PLANNING HISTORY**

No recent planning history. Previous planning applications summarised as follows:

**H38259** - Use of ground floor room for after school care facility for a maximum of 24 children between the hours of 15:30 and 18:30 Monday to Friday. Approved 19/01/94

**H35671** - Erection of single storey side extension to form bicycle store.  
Approved 17/08/92

**H34498** – Installation of satellite dish. Approved 12/12/91

## **APPLICANT'S SUBMISSION**

The following reports have been submitted in support of the application and are referred to where relevant in the report: -

- Planning and Heritage Statement, including a Statement on Meeting Housing Needs and Statement of Community Involvement
- Design and Access Statement
- Crime Impact Statement
- Preliminary Ecological Appraisal Report
- Arboricultural Report
- Highways Assessment Technical Note

- Carbon Budget Statement
- Drainage Strategy
- Development Appraisal

In summary the submission states the following: -

- The proposed development will have a significant positive impact on the application site, the character and appearance of The Downs Conservation Area, the setting of St John's Church and the St John's Road and Ashley Road streetscene. The scheme will also provide the following benefits:
- The redevelopment of a previously developed site within an existing residential area, which is compatible within the urban fabric.
- The provision of 41 dwellings, including 6 x 1-bed mews houses and 35 x 2/3 bed apartments, which will meet an identified need in Altrincham.
- The re-use of a brownfield site, thereby reducing the pressure to build on green space; whilst helping the Council to meet its 80% brownfield development target.
- Replacing a vacant building with a new development of exceptional design quality which will minimise opportunities to commit crime and the fear of crime, via maximising opportunities for natural surveillance.
- Securing direct investment into the local community through the provision of jobs during the construction stage, and spending by future residents.
- Developing a site that is located in a highly accessible and sustainable location, being within walking distance of numerous amenities/services and accessible by various modes of public transport.
- The proposed scheme fully accords with national and local planning policy guidance.

## **CONSULTATIONS**

**LHA** – No objections to the proposals on highway grounds. The parking provisions for this development meet the standards and are therefore accepted. It is noted that some of the parking spaces within the basement parking area are arranged in a tandem layout. The applicant must ensure that each pair of tandem spaces is allocated to an individual apartment. Also advise the applicant will need to gain further approval for the pavement crossing under section 184 of the Highways Act 1980 and must also ensure that adequate drainage facilities or permeable surfacing is used on the areas of hard standing to ensure that localised flooding does not result from these proposals.

**Historic England** - Do not wish to offer any comments and advise the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

**Twentieth Century Society** – No comments received at time of preparing this report.

**LLFA** – It will be necessary to constrain the peak discharge rate of storm water from this development in accordance with the limits indicated in the Guidance Document to

the Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment. Full details of the proposals to meet the requirements of the Guidance need to be submitted and approved and implemented in full.

**Pollution and Licensing (Contaminated Land)** – No objections. Comment there is no indication of any past contaminating use that would trigger the need for conditions relating to ground investigation or remediation.

**Pollution and Licensing (Nuisance)** – The proposed location of the development is close by to a number of noise sources, predominantly, transport noise, which could impact upon the amenity of any future end users. Recommend the following: -

- A noise assessment to be submitted to establish the external noise climate and impacts to the proposed dwellings. The specific concerns about noise relate to road traffic. The assessment should also confirm what measures are required to ensure that an acceptable noise climate can be achieved within habitable rooms and amenity areas.
- A condition will be required to ensure an acceptable noise insulation scheme is incorporated into the design of the development.
- A condition is required relating to noise levels from all plant and equipment associated with the development.
- Lighting should be erected and directed so as to avoid nuisance to residential accommodation included within scheme and in close proximity.
- Further information on how the car park is going to be ventilated and where the exhaust gases will be released is requested.

**Ecology Unit** – No comments received at time of preparing this report.

**GMP (Design for Security)** – The application is supported subject to further consideration of the following matters: The proposed development should be designed and constructed in accordance with the recommendations contained within the submitted Crime Impact Statement and Secured by Design standards including laminated glazing; security-certified windows and doors.

## **REPRESENTATIONS**

**Neighbours** – 9 letters of objections received including responses from St John's Court (Altrincham) Ltd on behalf of owners and residents of St John's Court and from Bowdon Preparatory School for Girls. Comments summarised as follows: -

Scale, height and design

- Over development / high density on the land available and for this area. The number of mews homes and apartments makes for a very crowded site. The density of development is nearly 3 times more concentrated than another typical residential development being considered by Trafford (*the Bayer site which has since approved*). The footprint is nearly twice that of the existing building and is spread around the perimeter of the site rather than the central area as existing.

- The height, scale and mass is much larger than adjacent buildings and out of keeping with the area.
- The buildings look too modern for the area and would not fit into a conservation area.
- The intensive development will severely reduce the 'greenery' aspect of the site.

#### Impact on neighbouring properties

- Proximity to St John's Court will greatly reduce light and privacy, particularly for 5 St John's Court which has two windows facing the site.
- Such close proximity would also present increased noise.
- There will be considerable overshadowing to the gable elevation of 5 and 6 St John's Court and their windows and back gardens.
- The outlook and privacy from all principal windows in 2 St John's Mews currently enjoyed over the site will be seriously altered and degraded.
- Loss of light to Littlemere Court which has windows facing the site.

#### Highways and car parking

- Traffic on St John's Road is already very high and at full capacity due to the busy Medical Centre, existing residences and nearby schools. The road is effectively one-way due to the on-street parking opposite the site, resulting in congestion and cars mounting the pavements. Further cars from the residents together with visitors and deliveries will result in gridlock, risk to safety and increased pollution and make the situation intolerable for residents, users of the doctor's surgery and the St John's Church facilities.
- Insufficient / limited car parking provided resulting in daily overspill of cars parking on-street. No apparent provision or insufficient provision for visitors. Concern the double parking in the basement won't work.
- Little allowance for fire engines, etc. On two recent visits fire appliances had difficulty entering the property due to the traffic.
- The number of vehicles and cars associated with the former YWCA building was very low.
- Further planned developments in the area will increase traffic, including any future use of St John's Church following its recent notice of closure.

#### Other comments

- Inadequate provision for bin storage and collection and disposal of waste. Adequate provision is a major aspect to be considered. Question how waste removal from the waste bins in the basement will be achieved and if a bin lorry can enter the site.
- The developers should address the state of the boundary walls to Littlemere Court and Ashley Road.
- The trees have received little or no attention in recent years and need trimming and tidying to maintain the attractive wooded appearance.
- Removal of the large tree between the site and Littlemere Court.

- The building may contain asbestos and neighbours request to be kept informed of its removal and assurance that neighbours and passers-by will be protected.
- No mention of storage for bicycles.
- Request that balconies are opaque glass or brick.
- Work should be undertaken in conventional hours and not late into the evening.

#### Positive comments

- Redevelopment of the site is welcomed but concerns over this scheme as summarised above. The site has been an Altrincham eyesore and nuisance for several years.
- The proposal will provide much needed footfall for shops and restaurants in the town centre.

#### **Bowdon Preparatory School for Girls** - Strongly object to the development for the following reasons: -

- The volume of traffic in the immediate area already causes hazards to the pupils of local schools in particular. Many children walk to school and face dangerous conditions when crossing local roads. The volume of traffic on and entering Ashley Road adjacent to the school causes a severe backlog on Cavendish Road which means young children have no choice but to cross between stationary vehicles to access the school. Recent parking restrictions have exaggerated the problems and made crossing the road almost impossible. There is concern there will be a serious accident involving one of their pupils. Additional dwellings will lead to further congestion and hazards with a high possibility that crossing will also be hindered on St John's Road.
- The Council takes appropriate steps to ensure safe crossing of pupils attending state schools but no safeguarding is put in place for children who attend independent schools so pupils are left to encounter dangerous situations.

#### **Bowdon Downs Residents Association** – Object for the following reasons: -

- Disproportionate amount of footprint of building and car parking to green amenity space and landscaping. This imbalance is also detrimental to the character of the Conservation Area, whereby Victorian villas are set in spacious gardens. The existing building and its car park has already significantly reduced the amount of green space, so to take even more away would be inappropriate incremental development on a key corner gateway site. The number of units needs to be reduced and a greater element of underground parking introduced.
- There should be more lateral conversions rather than the numerous duplexes and triplexes with many sets of stairs. Excessive amount of non-DDA compliant accommodation. There is increasing demand from Bowdon and Altrincham residents looking to downsize to step-free, spacious and quality apartments in the same area close to the town centre.

- Some residents consider the existing building to be a very good example of modern architectural design although it is acknowledged the colour of the brick and non-residential style is inappropriate for this Victorian residential area.
- Expect the absolute minimum loss of original stone boundary walls and stone gateposts to be recreated at any new entrances.
- Trees on site should be retained wherever possible and replacements should be a variety which will grow large when mature to screen the high building. A survey and an Area TPO on the trees and mature screening have been previously requested and it is request this will now happen.
- Keen to see 20mph zones introduced across all of Trafford's residential streets.
- Request a condition to prevent the use of estate agents 'To Let' and 'For Sale' boards. A constant display will damage the character of the streetscene of the Conservation Area and the listed St John's church.

**Altrincham Neighbourhood Business Plan Forum** – Comments as follows: -

- The use of the site for residential is in line with the draft Neighbourhood Plan and is supported but concern over the density of the scheme. The draft Plan assumes this site will be developed for apartments at c. 70 units per hectare which for this site would result in 23 units. The application is for almost double the Council's standard and is over developed relative to the scale of development around it.
- Concern over the parking in a prominent corner position rather than being shielded by the development elsewhere on the site.
- The design is well considered and high quality materials are used in the detailing, however it is generally considered that the ecclesiastical references are taken too far giving the building a confused less of a residential look. In general the development responds well to its highly visible location and enhances the streetscene.
- Final selection of materials and colour choices are important to the success of the design and should be agreed and conditioned before approval is granted.
- Privacy distances between the apartments and the town houses seem tight and their small scale and the overlooking and overbearing scale of the apartments may limit the habitable quality. Consider omitting the town houses to provide better quality amenity space and lessen the impact of parking.
- Important that the garden and greenery along the highly visible front boundary on Ashley Road is retained and developed to reinforce and enhance the street scene. The proposed road frontage is dominated by cars. Object to any proposal that will allow the cars to be visible from the road where a mature landscape currently exists. As a result of the parking, there appears to be little amenity space, particularly considering the large size of the apartments which are capable of family occupation. The mews houses have insufficient private garden space which would be expected for a house.
- Recommend as a minimum, the 8 easterly car parking spaces fronting onto Ashley Road should be omitted or relocated, and the land used for gardens and tree planting and screening. Better advice would be to keep all car parking

underground or reduce the parking provision to encourage use of public transport given its town centre location.

- The original gateposts on Ashley Road should be preserved along with the wall and coping.
- Mature trees and screening shrubbery to be retained
- Better quality family sized amenity space to be considered.
- Appropriate level of car parking specific to the site should be provided and be balanced against over dominance of surface parking; insufficient green amenity space; encouraging use of public transport; encouraging cycling; overprovision purely to add sale value to the apartments; and avoiding extra strain on road parking.
- Cycle parking is provided which is commended.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The site it is not specifically allocated in the Revised Adopted Trafford Unitary Development Plan (2006), neither is it allocated in the emerging Trafford Local Plan: Land Allocations Plan. The site is within The Downs Conservation Area, for which the Council adopted a Conservation Area Appraisal in October 2014 and the site is specifically identified in the Appraisal as a development opportunity as follows: -

*“There are few opportunities for development and enhancement within the Character Zone. Alexandra House, the former YWCA building is currently vacant as is Southbank on Cavendish Road”* (paragraph 4.5.66).

2. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
3. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
4. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning



application to the scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the Plan policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 41 new dwellings in a sustainable location, whilst the scheme will also contribute to the Council's target of locating 80% of new housing provision on previously developed brownfield land. The scheme is considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. In relation to Core Strategy Policy L2.7 which seeks to restrict one bed units to Trafford's town centres and the Regional Centre, the number of one bed units is a relatively small proportion of the overall development and given the site's proximity to the town centre this aspect of the scheme is also considered to be acceptable. The principle of the development is therefore considered to be acceptable.

5. Policy L2 also deals with the provision of affordable housing to contribute towards housing needs in the area and in this location the policy requires 40% of the units to be provided as affordable units – the applicant has submitted a development appraisal setting out that no affordable units can be provided and this is discussed below.

#### IMPACT ON THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA AND SETTING OF THE LISTED BUILDING

6. The Conservation Area and St John's Church constitute designated heritage assets. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty of the local planning authority in exercising its planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In addition, due regard must also be given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in assessing the impact of the proposals on the setting of any adjacent Listed Buildings.
7. The NPPF states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. It also states local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance.

## Significance of the Conservation Area

8. The significance of The Downs Conservation Area derives from the qualities of the buildings, the spacious character of the area and the mature trees and landscaping. Many of the buildings date from the second half of the 19th century.

The Conservation Area Appraisal states *“the character of the area derives primarily from its origin as a Victorian residential suburban area, comprising a variety of dwellings including early terraced housing, spacious Victorian semi-detached houses and a small commercial area, closer to the town centre”* (paragraph 4.2.14).

It also states that *“The area has a spacious, suburban feel. This is due to both the wide streets and the large plot sizes, but also to the gradients within the plots, so that the houses are often on higher ground than the street level, and the impact of mature trees planted on the boundaries of gardens”* (paragraph 4.5.63).

This specific part of the Conservation Area is summarised as follows in the Appraisal: *“It is a residential area and with the exception of Albert Square dating from the late 1840s, the majority of other houses dating from the mid to late 19th century. Houses on Cavendish Road, Ashley Road and Hale Road date from 1880-90’s. The houses are much larger and more imposing, mainly semi-detached, but with a few detached properties. They all have slate roofs and distinctive entrances. They are sometimes set back on slightly higher ground so are generally visible from the street in landscaped gardens to front and rear, with a wide variety of mature trees. Characteristic boundary treatments are low stone walls, with openings defined by stone gateposts. In some places there are also higher brick walls”*. (paragraph 4.5.4).

## Demolition of Existing Building

9. Policy R1 states in determining applications for demolition in Conservation Areas, the Council will take account of the contribution made by the building to the character, appearance or special interest of the area as a whole, including the merits of any proposed redevelopment.
10. The existing building dates from 1968-9 and was designed by Elsworth, Sykes and Partners. Although it post-dates many of the buildings within the Conservation Area that define its special character it is an example of its time and mentioned in Pevsner’s *The Buildings of Cheshire* as *“good if not welcoming”*. It is also acknowledged however, that the scale, massing and use of dark brown brick is out of keeping with the character of the area and the building detracts from views of St John’s Church. The building is not identified as a positive contributor within the recently adopted Downs CAA and the site is identified as a development opportunity. The applicants’ Planning and Heritage Statement refers to the overall architectural style being at odds with the

traditional buildings of the area, and together with its poor visual condition and boarded up windows, considers that the building has a wholly detrimental impact on the character and appearance of the Conservation Area.

11. Having regard to the above it is considered the existing building, whilst of some historic and architectural interest as a building of its time, is incongruous in relation to its surroundings and does not make a positive contribution to the character and appearance of the Conservation Area. Its current condition further detracts from the character and appearance of the Conservation Area. It is considered that demolition and replacement of the existing building would present an opportunity to provide a more appropriate style of building on the site and make effective use of this vacant previously developed land and which is within a sustainable location.

## Density

12. The NPPF states LPA's should set out their own approach to housing density to reflect local circumstances. Policy L7 states development must enhance the street scene or character of the area by appropriately addressing scale and density. The Planning Guidelines 'New Residential Development' state "*densities of between 30 to 50 dwellings per hectare (net) will be encouraged, in accordance with PPG3\*. Greater intensity of development will be sought at places with good public transport accessibility such as town, district and local centres or around major nodes along good quality public transport corridors. However, development at a density greater than 30 to 50 dwellings per hectare (net) should not be achieved at the expense of the character of the local area*".  
\*PPG3 has since been superseded by the NPPF which does not refer to a specific dwellings per hectare target.
13. The emerging Land Allocations Plan states that a density assumption of 70 dwellings per ha will be applied to new apartments in the "Hot" market sub-area: 70 dwellings per ha. The emerging Altrincham Neighbourhood Plan identifies this site for residential purposes and also states it is assumed it will be developed for apartments at 70 units per ha, yielding 23 units.
14. The density of the proposed development is approximately 114 dwellings per ha and therefore significantly exceeds both the density referred to in the Council's SPG and in the emerging Neighbourhood Plan. It is acknowledged however, that the existing use of and building on the site is high density (although this can't be calculated as dwellings per ha for comparison purposes given its use as a hostel). In terms of footprint the proposed apartments and mews houses would take up approximately 32% of the site area which compares to the existing building covers approximately 20% of the site area. Whilst the density of development is high it is considered density alone would not be a reason for development to be unacceptable and consideration must also be given to the scale, siting, height and design of the development and whether or not this would

harm the significance of the conservation area. It is also relevant to take into account that whilst the site is within the conservation area it is also close to the town centre and in a sustainable location.

### Scale, Siting and Layout

15. The siting of the proposed apartment building seeks to reflect that of the original 19<sup>th</sup> century semi-detached villas on the site which preceded Alexandra House, although would occupy a significantly larger footprint and would extend further along both St John's Road and Ashley Road compared than the original villas. It is considered this general approach of taking into account the position of the former villas on the site is acceptable as this would respect the historic patterns of development of the area (as per CAA paragraph 4.5.67) and retain an appropriate set back from both roads. In relation to St John's Road and Ashley Road the positioning of the buildings takes into account the prevailing building line and is considered acceptable.
16. The proposed development exceeds the footprint and scale of the former villas and extends further along both Ashley Road and St John's Road. In addition the proposed mews houses in the south west corner of the site do not respect the historic patterns of development in the area and there is no precedent on the site for the siting of these in the corner of the site. The apartments and mews houses combined would occupy a substantially larger footprint than both the previous villas on the site and the existing building and extend closer to the west side boundary and also bring the massing of building further forward than the existing. Nevertheless the fact that the building would be set back to the established building line of both roads combined with the space retained on each side is considered sufficient to ensure the development would not appear cramped in relation to its surroundings and would not harm the spacious character of the area. The mews houses, whilst adding to the amount of development on the site, would not be prominent from outside the site and the wider conservation area due to their siting and height.
17. The layout provides for a car park on the Ashley Road side of the development between the proposed apartments and the boundary. The appearance of a large car park would potentially be unsightly in the conservation area, however the car park would be partly screened by the existing wall, proposed hedge and retained trees and would not be a prominent feature in the street scene. It is considered there is scope for further tree planting in the area between the car park and boundary to further screen the car park and details should be provided as part of a landscaping scheme to be submitted and approved. It is also recognised that the existing site has a large area of hardstanding visible from St John's Road.

## Height

18. The height of the proposed apartments would be 14m to 16m relative to St John's Road and 17m relative to Ashley Road which would be comparable to the height of the existing building. Parts of the building would be lower than the existing. In comparison to the apartments at Littlemere Court on Ashley Road the building would be a similar height whilst in relation to St John's Court adjacent to the site on St John's Road the building would be 3.2m higher (as seen from St John's Road taking into account the incline of St John's Road). In relation to St John's Church the building would be a similar height to its main ridge.
19. The height of the apartments is considered appropriate to its location having regard to the height of the existing building and the immediate context which includes buildings of similar height (St John's Church opposite the site and Littlemere Court and Bowdon Preparatory School for Girls on Ashley Road).

## Design and Materials

20. The Ashley Road elevation comprises two projecting gables and would reflect the form and proportions of traditional semi-detached villas in the Conservation Area, albeit in a contemporary style. The elevation treatment comprises full height glazing divided into narrow and tall panes. The St John's Road elevation comprises a stepped building line and proportions which seek to reflect the form of Bowdon Preparatory School (Culcheth Hall) which also occupies a corner site and which extends a similar length along the side road (Cavendish Road). The height, proportions and elevation treatment result in a vertical emphasis and ecclesiastical appearance to the development which is considered appropriate for this prominent corner location and in the context of surrounding buildings. The building would have a pitched roof with projecting gables to the front elevation which would reflect roof forms characteristic of the conservation area.
21. The proposed materials for the apartments comprise predominantly buff blonde natural stone, buff yellow facing brick, aluminium curtain walling and natural slate roof. The main part of the building fronting Ashley Road and the side elevation of this block facing St John's Road would be stone. The set back section to Ashley Road and the remainder of the St John's Road elevation would be buff yellow brick. The windows include full-height glazing within the gables divided by vertical aluminium fins, aluminium curtain walling (colour to be confirmed) and the recessed link sections to the St John's Road elevation would be aluminium curtain walling (colour to be confirmed).
22. The Conservation Area Appraisal notes there is widespread use of Cheshire, red stock and distinctive varieties of cream "white brick" and also that public buildings and some detached villas are constructed of rusticated stone (paragraphs 4.5.52 and 4.5.61). The Design and Access Statement also notes that properties defining the block of St John's Road-Ashley Road- Cavendish

Road-Delamer Road are of red brick or white brick, with the corners dominated by large, grand properties built in white brick or stone. This includes Bowdon Preparatory School for Girls (Culcheth Hall) on the corner of Ashley and Cavendish Road which is a substantial building of stone. In this context it is considered the predominant material being buff blond stone to Ashley Road and the corner and buff brick to the remainder is appropriate for this location and stone would be a quality material appropriate to the conservation area.

23. The proposed mews houses would be a contemporary design and a contrast to the proposed apartments and existing buildings in the vicinity. They comprise red common facing brickwork to the ground floor, zinc cladding for the first floor (colour to be confirmed), aluminium framed windows and aluminium panels for the roof (colour to be confirmed). Given that the dwellings would be subservient in scale to the apartments and to the rear of the site it is considered this contrast in design and materials would be appropriate and the dwellings would not harm the character or appearance of the conservation area.

#### Impact on the setting of St John's Church

24. The Church of St John the Evangelist directly opposite the site is grade II listed and serves as a landmark in the area. The Church dates from 1865-6 by Medlock Taylor in early English style and the CAA refers to *"its steeple provides a landmark from a number of directions and is integral to local views"* (paragraph 4.5.57) and *"St John's Church with its spire is an important visual focus within this character zone; it is visible from Hale Road, from the junction with Ashley Road, in both directions along Ashley Road as well as from The Downs and Albert Square (this latter view is adversely affected by the YWCA building)"* (paragraph 4.5.65).
25. Section 66 of the Planning and (Listed Building and Conservation Areas) Act 1990 sets out the general duty as respects listed buildings in the exercise of planning functions and states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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.
26. The proposed apartments would impact on the setting of the church due to its height, proximity and massing. In comparison to the existing building the height would be similar, however the overall massing of building would be brought closer to the church. Nevertheless it is considered that the distance retained and the fact that the design and materials would be more appropriate than the existing building in the context of the church, ensure its setting would not be adversely affected. Existing views of the church along Ashley Road and St John's Road would not be adversely affected whilst from Albert Square a view of the church would be retained, although further details have been requested from

the applicant to demonstrate the extent of this and further information will be included in the Additional Information Report.

#### Conclusion on heritage assets

27. The proposed density of development, the combined footprint of the apartments and mews houses, the extent of hardstanding and the space retained to the side boundaries would result in a degree of harm to the significance of the conservation area having regard to the conservation area being characterised by its spaciousness and the predominance of trees and soft landscaping. The NPPF advises 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 any harm or loss should require clear and convincing justification (paragraph 132). In this case and having regard to the existing situation on the site it is considered the proposed development by reason of its density and massing would result in '*less than substantial harm*' to the significance of the conservation area and to the setting of the listed church (as opposed to resulting in substantial harm, or no harm).
28. Where a proposal would result in less than substantial harm, the NPPF requires this to be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134). In this case the development would result in the following public benefits: -
- Replacement of the existing building, which is currently vacant, in deteriorating condition and which does not contribute positively to the conservation area, with a building of high quality design and materials.
  - The site being brought back into active use and delivery of 41 new housing units that would contribute to the Council's housing land supply.
29. The proposed building is a substantial building and of greater massing and prominence than the existing building on this site, however it is considered to be of a high quality design and would be a positive feature on this prominent corner site within the conservation area. It is considered that the public benefits identified above outweigh the less than substantial harm summarised above. The development therefore comprises sustainable development and complies with Paragraphs 14 and 134 of the NPPF. In reaching this decision due regard has been given to S72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is considered that on balance the application would be in accordance with relevant Local and National policies

## IMPACT ON RESIDENTIAL AMENITY

30. The site is within a predominantly residential area and there are residential properties to the side rear and opposite the site. Policy L7 requires new development to be compatible with the surrounding area and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance. The Council's adopted SPG for new residential development sets out more detailed guidance and specific distances to be retained between buildings and window to window distances. This states where there would be major facing windows, buildings of four storeys should retain a minimum distance of 24m across public highways and 30 metres across private gardens. Distances to rear garden boundaries from main windows should be at least 13.5m in order to protect privacy. Where there is a main elevation facing a two storey blank gable a minimum distance of 15m should normally be provided.

### Impact on St John's Court

31. In relation to St John's Court on the west side of the site, block B of the proposed apartments and the proposed mews houses would extend along a significant proportion of the boundary and at close proximity. There is a difference in level between the site and St John's Court (with the application site being approximately 2m lower). Nos 5 and 6 St John's Court adjacent to the site have windows in the side and rear elevations that overlook the site.

32. The proposed apartments (block B) would extend for a depth of 14.2m alongside this boundary and retain a gap of between 4.2m to 6.7m to the boundary (this distance has been increased since the original submission). In relation to the side windows the building would be directly opposite and affect outlook and light, however it is understood that these do not serve as principal windows to habitable rooms. Notwithstanding this, the main outlook from these properties is to the front and rear and it is not considered that the presence of these side facing windows should prejudice the re-development of the application site. As such and taking into account that the overall separation distance is around 11m it is considered the development would not significantly affect their amenity.

33. In relation to the windows in the rear elevation of St John's Court, the apartments would extend approximately 8m beyond the rear elevation which combined with the separation distance ensures the building would not adversely impact on these windows in terms of outlook or loss of light.

34. The proposed mews houses would extend for 19.8m alongside the boundary and at close proximity, retaining a gap of 1.7m to 2.5m. Despite being close to the boundary the visual impact of the mews houses would be limited given the lower level of the application site and height of the proposed mews houses. They would also be positioned some distance from the dwellings themselves and



adjacent a block of garages and driveway rather than the building or their gardens.

35. No windows are proposed in the side elevation of block B that would otherwise have faced the side windows of 5 and 6 St John's Court. The proposed windows in the west elevation of the apartments in block A would retain 27m+ to the boundary with St John's Court which would comply with the Council's guideline of at 13.5m to be retained.

#### Impact on Littlemere Court

36. The proposed apartments (block A) would be positioned close to the southern boundary and parallel with Littlemere Court. There are a number of windows in the north elevation of Littlemere Court facing the site and due to the proximity, height and depth of the building the outlook from these windows. It is acknowledged that the existing building extends relatively close to this boundary and affects these windows, although the proposal would have greater impact by virtue of extending for a greater depth alongside this boundary, and also that the proposed building would be a similar distance from the common boundary as Littlemere Court. As such it is not considered appropriate to afford those side facing windows a 15m separation distance and it is considered the impact on amenity would be acceptable. There would be no overshadowing as the site is to the north of Littlemere Court.
37. The side elevation to Littlemere Court includes a vertical line of windows within each gable. These would serve bedrooms and kitchen/dining rooms. These are identified as being obscure glazed which would ensure no loss of privacy between the properties and as small secondary windows to these rooms it would be acceptable for these to be obscure glazed without affecting the standard of living accommodation.
38. The rear elevation of the St John's Road section of the apartments (block B) includes a number of windows would retain between 25.5m and 27m to this boundary which would comply with the Council's guideline for windows facing a garden boundary (requiring a minimum of 13.5m).
39. The gable end of the proposed mews houses would also be close to this boundary, although given the limited length of this elevation relative to the overall length of the boundary and the lower level of the application site it is considered the houses would not be overbearing or obtrusive from Littlemere Court. The proposed houses do not include windows in this elevation, thus avoiding any potential overlooking.

## Impact on St John's Mews

40. In relation St John's Mews on the opposite side of St John's Road, the proposed apartments in block B would retain a distance of approximately 27m to the main front window. This complies with the Council's guideline of 24m across public highways and as such it is considered the apartments would not be overbearing or result in loss of privacy. Whilst the present open outlook from this property would change (as the proposed apartments would be significantly further forward than the existing building opposite this property), at this distance it is considered the development would not be detrimental to amenity.

## Standard of amenity for future occupiers

41. The apartments would be exposed to noise from road traffic and the Council's Pollution and Licensing Section has advised that a noise assessment should be submitted to establish the external noise climate and impacts to the proposed dwellings and to include what measures are required to ensure that an acceptable noise climate can be achieved within habitable rooms and amenity areas. This can be ensured by condition. A condition is also recommended to ensure an acceptable noise insulation scheme is incorporated into the design of the development. It is considered this can form part of the same condition. A further condition is recommended relating to noise levels from all plant and equipment associated with the development.

42. In terms of amenity space provided for the occupiers of the development the scheme includes a communal courtyard, children's nature garden and croquet lawn. In addition to this communal provision, the ground floor apartments would have a private deck and the mews houses have small private courtyard to the rear as well as use of the communal courtyard to the front. Some of the upper floor apartments also have an external terrace. It is considered this level of provision would be sufficient for future occupants having regard to the size and nature of the accommodation proposed (i.e. apartments and 1 bed dwellings).

## IMPACT ON TREES

43. There are mature trees to the Ashley Road side of the site and the corner of St John's Road. The trees are not subject to a Tree Preservation Order although are afforded protection by virtue of being within a Conservation Area and as a group they contribute positively to the character and appearance of the Conservation Area.

44. The application includes an Arboricultural Report which has carried out a survey of all trees on the site and assessed the impact of the proposed development. Eight trees are identified for removal on the Ashley Road side of the site, one of which is identified as being of moderate quality/amenity value, one which requires removal due to being potentially hazardous and the rest as being of low

quality/amenity value. The Arboricultural Report has been considered by the Council's Tree Officer who notes that every effort has been made to retain the important trees at the site and that much of the existing vegetation on the Ashley Road frontage that is earmarked for removal currently forms a dense evergreen understorey.

45. There is concern regarding construction activity in the root protection areas of trees to be retained along the Ashley Road frontage and further information relating to the design and installation of the proposed special load-bearing surface will need to be submitted to and approved by the LPA before the commencement of any demolition and construction work at the site. Conditions are recommended requiring the submission and implementation of a tree protection scheme (which would make the consultant's recommendations and the awaited details of the special load-bearing surface enforceable), and also the submission and implementation of the landscaping scheme.

## BOUNDARY TREATMENT

46. The proposals include a substantial reduction in the number of trees and vegetation along the Ashley Road side of the site (see above) which would open up views of the site from Ashley Road and the Ashley Road/Hale Road roundabout. This change to the established appearance along Ashley Road is considered acceptable given that the proposed building would be of high quality design and materials and make a positive contribution to the character and appearance of the area. This would also increase visibility of the church from Ashley Road to the south and south east which would be an enhancement to the character and appearance of the area.
47. The existing boundary walls to St John's Road and Ashley Road and the historic gate piers to Ashley Road are features that contribute positively to the character and appearance of the Conservation Area. These are to be retained and repaired, with the exception of a section of the existing wall on St John's Road which is to be removed to provide the new access. This is considered acceptable given the existing access would be closed up with a wall constructed in stone reclaimed from the new opening. The proposals include retention of the historic pedestrian access on Ashley Road. A beech hedge is proposed to the St John's Road and Ashley Road boundaries behind the existing walls which would be compatible with the character of the Conservation Area and provide a soft edge to the development and screen the proposed car park from Ashley Road.

## HIGHWAYS AND CAR PARKING

48. The site is within a sustainable and accessible location, being close to the town centre and within walking distance of the Interchange and places of work, shops, leisure uses, schools and other amenities.

49. In terms of traffic generation/vehicle movements the proposals have been assessed using TRICS database to determine trip rates for potential peak hour/daily traffic generated from the residential development. It is calculated that the scheme will generate around 15-18 two-way vehicle trips in each peak hour. This equates to a vehicle movement every 3-4 minutes during peak hours. It is considered that the effect of this level of traffic will be negligible on the local highway network and the LHA has raised no objection to the scheme. Whilst it is acknowledged St John's Road is busy and relatively narrow due to the existing on-street parking it is considered the traffic associated with the scheme would not justify refusal of permission on highways grounds.
50. The scheme proposes a new centrally positioned vehicular access from St John's Road to serve the development and which would have a sliding gate. The existing entrance is to be closed up with a wall to match the existing. The position of the proposed access is considered suitable for the proposed development and would provide satisfactory visibility.
51. The Council's parking standard for this type of location is 1 space for 1 bed dwellings and 2 spaces for 2-3 bed dwellings. This results in a requirement for 76 car parking spaces. The scheme includes 80 spaces, 4 of which are to be available for visitor parking, and would therefore comply with the standard. The majority of the proposed parking will be contained within a purpose built basement and additional parking provided at ground level within the site. The apartments will be provided with 2 parking spaces each and the mews houses will each be provided with 1 parking space. It is noted that some of the parking spaces within the basement parking area are arranged in a tandem layout and the LHA advise that the applicant must ensure that each pair of tandem spaces is allocated to an individual apartment.
52. The Councils' standards for cycle parking require 41 cycle parking spaces if communal spaces are proposed. The scheme includes a secure bike store adjacent to block A (indicated as a low timber enclosure) and the application indicates that 42 spaces would be provided therefore complies with the standard. The cycle parking should conform to the design guidance set out in Section 11 of SPD3.

## ECOLOGICAL IMPACT

53. The application includes an Ecological Appraisal Report that states habitats within the site boundary and surrounding the site are amenity grasslands, broadleaved trees and hardstanding. There are no other significant habitat types and habitats within the survey area are isolated by barriers such as housing developments and roads. The existing building has been inspected to assess the bat roost potential and the building was deemed to have negligible potential to house roosting bats. Site clearance of trees and shrubs should be undertaken outside of the breeding bird season, or if not possible the site should be checked

for breeding bird activity by a suitable experienced ecologist. Comments from the Ecology Unit have not been received to date and any relevant comments or recommended conditions will be included in the Additional Information Report.

## SPECIFIC GREEN INFRASTRUCTURE INCLUDING TREE PLANTING

54. In accordance with Policy L8 of the Trafford Core Strategy and SPD1: Planning Obligations a development of 6 dwellings and 35 apartments would be required to provide Specific Green Infrastructure in the form of 3 trees per dwelling and 1 tree per apartment planted on site (over and above any tree planting to replace any trees to be removed), or the provision of alternative Green Infrastructure treatments in lieu of, or in combination with, tree provision such as native species hedge, green roof, green wall, etc.
55. The above standard equates to a requirement for 53 trees to be planted on site. Taking into account the number of trees proposed to be removed, a total of 63 trees would be required to comply with this standard. The scheme indicates 35 new specimen trees on site, therefore Green Infrastructure treatments should also be considered as an alternative to comply with the above standard. Potential alternative GI treatments identified in SPD1 that may apply to this site are native species hedge and additional biodiversity or landscaping elements to a SUDS scheme. The scheme includes a beech hedge along the St John's Road and Ashley Road boundaries (approx. 109m length in total). The tree and hedge planting combined, together with the proposed nature garden area and planted areas along Ashley Road and St John's Road, are considered an acceptable level of Green Infrastructure proposed for this site.

## SPATIAL GREEN INFRASTRUCTURE (OPEN SPACE AND RECREATIONAL FACILITIES)

56. Policy L7 requires development to make appropriate provision for open space, where appropriate, in accordance with Policy R5. Policy R5 requires all development to contribute on an appropriate scale to the provision of the standards set out in the policy either by way of on-site provision, off site provision or by way of a financial contribution towards improving quantity or quality of provision. Such provision will be secured in accordance with Policy L8 and SPD1: Planning Obligations.
57. The SPD states that open space provision would only be required on site for large residential developments of approximately 100 units; therefore in this case provision would not be expected on site. Nevertheless the scheme would provide areas of amenity space for residents, including a communal courtyard, children's nature garden and croquet lawn all of which would provide shared amenity space and facilities for occupiers of the apartments. In addition to this communal provision, the ground floor apartments would have a private deck and some of the upper floor apartments would have a terrace. The mews houses would each

have a small private courtyard to the rear and use of the adjacent communal courtyard.

58. The impact of the proposed development on open space and play area provision in the local area would be met by CIL rather than on-site provision or a financial contribution under Section 106.

## AFFORDABLE HOUSING AND VIABILITY

59. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Altrincham area is identified as a “hot” market location where the affordable housing contribution set out in Policy L2 is 40%. This equates to a requirement for 16 of the 41 dwellings to be affordable.

60. The application includes a development appraisal which concludes that the developer is unable to accommodate affordable housing within the scheme due to the scheme’s marginal viability. This has been assessed by the Council’s Estates Section (Amey) and whilst the build and other costs are accepted there is concern that the argument for non-viability is significantly influenced by the land value within the appraisal and whether this has taken into account the requirement for an element of affordable housing to be provided within the development. RICS guidance is that all planning obligation policies should be fully reflected in the valuation and by not doing so it can be argued that the developer is overpaying for the land.

61. In response to the above the agent has advised that the land value has been set by market forces and isn’t up for negotiation. Further information has been provided in relation to the land value identified in the appraisal as being the market value. The agent has also stated that although the scheme isn’t able to deliver any affordable housing this will be outweighed by significant benefits that the scheme will bring. These include:

- The payment of a considerable CIL contribution that will be paid and will assist in the funding of infrastructure projects in Trafford.
- The redevelopment of a brownfield site, currently occupied by a vacant/unattractive building that has a detrimental impact on the streetscene, with a residential scheme positioned in a highly accessible and sustainable location and which will be compatible with neighbouring uses.
- The provision of a residential scheme that incorporates a mix of accommodation in order to provide a wider housing choice and promote the development of a mixed and balanced community.
- The development of a scheme that responds to the site’s sensitive location and will have a positive impact on the character and appearance of the Downs Conservation Area, the setting of St John’s Church and the

streetscene. As set out in the Feasibility Cost Estimate, significant monies are to be invested in external works including soft/hard landscaping and boundary treatment.

- The provision of a scheme of exceptional design quality that will enhance the landscaping of the site, retain existing trees where practical and replace those requiring removal, and provide an appropriate level of car parking; and, ensure that there is no adverse impact on the amenity of neighbouring residents. This will provide a sustainable development that will improve the economic, social and environmental conditions of the site and surrounding area.
- Securing direct investment into the local community through the provision of jobs during construction and spending by future residents in nearby facilities.
- Redevelopment of a site that will minimise opportunities to commit crime and will reduce the fear of crime.

62. It is considered significant weight can be attached to the cumulative effects of these benefits and in particular the statutory duty the Council has to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In this case it is considered the benefits of the scheme would outweigh there being no affordable housing proposed within the development.

## DEVELOPER CONTRIBUTIONS

63. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, and apartments will be liable to a CIL charge rate of £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

### **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.
2. This permission relates to the following plans:-
  - A242-P-01 – Site Location Plan
  - A242-P-20B – Proposed Site Plan
  - A242-P-21B – Proposed External Works Plan
  - A242-P-30C – Proposed Basement Floor Plan
  - A242-P-31C – Proposed Ground Floor Plan
  - A242-P-32C – Proposed First Floor Plan
  - A242-P-33C – Proposed Second Floor Plan
  - A242-P-34C – Proposed Third Floor Plan

A242-P-35C – Proposed Fourth Floor Plan  
A242-P-36B – Proposed Roof Plan  
A242-P-40B – Proposed East Elevation  
A242-P-41C – Proposed North Elevation  
A242-P-43B – Proposed West Elevation – Block A  
A242-P-44B – Proposed South Elevation – inc. Mews  
A242-P-45B – Proposed South Elevation – Block B  
A242-P-46B – Proposed East & North Elevations – Mews House  
A242-P-50B – Proposed Section AA  
A242-P-60B – Proposed East Context Elevation  
A242-P-61B – Proposed North Context Elevation

and the development shall be carried out in complete accordance with these drawings hereby approved.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or full details of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
4. No development 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.
5. No development shall take place until further information relating to the design and installation of the proposed special load-bearing surface to safeguard the root system of the adjacent retained trees has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
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 the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which



are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

7. The development hereby permitted shall not be occupied until a schedule of landscape maintenance for a minimum period of 5 years 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.
8. No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatments have been erected in accordance with the approved details. The boundary treatments shall thereafter be retained.
9. The car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans shall be made fully available for use to serve the development hereby permitted prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
10. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.
11. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above.
12. 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
  - 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.
13. No development shall take place unless and until a noise assessment has been submitted to and approved in writing by the Local Planning Authority to establish the external noise climate and impacts to the proposed dwellings and to include what measures are required to ensure that an acceptable noise climate can be achieved within habitable rooms and amenity areas. Details of any sound insulation measures necessary to ensure an acceptable noise climate for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority and incorporated into the design of the development.
14. The rating level (LAeq, T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90, T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".
15. No development shall take place until details of how the basement car park will be ventilated have been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be installed as approved.
16. The development shall be carried out in accordance with the recommendations set out within the submitted Crime Impact Statement ref. 2015/0731/CIS/01 version B dated 04 November 2015 prepared by Greater Manchester Police Design For Security, unless otherwise agreed in writing with the Local Planning Authority.
17. No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.
18. No development shall take place until details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted and approved in writing by the Local Planning Authority. The approved bin stores shall be completed prior to the first occupation of the apartments and shall be retained thereafter.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the apartments hereby permitted the windows in the south elevation of block A shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening

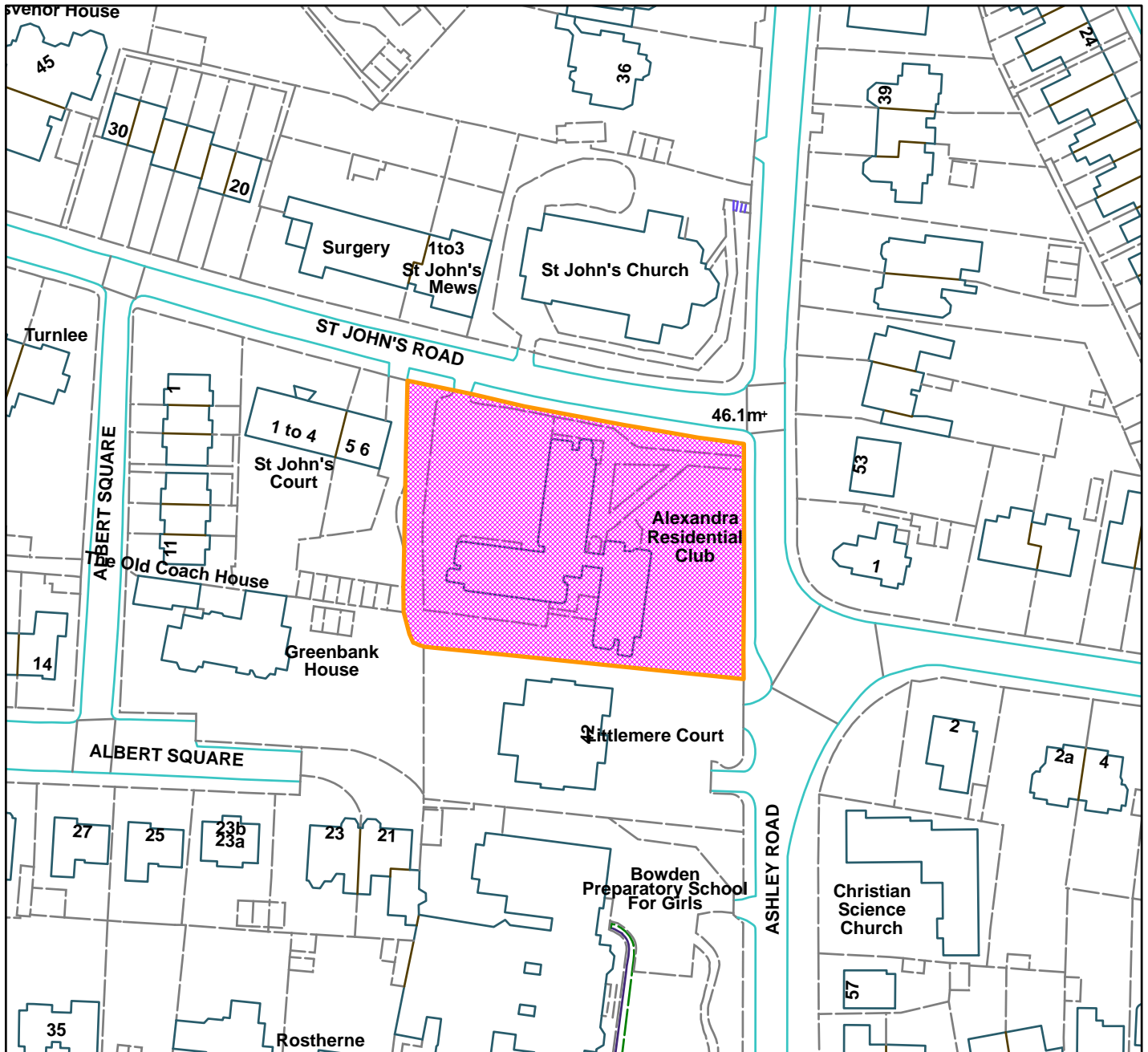
lights and textured glass which obscuration level is no less than Level 5 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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RG



Alexandra House, 80 St Johns Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**WARD:** Altrincham

**87089/FUL/15**

**DEPARTURE:** No

**Demolition of existing residential care home and erection of a three storey apartment building providing 8 apartments, associated car parking to front and repositioned vehicular access.**

Kilpeacon House, Grey Road, Altrincham, WA14 4BU

**APPLICANT:** Mr Skeath

**AGENT:** Tsiantar Architects Ltd

**RECOMMENDATION: GRANT**

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**Councillor Young has called in the application for the reasons set out in the report.**

### **SITE**

The site is located on the north side of Grey Road to the north west of Altrincham Town Centre and extends to approximately 0.12 hectares. It comprises a two storey residential care home with car parking to the front and garden to the rear. The property has been vacant since May 2015. There is a fall in level from the road, with the building approximately 2m below road level. To the front boundary there is a low stone wall with hedge behind and there are fences to the side and rear boundaries. There are a number of trees within the site, predominantly to the front and rear boundaries.

The site is within a predominantly residential area and there are residential properties to both sides of the site, to the rear on Wainwright Road and opposite. On the east side Struan Court is a substantial three storey Victorian house divided into apartments and on the west side No. 18 Grey Road is a c.1950's two storey detached house. To the rear are two storey detached houses on Wainwright Road and on the opposite side of Grey Road the properties are two storey detached houses.

### **PROPOSAL**

The application seeks permission to demolish the existing care home and erect a three storey apartment building to provide eight apartments, together with associated car parking to the front and repositioned vehicular access. The proposed building would be predominantly three storey with a two storey section to the rear and would occupy a similar footprint to the existing building. It would be positioned at an angle relative to the road on a similar alignment as the existing building and a car park is proposed to the front of the building providing 12 spaces. The apartments would all be 2-bedroom.

The application follows the refusal of a previous application for a three storey building

with accommodation also within the roofspace to provide 8 apartments (ref. 84649/FUL/15). It was considered that scheme would have been an overly dominant form of development that would be detrimental to the character of the street scene and visual amenity of the area and detrimental to the amenity enjoyed by occupants of surrounding properties by reason of its siting, scale, massing, height and proximity. This amended scheme seeks to address the reasons for refusal with a building of reduced height and footprint, a different design and careful positioning of windows.

The total floorspace of the proposed development would be 806 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L2 – Meeting Housing Needs

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

R2 – Natural Environment

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

None

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

H4 – Release of Other Land for Development

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

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

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

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

### **RELEVANT PLANNING HISTORY**

**84649/FUL/15** – Demolition of existing residential care home and erection of three storey building (with accommodation also within the roofspace) to provide 8 apartments, associated car parking to front and repositioned vehicular access. Refused 27/04/15

**H45061** - Erection of single storey side extension to form ancillary offices, kitchen store and porch in association with existing retirement home. Approved 25/02/98

**H33119** - Erection of single storey rear extension to form two additional bedrooms and lounge. Refused 24/04/91

**H28788** - Erection of 2-storey extension at side and single storey extension to rear of existing retirement home to provide 8 additional bedrooms, including demolition of part of existing lounge. Approved 15/02/89

**H17956** - Retention of new front entrance, utility room and lift shaft. Approved 07/06/83

**H17037** - Erection of 2-storey extension to aged persons nursing home to provide 4 additional patients bedrooms and to form a separate aged persons nursing home together with erection of a conservatory. Approved 04/11/82

**H17000** - Demolition of garage and change of use, conversion and extension of part of existing nursing home to form 8 flats with 8 garages and 4 car parking spaces. Approved 04/11/82

**H12807** - Erection of extension to dwelling accommodation to form kitchen, dining room, WC and double garage with bedrooms and bathroom over. Refused 06/11/80. Appeal allowed 28/08/81

**H12806** - Demolition of aged persons nursing home and erection of four storey block of flats (12 units). Refused 14/08/80 Appeal dismissed.

**H08932** - Erection of extension to existing aged persons home to provide ground floor private dwelling accommodation and 6 bedrooms with integral bathrooms over. Approved 10/05/79

**H07531** - Erection of extension to existing aged persons home to provide ground floor private dwelling accommodation and 6 bedrooms with integral bathrooms over. Approved 10/08/78

## **APPLICANT'S SUBMISSION**

A Planning Statement, Tree Survey and Bat Report have been submitted in support of the scheme, referred to as relevant in the Observations below.

In summary the Planning Statement states the proposed development would provide much needed housing and enhance the environmental quality of the locality. It would be of a high quality design, in line with the Council's policies and standards. The development would not adversely impact on either neighbouring residents or the local highway network. As such it conforms with relevant national and local planning policies and planning permission should be granted.

## **CONSULTATIONS**

**LHA** – No objections on highways grounds. Comment as follows: -

- SPD3: Parking Standards and Design states that for a two bedroom dwelling in this area, two parking spaces are required. The LHA are content in accepting the shortfall in parking provision [4 spaces] on this occasion as the site location is close to public transport links, less than 10min walk to the nearest bus stop and approx. 15min walk to Altrincham Interchange where bus, rail and Metrolink services are available.
- 8 communal or 16 allocated cycle parking spaces are required.
- The applicant must ensure adequate drainage facilities or permeable surfacing is used on areas of hard standing to ensure localised flooding does not result from these proposals.

**LLFA** - It will be necessary to constrain the peak discharge rate of storm water from this development in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Councils Level 2 Hybrid SFRA. No development shall commence unless and until full details of the proposals to meet the requirements of the Guidance have been submitted and approved and the development shall not be brought into use until such details are implemented in full. Further comments summarised in the Observations below.

**Pollution and Licensing** – No comments received at time of preparing report.

**Ecology Unit** – No comments received at time of preparing report.

## **REPRESENTATIONS**

**Councillor Young** has called in the application for the following reasons:

- Overlooking the rear garden of No 13 Wainwright Road from the bedroom windows of the new building and the need for opaque glass in the bathroom windows.
- Over massing and over development; the new build will dominate the skyline as seen from Wainwright Road.



**Neighbours** – 3 letters of objection received and one letter stating no objections. Comments summarised as follows: -

- The design and scale of the development will detract materially from the privacy and residential amenity of 11 Wainwright Road.
- Although the height is less than the previous proposal the retention of a second floor would significantly impair outlook from the house and garden of No. 11.
- Loss of privacy to No. 11 resulting from bedroom windows in the second floor flats. The additional tree planting even combined with existing trees would not materially reduce the overlooking.
- Although no nearer than the current buildings this should not be the determining factor for two reasons: a) the scale and style of the current buildings means their impact on outlook is less than the proposed building and b) the existing distance to the boundary is noticeably less than at Struan Court and significantly less than several houses west of the site. Any development should enhance neighbourhood amenity rather than preserve the existing anomalous footprint.
- The proposal will dominate the skyline from the rear of 13 Wainwright Road. The ground level of the site is about 12ft higher and there is virtually no screening. The rear of the building will continue to be much nearer the boundary line than is the norm in this residential area.
- Overlooking and loss of privacy to No. 13 and much greater than currently due to many more windows proposed.
- Noise from 8 apartments will be disturbing especially when windows are open.
- Scale and density of development is inappropriate for the neighbourhood, being a quiet residential area bordering a conservation area and that consists primarily of detached houses.
- A detached dwelling of a size, location and quality consistent with existing dwellings on Grey Road would be a better use of the site.
- Permission for the existing nursing home may only have been granted as it was transferring that function from Struan House. Any alternative to the nursing home would surely have been a family house.
- The proposed trees will take years to have any real effect. Question if the owner has the right to alter the shape or remove the oak tree and if permission is needed from the Council.
- Permission for the existing rear extension which brought the building nearer the rear boundary was only granted because it was needed to run the nursing home more efficiently.
- Car parking is a problem and has reached dangerous levels. Grey Road is narrow and the entrance to Struan Court is narrow. Cars park right up to the entrance and trying to drive out onto the road is hazardous.
- The drain at the entrance to Struan Court is blocked by parked cars and leaves. Water runs onto the drive, a pathway over the lawn and over the retaining wall.
- Kilpeacon House was an extension to Struan Court when built. It is clear to see how tight and narrow the site is, far too much for multiple dwellings. The applicant should not be allowed to rely on this planning consent from 1982 when so much has changed in the area.

- There will be mud, dust, noise and congestion during construction.

The letter advising no objections states that the plans look good.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The NPPF includes within its core planning principles the need to deliver the homes that are needed and states housing applications should be considered in the context of the presumption in favour of sustainable development. Policy L2 of the Core Strategy (Meeting Housing Needs) 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. Of relevance to this application it requires new development to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, not harmful to the character or amenity of the immediately surrounding area and in accordance with Policy L7 (Design) and other relevant policies within the Development Plan.
2. The site is unallocated in the Adopted Unitary Development Plan and currently occupied by a care home, therefore constitutes previously developed land. The site is within the built-up area and a sustainable location given its proximity to the town centre and within walking distance of bus stops (the nearest on Oldfield Road provides frequent bus services to Altrincham and other destinations). The proposal would make a positive contribution towards the Council's housing land supply, providing smaller 2 bed accommodation. The proposed development is therefore compliant with the above policies in focusing residential development on previously developed land in sustainable locations and the principle of the development is in accordance with the NPPF and the Trafford Core Strategy (Policy L2 and Strategic Objective SO1).
3. NPPF paragraph 47 identifies a clear policy objective to, "boost significantly the supply of housing". The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of "boost(ing) significantly the supply of housing." Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in

this Framework indicate development should be restricted. Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.

4. It is also considered that demolition of the existing building and residential development in an appropriate form provides an opportunity to enhance the appearance of this site and its contribution to the appearance of the area. The existing building dates from the 1970's and has been extensively extended and altered previously. The building is not a high quality design and is not considered to be of any architectural or historic merit that would justify its retention.

#### IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

5. Policy L7 requires development to 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. The NPPF also emphasises the importance of good design and states planning decisions should add to the overall quality of the area; respond to local character and reflect the identity of local surroundings and materials; and be visually attractive as a result of good architecture and appropriate landscaping.
6. In the previous application it was considered the scale, massing and height of the building would result in an overly dominant form of development that would detrimental to the character of the street scene and visual amenity of the area contrary to Policies L2 and L7. The previous scheme was for a three storey building with pitched roofs and which was significantly higher and of greater massing than the existing building to be replaced. This revised scheme would occupy a similar footprint to the refused scheme and remains a three storey building (predominantly three storey with two story element to the rear), however by virtue of having a flat roof design it avoids the additional massing of a roof and would not be as high. The building would also retain a slightly increased distance to the boundary with Struan Court and the two storey section at the rear would be set into the ground (approx. 2m below the existing ground level).
7. The proposed building would occupy a similar but smaller overall footprint to the existing building, positioned centrally on the site and extending a significant distance to the rear. It would be set back approximately 17m from the front boundary and orientated at an angle relative to the road (similar to the existing building and Struan Court).
8. The surrounding area comprises predominantly two storey detached properties, including on Grey Road to the west and opposite the site and also on Wainwright

Road to the rear. Nevertheless, there are also three storey buildings in the vicinity including Struan Court adjacent to the site and three storey apartments further to the east (Oldfield Mews). In this context and having regard to the apartments at Struan Court and Oldfield Mews it is considered there is no reason in principle why a three storey development should not be acceptable on this site.

9. The building would extend across a significant proportion of the site, extending some 19.2m across at its widest retaining 2m to the western boundary and 4.3m to the eastern boundary (measured from the front corners of the building). It would extend for a depth of up to 25.4m into the site. This would take up a significant proportion of the site area, leaving only limited space around the building and to the side and rear boundaries in particular. Other buildings in the vicinity (on Grey Road and Wainwright Road) take up a lower proportion of their site area and generally retain more space to the sides and have generous rear gardens. In this context there is concern that the footprint of the building relative to the site area and the amount of space retained to the side and rear boundaries would not reflect the character of the area and the building would dominate the site. Nevertheless the proposal would be similar to the existing situation and no worse in this respect and in fact would be an improvement on the existing distance to the Struan Court boundary. It would extend no closer to either side boundary or to the rear boundary.
10. In terms of its height the proposed building would be 900mm higher than the existing building, which would be 360mm higher than 18 Grey Road and 3.7m lower than Struan Court (and 300mm below its eaves line). The height and massing of the building would be comparable to the existing and whilst it would be three storey, its height would be similar to that of a two storey building with pitched roof due to the flat roof design. In the context of being situated between a two storey dwelling and three storey apartments at Struan Court it is considered the height of the building would be appropriate to the site and not overly dominant in the street scene. It is also noted that No. 18 has recently been granted permission for various extensions and alterations and which include increasing the existing ridge height by 1.05m.
11. In terms of design and materials the proposed building is contemporary in its appearance and would be different to most other buildings in the vicinity. The design features predominantly red brick elevations with extensive glazing, powder coated aluminium louvres and balconies to the front. It would have a flat roof with sedum covering. It is considered the design and proposed materials provide for a high quality design and which would be an improvement on the existing building and make a positive contribution to the appearance of the area. Although it would be a different form of building to others on Grey Road it is considered the contrasting style would not result in harm to the character of the area; there is some variation in building styles in the vicinity (including apartments at Oldfield Mews which have flat roofs) and the proposal is considered a good design compliant with Policy L7 and the guidance in the

NPPF. Samples of materials would need to be submitted and approved to ensure they are of suitable quality and acceptable in the context of the adjacent buildings.

12. The front of the site would be dominated by the proposed car park which would present a poor visual appearance to Grey Road and provide less soft landscaping compared to most other properties in the area. Nevertheless the proposal would be similar to the existing situation in this respect and no worse. The proposal includes tree planting to the front and side boundaries and significantly increased tree cover on the site. The existing stone wall and planting to the front boundary would be retained apart from removal of a section of the existing wall to create the new access and the existing opening would be closed up with a stone wall. A condition requiring details of landscaping would be required to ensure this maximises the potential for landscaping and contributes towards a good quality development. The plans refer to the driveway and parking area as tarmac which is considered would be an unattractive finish and add to localised flooding, therefore a condition requiring a porous material for these areas or provision made to direct run-off water to a permeable or porous area within the curtilage is recommended.

#### IMPACT ON RESIDENTIAL AMENITY

13. Policy L7 requires development to be compatible with the surrounding area and not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of, amongst others, overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance. Policy L2 also requires development to not be harmful to the amenity of the immediately surrounding area and in accordance with Policy L7. The Council's Guidelines for new residential development state where there would be major facing windows, three storey dwellings (houses or flats) should retain a minimum distance of 24m across public highways and 30 metres across private gardens. Distances to rear garden boundaries from main windows should be at least 13.5m for three storey flats. In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15m should normally be provided.

#### Impact on Struan Court

14. Struan Court to the east side of the site is a part three storey, part four storey building of 8 apartments and which is positioned close to the site boundary. The property has a number of windows in the side elevation at ground, first and second floor level and a balcony with glazed doors at third floor level. The proposed building would be positioned opposite these windows, with the walls directly opposite retaining distances of 6.2m, 6.3m and 8m to the windows. In comparison to the existing building this would be further away from the boundary and the side elevation would be similar in height at ground and first floor. The

second floor would be set in from the ground and first floor and at a point further from the boundary than the existing ridge over this side of the building. Therefore whilst the proposed building would affect outlook from the side windows of Struan Court and also light to some extent, this is already the case and the impact would be no greater than the existing situation.

15. The depth of the proposed building from front to rear would be similar to the existing and no further to the rear. Whilst the rear section would be two storey's and closer to the boundary with Struan Court than the existing, this would be set into the ground reducing its above ground height to 4.4m and it retains 4.9m to the boundary which ensures this section would not adversely affect the outlook or light to its rear facing windows.
16. The proposal seeks to minimise the number of windows in the side elevation facing Struan Court and includes only one ground floor and one first floor window in the main part of the building; these would face a blank part of the side elevation of Struan Court rather than directly face any windows. Whilst there would be views between the first floor window and those in Struan Court, this would be at an angle and taking into account that there is currently a large glazed opening at first floor directly opposite the windows in Struan Court it is considered the proposal would be an improvement on the existing situation. A further three lower ground floor and three ground floor windows are proposed in the side elevation of the two storey section to the rear, all of which would serve habitable rooms. These windows would be set back relative to the side windows of Struan Court and as this section would also be set into the ground these windows would not result in loss of privacy.

#### Impact on 18 Grey Road

17. The proposed building would extend significantly further back than the rear elevation of No. 18 projecting some 23m overall, although the distance retained to the boundary increases as the building extends to the rear due to being at an angle relative to the side boundary. It would retain 2m to the boundary at its closest point increasing to around 12m at the rear. This extent of projection into the site would be prominent from the rear garden and rear windows of No. 18, however in comparison to the existing building the impact would be similar, being no nearer the boundary, of similar height and the overall projection being slightly less than the existing. Part of the side elevation would extend closer than the existing due to the existing including a recessed section, however this part of the building would be on a similar alignment as the rest of the building and set in from the boundary. It is therefore considered the visual impact of the building would be similar to the existing and would not be overbearing or intrusive.
18. The development is likely to result in some overshadowing and loss of light to No.18 given its height and extent of projection, although given the orientation of the building and that the gap retained to this boundary widens to the rear it is

considered this would not be to an extent that would be detrimental to amenity when compared to the existing situation. Any overshadowing would be limited to part of the mornings only given the building would be east of No. 18 and the impact would be similar to the existing.

19. The development seeks to avoid windows in the side elevation facing No. 18 and no windows are proposed in the side elevation of the main part of the building. There would be three lower ground floor and four ground floor windows in the lower rear section. These comprise two bedroom windows and an en-suite at lower ground floor and two bedrooms, an en-suite and a void at ground floor level. The height of these windows relative to No. 18 is such they would not afford a view into its garden due to this section of the building being set into the ground. Tree planting is also proposed along this part of the boundary. It is also noted there are currently eight windows in this elevation of the existing building (most of which serve habitable rooms), therefore the proposals would result in a reduction in the number of windows on this side and reduced overlooking of this property.

#### Impact on 11 and 13 Wainwright Road

20. The proposed building would extend relatively close to the rear boundary and objections have been received from both of these properties relating to its visual impact and loss of privacy.
21. In relation to No. 11 the building would be 5.8m from the boundary at its closest which would be no nearer than the existing building. The rear part of the building would be two storey and set into the ground to minimise its impact on this property and it would have a similar but no worse impact than the existing elements at the rear of Kilpeacon House (which are single storey at the rear and two storey beyond). There are also a number of tall trees between the site and No. 11 and No. 9 along the boundary (mainly Cypress and one Poplar) within the garden of No. 11 and the scheme also includes tree planting along this boundary which together would provide screening between the properties. The three storey part of the building would retain between 14m and 17m to the rear boundary which is further away than the two storey part of the existing building and which is a similar overall height (due to having a flat roof). As such the three storey part of the building would be similar to the existing building in terms of its massing and visual impact relative to No. 11. The existing and proposed trees referred to above would also provide screening between the properties.
22. The boundary to No. 13 is more open than No. 11 and as a result the proposed building would be prominent from the rear windows and garden of this property, taking into account its proximity to the boundary and also the difference in levels. The two storey part of the proposed building would retain 6.5m to this boundary at its closest point which would be further away than the nearest part of the existing building. Whilst this would be two storey, it would be set into the ground

and have a similar and not materially greater impact than the existing elements at the rear of Kilpeacon House. The three storey part of the building would retain 14m to this boundary at its closest which is further away than the two storey part of the existing building and which is a similar overall height (due to having a flat roof). The main three storey part of the building would therefore be similar to the existing building in terms of its massing and visual impact relative to No. 13. Part of the side elevation would extend closer to No. 13 compared to the existing situation as part of the existing side elevation is recessed; nevertheless this would be on a similar alignment as the rest of the proposed building and this 'additional' element compared to the existing would be over 10m from the boundary.

23. No windows are proposed in the rear elevation of the two storey section at the rear of the building. Windows are proposed at first and second floor in the rear elevation of the three storey part of the building; these comprise two en-suite bathrooms at first floor and two bedrooms and two en-suite bathrooms at second floor. In relation to No. 11 the proposed bedroom window facing this boundary would retain 16m to the boundary and therefore complies with the Council's guideline of 13.5m to be retained from main windows to private rear garden boundaries and it would retain approximately 37m to windows in the rear elevation of No. 11 which complies with the guideline of 30m between facing windows. These distances are considered sufficient to ensure the building would not afford views into No. 11 that would result in an unacceptable loss of privacy. It is also acknowledged the existing trees within the garden of No. 11 and the proposed tree planting within the site along this boundary would provide screening between the properties. Furthermore the existing building has two bedroom windows at first floor level in a similar position relative to No. 11 but which are closer to the boundary, therefore the proposals would result in a reduction in the number of windows facing this boundary.
24. In relation to No. 13 the scheme includes a second floor bedroom window on this side that would retain 14m to the boundary and therefore complies with the Council's guideline of 13.5m and retains between 36m to 42m to the rear elevation of No. 13 which complies with the guideline of 30m. Even allowing for the difference in levels between the two sites and that this boundary is open apart from one tree it is considered the distances are sufficient to ensure the bedroom would not afford views into No. 13 that would result in an unacceptable loss of privacy. The proposed tree planting along this boundary would also provide some screening between the properties. The scheme includes two further bedroom windows at first floor in the rear elevation of the side projection; these are set back from the main rear elevation and comply with the 13.5m guideline. It is also noted the existing building has four bedroom windows at first floor which afford views towards No. 13 and there is currently a degree of overlooking of this property



25. The concerns raised in the representations regarding the proximity of the proposed building to the rear boundary and this being closer than is typical of the area are acknowledged, however the Council must have regard to the existing situation on the site and how the proposed development compares. In this case the proposed development would have a similar and no worse impact than the existing and complies with the Council's privacy distances guidelines, therefore it is considered refusal of the application on the grounds of being overbearing or resulting in a loss of privacy would not be justified.

#### Impact on properties opposite

26. The proposed building would retain approximately 48m to dwellings on the opposite side of Grey Road which significantly exceeds the Council's guideline of 24m and ensures no loss of privacy.

#### Amenity space for occupiers

27. The Council's guidelines for new residential development indicate that 18 sq. m of adequately screened communal area per flat is generally sufficient for the functional requirements. Although the areas to the side and rear that would provide amenity space are not considered a "large private rear garden area" as stated in the application, it would nevertheless be of an overall size that complies with this guideline and which would provide some functional outdoor space for future occupants.

#### ACCESS AND CAR PARKING

28. The proposed development would reposition the existing access to the centre of the site frontage which is considered acceptable in highway safety terms. The existing access would be closed up with a stone wall and 2no. trees are also proposed behind the wall. The applicant will need to gain further approval from Trafford Council's Streetworks Section for the construction, removal or amendment of a pavement crossing under the provision of section 184 of the Highways Act 1980 for the amended vehicular access.

29. The Council's parking standards set out in SPD3: Parking Standards and Design require two parking spaces for a two bedroom dwelling in this area, which results in a requirement for 16 spaces. The proposals include a parking area to accommodate 12 car parking spaces and therefore does not meet this standard. The LHA has advised the shortfall in parking provision is acceptable in this instance as the site is in a location close to public transport links; less than 10min walk to the nearest bus stop and approx. 15min walk to Altrincham Interchange where bus, rail and Metrolink services are available. There is also on-street parking on Grey Road, although it is known there is frequently parking associated with Loreto Grammar School along the road.

30. The Council's cycle standards require either 2 spaces per dwelling if allocated spaces are proposed or 1 space per dwelling if communal cycle parking is proposed. The submitted plans indicate a wall mounted bike rack to the rear which is in a location which would be secure and convenient for the occupiers and the application confirms this would provide 16 spaces.

## IMPACT ON TREES

31. There are trees to the front and rear of the property (none of which are the subject of a Tree Preservation Order). The application includes a Tree Survey identifying 10 no. trees and provides an assessment of their condition. The survey does not assess the potential impact of the proposed development on these trees, however given that the footprint of the building would be similar to the existing and extends no closer to the trees it is unlikely any trees would need to be removed or cut back to enable the development. Any permission would need to be subject to a tree protection condition given the nature of the works and proximity to trees. The tree proposed to be removed at the front (Laburnum) is identified in the Tree Survey as having a split trunk showing decay and is not of significant amenity value. Two replacement trees to the front boundary are proposed resulting in a net increase in trees visible from Grey Road.

## SPECIFIC GREEN INFRASTRUCTURE INCLUDING TREE PLANTING

32. In accordance with Policy L8 of the Trafford Core Strategy and SPD1: Planning Obligations the development would be required to provide Specific Green Infrastructure (SGI) in the form of 1 tree per apartment planted on site, or the provision of alternative Green Infrastructure treatments in lieu of, or in combination with, tree provision such as native species hedge, green roof, green wall, etc. The scheme provides for a net increase of 20 trees on site therefore complies with the standard. Furthermore the scheme includes a sedum roof which would further contribute towards the SGI requirement and meet the aspirations of Policy L5 and SPD1 for development to mitigate and reduce its impact on climate change. Details of the proposed green roof and for its long-term maintenance will need to be required by condition.

## SPATIAL GREEN INFRASTRUCTURE (OPEN SPACE AND RECREATIONAL FACILITIES)

33. Policy L7 requires development to make appropriate provision for open space, where appropriate, in accordance with Policy R5. Policy R5 requires all development to contribute on an appropriate scale to the provision of the standards set out in the policy either by way of on-site provision, off site provision or by way of a financial contribution towards improving quantity or quality of provision. Such provision will be secured in accordance with Policy L8 and SPD1: Planning Obligations. The SPD states open space provision would only be required on site for large residential developments of approximately 100 units;

therefore in this case provision would not be expected on site. The impact of the proposed development on open space and play area provision in the locality would be met by CIL rather than on-site provision or a financial contribution under Section 106.

## FLOOD RISK AND DRAINAGE

34. The site is within Flood Zone 1 and a Flood Risk Assessment is not required. The site is within a Critical Drainage Area although the development is below the threshold for which the Environment Agency requires consultation on the proposals. It is considered the proposed development would not be at risk of flooding nor increase the risk of flooding.
35. The LLFA advise it will be necessary to constrain the peak discharge rate of storm water from this development in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Councils Level 2 Hybrid Strategic Flood Risk Assessment. It is recommended any permission includes a condition requiring full details of the proposals to meet the requirements of the Guidance, implemented before the development is brought into use and maintained thereafter. The developer should also forward as built details of any SUDs facility to the LLFA for inclusion in the Flood Risk Asset Register and provide details of how and who will be responsible for long term whole life maintenance / replacement of the proposed SUDs facility.

## IMPACT ON BATS

36. A Bat survey was carried out in November 2014 and a report is included with the application. The survey indicates the building does not offer any significant roosting opportunity for bats and no evidence of any presence either current or historic was recorded. It concludes demolition of the building will have no impact upon the status of bats in this area. Comments from the Ecology Unit have not been received to date and will be included in the Additional Information Report. In the previous application they raised no objections on nature conservation grounds.

## DEVELOPER CONTRIBUTIONS

37. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market apartments will be liable to a CIL charge rate of £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
38. 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 at least 8 additional trees on site as part of the landscaping proposals (21 trees are in fact proposed).

## AFFORDABLE HOUSING AND VIABILITY

39. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Altrincham area is identified as a “hot” market location where the affordable housing contribution set out in Policy L2 is 40%. This equates to a requirement for 3 of the 8 apartments to be affordable.

40. The applicant has submitted a Financial Viability Analysis which concludes that any contribution towards affordable housing would reduce the developer’s level of profit to an unacceptable level and the scheme would not be viable. The appraisal has been assessed by the Council’s Estates Section (Amey) and they conclude that the viability case should be accepted.

### **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.
2. This permission relates to the following plans:-
  - 727-PA-01 - Proposed Floor Plan
  - 727-PA-02 - Proposed Elevations and Street Scenes
  - 727-PA-03 - Site Plan and Location Map
  - 727-PA-03 - Landscape Layout
  - 727-PA-06 - Proposed and Existing Site Plan showing distance to boundariesand the development shall be carried out in complete accordance with these drawings hereby approved.
3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules including provision for planting at least eight trees (including planting size, species and numbers/densities), existing plants / trees to be retained and a

scheme for the timing / phasing of implementation works and a specification for the green roof and its future maintenance.

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

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

5. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
6. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
7. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.
8. Notwithstanding the details shown on the submitted plans and the requirements of Condition 2 of this permission, prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing (for the car parking area) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the curtilage of the building, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.
9. The car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans shall be made fully available for use to serve the

development hereby permitted prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

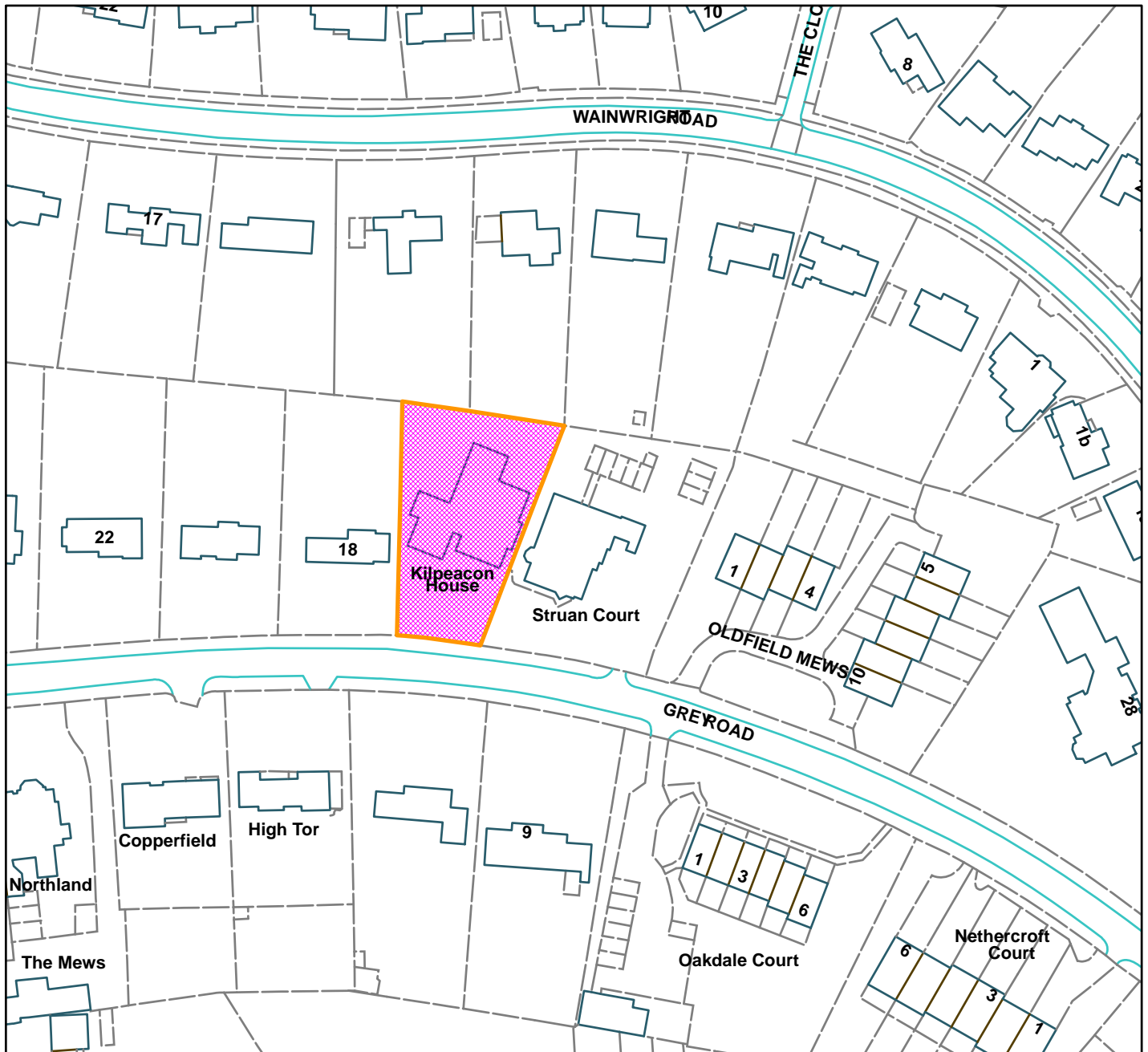
10. No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.
11. No development shall take place, 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
  - 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.

RG

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Kilpeacon House, Grey Road, Altrincham



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	11th February 2016
Date	28/01/2016
MSA Number	100023172 (2012)

**WARD:** Hale Barns

**87174/FUL/15**

**DEPARTURE: No**

**Conversion of existing house to create 3 No. apartments alongside demolition of existing garage & replacement with 1 No. duplex apartment. (Revision of 85673/FUL/15)**

Dingleside, 46 Arthog Road, Hale Barns, WA15 0LP

**APPLICANT:** Mr Dwyer

**AGENT:** Ludlam Associates

**RECOMMENDATION: GRANT**

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**SITE**

The site is roughly rectangular in shape and situated close to the junction of Arthog Road and Bankhall Lane and comprises no. 46, Arthog Road and associated garden and outbuildings. A coach house building to the southwest of the application site was removed from the site in 2013 and excavation works for a basement area had commenced in relation to an earlier approval at the site for the conversion of the coach house and these works are evident at the site. Work on this development has now ceased and the area is boarded up.

There is a substantial new dwelling to the west of the application site known as Whitehaven. This property was built in 2013 and fronts Bankhall Lane.

No. 46, Arthog Road is a large three storey detached house, fronting Arthog Road and accessed from it, which originally had substantial grounds to the south and west. The coach house site was originally within these grounds as was the site of Whitehaven.

A formal lawned area lies to the southwest of the main house. A strip of sloping land makes up the southeastern half of the site, running along the Bankhall Lane boundary. There is a stream at the bottom of this valley. The valley was until the last couple of years well vegetated and wooded but some trees and shrubs have been cleared. A long established close boarded fence approximately 1.8 metres in height runs along part of the Bankhall Lane and Arthog Road frontages of the site of 46, Arthog Road.

The surrounding area is predominantly characterised by large detached houses set within relatively spacious plots. The site lies within the South Hale Conservation Area. The main property at the site (46, Arthog Road) is identified in the draft South Hale Conservation Area Appraisal as a positive contributor to the Conservation Area.

The nearest residential properties to the application site are the new property at Whitehaven to the west and No. 44, Arthog Road to the north. No. 40, Arthog Road is



situated to the northwest of the site and across Bankhall Lane to the south is the site of Halliwell House. To the east, across Arthog Road are detached residential properties.

## **PROPOSAL**

The application proposes the conversion of the existing house to create 3 no. apartments. The building would be divided up on a floor by floor basis, with the largest of the three apartments being a duplex (over 2 floors) at second floor and attic level.

The main external alterations proposed to the main house are limited to the addition of balconies to the rear and a low level ramp to the front door to improve the accessibility and enable level access.

The application also proposes the demolition of the existing garage (on the southern side of the main house) and erection of a contemporary detached dwelling over 2 floors, partially sunk into the ground.

The existing drive access of Arthog Road would be used and the front boundary wall and gateposts retained. The existing hardsurfaced parking area at the front of the property would be enlarged to form a 9 space car park.

### **Value Added: -**

- A proposed staircase feature to access the first floor apartment has been removed.
- The proposed new dwelling has been reduced in both height and width.
- Removal of 1 no. parking space to satisfy LHA comments.
- Reduction in the extent of the first floor terrace on the existing house to reduce the impact on the host building and reduce the impact on amenity of neighbouring property.
- An original projecting splayed gable on the main house has been reinstated and the top floor bedroom amended to suit.

The net additional floorspace of the proposed development would be 984.7 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

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

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

R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure  
L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L7 - Design  
L8 – Planning Obligations

### **PROPOSALS MAP NOTATION**

South Hale Conservation Area

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

ENV21 – Conservation Areas

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

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

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

This online resource was launch on the 6<sup>th</sup> March 2014 and follows a review of planning policy guidance. The NPPG will be referred to as appropriate in the report.

### **OTHER RELEVANT LEGISLATION**

Planning (Listed Buildings and Conservation Areas) Act 1990

### **RELEVANT PLANNING HISTORY**

The following applications relate to proposals considered by the Local Planning Authority in the last 10 years within the grounds of the application property, No. 46, Arthog Road.

85673/FUL/15 - Conversion of and alterations and extensions to existing house, including roof extensions and creation of external terraces, to form 4 apartments. Erection of 3 storey detached building with additional basement accommodation to form 2 apartments following demolition of existing garage. Creation of associated parking area to front of property – Withdrawn September 2015

83023/VAR/2014 - Variation of Condition 02 (list of approved plans) of planning permission 81793/FULL/2013 (Erection of part single storey / part two storey detached

dwelling with accommodation at basement level below the garden area with associated atrium and lightwell. Provision of basement level parking area and driveway incorporating causeway over stream, boundary treatments and associated landscaping. Erection of detached summerhouse building with bat loft) to refer to revised drawings indicating extended and altered basement and sunken garden areas including lightwells and rooflights and changes to internal layout of coach house building – Approved July 2014

81793/FULL/2013 - Erection of part single storey / part two storey detached dwelling with accommodation at basement level below the garden area with associated – Approved Jan 2014

80914/VAR/2013 - Variation of Condition 02 (list of approved plans) of planning permission 75969/FULL/2010 (Erection of detached dwelling within grounds of No. 46 – Approved 2013

77723/VAR/2011 – Variation of Condition 02 (list of approved plans) of planning permission 75969/FULL/2010 (Erection of detached dwelling within grounds of No. 46 Arthog Road with integral double garage, new driveway incorporating causeway over stream, new entrance gates and gateposts and associated landscaping) to refer to revised drawings indicating extended lower ground floor, sunken garden to rear, patio to front, alterations to windows and doors and reduction in projection of part of front elevation of dwelling. – Approved 2012

77326/VAR/2011 - Variation of Condition 02 (list of approved plans) of planning permission 75969/FULL/2010 (Erection of detached dwelling within grounds of No. 46 Arthog Road with integral double garage, new driveway incorporating causeway over stream, new entrance gates and gateposts and associated landscaping) to refer to revised drawings indicating extended lower ground floor area, sunken garden and alterations to windows in rear elevation - Minded to Grant subject to a Section 106 – Sept 2011

77010/FULL/2011 – Conversion of coach house to a single dwelling; erection of part 1st floor/part single storey extension on the southwestern side and creation of basement accommodation below the garden area with associated atrium and lightwell. Provision of basement level parking area and new driveway incorporating causeway over stream, boundary treatments and associated landscaping. Erection of detached summerhouse building with bat loft. – Minded to Grant subject to a Section 106 - September 2011

76268/FULL/2011 - Conversion of coach house to a single dwelling; erection of part 1st floor/part single storey extension on the southwestern side and creation of basement accommodation below the garden area with associated atrium, lightwell and retaining wall. Provision of parking area and new driveway incorporating causeway over stream, boundary treatments and associated landscaping. Erection of detached summerhouse building with bat loft. – Withdrawn February 2011

75969/FULL/2010 – Erection of detached dwelling within grounds of No. 46 Arthog Road with integral double garage, new driveway incorporating causeway over stream, new entrance gates and gateposts and associated landscaping – Approved June 2011

H/70588 – Erection of outbuilding incorporating double garage with storage in roof space following demolition of existing garage and outbuilding; construction of external swimming pool; erection of porch to side (amendment to planning approval H/69573 to incorporate 4 no. dormers in roof of outbuilding) – Refused 2009

H/69573 – Erection of outbuilding incorporating double garage with storage in roof space following demolition of existing garage and outbuilding; construction of external swimming pool – Approved 2008

H/CC/69387 - Conservation Area Consent for demolition of existing garage and outbuilding – Approved 2008

H/66434 – Conversion of coach house to a single dwelling; erection of first floor and single storey side extensions (including provision of bat roosting space); provision of car parking, turning area and driveway – Approved 2007

H/65831 – Conversion of coach house to a single dwelling; erection of first floor and single storey side extensions; provision of car parking, turning area and driveway – Refused 2006

H/61652 – Conversion of existing three apartments into single dwelling in main house and erection of two new dwellings within grounds, one incorporating part of existing outbuilding and both with integral double garages and new driveways incorporating bridges over stream – Refused on Appeal 2005

H/61651 – Conversion of existing three apartments into two apartments in main house and erection of single dwelling within grounds with integral double garage and new driveway incorporating bridges over stream – Approved 2005

### **APPLICANT'S SUBMISSION**

A Planning and Heritage Statement, Bat Report and Tree Survey Schedule and Plan have been submitted in support of the application and are referred to in the Observations section of this report where necessary.

### **CONSULTATIONS**

**Local Highway Authority** – No objections. The LHA are satisfied that sufficient parking can be accommodated on site. They recommend that the space adjacent to the disabled bay is removed due to concerns over manoeuvrability if the disabled bay is occupied. This has since been addressed by the applicant. They state that they are content that the existing driveway surface is sufficient to provide adequate surface water drainage.

**Lead Local Flood Authority** – No objections subject to a condition to limit peak discharge rates of storm water in accordance with the Council's Level 2 Hybrid Strategic Flood Risk Assessment.

**Pollution and Licensing (Nuisance)** – No objection in principle. They recommend that the conversion complies with the latest Building Regulations with respect to resistance to the passage of sound between the flats.

**Pollution and Licensing (Contaminated Land)** – No objections in respect of contaminated land since the risk, if any at all, is considered negligible.

**GM Ecology Unit** – No objections on nature conservation grounds subject to conditions to protect nesting birds during the bird breeding season and to prevent the commencement of development until a bat license has been issued by Natural England or a statement indicating that a bat license is not required.

**Manchester Airport** – The proposed development has been examined from an aerodrome safeguarding aspect and Manchester Airport has no safeguarding objections to the proposal.

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

**Electricity NW** – Have considered the planning application and find it has no impact on Electricity Distribution System infrastructure or other ENW assets. Any requirements for a supply of electricity will be considered as and when a formal application is received.

## **REPRESENTATIONS**

**Neighbours:** - Objections have been received from the occupiers of 16 separate addresses. Grounds of objection are summarised as follows:-

- Impact on residential amenity particularly the loss of privacy, to properties to the south and southwest, and to the proposed new coach house building which has the benefit of planning consent.
- Noise and smells from parking and rubbish areas will result in loss of amenity
- The house is a typical example of a Victorian property in the area and has been little altered externally - glass balconies are out of keeping with the main building
- Parking to the front would fail to better reveal the significance of the heritage asset
- The current garage is barely visible whereas the new house will be highly visible due to its height and the proposed materials are out of keeping with the area
- Increased traffic generation – already a dangerous section of road
- Lack of parking will result in visitors parking on street – this is a highway safety risk
- Parking and rubbish zone will result in loss of trees at the front of the site
- Impact on bats and birds which are protected
- Impact of earth and soil on valley may block the brook leading to flooding

- Apartments not in keeping with the area – this will set a precedent for apartments if approved
- Reference made to other planning applications both past and current – Council should take a consistent approach
- Credibility of statement set out in supporting planning statement questionable given the demolition of the former historic coach house without conservation area consent and the removal of trees without permission
- The existing fence should be removed
- The ‘duplex apartment’ is actually a new house
- Main house was not previously apartments
- The affordability and brownfield credentials set out in the statement are questioned
- No public posting took place

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The application site is located within Hale Barns and is situated within the South Hale Conservation Area. In determining applications for development in conservation areas, local planning authorities have a duty, under S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to pay special attention “*to the desirability of preserving or enhancing the character or appearance of that area.*” The impact of the proposed development on the character of the Conservation Area is considered fully in subsequent sections of this report.
2. NPPF paragraph 47 identifies a clear policy objective to, “*boost significantly the supply of housing*”. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties. The Council have indicated that it does not, at present, have a five year supply of immediately available housing land. The presumption in favour of sustainable development, set out in paragraph 14 of the Framework is therefore engaged, and it is on this basis that this application should be determined.
3. The proposed development comprises the conversion of an existing dwelling to form three apartments and the development of a new dwelling on land formerly used as a garage and a small part of the existing garden area. Core Strategy Strategic Objective SO7 seeks to secure sustainable development through promoting the reuse of resources and as such the conversion of the property into 3 apartments is supported in principle. In respect of the new dwelling, the majority of its footprint comprises previously developed land and as such is supported by NPPF and the Core Strategy. The remainder of the plot utilises a small proportion of the domestic garden and as such, in accordance with policy

L1.10 due regard should be paid to local character, environment, amenity and conservation considerations. These matters are considered in greater detail within subsequent sections of this report.

4. Policy L2 of the Core Strategy, which is entitled “Meeting Housing Needs”, 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. It requires new development 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.
5. In the case of this application, the site is not located within the Regional Centre, nor is it located within the Inner Area. The site is considered to be located within a reasonably sustainable location close to local services and transport routes. In terms of dwelling type and size the proposed residential development will contribute to meeting the needs of the Borough by increasing the mix of dwelling sizes contributing towards the creation of mixed and sustainable local communities. The applicant has stated that with lift access to all floors and level accesses to the building the living spaces could appeal to the growing demographic of over 65’s in the Borough.
6. Having regard to the above, it is considered that subject to the development being acceptable in terms of its impact upon the character of the Conservation Area, neighbouring properties and other material considerations discussed in subsequent sections of this report, the principle of development is considered acceptable.

## **IMPACT ON THE CONSERVATION AREA, VISUAL AMENITY AND THE STREETSCENE**

7. The application site is located within the South Hale Conservation Area, as defined on the UDP Proposals Map, and was designated as a Conservation Area on the 25<sup>th</sup> of February 1986 under provisions now carried forward into Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1) of the Act requires Local Planning Authorities to pay, “*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*” in the determination of planning applications.

8. Core Strategy policy R1 indicates that, all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Furthermore it states that developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings; in particular in relation to conservation areas, listed buildings and other identified heritage assets.
9. The South Hale Conservation Area Planning Guidance was adopted in January 1996. This document is a material consideration in the determination of this planning application. The Council is currently preparing a Conservation Area Appraisal and Management Plan for this area and this document, upon adoption, will replace the current Planning Guidance.
10. The draft Conservation Area Appraisal and Management Plan have been out to public consultation, however it is anticipated that these documents will be adopted by the Council in summer 2016. On this basis, it is considered that some weight can be afforded to the document and its policies in the determination of this application.
11. The draft Conservation Area Appraisal identifies Dingleside, Arthog Road as being in 'good' condition and a 'positive contributor' to the South Hale Conservation Area. The document states that *"This building reflects a substantial number of other elements in the conservation area in age, style, materials and form. It also illustrates the historic development of the settlement in which it stands. It reflects the traditional functional character and former uses in the area."*
12. Dingleside, Arthog Road is identified in the draft Conservation Area Appraisal as being within Character Zone C of the Conservation Area. Paragraph 4.3.70 states that *'There are many examples of Arts and Crafts properties throughout the Conservation Area that range from the late 19th century to the early 20th century. Many retain a variety of architectural details and a high level of historic character. There are examples of brick properties that are half rendered with black timber detailing.'*
13. Paragraph 4.3.77 of the draft Conservation Area Appraisal identifies the local details which are prevalent in this Character Zone. The document states that, *"the use of black and white timber detailing to the upper floors of Arts and Crafts properties, black timber detailing to windows and doors are characteristic local details, repeated throughout the character zone, the conservation area and the wider area of Cheshire. Rooflines interrupted by multiple gables are another local characteristic, as is the use of leaded lights and stained glass. White and cream render is also found throughout the character zone, both to historic and modern properties. There are examples of hanging tiles and areas of timber boarding, which are repeated throughout the character zone. Planting to the fronts of properties and high boundary treatment restricting views of properties is*



*another characteristic local detail that has a significant effect on the street scene, creating a private and semi-rural character*". It is considered that No. 46, is therefore characteristic of the historic properties in this character zone. The site therefore has historic significance and the impact of the proposal needs to be assessed against the provisions of the NPPF in terms of the level of harm, if any, resulting from the development.

14. It is noted that there has already been a reduction in spaciousness around this property as a result of planning permissions 80914/VAR/2013 and 83023/VAR/2014 the latter of which was only originally agreed in principle as it represented a way of retaining the original historic coach house building on the site. This historic building was subsequently lost.
15. A previous application for the significant redevelopment of the site has been withdrawn (85673/FUL/15) as the applicant was advised that the proposals were unacceptable due to the detrimental impact on the existing buildings and the impact on spaciousness within the site. Significant amendments have been made to the scheme prior to re-submission and further amendments have been made since submission of the latest scheme to reduce the scale of alterations to the main house and the scale of the proposed new house. It is considered that the proposed alterations to the main house are now very limited. The proposed ramp to the front elevation would be very shallow and does not therefore require an upstand or handrail. A projecting splayed gable on the southern corner of the property originally proposed for removal has been reinstated and a substantial feature proposed between the main house and proposed new dwelling to access to the first floor apartment has been completely removed.
16. The proposed glazed terraced areas to the rear have been cut back to occupy the recesses between the gable bays and this reduces the visual intervention at the rear of the main house. It is noted that there are existing balconies and an extensive terraced area to the rear of the property at the present time and given the siting and lightweight nature of the proposed glazed balconies it is considered that their impact is acceptable.
17. The proposed new dwelling would be largely located on the site of an existing garage and it is noted that permission was granted in 2008 (H/69573) for the erection of an outbuilding incorporating double garage with storage in roof space following demolition of existing garage and outbuilding and the resultant building would have been 1 metre higher than the existing garage on site. The proposed dwelling would be approximately 1.8 metres higher than the existing garage.
18. The width of the proposed new building has been reduced by 2 metres (11 metres to 9 metres) and much of the ground floor is designed to be read as an underground area of building with a sunken garden and turf roof to minimise the visual impact. The height of the new building has also been reduced by 1.3 metres and it is set back in relation to the building line of the main dwelling.

19. It is considered that the amendments have resulted in a building that is clearly subservient to the main building on the site and the use of areas of matching brick and a pitched roof to reflect the geometry of the main house allows the new dwelling to be an honest addition to the site which clearly contrasts old and new without competing unduly with the original dwelling. The timber clad elements reflect the contemporary approach and sit well within the wooded context of the site. Given the sensitivity of the site, it is considered necessary to remove permitted development rights for the new dwelling so any future extensions or alterations can be controlled.
20. As a result of the amendments made to the scheme it is now considered that the proposed works would not be unduly prominent in the streetscene. The majority of the soft landscaping around the site would be retained and additional planting would be required as part of the redevelopment which can be dealt with under the suggested landscaping condition. In particular it is considered that the planting on the area to the south of the proposed new dwelling could be augmented. As a result of this and the siting of the proposal it is not considered that the development would detract from the attractive wooded valley feature to the south of the site which is considered to contribute positively to the conservation area.
21. It is considered that the conversion of the existing main house into apartments retains the important architectural features and character of the main house and would ensure the long term retention of this historic building. It is therefore considered that the current scheme adequately addresses previous concerns raised and would not have a detrimental impact on the streetscene and would preserve the character and appearance of the conservation area. It is considered that the proposal would result in less than substantial harm to the affected heritage assets. As a conclusion of 'less than substantial harm' has been reached under the terms of the NPPF and as the identified level of harm is minor, paragraph 134 of the NPPF is therefore engaged. This states that:
- 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'*
22. The public benefits of the scheme in terms of the long term retention of the building, identified as a positive contributor to the conservation area, and the contribution to housing supply in the Borough are considered to outweigh this less than substantial harm and the proposal therefore meets the requirements in NPPF for conserving the historic environment.

## IMPACT ON RESIDENTIAL AMENITY

23. Policy L7 states that 'In relation to matters of amenity protection, development must:
- Be compatible with the surrounding area; and
  - Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
24. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines usually require for new two storey dwellings that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The 27 metre guideline does however allow for future extensions to the rear of properties and this can be controlled via the removal of permitted development rights for new developments. This would also apply to views from balconies and would need to be increased by 3 metres for any second floor windows / balconies.
25. Any proposed new windows and balcony areas on the existing property are to the rear of the property and would look out across the rear garden. The distances between the proposed balconies to the rear garden boundary (which adjoins the proposed coach house site) varies due to the varying boundary line however the distances significantly exceed the 10.5 metres usually required between first floor windows and rear garden boundaries even taking into account an additional 3 metres distance added for each additional floor. In this instance the proposal is fully compliant and in any event it is not considered that the relationship of the main house to the rear would be materially different to the existing relationship as the property currently has rear facing windows and balconies at all levels.
26. The extent of the proposed first floor balcony has been reduced so that it now maintains a distance of 10 metres to the side boundary with No. 44 Arthog Road and is restricted to a recessed area formed as a result of a projecting gable feature at the rear of the property. The boundary to No. 44 is also densely planted. It is not therefore considered that the proposed conversion would result in a material loss of privacy to adjacent occupiers.
27. The proposed new dwelling would be to the south of the main house and is adjoined on the southern side by a wooded valley feature known as the 'Dingle'. Any side facing windows would either look onto the side of the existing dwelling at the site or across the 'Dingle'. The main windows at the new dwelling would be to the front and rear and the building would have a maximum above ground height of 6.1 metres at the front and 8.1 metres at the rear which is modest for

this area. The distances to the properties that currently exist to the front and rear of the site are significantly in excess of the 21 metres required.

28. A concern was raised by neighbours regarding the relationship between the development now proposed and the replacement coach house building granted permission in 2014 but not yet built. This property does not yet exist on site and in any event all the main windows are located in the south and west elevations and the garden area is also to the western side it is not therefore considered that the proposed development would have a material impact on the amenities of the potential future occupiers of this property.
29. Concerns have also been raised about the impact of the parking and rubbish areas on amenity as a result of noise and smells. It is not considered that the level of parking proposed would generate excessive levels of noise to the detriment of residential amenity and the rubbish storage area is not in close proximity to the boundaries with neighbouring properties. It is considered that those most affected by any odour would be the occupiers of the proposed development and therefore it would be in their interests to maintain the area appropriately.
30. Given the extent of the proposed alterations to the existing house, the scale and height of the proposed new building and the relationship with and distances to surrounding properties it is not considered that it would result in loss of light or outlook or be overbearing. Therefore it is considered that the impact of the development on residential amenity would be acceptable.

## **PARKING AND HIGHWAYS ISSUES**

31. Policy L7 states that 'In relation to matters of functionality, development must:
  - Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
  - Provide sufficient off-street car and cycle parking, manoeuvring and operational space;
32. Concerns have been raised regarding the increase in traffic generation and a lack of parking at the site. Objectors are concerned that this may lead to congestion and highway safety issues. The Local Highway Authority (LHA) has assessed the application and raises no objections on highway safety grounds.
33. The LHA have considered the application and the Trafford Parking Standards state that for a three bedroom dwelling in this area, two parking spaces should be provided and for a four bedroom dwelling, three parking spaces should be provided. Although the existing dwelling will lose a parking space with the conversion of the garage, the LHA are content that 9 cars can still park at the property. They did raise concerns about a space closest to the disabled bays in

terms of manoeuvring in and out of the space if the adjacent disabled bay is occupied, however this space has since been omitted to leave 9 spaces which the LHA consider adequate.

34. The LHA have also confirmed that the existing driveway surface is sufficient for surface water drainage and therefore have no objection to this application on highway grounds.

## **ECOLOGY AND TREES**

35. Core Strategy policy R2 states aims to protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and to protect the natural environment throughout the construction process.

36. The applicant has submitted a Bat survey in support of the planning application. The document concludes that the bat surveys recorded a single small day roost of Pipistrelle *Pipistrellus* bats in Loft 1 and at least one small day roost of Brown Long-eared *Plecotus auritus* bats in each of Lofts 1 and 2 and the garage roof. A further five small day roosts of Brown Long-eared *Plecotus auritus* bats were recorded in Loft 3. Given the evidence of bat activity recorded within the buildings at 46 Arthog Road, the site is considered to be of, at least, local conservation significance for Brown Long-eared *Plecotus auritus* and Pipistrelle *Pipistrellus* bats. Greater Manchester Ecology Unit has assessed the report and indicate that the proposed conversion work is likely to directly affect the identified bat roosts and therefore there is a legal requirement to apply for a Bat Licence from Natural England to cover the said work. GMEU have recommended a condition to secure this and as such the application is conditioned accordingly. A condition relating to nesting birds is also recommended as per the advice from GMEU.

37. The Council's Arboriculturist has reviewed the tree survey, methodology and plan submitted and has concluded that the submitted Arboricultural Method Statement (AMS) which incorporates a tree survey plan and a survey schedule is satisfactory and fully complies with British Standard 5837: 2012 – Trees in relation to design, demolition and construction – Recommendations. Most of the woody plants that are scheduled for removal are evergreen underplantings such as Rhododendron and Holly; important trees of stature would be retained and therefore subject to conditions relating to tree protection and landscaping the proposals are considered acceptable.

## **DRAINAGE**

38. The Lead Local Flood Authority have been consulted on the application and have raised no objections subject to an appropriate condition to constrain the

peak discharge of storm water from this development through a sustainable urban drainage solution. A planning condition is therefore proposed to secure an appropriate drainage solution.

## **DEVELOPER CONTRIBUTIONS**

39. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the hot zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, and apartments will be liable to a CIL charge rate of £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
40. 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 could be attached to make specific reference to the need to provide at least 6 additional trees on site as part of the landscaping proposals and this is in addition to any trees lost as a result of the development.

## **OTHER MATTERS**

41. Public consultation was carried out by the Local Planning Authority in full accordance with the relevant legislation. Neighbouring properties were notified by letter, a site notice was posted outside the application site and the application was advertised in the local press. Neighbours were also re-consulted upon receipt of amended plans.
42. A 'duplex apartment' is defined in the dictionary as 'an apartment having rooms on two adjoining floors connected by an inner staircase'. The terminology used was taken from the submitted application form and it is clear from the plans what the development proposes.
43. Reference has been made to various other planning applications both past and current. It is considered that the proposals referenced are materially different to the proposal considered here. Each case must be judged on its own merits against the relevant policies as is set out above.

## **CONCLUSION**

44. The Council is unable to identify a five year supply of deliverable housing land and therefore the housing policies within the Development Plan are "*out of date*" in the context of paragraphs 14 and 49 of the Framework. The presumption in favour of sustainable development, set out in paragraph 14 of the Framework is therefore engaged, and it is on this basis that this application should be determined.

45. In the determination of this application due regard has been made to the statutory duty outlined in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires Local Planning Authorities to pay, *“special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.”*
46. The proposed development has been assessed against the relevant Development Plan policies and guidance contained within the NPPF and it is considered that the impacts of the development would not demonstrably or significantly outweigh the benefits of the development, in accordance with paragraph 14 of the Framework, and as a result there is a presumption in favour of granting planning permission. It is considered that the proposed development comprises a sustainable form development as prescribed by paragraph 7 of the Framework. It is therefore recommended that planning permission should be granted subject to the conditions listed below.

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

1. The development must be begun not later than three years beginning with the date of this permission
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, reference AP101, AV01 Rev G, AV02 Rev G, AP01 Rev D, AL01/G and AL02/G.
3. Notwithstanding the details submitted, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the building (including rainwater goods and joinery details of windows and doors) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

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

5. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years 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.
6. 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.
7. Notwithstanding the provisions of Schedule 2, Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the amendment, revocation or re-enactment thereof no development shall take place at the dwelling hereby permitted under Schedule 2, Part 1, Classes A, B, E, F, H or Part 2, Classes A or B of that Order unless a further planning permission in respect thereof has been granted on application to the Local Planning Authority.
8. The conversion of the roof space of the house and demolition of the garage are likely to cause harm to common pipistrelle and brown long-eared bats as identified in the bat report dated August 2015 by EINC and shall not in any circumstances take place unless the local planning authority has been provided with either:
  - a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead: or
  - b) a statement in writing form the relevant licensing body to the effect that it does not consider that the specified development will require a license.
9. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.



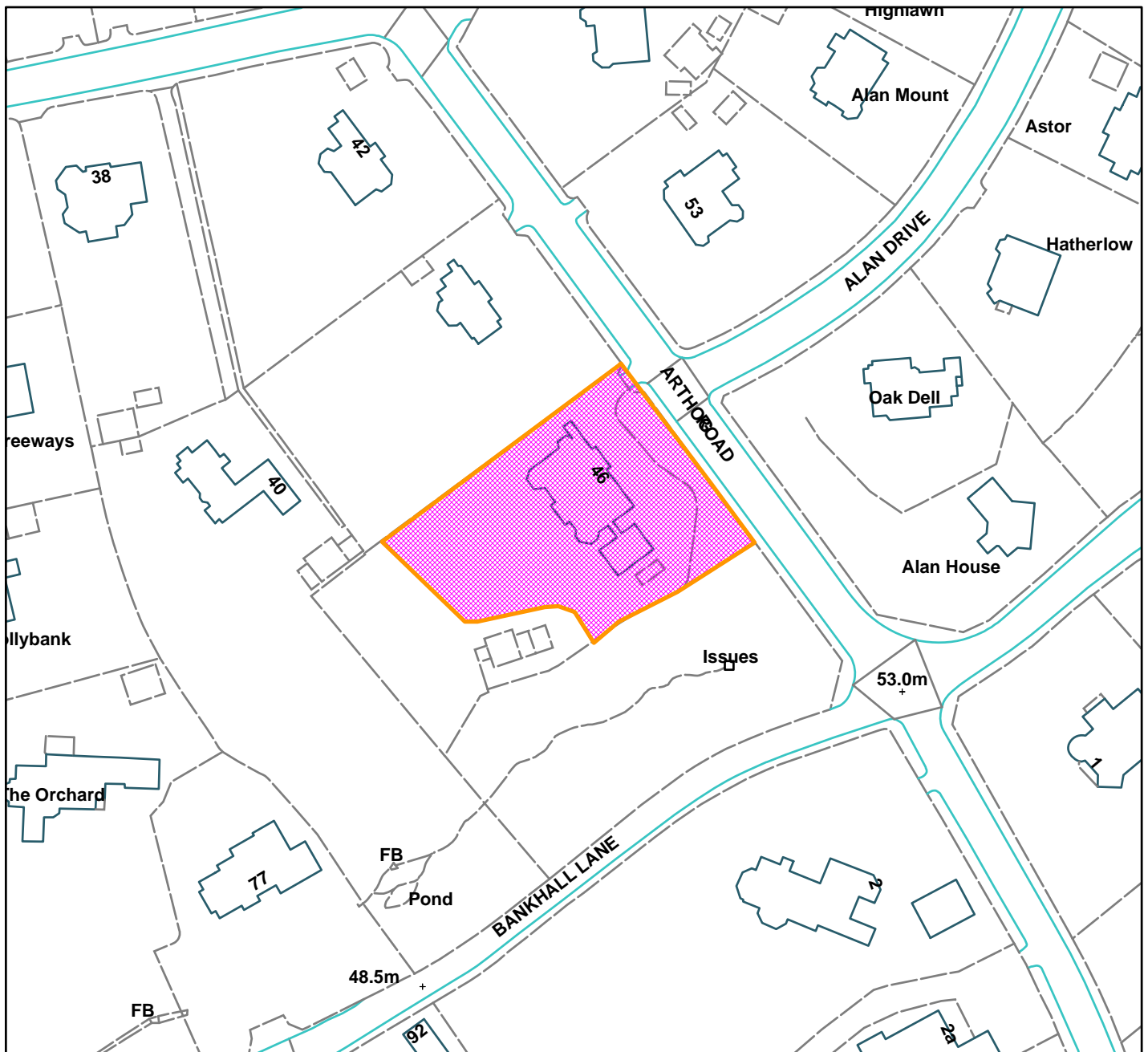
10.No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

JJ

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Dingleside, 46 Arthog Road, Hale Barns (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**WARD:** Hale Barns

**87303/FUL/15**

**DEPARTURE:** No

**Residential development comprising of 16 dwellings including access, car parking and landscaping arrangements**

Former Crosbys Nurseries, Wood Lane, Timperley.

**APPLICANT:** Bellway Homes & Mr Brian Crosby

**AGENT:** Astle Planning & Design

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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**Councillor Butt has called-in the application for consideration by Planning Committee for the reasons set out in the Representations section below.**

**SITE**

The application relates to a 0.78 ha site currently in use as a plant nursery. The sole vehicular access to the site is located at the northwestern corner, via an access road off Wood Lane (between 28A and 30 Wood Lane). The rear garden boundaries of houses on Drayton Grove and Faulkner Drive adjoin this access road.

At the present time the plant nursery comprises various structures such as office buildings, glasshouses, polytunnels and also external storage areas and associated hardstanding and these extend across the majority of the site. The land slopes down from the northern end to the southern end of the site and the application site is bounded by Timperley Brook which runs across the southern boundary of the site. There is a footbridge over the Brook which leads to Green Belt land beyond. There is external storage associated with the plant nursery currently taking place on some of this open land which is outside the application boundary.

There are residential properties to the north, west and east of the site on Henson Grove, Faulkner Drive, Oldbrook Fold and Streamside Close. These are predominantly detached and semi-detached properties. There are fences and walls of varying heights and designs between these properties and the application site at present. At the present time Oldbrook Fold terminates at the southwestern end in a dead end (adjacent to No's 14 and 17) and at this point there is currently a wall between Oldbrook Fold and the application site.

**PROPOSAL**

This application proposes the demolition and clearance of the existing structures on site and the closure of the existing drive access off Wood Lane and the erection of 16 no. 2 storey houses.

Four different house types are proposed (Fielding, Priestly, Milton and Fleming) with materials being predominantly brick and render. All of the proposed houses are detached, four bed, two storey properties with associated garden areas and double or single private garages.

The proposed access road serving the development would extend from the southwestern end of Oldbrook Fold which currently terminates in a stub beyond which is a wall which forms the boundary to the nursery site. An internal estate road would run in a north – south direction with a turning area at the southern end.

A 2 metres standoff would be retained to Timperley Brook and a strip of landscaping including tree planting is proposed at the southern end of the site adjacent to brook.

**Value Added:** - The gate and rumble strip at the Oldbrook Fold access have been removed from the scheme, a fence added to secure the closed off existing access from Wood Lane and additional trees and bird and bat boxes added to the landscaping scheme.

The total floorspace of the proposed development would be 2755 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
W1 - Economy  
R2 – Natural Environment

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

Wildlife Corridor

River Valley Floodplain

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

ENV10 – Wildlife Corridors

H4 – Release of Other Land for Development

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

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

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

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

## **RELEVANT PLANNING HISTORY**

77699/FULL/2011 - Erection of residential development comprising 16 detached dwellings with associated access road (taken off Old Brook Fold), car parking including detached garages, open space and landscaping following demolition of existing buildings – Finally Disposed Of Application - February 2015.

## **APPLICANT'S SUBMISSION**

The following reports have been submitted with the application and are referred to in the Observations section of this report where necessary: -

- Planning Statement
- Design and Access Statement
- Transport Statement
- Flood Risk Assessment
- Energy Statement
- Site Investigation and Remediation Enabling works strategy
- Geo Environmental Site Assessment
- Ecological Assessment
- Arboricultural Impact Assessment
- Crime Impact Statement

## **CONSULTATIONS**

**LHA** – No objections in respect of highway safety or parking. They advise that there is a requirement for street lighting and drainage if the road is to be adopted, however should this not be the case then this is not a concern for the LHA.

**Strategic Planning and Developments** - Policy comments are incorporated in the body of the report under the Observations section below.

**Lead Local Flood Authority** – No objections subject to conditions to constrain the peak discharge of storm water from the development and to require the applicant to submit details of the implementation, maintenance and management of the sustainable drainage scheme.

**Pollution and Licensing (Contaminated Land)** – No objections subject to a condition and an informative which ensures that all necessary remedial measures outlined in the submitted report being completed prior to first occupation of the site.

**GMP Design For Security** - No comments received at the time of writing. Any comments will be included in the Additional Information Report.

**GM Ecology Unit** – No objections. They identify Timperley Brook as an important local wildlife resource and suggest that the proposed two metre wide landscape buffer zone is widened to partially 're-naturalise' the banks of the Brook. They recommend that prior to felling any of the trees identified as having some potential to support bats, these trees should first be inspected by a suitably qualified ecologist. If bats are found then a Method Statement must be prepared giving details of measures to be taken to avoid any possible harm to bats. In addition they recommend that Best Construction Practice should be followed throughout the construction period to avoid any possibility of polluting the brook during site clearance and construction works. These measures can be secured via suitably worded conditions.

**Environment Agency** - No objection in respect of the potential contamination of controlled waters however they recommend a condition to ensure that the risks to controlled waters are adequately assessed and mitigated if unsuspected contamination is encountered during the development.

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

**United Utilities** - No objection subject to conditions to ensure that foul and surface water is drained on separate systems and the submission of a surface water drainage scheme including details of its management and maintenance for the lifetime of the development.

## **REPRESENTATIONS**

**Councillor Butt** – has requested that the application be determined by the Planning Committee for the following reasons:-

There is no objection to a new housing development at this location but for two serious concerns regarding the proposed traffic plan as follows:

- Use of the cul-de-sac, Oldbrook Fold, as sole means of access and egress to the development and the secondary impact of parking on Streamside Close. The 16, four bedroom properties are likely to generate traffic from 32+ residential vehicles as well as from visitors and service vehicles that will inevitably use Oldbrook Fold and Streamside Close for convenience parking. Despite the fairly narrow width of Oldbrook Fold, there is already excessive pavement parking by residents when off road parking has been used up. This will be exacerbated with overflow parking from the new development, effectively doubling the traffic on this road.
- The proposed Gate and Rumble strip/grid on the side of Oldbrook Fold to create a 'gated' community. This generates a number of serious concerns for existing residents including Streamside Close, but in particular for properties facing onto and the side of these proposed structures. The Gateway will cause congestion, noise and air pollution from traffic and there would constant noise of gates opening and closing shut and going over the rumble strip. If the Gate is out-of-order or a resident not in to a call, then tailbacks would occur. The inability of larger vehicles to turn around in this narrow road would cause damage to pavements and encroach on private property. There are no compelling security requirements for a gate.

The proposed Traffic Plan with sole usage of Oldbrook Fold, coupled with the proposed Gate and Grid, would be detrimental to the environmental and residential amenity of the residents living on Oldfield Fold and to a lesser degree on Streamside Close. The site is currently in operation as, Crosby's Plant Nursery and the current access road from Wood Lane to the site has been serviced and maintained by the site owner/business for over twenty years and by a laundry business prior to that. The access road is used regularly by HGVs and other site traffic as signs indicate off Wood Lane. The width of the access road allows for HGVs to service the site without restriction, and that is with large plant boxes placed alongside the road. The following would provide a much more practical and acceptable solution for these residents and would also be of benefit to new residents to the proposed development:

There should be a one-way system for all traffic that would enter the proposed development from Oldbrook Fold; the access road which is currently used and maintained by the site owners, to become the exit route for the site residents.

Further benefits of maintaining use of the current site access route for exiting site-traffic would be:

- Can be gated at any point without impacting on adjacent properties
- There is width capacity if required for a walkway along one side
- Would provide a valuable additional route for emergency services

The traffic plan for this proposed development should to be considered in a holistic way to take account of the access road which has had sole historic use and maintenance by the site owners but has been left out of the scheme, and would prevent a whole series of future problems from arising for existing and proposed residents.

In addition there is no reason why the current site access route can't be used by construction vehicles/traffic for the new development and it is used and has been for many years by HGVs serving the Crosby's Site business. It would avoid construction waste, clay and soil from vehicle treads being spread across Oldbrook Fold.

**Neighbours** – Objections received from 25 separate addressees. Issues raised are summarised below:

- Loss of privacy. If allowed permitted development rights should be removed for roof alterations
- Loss of light
- Impact on property values
- Concerns about impact on existing boundary structures and trees/hedges
- Land ownership issues
- Highway safety concerns as a result of increase in traffic down Oldbrook Fold. If allowed there should be increased traffic calming in the area
- Taking access from Oldbrook Fold would increase congestion – a one way system would be better utilising the existing road to the site off Wood Lane.
- Impact of construction traffic on amenity and highway safety
- Noise from access gate and rumble strip detrimental to amenity
- Gate inhibits social inclusion
- Build-up of traffic and dangerous manoeuvres as a result of gate
- Play area on previous application should be re-instated
- What will happen to the existing access road to the site – concerns about land ownership, anti-social behaviour issues and rubbish being dumped
- The development will set a precedent for or add to pressure for housing in the Green Belt.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The application site is located within Timperley and whilst most of the site is unallocated on the UDP Proposals Map, some of the site is located within a Wildlife Corridor (ENV10) and a river valley floodplain (ENV13). The Wildlife Corridor designation seeks to ensure the integrity of wildlife corridors is not destroyed or impaired, whilst the River Floodplain designation seeks to restrict development of land within the floodplain. No objections to the principle of



development have been received from either the Greater Manchester Ecology Unit in respect of ecology, or the Environment Agency in respect of flooding. The current Environment Agency Flood Maps show that the site is in Flood Zone 1. These matters are however considered in greater detail in subsequent sections of this report.

2. The majority of the site is occupied by a number of large glasshouses, polytunnels and a single storey office building, with the remainder comprising hard standing, car parking and service areas and as such constitutes previously developed land. NPPF states that planning should “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.*” Core Strategy Strategic Objective SO7 seeks to secure sustainable development through promoting the reuse of resources. It is therefore concluded that the development makes effective use of land by re-using land that has been previously developed, whilst protecting the need to release less sequentially preferable or greenfield sites.
3. In accordance with Core Strategy policy W1.12 the applicant has submitted a statement that states that the business has become unviable over time and the site is not suitable for employment uses given its inherent constraints, including the adjacent residential development and restrictive opportunities for vehicular access. This Statement has been reviewed by Strategic Planning who considers that, in the context of this development, the statement is adequate and is sufficient to satisfy the policy requirements set out in Core Strategy policy W1.12, and as such there is no in principle objection to the loss of this site for residential uses.
4. NPPF paragraph 47 identifies a clear policy objective to, “*boost significantly the supply of housing*”. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
5. The Council have indicated that it does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of “*boost(ing) significantly the supply of housing.*” Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.
6. Given the lack of a demonstrable five year supply, the housing policies within the Development Plan are “*out of date*” in the context of paragraphs 14 and 49 of the Framework. The presumption in favour of sustainable development, set out in

paragraph 14 of the Framework is therefore engaged, and it is on this basis that this application should be determined. Core Strategy policy L2.6 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. The development comprises a mix of four different styles of four bedroomed houses. Whilst this does not represent a mix of dwelling sizes, it is recognised that the proposed development would contribute to the borough's family housing needs, as set out in Core Strategy policy L2 and would contribute towards the creation of a mixed community.

## **IMPACT ON RESIDENTIAL AMENITY**

7. Policy L7 states that 'In relation to matters of amenity protection, development must:
  - Be compatible with the surrounding area; and
  - Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
8. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines usually require for new two storey dwellings that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The 27 metre guideline does, however, allow for future extensions to the rear of properties and this can be controlled via the removal of permitted development rights for new developments.
9. Distances of 10.5 metres are normally required between first floor windows and private garden areas to prevent loss of privacy to gardens. A distance of 15m is normally required to be maintained between a 2 storey wall and a main sole habitable room window in a neighbouring property to prevent development having an overbearing impact.
10. All plots retain minimum distances of at least 10 metres from proposed first floor windows to adjacent private garden areas outside the site and 21m from proposed first floor windows to windows in existing residential properties outside the application site which is adequate given the two storey nature of the development as there are no rooflights or dormers proposed in the roofspace. Given the constrained size of the site and the need to protect the amenity of occupiers of adjoining residential properties in the future, it is recommended that permitted development rights are removed for extensions, outbuildings and other structures, external alterations and gates and fences.

11. The ridge heights of the four house types proposed range from 7.9 metres to 8.4 metres which is characteristic of detached and semi-detached houses in the area. In excess of 15 metres would be retained between any 2 storey structure on the site and any sole main habitable room window at properties outside the site and would not therefore be unduly overbearing. Three styles of single and double garages are proposed. These would all be single storey with heights of between 3.9 metres and 5.2 although the latter figure is the maximum height for the pyramid double garage which has a dovecote feature at the top (the main ridge height being approximately 4.4 metres without the dovecote).
12. Land levels on the site slope down from north to south and therefore cross section drawings of the site have been submitted with the application. These drawings show that the proposed floor levels of the new houses would largely reflect the existing land levels on the site with some minor degree of variation.
13. Concerns were raised over the potential noise impact of the gate and rumble strip at the Oldbrook Fold access to the site, however these aspects of the proposal have now been removed from the scheme.
14. Concerns have been raised by neighbours regarding the potential for noise and disturbance during construction works. It has been suggested that all construction traffic should use the existing access off Wood Lane. The applicants have stated that in order to minimise site traffic through Old Brook Fold they intend to set up a site compound in the area of Plot 4 with parking for sub-contractors vehicles. In addition they have stated that to reduce the number of contractors on site they intend to develop the site in stages so that the majority of house slabs are in place before brick layers or other trades are introduced (normally they would have several activities occurring at the same time). Doing this also means materials can be stored on slabs and potentially reduce the need to keep bringing in more brick and block. With regard to deliveries, normally these would be on articulated lorries and whilst Old Brook Fold is still the most likely route for deliveries due to the limited width of the existing access road, the intention is that most of these deliveries will be made on rigid wagons that do not require as wide a swing to manoeuvre.
15. The majority of vehicles at peak times will be contractors' cars and vans, and the developer has stated that they will make all sub-contractors aware of the need to use the track for access to the site off Wood Lane. Where larger vehicles require access to site the developer will have to monitor the process with more detail. Given the width of the road, the fact that the fence lines of adjacent gardens are not regular and some have gates within them there would be concerns about the possibility of damaging people's boundary fencing or someone exiting a gate and being hit by a wagon. Therefore it is considered that an adopted road with 2m wide footpaths either side of the 5.5m road is a safer route for a large vehicle to travel. At this stage due to these concerns the developer cannot commit to

ensuring no site traffic/deliveries whatsoever arrive via Old Brook Fold but have committed to doing what they can to minimise this.

16. A condition requiring the submission of a Construction Management Plan is recommended which would cover issues such as *inter alia* wheel washing facilities, measures to control the emission of dust and dirt during construction, hours of construction work and the routing of construction vehicles and deliveries to site. The impact of any noise nuisance is temporary in nature and if construction noise becomes a serious problem, this can be investigated by the Pollution and Licensing Section under the relevant legislation. It is not reasonable to refuse development on the basis of the noise of construction work as this is common to all new development and is temporary in nature. On this basis, subject to the submission and approval of a Construction Management Plan, it is considered that anticipated construction impacts can be appropriately mitigated.

## **DESIGN, LAYOUT AND STREETSCENE**

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

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

18. The application proposes the erection of 16 detached 4 bed dwellings with four different house types proposed, the Fielding, Priestly, Milton and Fleming. These are two storey properties arranged around the estate road with pitched roofs and materials predominantly of brick and render. The properties all have private garages of a design which reflects that of the main houses. The principal elevations are proposed to front the access road with development down both sides of the site.

19. The heights and design of the four house types proposed are characteristic of detached and semi-detached houses in the area and would therefore be appropriate in their context. The proposed floor levels of the new houses would largely reflect the existing land levels on the site with some minor degree of variation.

20. The properties would all have generous gardens to the front and rear containing lawned areas, hedges and trees. This would contribute to the visual amenity of the area in terms of greening the landscape. The scheme also includes a landscape buffer at the southern end of the site which as well as contributing to

the street scene to the north would also improve views of the site from the Green Belt areas to the south.

## **DESIGN AND CRIME**

21. The Crime Impact Statement submitted with the application states in relation to the development site that 'This development will be consistent with current principles of the National Planning Policy Framework and has adopted the principles of Secured by Design. At the present time, analysis of crime in the wider area shows that the area adjacent to the proposed application site is relatively low risk, and the development also includes clearly defined and well-lit public, private and semi-private spaces, defensible space to each property frontage, and well defined routes which benefit from natural surveillance, all of which discourage crime.

## **HIGHWAYS AND PARKING**

22. Policy L7 states that 'In relation to matters of functionality, development must:

- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
- Provide sufficient off-street car and cycle parking, manoeuvring and operational space

23. A Transport Statement (TS) has been submitted in support of the application. The TS concludes that the site is located in a sustainable location and that the local highway network would be able to accommodate the additional traffic associated with the development.

24. The proposed vehicular access would be taken from Oldbrook Fold, an existing residential cul-de-sac road, currently providing access to residential dwellings located to the east and northeast of the site. The existing access to the site from Wood Lane would be closed off. Pedestrian access would be also provided from Oldbrook Fold.

25. The scheme was initially submitted as a gated community with a gate preventing general vehicular access to the site proposed at the new access point. Following concerns raised by officers and residents the applicant has agreed to remove the gate and rumble strip.

26. With regard to the potential use of the existing access road into the site from Wood Lane, as part of the vehicular access or egress to the new development, the applicants have stated that although the Crosby's have maintained this route and had a right of way over it for over 60 years, they do not actually own this land and have recently been unsuccessful in an application to the land registry to try to register this land via adverse possession. As a result the Crosby's will not be

able to transfer this land to Bellway who would not therefore be able to rely on a permanent access into the site for legal reasons. Consequently, the existing access road is outside the application site edged red and is not proposed to form part of the development. The Local Planning Authority must therefore consider the scheme and highway layout before them.

27. The highway within the development would not be adopted and on this basis the LHA have no objection to the shared surface proposed. The turning facility at the end of the development is sufficient following removal of the gate at the site access. Therefore subject to adequate drainage facilities or permeable surfacing being used on the areas of hardstanding the LHA have raised no objections to the application and it is considered compliant with Policy L4 of the Trafford Core Strategy.
28. The proposed dwellings are 4 bedroom units which all have at least 2 off road parking spaces on the driveways in addition to a single or double garage. As 3 parking spaces are required per dwelling under the Council's parking standards sufficient parking is provided on the site.

## **ECOLOGY AND TREES**

29. The general quality and extent of tree cover across the site at present is low as the vast majority of the site is covered by hardstanding and structures. However there are some boundary groups of trees. The Arboricultural Impact Assessment submitted with the application concludes that the development, as proposed, will directly require the removal of a small number of existing trees/hedges (2 no. Lawson Cypress hedges, 1 no. Ash tree and 1 no. Goat Willow tree).
30. Whilst the removal of any trees is regrettable, these trees are not considered worthy of retention and the wider benefits of the development as proposed, which will include significant numbers of new tree planting (57 trees in addition to hedging and topiary specimens), together with the retention of most existing trees and sections of hedging, will help to integrate the development into the wider landscape and will result in a significant improvement to the level of tree cover on site. There are therefore no Arboricultural reasons of any significance why planning consent should not be granted for the development. It is recommended that a landscape proposal for the site should include provision for the planting of a mixture of native, as well as ornamental trees, shrubs and hedges and that tree protection measures are implemented.
31. The submitted Ecological Assessment concludes that there were no protected species present on the site at the time of the survey. The Greater Manchester Ecology Unit (GMEU) have commented that Timperley Brook is an important local wildlife resource, forming something of a green corridor through this area of Trafford. The applicant has identified the importance of the Brook and has provided a 'landscape buffer zone' between the Brook and the built development.

In addition, the proposals would result in the significant 'greening' of the site as the existing site is almost entirely covered by built development whereas the proposed development would introduce gardens and tree planting. It would also result in the cessation of the storage that currently takes place on the opposite site of Timperley Brook (in the green belt) as a result of the cessation of the nursery use.

32. GMEU consider that the development provides an opportunity to enhance the Brook corridor further. Given the benefits of the development on the ecology of the area it is not considered reasonable to require the developer to re-naturalise the banks of the brook and this might, in any event impact on potential flood risk issues. However following further discussions with the GMEU the developer has augmented the amount of planting in the landscaped strip at the southern end of the site and has provided additional tree planting in gardens. In addition, they have agreed to provide bat and bird boxes within the site and as a result it is considered that overall the proposal would benefit the ecology of the area.
33. The trees identified for in the Ecology Report prepared by TEP as having some potential to support bats are outside the current application site on the existing access road and therefore it is not considered that a condition requiring their inspection by an ecologist is necessary although the applicant has been made aware of this issue.
34. GMEU have also commented that best construction practice should be followed throughout to avoid any possibility of polluting the brook during site clearance and construction works and this can be included in the construction management plan. It is therefore considered that subject to appropriate conditions the proposal would be in accordance with Policies R2 and R3 of the Trafford Core Strategy.

## **FLOOD RISK AND DRAINAGE**

35. A Flood Risk Assessment was submitted in support of the scheme which notes that the site is located within Flood Zone 1 and that residential development is therefore appropriate. The report comments that as a result of the proposed development the impermeable areas will actually decrease by more than half (57.7%) and concludes that the site is at low risk of flooding. The Lead Local Flood Authority and United Utilities have raised no objection to the proposals subject to the recommended conditions relating to the drainage of the site.

## **CONTAMINATION AND GROUND CONDITIONS**

36. A Phase I and Phase II geo-environmental site assessment was submitted with the application. On the basis of this the Pollution and Licensing section and the Environment Agency (EA) have no objection to the proposals in principle subject to conditions relating to contaminated land. The full EA comments have been forwarded to the applicant as requested.

## **OTHER MATTERS**

37. Concerns have been raised by residents on Drayton Grove and Faulkner Drive regarding the closure of the existing access road off Wood Lane and what will happen to this land. This matter was raised with the applicants and as indicated above in relation to highways issues they have commented that although the Crosby's have maintained this route and had a right of way over it for over 60 years, they do not actually own this land. As a result the Crosby's will not be able to transfer this land to any other party. They have however indicated that a fence will be erected across the access road (at a point beyond the electricity substation to which access is required to prevent unauthorised access.
38. Some objectors have raised land ownership issues in relation to boundaries and boundaries structures. While not directly a planning matter the applicants have stated that their site boundary plan is based on land registry title plans for the site and also the ordnance survey plan boundary which ties in with Title and is therefore considered accurate. However they have also commented that they propose to respect the existing fence line which may in some areas mean giving up land to existing adjacent occupiers. Notwithstanding these comments, land ownership is essentially a legal matter between the parties and any granting of planning permission would not override any private legal rights.
39. Reference has been made to a communal grassed area shown on the previous application which was withdrawn. This application was made by a different developer and the current scheme does not propose an area of play. Given the scale of the development this is not a requirement.
40. The impact of the development on property values is not a planning issue.

## **DEVELOPER CONTRIBUTIONS**

41. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
42. The scheme could however be exempt if the developer can provide evidence to demonstrate that the existing buildings on the site have been in lawful use for a continuous period of at least 6 months within the 3 years preceding the date on which planning permission would first permit the chargeable development. Any buildings which have been in lawful use for this period could be offset from the CIL liability.
43. Core Strategy Policy L2 indicates that appropriate provision should be made for the provision of affordable housing. The policy states that within a 'hot' market location such as this, any development comprising 5 or more new dwellings



should provide an element of affordable housing, the level of which will be 40% under “normal” market conditions. The Council published its Housing and Market Conditions Report (August 2015) which indicates that the housing market within Trafford continues to operate under ‘poor’ market conditions and as such, in these circumstances a 40% affordable housing contribution remains.

44. Prior to the submission of the application, discussions were held between the applicant and the Council’s Affordable Housing Manager who has indicated, in this instance, that a commuted sum should be secured, which would be used towards the provision of off-site affordable housing provision. A commuted sum of £493,500 was agreed between the parties to deliver new affordable homes, and will be secured via a S106 Agreement.
45. 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. 3 additional trees per new dwelling are required in addition to replacements for the trees lost. 57 new trees are shown on the landscaping plan which will be conditioned accordingly in order to secure this.

## **CONCLUSIONS**

46. The Council is unable to identify a five year supply of deliverable housing land and therefore the housing policies within the Development Plan are “out of date” in the context of paragraphs 14 and 49 of the Framework. The presumption in favour of sustainable development, set out in paragraph 14 of the Framework is therefore engaged, and it is on this basis that this application should be determined. Granting planning consent for residential development will make a contribution towards addressing the housing supply shortfall within the Borough and will increase the supply of family dwellings within this part of the Borough. The impacts of the proposed development have been assessed and it is considered, where necessary, that these impacts can be mitigated through the use of planning conditions and obligations to deliver a sustainable form of development. There are no adverse impacts that would demonstrably or significantly outweigh the benefits of the development, in accordance with paragraph 14 of the Framework, and as a result there is a presumption in favour of granting planning permission. It is therefore recommended that planning permission should be granted subject to entering into a legal agreement to secure a financial contribution of £493,500 towards the delivery of off-site affordable housing provision and the conditions outlined below.

## **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a commuted sum of £493,500 towards the delivery of off-site affordable housing provision.

(B) In the circumstances where the S106 Agreement has not been completed within three months of this resolution, the final determination of the application shall be delegated to the Head of Planning and Development; and

(C) That upon satisfactory completion of the above legal agreement / undertaking, 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.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, reference BHMO51/LP01; BHM051/PL02 Rev J; 3359 01 Rev D; Draft House Type Range, Crosby Nurseries, Timperley by Bellway / apd; BW/NW/SG/001 Rev A; BW/NW/DG-P/003; BW/NW/DG-P/004; BHM051/13; BH/WL/SD/FD001 Rev A; BH/WL/SD/FD049 Rev B; BH/WL/SD/FD057; BEL97 005 Rev A; BEL97 006 Rev A
3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
5. The development hereby permitted shall not be occupied until a schedule of landscape maintenance for a minimum period of 5 years 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.

6. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
7. 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.
8. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the amendment, revocation or re-enactment thereof no development shall take place at the dwelling hereby permitted under Schedule 2, Part 1, Classes A, B, and E of that Order unless a further planning permission in respect thereof has been granted on application to the Local Planning Authority.
9. Prior to the first use or occupation of any part of the development hereby approved, a Remediation Statement shall be submitted to and approved in writing by the LPA. The remedial scheme described within the approved Remediation Statement shall then be carried out. Once complete, a Site Completion Report detailing the conclusions and actions taken at each stage of the works (including validation works) shall be submitted to and approved in writing by the LPA.
10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
11. The site shall be drained via separate systems for the disposal of foul and surface water.
12. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such works as approved are implemented in full and they shall be retained and maintained to a

standard capable of limiting the peak discharge rate as set out in the SFRA thereafter.

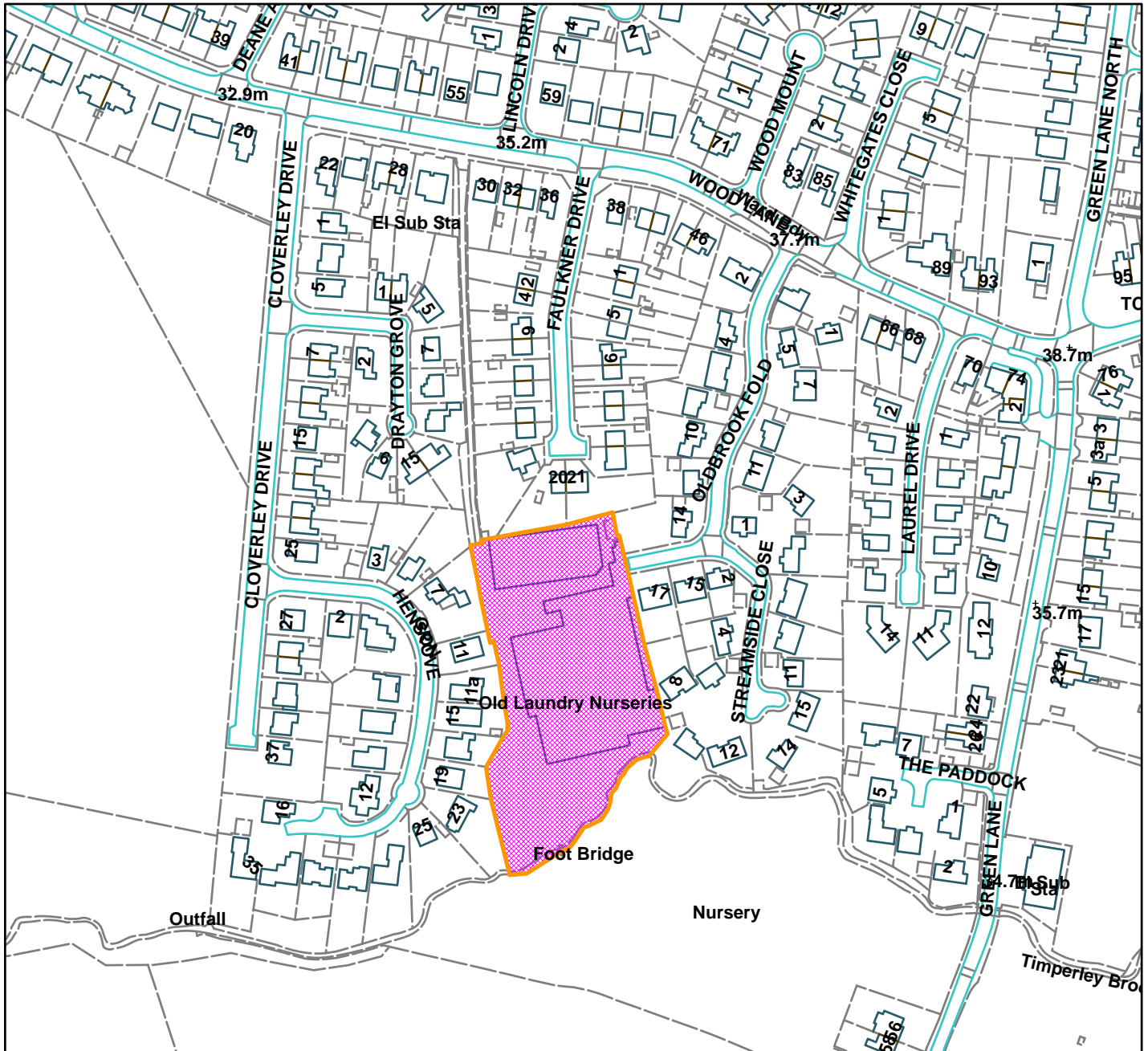
13. Notwithstanding the details shown on the submitted plans and the requirements of Condition 2 of this permission, prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing (for the car parking areas) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the curtilage of the dwellinghouses, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.
14. Prior to first occupation of the dwellings hereby approved, full details of the siting of the bat tubes and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The bat tubes and bird boxes shall be installed in accordance with the approved details within 3 months of first occupation of any of the dwellings.
15. 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
  - 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. details of hours of construction works
  - ix. routing of vehicles and deliveries to and from the site
  - x. measures to prevent pollution of Timperley Brook during construction
16. No part of the development shall be occupied until the boundary treatments shown on the approved plans have been erected in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The structures shall thereafter be retained.

JJ

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Former Crosby Nurseries, Wood Lane, Timperley (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**WARD:** Hale Central

**87427/HHA/16**

**DEPARTURE: No**

**Erection of a single storey rear extension; alongside other alterations**

58 Stamford Park Road, Altrincham, WA15 9EP

**APPLICANT:** Mr Acton

**AGENT:**

**RECOMMENDATION: GRANT**

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**The application has been reported to Committee because the applicant is an employee of the Council.**

**SITE**

The application relates to a mid-terraced residential dwelling sited on the southern side of Stamford Park Road, Altrincham; situated within a large residential area, the application site has other residential dwellings sited to its eastern, western and southern sides. To the north of the site lies Stamford Park itself. The application dwelling has a pitched roof design, with a part two storey/part single storey outrigger sited to its rear.

**PROPOSAL**

The application details the demolition of the existing single storey lean to and the erection of a single storey rear extension which extends along the full width of the rear elevation of the property. In addition there will be amendments to bathroom wall and an increase in the size of the bathroom window at first floor. These matters are covered by permitted development.

The proposed development creates an additional 9m<sup>2</sup> of floorspace

**DEVELOPMENT PLAN**

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

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

**PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

## **SUPPLEMENTARY PLANNING DOCUMENTS**

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

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

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

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

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

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

None

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None received

## **OBSERVATIONS**

## **DESIGN AND APPEARANCE**

1. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area
2. The application details the demolition of the existing single storey rear lean to and the erection of a single storey rear extension across the full rear elevation of

the property. The proposed rear extension would be erected to the eastern side of an existing part two storey outrigger. The rear elevation of the proposed extension would run flush with that of the existing single storey rear extension and as such the proposal would not project beyond the dwellings existing rear building line.

3. The proposed extension has been designed to feature a flat roof design. Although the proposed flat roof design of the rear extension would not match that of the host dwelling, it is located to the rear of the property, away from any clear public vantage point and as such is considered acceptable in terms of design.
4. The proposed extension would thus in-fill an existing small area of garden space and is considered to remain a proportionate sized secondary addition to the host dwelling. The extension would be built from matching materials to those on the host, considered acceptable and would have one large set of bi-fold doors sited to its rear elevation, considered acceptable.
5. The extension is therefore considered to be in line with policy L7 of the TBC Core strategy and remains in line with policies within the Councils adopted householder extension guidelines, SPD4.

## **RESIDENTIAL AMENITY**

6. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
7. The extension proposes a single opening to its rear elevation, the sites side and rear boundaries are formed from 1.8m walls/fencing, considered sufficient to remove any material overlooking potential from the new proposed opening.
8. The proposed extension is not considered to have any material overbearing related concerns on number 56, given that there would be no increase in projection over and above that which is currently in situ. Furthermore the change in the design of the roof of the existing outrigger is not considered to give rise to any new material concerns, given that this would carry a low level of massing and its height would be kept in line with that of the neighbour's rear extension.
9. To the east of the application site is 77 Beech Road. The orientation of this property is unusual in that it faces Beech Road but its garden area is a continuation of those facing Stamford Park Road. The elevation adjacent to the application site can therefore be considered its rear elevation, on which there is a bay window. The proposed extension would extend 1 metre beyond the rear elevation and 0.3 metres beyond the bay window. This relationship is considered



acceptable and would be complaint with the Councils householder extension guidelines, outlined in SPD4. It is therefore concluded that the proposed extension would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy.

## **DEVELOPER CONTRIBUTIONS**

10.No planning obligations are required.

## **CONCLUSION**

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

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

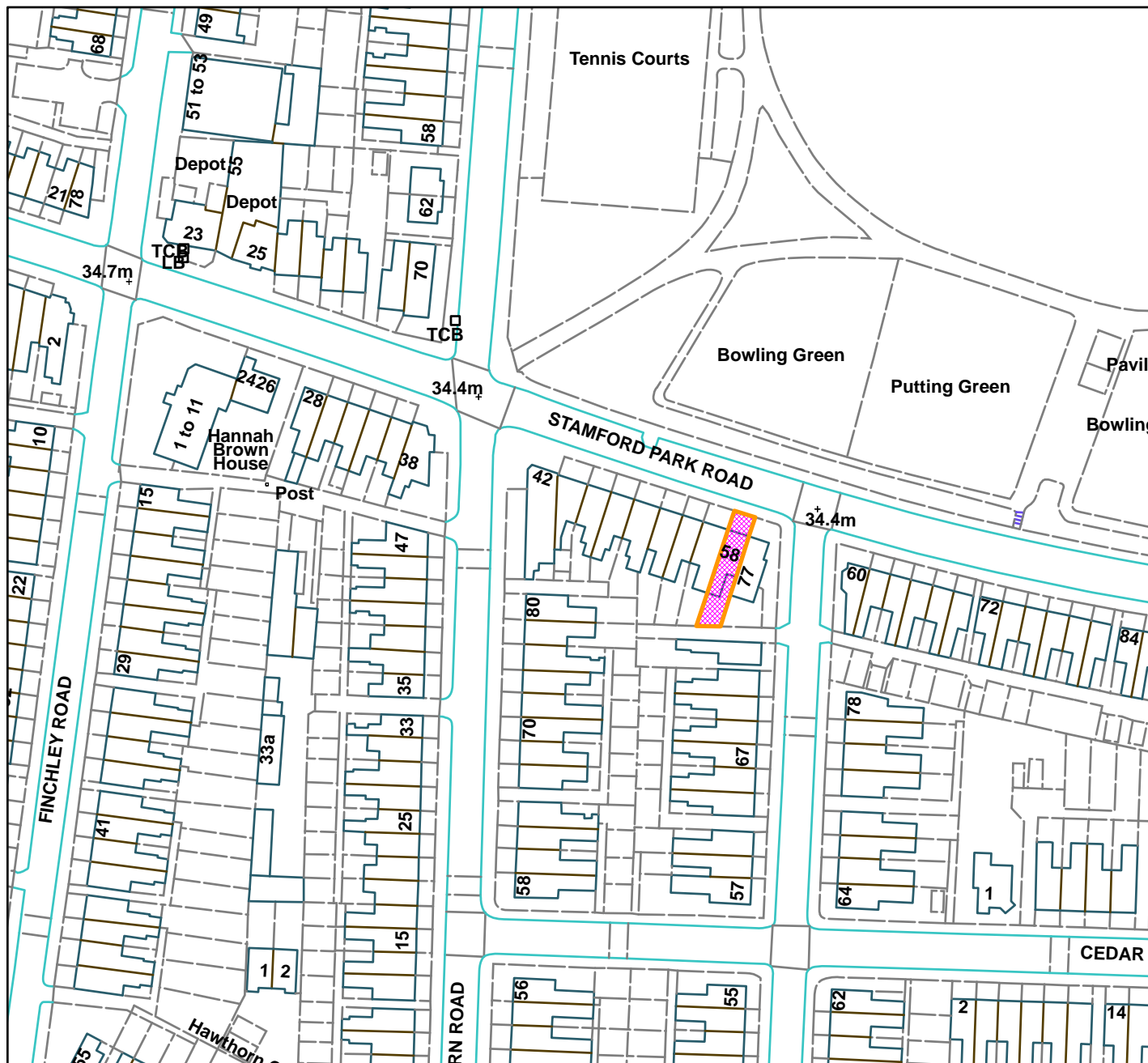
1. The development must be begun not later than three years beginning with the date of this permission.
2. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, submitted to the LPA on the 07/01/2016.

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IG



58 Stamford Park Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)

**WARD:** Village

**87470/FUL/16**

**DEPARTURE: No**

**Erection of dwellinghouse and detached garage following demolition of existing bungalow and garage.**

6A Mayfield Road, Timperley, WA15 7SZ

**APPLICANT:** Mr & Mrs Hallows

**AGENT:** theCAVE architecture + design

**RECOMMENDATION: GRANT**

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**Councillor Bowker has called in the application for determination by the Planning Committee for the reasons set out within the Representations section of this report.**

### **SITE**

The application site currently comprises a three bedroom detached bungalow built in 1970 with a plot size of 568sqm. It is located to the south of Timperley Village and within a predominantly residential area that is characterised by larger than average detached properties of the interwar period with a mixture of brick, part brick or rendered elevations within the wider area. Mayfield Road itself is a mature streetscene with trees and boundary planting creating a relatively verdant streetscene.

The application dwelling itself is an in-fill site which is relatively constrained, with the single storey building sited towards its northern boundary to allow for access into the site and a lawned area and detached garage provided towards the southern boundary. The site is well hidden from view from within the streetscene and within a recessed position to the rear of its adjoining neighbours 6 and 6B Mayfield Road that front directly onto the highway.

The property is accessed via an informal driveway that runs alongside the open front garden of 6B Mayfield Road and has its principal elevation facing in a southerly direction; however its entrance is located in the eastern elevation with two habitable room windows providing the only light and outlook to a bedroom and secondary light and outlook to a lounge area. Two bedroom windows are also within the northern elevation and an attached garage is located on the eastern elevation. The siting of the existing dwelling is centrally placed between 6 and 6b Mayfield Road to the east and the two residential blocks within Quarrymans View to the west.

Mature conifers are located on the southern side of the access along the northern boundary of the rear garden area of 6B Mayfield Road which provides privacy to the

occupiers of that property. This property has a single storey flat roof extension across its rear elevation that projects approximately 3.35m from the main rear elevation. At first floor level, all windows are clear glazed including a bathroom within that elevation. A boundary fence of approximately 2.3m in height forms the rear boundary in common with the application site to provide additional privacy to the adjoining neighbours.

Mature, high planting is adjacent to the eastern, southern and western boundaries of the other adjacent property, 6 Mayfield Road that currently provide a private rear garden to that property throughout the year.

Along the western boundary of the site, there is another high level fence and planting within the curtilage of the adjacent development "Quarrymans View" that is accessed from Stockport Road to the North West. This development is a private gated community made up of a small cluster of two and three storey townhouses including an apartment block "The Residence" that is approximately 10m at its closest point with the application site, with 6A Mainfield Road being off-set from the eastern elevations of the neighbouring buildings.

The property is not within a Conservation Area or within the setting of a Listed Building; there are no Tree Preservation Orders within or directly adjacent to the curtilage of the application site.

## **PROPOSAL**

The applicant proposes the demolition of a "true" bungalow and the erection of an open-plan, two storey dwelling of contemporary design. The design, footprint, scale massing and materials used in the external appearance of the dwelling are the same as previously approved within application 85903/HHA/15, with a non-material amendment approved within 87270/NMA/15 that related to the allowance of clear glazing to Bedroom 4 at first floor level within the northern elevation of the development.

The agent has subsequently submitted amended plans due to a minor internal alteration to the property which involved a wardrobe being removed and a service riser introduced in its place and a vertical void also introduced to allow for pipes, cable trays to run efficiently. Amended plans have also reduced the width of the previously approved detached garage with no changes to siting, eaves height or length adjacent to the eastern boundary in common with the rear/western boundary of the adjacent property 6B Mayfield Road.

The side elevations would be a smooth white render whilst the window frames would be aluminium powder coated in a dark anthracite grey colour. The roof would be formed with a matt anthracite grey profiled steel cladding product, with hidden gutters creating a sharp clean soffit detail free from rainwater goods. The soffit of the roof would be lined in cedar where overhangs are prevalent (north and south elevations). The recessed panel to the side of the re-positioned entrance door would be under a canopy within the southern elevation which is proposed to be anthracite grey painted v-grooved timber boards. Bottom hung, inward tilting obscured glazing is proposed to provide a

secondary window to the master bedroom within the eastern elevation further to a high level obscure glazed window to a bathroom and another obscure glazed window providing natural light to a landing area. To the western elevation, three further bottom hung, inward tilting obscured glazed windows are proposed to provide secondary light to bedroom 3 and an ensuite.

The proposed dwelling would have an increased eaves height from approximately 1.7m to approximately 4.2m; and a maximum ridge height increasing from approximately 3m to approximately 7m. The maximum height of the proposed dwelling would be positioned approximately 7.5m from the eastern boundary adjacent to the vehicular access into the site. The proposed two storey, flat roof extension on the eastern side would be approximately 5.2m with a 300mm parapet wall atop. This additional massing would project 2.4m towards the eastern boundary shared with 6 Mayfield Road and have a width of 9m, 2.3m less than the main dwelling. A separation distance of 0.6m would be provided between this two storey flat roof element and the eastern boundary at its closest point, increasing to 1m in a parallel position towards its southern corner.

The removal of an attached garage and the repositioning of a detached garage is also proposed. This would be sited adjacent to the eastern boundary of the site which is in common with the rear boundary of the neighbouring property. The current detached garage proposed is marginally smaller than the originally approved one within 85903/HHA/15.

The increase in floor space of the proposed development over the original dwellinghouse would be 51.17m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4–Sustainable transport and accessibility

L7–Design

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

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

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

This online resource was launched on the 6<sup>th</sup> March 2014 and follows a review of planning policy guidance. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### **6A Mayfield Road**

87270/NMA/15 - Application for non-material amendment to planning permission 85903/HHA/15 relating to the remodelling of 6A Mayfield Road and the insertion of clear glazing to Bedroom 4 at first floor level within northern elevation. Approved December 2015.

85903/HHA/15 - Demolition of existing garage and part of existing bungalow. Remodelling, alterations to elevations and extensions to existing bungalow to create a house and repositioning of new garage on site. Approved December 2015.

## **APPLICANT'S SUBMISSION**

- Design and Access Statement
- Cross sectional drawings
- Topographical Survey
- Sub-strata assessment relating to adjacent quarry
- Bat Survey

These will be discussed within the Observation section of this report where appropriate.

## **CONSULTATIONS**

**LHA** – No objections

**Drainage** – No comments received

## **REPRESENTATIONS**

### **Councillors**

Councillor Bowker has objected to the application on the following grounds and has called in the application for determination by the Planning Committee:

- Understand the site was registered for a bungalow many year ago
- Overdevelopment of site that would have a serious impact on neighbouring residential properties
- Building mass and height would invade on long standing detached properties and a number of residential apartments
- Materials proposed would be out of character with existing properties

- Size of proposed dwelling would destroy pleasant character of whole area
- Major upheaval through the access route and possible damage to services during building stage

- 

### Neighbours

7 objections have been received. The main points raised are summarised below:

- Over dominance by greater mass than previous bungalow
- Noise, dirt and traffic impacts during demolition and construction of proposed development and possible damage to 6B Mayfield Road.
- There are 29 windows on the elevations overlooking the proposed development and 24 of those are within habitable rooms. Of these windows there are only 3 that are obscured i.e. bathrooms.
- No attempt has been made to discuss the development with occupiers of Apartment 1, 3 Quarrymans View.
- Design and materials proposed would be out of character with surrounding area
- Occupiers of 6B Mayfield Road have been informed that the application has already been approved and any comments or objections wouldn't even be looked, let alone taken into consideration.
- The original application was approved under delegated powers and not via the Planning Committee
- Construction vehicles would be driving over a main gas main running across the access from 6 to 6B Mayfield Road.

### **OBSERVATIONS**

#### **PRINCIPLE OF DEVELOPMENT**

1. The site is unallocated on the Unitary Development Plan Proposals Map and as this currently houses a single "true bungalow" dwelling, it is considered to be previously developed land. The current proposal seeks to make use of an established residential plot within the wider built-up area. The current property is vacant, has no significant architectural or historical merit and is not considered to be a non-designated heritage asset as defined by the NPPF. As such its demolition in this instance, to allow for the erection of a replacement dwelling is considered to be acceptable. There are bus stops which provide frequent bus services to other Centres in close proximity to the site making it accessible by public transport. The proposed development is therefore considered compliant with the above policies in focusing residential development on previously developed land in sustainable locations. The principle of the development is therefore considered to be in accordance with the NPPF and the Trafford Core Strategy (Policy L2 and Strategic Objective SO1) and there is no land use policy objection to the proposal.

## DESIGN

2. Policy L7 (Design) of the TBC Core Strategy requires development to be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment. Policy L2 (Meeting Housing Needs) also requires development not to be harmful to the character or amenity of the immediately surrounding area. These policies remain in line with those within the NPPF, in particular paragraph para.17 bullet no.4: “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and building”.
3. It is highlighted that the proposed dwelling is externally unaltered from the recently approved scheme within 85903/HHA/15, albeit that scheme was for extensions and this current application is for demolition and rebuilding. The previous permission establishes a substantive fall-back position and is a material consideration which should be given significant weight when assessing this current proposal.
4. The dwelling would have two gables with emphasised framework canopies to both the northern and southern elevations with a flat roof, two storey element that would be on its eastern elevation. The main materials for the elevations would be smooth render on the main side elevations with dark grey timber boards within the northern and southern elevations of the flat roof element and large areas of glazing, with both vertical and horizontal emphasis. The property’s roof would be anthracite profiled steel roof cladding.
5. The proposal details a dwelling which would be finished to a high overall quality and be set over two levels which is considered to be of an individual design and although there would be additional height and massing proposed, the development, on balance, would not appear unduly cramped and would retain the character of the wider area.
6. Amendments have been received by the applicant to reduce the width of the detached garage from the previously approved scheme which is considered to comply with relative guidance above and Policy L7 of the Trafford Core Strategy.
7. The proposed development, although contemporary in design, is considered to be well thought out, with a large amount of glazing, minimal framing, render and profiled steel cladding that create an appropriately designed, remodelled dwellinghouse that would not be disproportionate to its site or the surrounding non-designated residential area.



## **SPACIOUSNESS**

8. It is important to note that much of the character of the surrounding area is relatively spacious with mature properties set within their own plots which are relatively well screened by mature planting. However, the application site is a historic "in-fill" built in the 1970's which is relatively constrained by its access, an irregular curtilage and surrounded by adjoining building plots.
9. The existing dwelling on site provides a separation distance of 7.9m between it and the northern boundary at its furthest point, reducing to 1m at its north eastern corner adjacent to the splayed boundary shared with 6 Mayfield Road. To the east elevation, 3.3m is provided and 17.1m is retained between the southern elevation and the southern boundary. The proposed property would not impact upon the separation distance provided towards the northern boundary, and although the additional development would reduce the available separation distance between the existing property and the eastern boundary, this would retain the existing minimum distance of 1m, therefore retaining the existing equilibrium however it is accepted that the additional massing would be greater.
10. It should further be noted that the overall distances retained to the western and southern boundaries of the site would actually be slightly improved via the proposal. The proposed development is therefore considered to be not significantly worse than the extant situation with the flat roof element being sited in a position that would be almost central to the spaciousness provided between 6 and 6b Mayfield Road so as to mitigate its visual impact.
11. The proposal to demolish the existing property and erect a detached dwellinghouse that would be of the same dimensions, siting, external appearance with only minor internal alterations to the previously approved scheme within 85903/HHA/15 is therefore considered to be acceptable with the extant planning permission being highlighted as being able to be implemented.

## **LANDSCAPING AND TREE COVER**

12. The proposal would not significantly alter the hard or soft area coverage of the site, with the main landscaped area being to the southern side of the property to allow for parking provision and access to the proposed detached garage. The boundaries of the site are substantially planted which would enable the application to be supported and it is recommended that a Tree Protection Scheme and a Landscaping Scheme are submitted to ensure that this significant part of the reasoning behind a supportive assessment is retained.

## **SIZE, SCALE AND MASSING**

13. The Council's New Residential Development SPG (2004) states at paragraph 12 that "Careful consideration should be given to the orientation of dwellings and the

potential for overshadowing, bearing in mind movements of the sun. There are many possible relationships of properties with each other, and so in these matters the Council will generally adopt a flexible approach. However, dwellings should not be grouped so closely that they unduly overshadow each other, their garden areas or neighbouring property. In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided.”

14. The existing dwelling on site is off-set from both 6 and 6b Mayfield Road and therefore not in direct view of habitable rooms. The development provides a separation distance of 15.2m at its closest point between it and 6, and 14m between it and the rear main wall of 6b that reduces to 11.5m when taking into consideration the existing single storey rear extension. The proposed development would reduce the provided distance from 15.2m to 13.5m relating to 6 Mayfield Road, and from 11.5m to 9.3m at its closest point with 6b Mayfield Road.
15. This distance would therefore fall short of these guidelines which suggest a separation distance of 15m should be retained between a two storey flank wall and the main habitable room windows of neighbouring properties. However in this instance, the proposed development would not be directly facing any habitable room windows and although the development is close in its siting and position to the adjoining properties, their juxtaposition would allow a closer development than indicated above. Furthermore, the extensive planting to the east of the site would allow for significant screening with only acute angles of vision being able to view the development.
16. Separation distances provided between the existing property and the eastern elevation of 4 Quarryman’s View is approximately 23m and would be the same as the proposed dwelling. There would be habitable room windows at first floor level within the western elevation and therefore any visual impact would be mitigated by separation distances provided.
17. Furthermore, high level evergreen planting along the northern boundary of 6b Mayfield Road and dense planting adjacent to the southern and eastern boundaries of 6 Mayfield Road in addition to a 2.3m high fence along the eastern boundary of the application site in common with the main rear garden of 6 Mayfield road would substantially screen the proposed development.
18. It is therefore considered that the proposed dwelling would not result in a materially worse impact on the outlook to either 6 or 6b Mayfield Road than currently is the case, with the recent approval again being a material consideration with regards to appropriate size, scale and massing.

## **PRIVACY**

19. The proposed development proposes a change from a single storey dwelling to a two storey dwelling. Within the west elevation, there would be three full height windows that would be inward tilting, bottom hung and obscure glazed to preserve privacy. Within the east elevation, there would be a secondary window to the Master Bedroom that would again be inward tilting, bottom hung and obscure glazed with an obscured high level bathroom window and full height landing window that would also be obscured.
20. It is therefore considered that the proposal remains in line with policies from the New Residential Development SPG. As this guideline makes further reference to other forms of screening and window design it is considered that the above openings would not form material overlooking related concerns for either 6b or 6 Mayfield Road or residents within Quarrymans View, particularly due to the greater than average density of planting adjacent to boundaries outside of the application site and permanent fencing forming the curtilage of the site. Therefore any such concerns regarding amenity are considered to remain marginal. It is also important to note that the siting of the Master Bedroom window would be furthest away from the boundary with 6B Mayfield Road with emphasis of the main canopy frame to further reduce the opportunity of overlooking to the rear garden of that property and the angle of view that would be available would be so acute as to negate concerns of the neighbouring occupiers. The windows within the northern elevation, being less than 10.5m to the northern boundary would be inserted with obscure glazing to a height of 1.7m above internal finished floor level and therefore no loss of privacy would occur to the occupiers of 6 Mayfield Road.
21. The current application would thereby remain in-line with policy L7 of the Core Strategy in terms of protecting the amenity of current and future occupiers of neighbouring dwellings and policies within the New Residential Development SPG, Core Strategy; and those policies within the NPPF.

## **PARKING**

22. The proposal would create space to safely accommodate 4 vehicles on site at any given time, with circulation space to allow vehicles to exit the site in a forward gear. This therefore complies with the Council's adopted L3 parking guidelines for residential properties with in excess of 3 bedrooms within this area. As such the proposal is considered to be acceptable on parking grounds.

## **DEVELOPER CONTRIBUTIONS**

23. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market

houses will be liable to a CIL charge rate of £80 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

24. No planning other obligations are required.

## **CONCLUSION**

25. The current proposal is externally the same as previously approved application (85903/HHA/15) apart from a slightly smaller detached garage within the rear garden. It is considered that the development is a well thought out design and would be an enhancement of the existing dwelling. It would adhere to the Council's guidelines regarding contemporary design and would not cause undue overlooking or loss of privacy to neighbouring properties.

26. It is considered that the proposed remodelling of the existing dwelling is acceptable and accords with the Development Plan and supplementary guidance. The proposed submission is an acceptable design, which would add variety and quality to the available housing stock of the area. The proposal complies with the development plan and therefore in accordance with Paragraph 14 of the National Planning Policy Framework, should be approved 'without delay'. As such the application is recommended for approval. .

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

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, numbers LP001, P101 REV C, P102 REV D, P103 REV C, P104 REV B and P105 REV B
3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
4. The development hereby approved shall be carried out in accordance with the recommendations set out within paragraphs 4.1.1 and 4.1.2 of the Bat Survey (January 2016) of Dunelm Ecology
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows to "Bedroom 2" at first floor level within the northern facing elevation

shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter. Furthermore, the windows within the east and west elevations shall be fitted with inward opening, bottom hung obscured glazing of no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

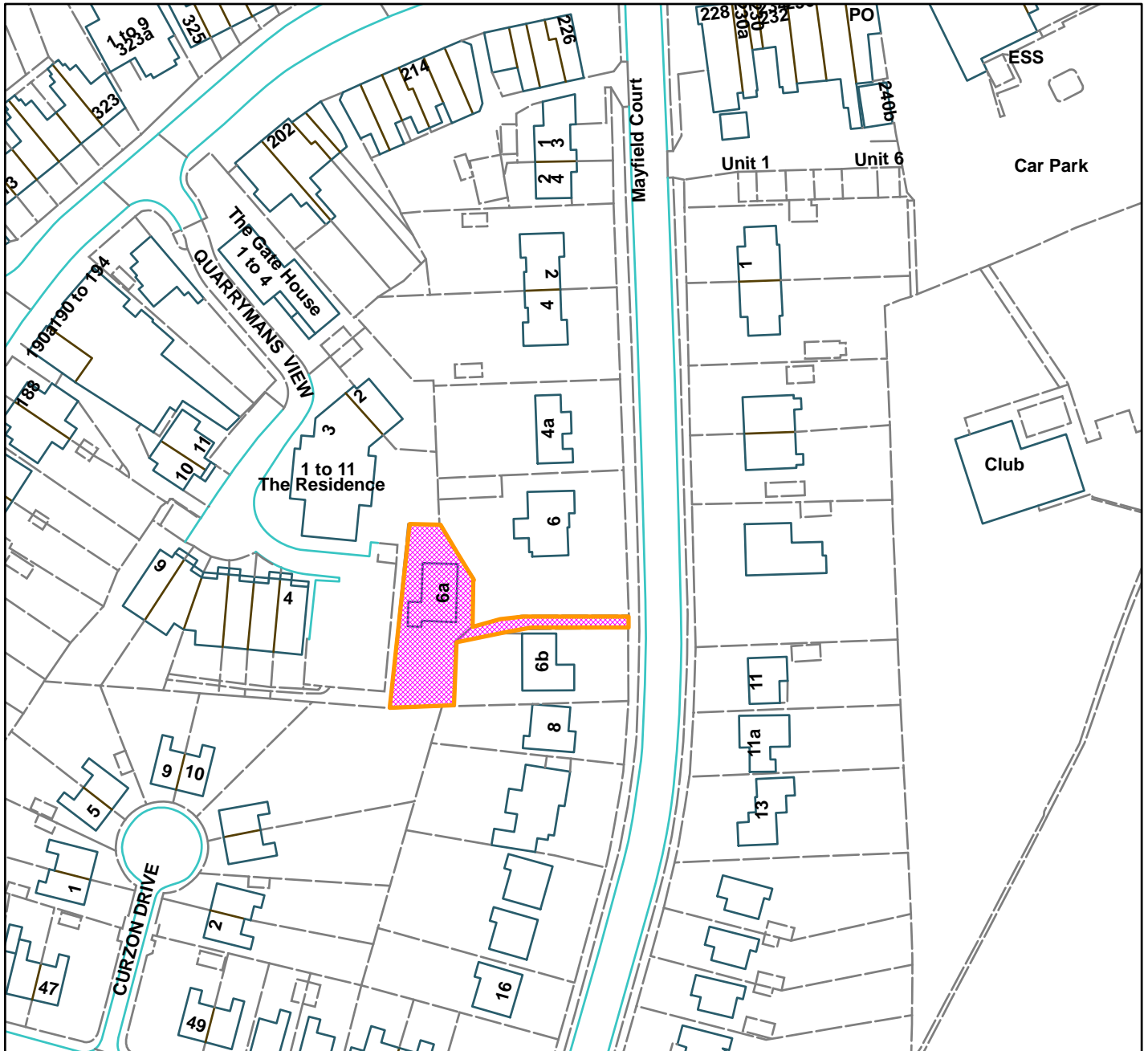
6. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the amendment, revocation or re-enactment thereof no development shall take place at the dwelling hereby permitted under Schedule 2, Part 1, Classes A, B and E of that Order unless a further planning permission in respect thereof has been granted on application to the Local Planning Authority.
7. Prior to the development first taking place, a scheme identifying a special foundation design to safeguard the root system of the adjacent trees within the curtilages of 6 and 6B Mayfield Road, and a method statement for the carrying out of that scheme shall be submitted to and approved in writing by the Local Planning Authority. The foundations shall be constructed in accordance with the approved design and works carried out in accordance with the approved method statement.
8. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
9. No development approved by this permission shall take place until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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6A Mayfield Road, Timperley (site hatched on plan)



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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 10/03/2016
Date	29/02/2016
MSA Number	100023172 (2012)