

**WARD:** Broadheath

**90138/FUL/16**

**DEPARTURE: No**

**Residential development comprising 42 new apartments in two, three storey apartment blocks with the main vehicular/pedestrian access from Hartington Road including formation of additional new vehicular access and associated ancillary works following demolition of existing buildings on site.**

Land At The Corner Of Manchester Road And Hartington Road, Altrincham, WA14 5LU

**APPLICANT:** M.C.I.Developments Limited, Southway Housing Trust (Manchester) limited and Mr A.M. Siddiqi

**AGENT:** M.C.I.Developments Limited

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

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## **SITE**

The proposal site is located at the junction of Hartington Rd and Manchester Rd (A56), Broadheath measuring approximately 0.4ha in area with three vehicular accesses from Hartington Road. The site is understood to have a number of different uses comprising carpet storage, manufacturing of glazing units within an existing single storey warehouse building located to the eastern extremity of the site and a second storage building to the south side of the site. The western side of the site is used for the display and sale of pre-fabricated portable buildings with two large storage buildings located in this part of the site along with smaller display buildings/garages. The immediate context of the proposal site is predominantly residential development, with terraced properties to the north (Manchester Road), south-east (Churchill Road a no through road) and west of the site (opposite side of Manchester Road).

A terraced block (two storey) to the south side of the site 206-214 Manchester Road includes two takeaways, a kitchen manufacturers premises and a car sales/repairs business which also occupies a building immediately to the south side of the site boundary. Residential apartments are believed to be located above a number of the commercial uses. To the east side of the site are a number of commercial uses including car sales/repairs and car hire businesses.

The proposal site is unallocated within the Revised Unitary Development Plan Proposals Map and is identified as being within a Critical Drainage Area within Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment. The site is also located within the Environment Agency Flood Zone Maps as a Flood Zone 1 area (lowest risk of flooding).

## **PROPOSAL**

This application includes the erection of two 3x storey apartment blocks following the demolition of the existing buildings on site with a total of 42 apartments proposed. Apartment Block 1 will be located towards the west side of the site adjacent to the A56 and will comprise a total of 27 apartments, 21 of which will be two bedroom and 6 will be one bedroom. Apartment block 2 will be located towards the northern side of the site adjacent to Hartington Road and will comprise a total of 15 two bedroom apartments.

Two new vehicular accesses will be formed both from Hartington Road, one serving both apartment blocks the second will provide access to an area of car-parking to the front of Apartment Block 2. A pedestrian access will be provided to Churchill Road to the south-east side of the site.

All the proposed new apartments will be managed by Southway Housing Trust and will be private market rented apartments.

**Value Added:-** Amendments have been sought to improve the external appearance of the buildings and also the parking arrangements and general site arrangement. Neighbours and consultees have been reconsulted on the amended plans and supplementary supporting information and comments received reported within this report.

The two apartment blocks would have a combined gross internal floor area of approximately 3138 sqm.

## **DEVELOPMENT PLAN**

**The Development Plan in Trafford, for the purposes of this application comprises:**

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes

L2 – Meeting Housing Needs

L4 – Sustainable Transport and Accessibility

L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
R3 – Green Infrastructure  
W1 - Economy

## **PROPOSALS MAP NOTATION**

None

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

H3 – Land Release for New Housing Development  
H4 – Release of Other Land for Development

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

## **RELEVANT PLANNING HISTORY**

74226/FULL/2009 - Erection of retail foodstore (1162 sq. metres gross floorspace), new vehicle and pedestrian accesses, car parking and associated landscaping following demolition of existing buildings – Refused 23 October 2012 for two reasons: 1) The application failed the test for sequentially preferable sites and 2) The application failed to provide for safe pedestrian crossing provision at the junction of Manchester Road/Salisbury Road.

## **APPLICANT'S SUBMISSION**

The applicant has submitted the following reports and supplementary information in support of the application and these will be referred to within the Observations section of this report where relevant:-

- Acoustic Report and Supplementary Statement
- Air Quality Assessment and Supplementary Statement
- Ecology Report (inc. tree/shrub survey)
- Bat Survey
- Land Contamination Report
- Carbon Budget Statement
- Affordable Housing Statement
- Employment Land Assessment
- Flood Risk Assessment
- Statement of Community Involvement
- Crime Impact Statement
- Planning Statement
- Design & Access Statement
- Transport Statement and Addendum
- Framework Travel Plan
- Viability Appraisal

## **CONSULTATIONS**

**Pollution & Housing (Air Quality)** – No objections in principle, appropriate condition to be attached to ensure control of dust associated with construction works.

**Pollution & Housing (Contaminated Land)** – No objections in principle subject to inclusion of contaminated land condition.

**Pollution & Housing (Noise)** – No objections in principle, subject to condition ensuring noise mitigation measures detailed in the applicant's Acoustic Report are fully implemented within the development.

**Local Highway Authority (LHA)** – No objections in principle subject to condition on gate design and details of cycle storage.

**United Utilities** – No objections in principle, subject to inclusion of appropriate conditions in relation to drainage on separate systems for foul and surface water and a sustainable surface water drainage scheme.

**Greater Manchester Ecology Unit (GMEU)** – No objection in principle, subject to inclusion of condition to ensure protection of any nesting birds; provision of bird boxes and inclusion of native planting within any landscaping scheme and also a general informative to check for presence of bats during any demolition works.

**Lead Local Flood Authority (LLFA)** – No objection in principle subject to the inclusion of appropriate drainage conditions.

**GMP Design for Security** – No objection in principle subject to inclusion of appropriate condition to ensure development is carried out in accordance with the submitted crime impact statement.

**Trafford Council Public Health** – No comments received at the time of report preparation.

## **REPRESENTATIONS**

**Neighbours:-** Objections have been received from or on behalf of the occupiers of seven separate addresses. Grounds of objection as follows:-

- The owners of Car Body Solutions (Churchill Road) concerned that construction dust/dirt would affect their work (vehicles covered in dust); bin store positioned opposite the business office building and smell will impact on staff and customers and concern that when complete new occupants will complain about noise from the business.
- Nearby residents use the site to park cars, loss of this parking will result in residents parking on nearby streets adversely affecting the residents who live on these streets. Parking provision should be 120% for this site.
- Parking spaces on Hartington Road sometimes taken up with untaxed vehicles from nearby car sales/repair businesses leaving residents with limited parking.
- Increase of vehicles trying to exit onto the busy A56
- There will be no privacy to the rear of existing properties on Manchester Rd making them more vulnerable to crime.
- The owner of Cheshire Portables which leases part of the site from the applicant objects to the proposal; they have been on site for 62 years, employ local people no other company offers this service in Trafford and the ultimate decision would be to cease trading.
- The size of the development on this small plot of land is out of character with the surrounding houses.
- Proximity of bin store to Churchill Road will attract vermin and bins from the site being collected from Churchill Road will cause restriction for access for residents and business on Churchill Road.
- Pedestrian access from the site onto Churchill Road will result in an increase in traffic as it will be easier to access/egress Manchester Road using the traffic lights at the junction of Salisbury Rd/Manchester Road (the new occupants of the development will park on these surrounding streets and this will result in an increase to road safety danger to the many young families who live in the area).
- During summer months the surrounding streets are used by people visiting the nearby recreational grounds (George VI/Salisbury Rd Playing fields) surrounding streets already busy
- Buildings will overlook and restrict daylight to residential properties on Churchill Road.

- Increased footfall along Churchill Road will have security implications for existing properties.
- 17-23 Churchill Road will be surrounded by bin stores and car-parking raising concerns over noise, light pollution, waste and fumes.
- The size of the new buildings will affect the outlook of residents on Churchill Road as well overshadowing windows and overlooking from the new buildings towards Churchill Road properties.
- Entrance to nearest new apartment block with Churchill Rd will be the main area of activity heightening the potential for disturbance.
- The proposal is inappropriate for the area and will adversely affect local businesses and the health and safety of the local residents.
- These proposals will irreversibly change the character of the area.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

#### Housing Land Supply

1. Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: 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. There are no policies within the Framework that indicate development should be restricted in the context of this proposal.
3. Policy L1 of the Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. It is considered that this proposal could make a positive contribution to the Council's housing land supply.
4. 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 policies seek to deliver. It is considered that the application site is located in a sustainable location within 1km of Timperley Metrolink stop and Navigation Road close to local amenities and a bus route. Additionally the proposal will make a positive contribution to the housing land target as set out in Policy L1.2 of the Core Strategy.

5. The site constitutes previously developed land (brownfield land) and given that the Council is currently failing to meet its target of locating 80% of new housing provision on previously developed brownfield land, the development would contribute to this target in accordance with Policy L1.7 of the Core Strategy.
6. In accordance with Policy L2.6 of the Core Strategy the proposed mix of dwelling type and size should contribute to meeting the housing needs of the Borough. The applicant Southway Plus is a subsidiary of Southway Housing Trust and operates private market development projects on behalf of the Trust which return a profit which is then re-invested by the Trust to fund the procurement of future affordable housing schemes. All the proposed new apartments will be managed by Southway Housing Trust and will be private market rented apartments. The smaller apartment block within the development (Apartment Block 2) will be dedicated to delivering 'sharer type' units, for young professionals as an example whereby two people would share a flat and make savings as against a single occupancy unit. Core Strategy Policy L2.7 indicates that normally, one bed general needs accommodation will be only acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre, and that such provision should be justified in terms of a clearly identified need. As only 6 of the units on the site are proposed to be 1 bed accommodation, it is considered that the combination of 2 bedroom and 1 bedroom apartments is appropriate on this site and will contribute towards the creation of a mixed and sustainable community.
7. In terms of affordable housing, the application site is located within a 'hot' market location and therefore a 40% contribution should be sought. The applicant proposes no affordable housing on site due to viability reasons; further details regarding this issue are detailed later in this report under Developer Contributions.

### Employment Land

8. Within the overall application site the Cheshire Portables business occupies the largest part of the site, this business operates mainly sales only on site with no manufacturing of buildings on site. The two remaining buildings on site are used for informal storage purposes only for business located elsewhere. The application site is an unallocated site in employment use and as such the applicant has provided a Loss of Employment Land Assessment in accordance with Policy W1.12 of the Core Strategy. The conclusions of the assessment are summarised as follows:-
  - The site is in close proximity to residential properties; therefore residential development is appropriate for this site.
  - Previous planning refusal at this site suggests the Council will not accept redevelopment for a supermarket.

- The existing buildings are of poor quality and are past their economic life, the site is an eyesore.
- Existing buildings have asbestos roofing
- Very few actual employment jobs on site, access is poor for employment use.
- The site is underutilised with some of the properties being non-permanent, the layout is inefficient.
- Although there are housing sites in the area there is a shortage of housing in the vicinity. The site is considered to be deliverable in the short term and will help to meet the immediate requirement for housing.

9. In relation to Core Strategy Policy W1.12:

The applicant's Employment Land Assessment refers to Trafford Council's Employment Land Study: Review of the Employment Land Supply portfolio April 2013. This report estimated the expected future demand for employment development land across the Borough up to the period 2026 and an appraisal of the supply of land potentially suitable and available to accommodate demand over that period. The report showed that in 2013 the Borough had an oversupply of employment land of 315.4ha, with 55.6ha of this total within the Altrincham/Broadheath area. The use of this unallocated site for residential purposes will not therefore result in an overall shortfall of employment land within either the Broadheath area or the Borough as a whole. Consequently there is no need for this site to be retained for employment purposes and therefore in the context of Policy W1.12, it is redundant. Whilst the redevelopment of the site will result in the displacement of businesses from this particular site, there is a surplus of employment sites in the Borough, and so the businesses could relocate elsewhere. The Council does not have a five year supply of deliverable housing sites so there is clearly an identified need for new homes in the locality which cannot be met by the sites identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). It can therefore be concluded that there are not sufficient suitable, available and deliverable sites in the vicinity to meet the need for the proposed development. The area within which the site sits is a mixed use area and it is considered that it will not compromise the remaining commercial uses in the vicinity of the site. The development proposal is assessed against other policies of the Core Strategy in subsequent paragraphs of this report.

10. Therefore the development is considered to comply with Core Strategy Policy W1.12. It is also considered to be in line with Policies L1 and L2 of the Core Strategy and where it is not, the policies of the NPPF and the benefits of the scheme are considered to comprise material considerations which outweigh development plan policy in this instance, and which in the former case, can be given very significant weight. The development is considered to be acceptable in principle subject to compliance with other relevant local and national policies in relation to the impacts on amenity, highways and ecology impacts.



## DESIGN, LAYOUT AND STREETSCENE

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

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

12. The application proposes the erection of two detached apartment blocks with accommodation over three levels; both buildings incorporate a contemporary flat roof design which allows a full level of accommodation within the second floor. Apartment block 1 has a conventional rectangular configuration; apartment block 2 incorporates a marginally irregular rectangular footprint. Both blocks will be located along the outer perimeters of the site to the north and west. Two new vehicular accesses to the site are proposed to the northern boundary with Hartington Road with existing vehicular accesses removed as part of the proposed works. Car-parking is provided within the site to the rear of the buildings with six spaces located to the front of apartment block 2.

13. Both buildings will measure approximately 9.7m from ground level to ridge level. The height of the proposed development is considered to be reflective of the buildings in the immediate context of the site; this includes a terrace of retail/commercial premises to the south side of the site and residential to the north and west of the site. The design of the new buildings specifically with regards the flat roof contemporary style does differ from the traditional dual pitched roof styles evident to all the nearest residential properties immediately surrounding the site. However it is important to consider the differing styles beyond but close to the proposal site, especially along the A56 which comprises a mixture of recent modern buildings and more conventional building design reminiscent of inter-war development and some late 19<sup>th</sup> and early 20<sup>th</sup> century development. Advice within the A56 Corridor Development Guidelines recognises the potential negative impact that significantly higher buildings, beyond the existing two/three storey buildings, can have on the streetscene and along this particular section of the A56.

14. The applicant through discussions with the Local Planning Authority has sought to introduce elements of recessed brick and fenestration in order to add more interest and articulation to the building design, including more vertical emphasis with regards fenestration. The A56 Corridor Development Guidelines highlights the importance of any new development in this location of the A56, to reflect the existing character and massing especially with regard to the terraced pattern of existing development. It is considered that the design of the new buildings,

especially Block 1, reflects the terraced pattern of development that is evident to the north and south of the site which fronts the A56.

15. A final palette of external materials has not been agreed in detail, but it has been suggested the use of a red brick to ground and upper floor elevations and a contrasting blue/grey brick to the recessed areas. This general approach would be considered appropriate in this location.
16. Two pedestrian entrances and pathways have been provided to block 1 directly from Manchester Road, similarly a pathway and entrance is provided to the front entrance of block 2 accessed from Hartington Road. Pedestrian paths are also provided around the buildings providing access to the rear car-park area.
17. It is proposed to have 900mm railings to the Manchester Road boundary with soft landscaping behind. A small landscaped area to the front of block 2 is also proposed to have 900mm high railings with landscaping. Timber fencing at a height of 2.1m is proposed along the south and eastern boundary of the site, sections of fencing will reduce to 1.3m in height where it extends up to the boundary with Manchester Road along the southern boundary beyond the front elevation of block 1. It is considered that a section of brick wall at a suitable height (approximately 1.8m) where the boundary abuts Churchill Road would be more appropriate within the streetscene and this would be detailed within a landscaping condition. A section of fencing along the eastern boundary which extends up to the Hartington Road boundary will reduce down to 1.3m in height where it extends forward of the front elevation of block 2. The proposed boundary treatments reflect advice within SP2:A56 Corridor development Guidelines which states that *'the extent of private space around a building should be clearly defined by railings, walls, landscaping etc...'*
18. The main vehicular access will include a vehicular gate with a section of apron wall and railings up to a height of 1.5m either side. No details of the gate design have been submitted for consideration therefore an appropriate condition would be attached to request details to be submitted and agreed by the Local Planning Authority.
19. Areas of soft landscaping will be provided along around both buildings with additional emphasis to the front of the buildings to improve the visual impact of the development on the streetscene. Areas of soft landscaping are also located within the site and along internal boundaries.
20. Policy L5 of the Trafford Core Strategy seeks to improve the environmental performance of buildings. It is suggested that the proposed development will be built to 'Fabric First' standards as this will reduce the energy demand from non-renewable sources the most. This will involve using high levels of insulation and efficient heating systems and maximizing air tightness of the buildings in accordance with Policy L5.

21. It is therefore considered that the design and layout of the scheme is acceptable and would not result in material harm to the streetscene or character of the area in compliance with Core Strategy Policies L5 and L7 and the NPPF.

## IMPACT ON RESIDENTIAL AMENITY

22. 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.

23. 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 three storey apartments that the minimum distance between the new development and neighbouring dwellings which have major facing windows is 24 metres across public highways and 30 metres across private gardens.

24. Distances of 13.5 metres are normally required between apartment blocks upper 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.

25. The proposed layout would involve a three storey elevation on the northern side of the site which fronts onto Hartington Road, effectively the side elevation of block 1 which addresses this corner junction. The nearest residential property to this section of proposed building is 216 Manchester Road, an end terrace two storey property with a two storey and single storey outrigger to its rear, a feature of all the properties within the terrace. The property has a side elevation facing towards the application site. At ground floor level, the property has a bay window and a second window opening on the main side elevation of the building, both of which are clear glazed. On the side of the two storey outrigger is a clear glazed ground floor window and side door both of which face the application site. At first floor level is one clear glazed window on the main side elevation of the house facing towards the application site. The north elevation of proposed apartment block 1 will retain a distance of between approximately 23m – 24m to the side elevation of 216 Manchester Rd due to the angled position of both buildings. Apartment block 1 will have 4 clear glazed habitable room windows at first floor level and four clear glazed habitable room windows at second floor level facing towards 216 Manchester Road. A central communal hallway window is also

located at first and second floor level. It is considered that the distances retained are appropriate and reflect the advice contained within SPG1.

26. Apartment Block 2 will have its front elevation facing towards a car-park serving a car-repair business at Laurel Bank on the opposite side of Hartington Road. A distance of approximately 22m at the nearest point will be retained from the front elevation of block 2 to the car-park boundary of Laurel Bank. Whilst there is no direct window to window relationship with apartment block 2 and 216 Manchester Road, taking an angled view towards the two first floor rear facing windows at 216 Manchester Road a distance of between approximately 22m – 25m would be retained from the front elevation of block 2 towards these two windows. It is considered these distances retained are appropriate and reflect the advice contained within SPG1. The east elevation of apartment block 2 will have a two windows at first floor level and two at second floor level all serving w.c./shower rooms in addition a central communal hall window will be located at first and second floor level. Whilst the w.c./shower room windows are likely to be obscured glazed there is no overlooking towards residential sites from this elevation as the neighbouring site is a car sales and MOT centre.
27. The south facing elevation of block 2 (rear elevation) which faces across the new car-park serving the development will retain a distance of approximately 21m at the nearest point towards the rear garden area of 23 Churchill Road. Advice within SPG1 recommends 13.5m in these situations. A distance of approximately 23m is retained from the south elevation of block 2 towards the front elevation of 20 Churchill Road, this is a diagonal view across Churchill Road given the position of both buildings, this intervening distance and angled view is not considered to result in any undue interlooming with the occupants of 20 Churchill Road.
28. 216 Manchester Road has a ginnel passageway to the rear of the single storey outrigger which allows pedestrian access only to the rear of the terrace properties including garden areas to the terraces, beyond the rear of the residential terrace is the car-park for the commercial car-repair use. As indicated previously a distance of 13.5m is normally required from upper level apartment windows towards neighbouring residential gardens. Block 1 and block 2 north facing elevations will retain in excess of 20m and therefore it is considered that no undue overlooking to the rear garden of 216 Manchester Road will occur as a result of this development.
29. The northern elevation of block 1 fronting Hartington Road would retain in excess of 20m between buildings. Advice contained within the New Residential Development SPG identifies overshadowing as a factor when considering the siting of new residential development within a development site and a distance of 15m is indicated as an appropriate intervening distance to avoid undue overshadowing or being visually intrusive. The proposed layout of the two distinct parts of development fronting Hartington Road (north facing part of Block

1 and Block 2) are considered not to unduly result in overshadowing or be overbearing to the occupants of 216 Manchester Road by reason of the distance retained between both sites and the orientation of the new buildings and the neighbouring site.

30. Block 1 will retain a distance of approximately 26m from its western facing elevation towards the terraced residential properties on the opposite side of the A56. The proposed development is considered not to result in any disamenity to the occupants of 207-229 Manchester Road with regards overlooking and interlooming given the interfacing distance retained.
31. 206-214 Manchester Road to the south side of the proposal site is a two storey terrace of commercial uses at ground floor. First floor uses are unclear but it is considered they are likely to include residential flats and storage areas linked to the commercial premises at ground floor level. 214 Manchester Road, the end terrace property which shares a boundary with the site, has a pedestrian doorway on the elevation facing the application site. The remainder of this elevation is blank including at upper level; the side elevation also includes the expanse of the two storey outrigger which extends to the rear of 214 Manchester Road. To the rear of this building is a two storey detached building which is believed to be part of a car-sales business accessed from Salisbury Road, this building has a blank elevation facing the application site. The end south facing elevation of block 1 which will be positioned directly adjacent to the boundary with 214 Manchester Road will have two small clear glazed windows at first floor level and second floor level each of these windows are secondary room windows within 'all through' kitchen/dining rooms areas. Whilst the windows would be positioned approximately 3m from the shared boundary it is not considered necessary to condition the use of obscure glazing as the windows look directly onto a blank expanse of wall with a narrow passageway alongside 214 Manchester Road used for storage of bins and access to the rear of the property.
32. To the south-east side of the application site a number of residential properties share a boundary with the application site. A terrace of four dwellings, 17-23 Churchill Road all have rear garden areas that back onto the site, these include two storey outriggers with single storey outriggers beyond, the single storey outriggers have small rear facing windows which are believed to be clear glazed. A distance of approximately 14m will be retained from the south-east facing elevation of Block 1 to the rear boundary of 17-23 Churchill Road which complies with advice within SPG1.
33. A distance of approximately 28m will be retained from the south-east facing elevation of block 1 to the rear two storey outriggers of 21 and 23 Churchill Road which are believed to be bathroom windows. A single clear glazed window to each of these two properties are recessed back on the main elevation from the two storey outrigger and they would retain a distance of approximately 30m to the rear elevation of block 1. Advice within SPG1 indicates that 27m is the

required distance from first floor windows to neighbouring habitable room windows across gardens, with an additional 3m added to this figure for upper levels of accommodation. Although the distance of 28m is marginally short on the recommended distance of 30m for accommodation above first floor level, it is considered that due to the small configuration of the two storey outrigger windows on the rear of 21-23 Churchill Road and the suggested use of these rooms as bathrooms that the intervening distance is acceptable. With regards the relationship with the two small windows on the single storey outriggers at 21-23 Churchill Road a distance of approximately 27m is retained and given the small size of the ground floor windows no adverse impact is considered to result on the occupants of these two properties.

34. With regards 23 Churchill Road, this property will have a bank of car-parking close to its northern boundary. In order to ensure sufficient screening is provided the applicant has, following discussions with the Local Planning Authority, provided a 2.5m landscaped buffer zone along the entire shared boundary with 23 Churchill Road along with a 2.1m high fence, these measures will assist in mitigating any impact on residents from noise and light pollution associated with vehicle movements within the site.
35. A terrace of 6 dwellings 10-20 Churchill Road sit opposite the new proposed pedestrian access onto Churchill Road. Along with the Car Body Solutions business which is located on Churchill Road concern has been raised by this business and some residents over the location of a bin store within the site adjacent to this boundary. The new boundary treatment proposed along this side of the site is 2.1m high fencing. The bin store would be located adjacent to this fence, in addition a suitable condition will be attached to any grant of planning permission in order that details of an appropriate bin-store compound are submitted. There is no reason to suggest that the location of this bin store will have any adverse impact on the adjacent commercial premises or residential properties given the separation distance, and suitable screening from neighbouring sites. The development will be managed by Southway Housing Trust which will include the upkeep and maintenance of all residents' communal areas including bin stores.
36. A condition will be attached requiring that an external lighting scheme be submitted for consideration to ensure that such a scheme will be acceptable with regards the impact on the residential amenity of the occupiers of existing properties.
37. With regard to noise pollution, it is not considered that the proposed development would result in an undue increase in noise or disturbance to existing residents. The submitted noise survey details the inclusion of a 2.1m high acoustic fence along part of the southern boundary with adjacent residential properties to minimize noise from vehicle movements within the site.

38. The survey also found that noise levels from commercial uses to the east side of the site was monitored at acceptable levels and that noise levels from traffic on the A56 was the dominant noise along with occasional vehicle movement on Hartington Road. It was concluded that the existing commercial uses to the east side would not cause a disturbance to future residents of the development site. The survey also addressed the commercial (takeaway) uses beyond the southern boundary. 214 Manchester Road which has a takeaway at ground floor has an extract flue which is positioned on the south facing side of the two storey rear outrigger which effectively screens it from the application site. The noise survey at this end of the site was once again dominated by traffic noise from the A56; the conclusion reached was that the noise from the extract system would not cause a disturbance to future residents of the site. The report provides recommendations of suitable glazing and ventilation specifications which if incorporated within the development will ensure that internal noise levels in the apartments would be appropriate for residential amenity. The conclusions and recommendations of the applicant's acoustic report have been accepted by the Council's Pollution & Housing section and a condition will be included to ensure the mitigation measures are implemented in full.
39. A Construction Management Plan condition is recommended to ensure that the construction takes place in a manner that seeks to minimise disruption for local residents.
40. In conclusion the proposal is considered not to result in material harm to the living conditions of occupiers of neighbouring properties and is considered to be compliant with Core Strategy Policy L7 and the NPPF.

## HIGHWAYS AND PARKING

41. 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
42. The application site currently has three separate points of vehicular access, all from Hartington Road. The proposal will involve the formation of a new access serving both blocks of accommodation; this access will be located nearest to the junction with Manchester Road. A second access point will be located towards the eastern extremity of the site on Hartington Road which will provide access to six allocated parking spaces to the front of apartment block 2. Hartington Road is unadopted and has waiting restrictions (yellow lines) to prevent parking near the junction with Manchester Road. The junction of Manchester Road and Hartington Road has 'Keep Clear' road markings across the southbound traffic

lanes of Manchester Road to assist drivers who are turning into, or out of Hartington Road.

43. The submitted transport assessment indicates that the junction of Hartington Road/Manchester Road is considered to have satisfactory visibility splays in both directions along Manchester Road based on the information contained within Manual for Streets. Information on visibility splays within the guidance recommends that the visibility splays for a junction in a 30mph speed limit should be 2.4m by 43m, the submitted transport assessment states that the measured visibility splays at the junction are 2.4m by 45m to the right (northbound) and 2.4m by 60m to the left centreline (southbound). An analysis of accident data by the applicant's highways consultant suggests that there has been no recorded injury accidents at the junction of Hartington Road and Manchester Road over a five year period (2011 – 2015).
44. Servicing will be carried out from Hartington Road and Churchill Road (refuse collection only). The proposals include two external bin stores, one adjacent to each apartment block. A pedestrian gate will be provided on the Churchill Road boundary to allow bins to be transferred to the carriageway on collection days. This arrangement is considered acceptable. A number of residents have objected to the use of Churchill Road for refuse collections. However bins are currently collected from Churchill Road residential properties and therefore it would be difficult to prevent this activity from one site whilst permitting it at other sites. The application site shares a boundary with Churchill Road but does not currently have any pedestrian or vehicular access onto Churchill Road, however it is a reasonable expectation for the applicant to create a pedestrian access onto Churchill Road.
45. SPD3: Parking Standards and Design states that in this particular area, one car parking space is required for a one bedroom dwelling and two parking spaces are required for a two or three bedroom dwelling. This equates to 78 spaces for this level of development, the applicant has provided a total of 42 parking spaces. Six of these spaces will be located to the front of block 2 and 36 spaces will be located to the rear of both apartment blocks. The applicant has provided a Transport Statement and Framework Travel Plan in which it is demonstrated that the site is in a sustainable location being accessible on foot, by cycle and public transport (a bus stop located on Manchester Road beside the site boundary) and that the additional vehicle movements generated by the development will be low and will not have significant impact on the operation of the local highway network. The Framework Travel Plan contains initiatives to encourage residents to use alternative modes of transport to the car, target and review and monitoring details.
46. The submitted Transport Statement indicates that the proposed development is predicted to generate up to 14 vehicle movements during each of the weekday peak hours and 141 vehicle movements during a typical weekday (7am – 7pm).



The statement concludes that the proposed apartments would replace the existing commercial uses on the site and therefore replace current traffic generation by employees, visitors and commercial traffic at the site. The LHA have accepted the findings of the submitted Transport Assessment.

47. Given the sustainable location of the site and the package of sustainable travel measures put forward by the applicant, it is considered that the level of parking provision at one space per apartment would be acceptable.
48. SPD3 states that cycle parking of either one communal space per apartment or one allocated space per bedroom is required. This would equate to either 42 communal or 78 allocated spaces, the applicant has given an indicative detail of a communal cycle storage area for 44 bikes. An appropriate condition to be attached to ensure details of the cycle storage area is provided including means of enclosure and details of how bikes are secured with sufficient space for parking of bikes as detailed within section 11 of SPD3.
49. A number of residents have objected to the proposal with regards the loss of parking spaces on site used by residents currently and the temptation for the new occupants to use surrounding streets for parking. In relation to residents currently using the site for parking, the applicant has not submitted any details regarding such an arrangement. Notwithstanding this, the site is privately owned and the land owner is not required to provide parking for local residents, even if an unofficial arrangement has been in place in the past. The immediate surrounding streets would appear to not currently be subject to a residents only parking scheme, although there are some waiting restrictions in terms of single and double yellow lines. Residents have stated that the introduction of a pedestrian gate from the application site onto Churchill Road would encourage new occupants to use these nearby roads for parking. It must be considered that even if a pedestrian access onto Churchill Road was not proposed residents of the new development could still access the surrounding streets. The development provides for one parking space for each unit and as stated is considered to be in a sustainable location near to bus routes, Metrolink and train stations and is also close to the Bridgewater Canal cycle network.
50. Therefore subject to the submission of cycle storage details and an updated Travel Plan through appropriate conditions the highway impacts of the proposed development are considered to be acceptable with regards access and parking provision having consideration to the measures detailed in the submitted supporting information and reflect the objectives of Policies L4 and L7 of the Core Strategy and the NPPF.

## ECOLOGY AND TREES

51. The application site has a very low ecological value as a result of built development occupying the majority of the site. The applicant has undertaken an

ecology survey which assessed the site for presence of any protected species and also recorded tree and shrub species on the site.

52. Little tree and shrub cover exists within the site and this will be removed to facilitate development, however a robust landscaping condition will be attached to secure adequate tree planting and other soft landscaping within the site.
53. The site and buildings were assessed for bats. The ecology consultant's report indicates the buildings on site have negligible potential for roosting bats. In addition, no suitable potential roosting features were identified and no field signs indicating current, recent or historical use by bats were identified. The overall site provides poor foraging and commuting habitat for bats. In conclusion, no further survey work, mitigation or compensation was considered necessary by the applicant's ecologist. These findings are supported by the Greater Manchester Ecology Unit.
54. The site was also assessed for suitable habitats and signs of amphibians; reptiles and protected mammals, but no suitable habitat or signs of any protected species were recorded. No invasive species as listed in Schedule 9 of the 1981 Wildlife and Countryside Act were recorded on site. The small area of vegetation in the south-eastern corner of the site was considered to have limited potential for use by breeding birds.
55. With regards ecological mitigation and compensation measures. An appropriate condition will be attached to ensure no tree/vegetation clearance during bird nesting season. Appropriate soft landscaping provision to be made on site, similarly delivered through an appropriate condition. Provision of bird boxes on site is recommended by the applicant's ecologist, details of these will form part of an appropriate condition. GMEU agree with the mitigation and compensation measures from the applicant's ecologist and also request that an appropriate informative be included on the decision notice to ensure that during demolition works care is taken to ensure no bats are present.
56. In conclusion it is considered that the proposal will not result in any harm to the ecological status of the site and with appropriate conditions will result in an improvement of ecological value of the site in accordance with Policy R2 of the Trafford Core Strategy and the NPPF.

## FLOOD RISK, DRAINAGE AND CONTAMINATION

57. The application site is located within a Critical Drainage Area and is also within Flood Zone 1 (lowest risk of flooding). The LLFA have recommended appropriate conditions to require a full drainage strategy and compliance with Trafford Council SFRA criteria including maintenance and management details for the SUDs facility.

58. United Utilities have considered the proposal and recommend conditions requiring foul and surface water drainage to be on separate systems and a surface water drainage scheme.
59. The applicant has submitted a Flood Risk Assessment which identifies the site as being within Flood Zone 1. The report recommends a drainage scheme that will achieve a 50% reduction in surface water flows in accordance with Trafford SFRA for Brownfield sites. Infiltration SUDS techniques have not been included in the indicative drainage layout as further site investigation work is required to establish if site conditions suitable.
60. The Pollution & Housing section have considered the proposals and have raised no objection to the proposal subject to inclusion of a contaminated land condition.
61. The proposal is therefore considered to be acceptable with regards drainage, flood risk and land contamination in accordance with Policy L5 of the Core Strategy and the NPPF.

#### CRIME AND SECURITY

62. Core Strategy policy L7.4 relates to matters of design and security and states that development must be designed in a way that reduces opportunities for crime and that does not have an adverse impact on public safety.
63. The applicant has submitted a Crime Impact Statement (CIS) in support of the application. Greater Manchester Police have raised no objections to the proposal and have provided general comments regarding physical security measures that the applicant should consider. An appropriate condition would be attached to ensure the development is completed in accordance with the recommendations within the submitted CIS.

#### DEVELOPER CONTRIBUTIONS

64. The proposed development would be considered against Trafford Council's Community Infrastructure Levy (CIL) Charging Schedule (July 2014) and Supplementary Planning Document SPD1: Planning Obligations (July 2014).

#### CIL

65. The site falls within a 'moderate charging zone' (Broadheath Ward) with regards Trafford Council's Charging Schedule, whereby private market apartments are liable for a charge of £0 per sqm (GIA).

## SPD1: Planning Obligations

66. This supplementary document sets out Trafford Council's approach to seeking planning obligations for the provision of infrastructure, environmental improvements and affordable housing required as a result of new development. Contributions sought through SPD1 will be through the established mechanism of a Section 106 agreement.
67. Affordable Housing – The Council will seek to secure appropriate levels of affordable housing in accordance with Policy L2 of the Trafford Core Strategy. For the purposes of affordable housing, the proposal site would fall within a 'Hot Market' location (not to be confused with the CIL charging zones which differ). In these hot market locations a 40% affordable housing target will be sought. The proposed development would therefore be required to provide approximately 18 units as affordable.
68. The applicant has submitted a viability assessment which proposes no affordable housing on site due to viability reasons but does propose a financial contribution of £100,000 to be used by the Council for affordable housing provision elsewhere in the Borough. The findings of the viability assessment have been independently assessed who have reached the conclusion that scheme does not generate sufficient profit to justify any additional payment. The applicant has stated that a financial contribution of £100,000 will allow for provision of more affordable housing units elsewhere than could be delivered on site. The equivalent provision would be 4 affordable units on site these numbers do not work for the applicant Southway in their management of this development in an efficient manner.
69. Specific Green Infrastructure – This section of the SPD relates to appropriate tree planting and other forms of Green Infrastructure that would be appropriate to mitigate the impact of the development. Advice within the SPD identifies the provision of 1 tree per residential apartment proposed, tree planting being the predominant form of Green Infrastructure provision on development sites and achieved through an appropriate landscape planning condition as the Council prefers to achieve planting on development sites. In addition other typical Green Infrastructure that can be provided includes hedgerows, Green walls and Green Roofs and can be included within an appropriate landscaping scheme. Whilst this development would generate the requirement for the provision of approximately 42 trees it may not be possible to plant the full amount due to site area constraints, although as stated other green infrastructure can be considered.

## CONCLUSION

70. The key benefit of the proposal is the delivery of 42 homes in a sustainable location. Whilst the development would result in the loss of some existing businesses on the site, the development is nevertheless considered to comply

with Core Strategy Policy W1.12. Whilst there is a minor departure from the principles of the development plan in respect of housing mix, these policies are 'out of date' in NPPF terms and therefore Paragraph 14 of the NPPF applies as a material consideration which should be given significant weight.

71. The development would not unduly impact upon the residential amenity of existing or future occupants in the vicinity. The scale, massing, siting and design of the proposal pays due regard to its surroundings and will improve the streetscene on a prominent site along the A56. The development is considered to be in line with all relevant policies set out in the Trafford Core Strategy, and the SPG: New Residential Development and generally in accordance with policies in the NPPF. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. Any residual harm can be mitigated through the use of suitable planning conditions. In accordance with Paragraph 14 of the NPPF, planning permission should be granted unless the adverse consequences of the development significantly and demonstrably outweigh the benefits. When weighing the development in the planning balance, the benefits of the scheme significantly outweigh the harm. As such there are material considerations which weigh strongly in favour of the granting of this planning application, despite it not being entirely in accordance with the development plan. The application is therefore recommended for approval.

## **RECOMMENDATION:**

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

- A.** The application will propose a satisfactory development for the site upon completion of an appropriate legal agreement and such legal agreement be entered into to secure:-
- (i) a contribution of £100,000 (one hundred thousand pounds) towards affordable housing provision, in accordance with Policy L2 of the Trafford Core Strategy.
  - (ii) The submission of a further viability review of the scheme at a point to be agreed with the applicant and agreement that an appropriate contribution towards affordable housing and spatial green infrastructure will be made should the review conclude that developer profits will exceed 20%.
  - (iii) To carry out minor drafting amendments to any planning condition.
- B.** In the circumstances where the section 106 agreement has not been completed within 3 months of the date of this resolution, the final

determination of the application shall be delegated to the Head of Planning and Development.

**C.** That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the following conditions:-

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

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

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

- Drawing No:- JDA Architects 944 A 000 – Location Plan
- Drawing No:- JDA Architects 944 A 002 Rev.L – Proposed Site Plan
- Drawing No:- JDA Architects 944 A 003 Rev.C – 1B2P Apartment Plan
- Drawing No:- JDA Architects 944 A 004 Rev.C – 2B3P Apartment Plan
- Drawing No:- JDA Architects 944 A 005 Rev.D – 2B4P Sharer Apartment Plan
- Drawing No:- JDA Architects 944 A 006 Rev.F – Apartment Block 1 Floor Plans
- Drawing No:- JDA Architects 944 A 007 Rev.C – Apartment Block 1 Elevations
- Drawing No:- JDA Architects 944 A 008 Rev.G – Apartment Block 2 Floor Plans
- Drawing No:- JDA Architects 944 A 009 Rev.D – Apartment Block 2 Elevations
- Drawing No:- JDA Architects 944 A 011 Rev.B – Boundary Treatment Plan
- Drawing No:- JDA Architects 944 A 012 Rev.G – Sections/Axon Brick Relief
- 3D Colour Image received 26/06/2017

Reason: To clarify the permission, having regard to Policies L1, L2, L3, L4, L5, L7, L8, R2 and R3 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and a full specification of materials to be used externally on the 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.

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

4. a) Notwithstanding the details shown on the approved plans, none of the residential units hereby permitted shall 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, boundary treatments and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

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

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

Reason: In order to prevent any habitat disturbance to nesting birds which may take place during site preparation as well as development having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

6. The development hereby approved 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.

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

7. 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, v 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 buildings hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Trafford Council's Core Strategy policies L5 and L7 and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that any risks are mitigated prior to any works commencing on site.

8. No development shall take place unless and until a full detailed drainage design, including details of the surface water, foul water, and all relevant documents to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Councils 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 and FRA thereafter.

Reason: To prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies L4, L7 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.



The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

9. No development shall take place unless and until full details of a Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

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

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

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

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, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works and viii. days and hours of construction activity on site.

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

12. The development hereby approved shall not be occupied unless and until a detailed Travel Plan, based on the Framework travel Plan, which should include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and

thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

13. The apartments hereby approved shall not be occupied unless and until a scheme for secure cycle storage for the apartment buildings has first been submitted to and approved in writing by the Local Planning Authority. Cycle parking infrastructure and its layout should meet the requirements of SPD3 Parking Standards and Design for Trafford. The approved scheme shall be implemented before the development is brought into use and maintained at all times thereafter for its intended use.

Reason: In the interest of highway safety, amenity and the free flow of traffic and in accordance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

14. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement (Ref:2016/0996/CIS/01).

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

15. 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. Thereafter the site shall only be lit in accordance with the approved scheme.

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

16. 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 occupied and shall be retained thereafter for their intended purpose.

Reason: In the interests of amenity and in compliance with Trafford Core Strategy Policies L4 and L7 and the National Planning Policy Framework.

17. Prior to the occupation of the development hereby approved, details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, shall be submitted to

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.

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

18. The development hereby approved shall be designed and constructed in accordance with the recommendations and noise mitigation measures detailed in sections 4, 5 and 6 of the submitted Noise Assessment Report (Echo Acoustics – February 2017) and retained thereafter.

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

19. Prior to their installation, details of the vehicular gates and associated apron wall/railings to Hartington Road shall be submitted to and approved in writing by the Local Planning Authority. Development to be carried out in accordance with the approved details.

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

20. Prior to their installation, details of bird boxes to be incorporated within the development, as recommended in the submitted ecology report (Ref: UES01908/01 Section 4), shall be submitted to and approved in writing by the Local Planning Authority. Development to be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of enhancing localised habitats for nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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**WARD:** Brooklands

**90220/FUL/17**

**DEPARTURE: NO**

**Proposed part demolition of existing clubhouse, formation of new entrances, installation of first floor balcony and replacement glazing to facilitate a new function room at first floor together with a new fire escape staircase.**

Sale Football Club , Heywood Road, Sale, M33 3WB

**APPLICANT:** Sale F.C.

**AGENT:** Fillet Ltd

**RECOMMENDATION: GRANT**

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## **SITE**

The application site forms a parcel of land designated as 'protected open space' within the Revised Trafford Unitary Development Plan and home to Sale F.C. The site is positioned amongst a predominantly residential area and primarily accessed from Heywood Road, off Marsland Road, in Sale. There is also secondary private access from Whitehall Road to the southern boundary.

The main entrance from Heywood Road divides into two separate areas. The western approach leads past the clubhouse and culminates with the main car park containing 15 designated car parking spaces. The clubhouse itself is a single storey building constructed from masonry with timber shingles to the elevations under a profiled pitched roof-scape. It contains the rugby bar with kitchen, toilets, the President's Room and an office. To the south of the clubhouse lies the linked pavilion, a two storey flat roofed building constructed in masonry with floor to ceiling windows across the width of the first floor elevation overlooking the pitch. The ground floor comprises changing rooms with associated showering facilities and separate gymnasiums with double height ceiling (understood to be converted squash courts) whilst the first floor comprises two bars and club office accommodation.

The eastern approach, beyond the stand, comprises an overspill car park which wraps around the pitch and contains provision for approximately 30 cars. This also provides pedestrian access to the southern stand which behind contains a large expanse of hardstanding used for storage purposes.

The site is surrounded by residential properties positioned at varying distances from the common boundaries laid to established hedgerow and mature trees on the east, west and south. The northern boundary is formed from brick, concrete and timber walling at a height of between 1.8-2m.

## **PROPOSAL**

This application seeks the modernisation of the existing club's facilities in addition to the provision of improved function space for the hosting of business events. To facilitate the enhancement of the facilities, the following alterations are sought:

- Part demolition of the existing rugby bar and formation of new glazed entrance to the eastern elevation;
- Construction of an external emergency staircase to the western elevation;
- Creation of two first floor cantilevered balconies on the eastern elevation; and
- Internal modifications including:
  - Insertion of a new entrance into the pavilion with staircase and platform lift at ground floor;
  - New aluminium framed fenestration to the eastern elevation; and the
  - Extension of the first floor floor-space to create an enlarged bar with function room, kitchen, toilets, corporate lounge and office/control centre.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L6 – Waste

L7 – Design

R5 – Open Space, Sport and Recreation

## **PROPOSALS MAP NOTATION**

Protected Open Space

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

OSR5 – Protected Open Space

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

## **RELEVANT PLANNING HISTORY**

**H35135** – Construction of a car park for 42 cars (for use by applicant Mondays to Fridays during working hours and by Sale Football Club on match days). Approve with conditions 03.06.1992

**H39244** – Erection of 3 temporary scaffolding stands to provide increased spectator accommodation. Approve with conditions 10.08.1994

**H40509** – Erection of a two storey extension at rear of squash courts to form store with toilet accommodation over. Erection of first floor extension to form sponsor's box. Construction of balcony. Approve with conditions 10.05.1995

**H41199** – Erection of temporary grandstand seating. Approve with conditions 27.09.1995

**H42726** – Retention of one and erection of two temporary scaffolding stands to provide increased spectator accommodation. Approve with conditions 30.08.1996

**H44465** – Erection of temporary grandstand. Approve with conditions 17.09.1997

**H44697** – Erection of a temporary grandstand at eastern end of ground. Approve with conditions 12.11.1997

**H/52818** – Retention of temporary stand at east end of ground. Refused 31.01.2002

## **CONSULTATIONS**

**Local Highway Authority** – No objection given the level of car parking provision is sufficient to meet the Council's car parking requirements.

**Pollution and Housing (Nuisance and Noise)** – No objection subject to the remedial works recommended by the submitted Acoustic Assessment being implemented. Conditions also to include a noise management plan and that a robust ventilation system is incorporated into the scheme to ensure that doors and windows do not need to be opened to allow for adequate ventilation.

## **REPRESENTATIONS**

During the determination of this application 10 letters of representation were received detailing the following concerns:

### **Amenity to neighbours**

- Significant noise/vibration generation from inside the building is disruptive to local residents. This is during events and through the use of the gym;
- Groups loiter outside properties along Heywood Road, causing anti-social behaviour and littering whilst waiting for taxis.
- The use of fireworks is unsettling;
- Excessive noise from the opening of fire doors which is prohibited;
- The balcony will cause overlooking and a loss of privacy;
- The alleyway between No.11 Hazelwell and the application site is regularly used by children loitering and other individuals who use the gym, creating noise and should be gated.
- The gym is built on a squash court and as such causes significant vibration when using heavy weights; and
- There is no car parking signage to encourage the use of the car parks for visitors;

### **Highway safety and car parking provision**

- The level of car parking is insufficient for the club's needs;
- Visitors do not use the existing car parking areas, instead use Heywood Road which has unrestricted car parking after 6pm Monday-Friday and all weekend when residents need the spaces;
- The speed and regularity of cars causes highway safety concerns;
- The use of large vehicles using Heywood Road during construction will cause highway safety concerns; and
- The club usually uses coaches to bring visitors to the site which causes obstructions on the corner of Brookland Crescent and Marsland Road. This would increase with the new facilities.



## Suggestions

- The new function rooms should be adequately sound proofed with air conditioning to reduce noise generation and instances of fire doors being opened;
- Either the balcony should not be used for events or should not be used after 9pm
- The gym should be soundproofed; and
- The building works will occur close to the boundary of No.11 Hazelwell which contains a mixture of mature trees and hedgerow which should be protected during the construction works.

## **OBSERVATIONS**

The main considerations in the determination of this application are:

- Principle of development;
- Siting, scale and design;
- Amenity to neighbouring properties; and
- Highways safety and car parking provision.

### **Principle of development**

1. Paragraph 14 of the NPPF (The Framework) details The Government's positive approach to the presumption in favour of sustainable development whereby development which accords with the development plan should be approved without delay.
2. Paragraph 18 of The Framework seeks to secure economic growth in order to create jobs and prosperity with the planning system operating to encourage and not impede upon sustainable growth.
3. The Framework also highlights the importance of access to high quality open spaces and opportunities for sport and recreation can make to the contribution to the health and well-being of communities.
4. The playing field is allocated within the Revised Trafford Unitary Development Plan as 'Protected Open Space'. Policy R5 of the Core Strategy seeks to '*secure the provision and maintenance of a range of sizes of good quality, accessible, play, sport, leisure, informal recreation and open space facilities.*' In particular it aims to '*make the best use of community buildings, schools and other suitable assets to provide facilities and promote participation in a range of leisure activities.*' It is not considered that the development would result in an unacceptable loss of quantity of open space, sport or recreation facilities and the proposal is therefore considered to comply with Policy R5.
5. This application seeks the enhancement of the sporting club's facilities whilst embracing the opportunities available to create jobs and prosperity in line with

local and government planning policy. It is therefore considered that subject to the consideration of the other issues detailed below, the principle of development is acceptable.

### **Siting, scale and design**

6. Paragraph 56 of The Framework states that the Government attaches great importance to the design of the built environment with paragraph 64 stating that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
  - Policy L7 of the Core Strategy states that *'In relation to matters of design, development must:*
  - *Be appropriate in its context;*
  - *Make best use of opportunities to improve the character and quality of an area;*
  - *Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment'*
7. The proposed development is considered to enhance the aesthetics of the site, incorporating contemporary design features through replacement fenestration and the inclusion of cantilevered balconies to add visual interest and improve the overall façade to the pavilion in order to establish the site as a modern and capable venue. As detailed within the applicant's Planning Statement, the part-demolition of the clubhouse with new glazed entrance is aimed at enhancing the character and appearance of the building whilst directing and focusing spectators and visitors alike towards a central point of reference.
8. A staircase is proposed to the rear elevation out of necessity for fire regulations. Given its position away from the public domain, this element of the scheme is acceptable from a design aspect.
9. There is no objection to the internal alterations which seek to capitalise on the existing footprint without significantly impacting upon the external appearance of the site.
10. Cumulatively, the proposals will contribute towards enhancing the aging facilities and the site's setting amongst the wider area in line with policy L7 of the Core Strategy.

### **Amenity to neighbouring properties**

11. Paragraph 17 of The Framework seeks to secure a good standard of amenity for all existing and future occupants of land and buildings affected by development.

12. 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.'*
13. During the course of this application particular concern has been raised by neighbouring properties in respect to existing noise generation and the level of anti-social behaviour and the potential for this to increase if the increase in the capacity of the club to accommodate more functions is permitted. In response to this, the applicant has confirmed that the existing usage pattern fluctuates between 3 external functions per week as well as club games and occasional meetings/seminars during the day whereby the usage pattern is expected to be exceeded with the proposed scheme. It is also reminded that the existing rugby club bar is being reduced in size to facilitate the proposed enlargement of the function room which will be soundproofed and set further away from the neighbours raising particular concern.
14. This is raised within the Noise Impact Assessment (Report No.P17-176-R01v01, dated May 2017 by Hepworth Acoustic Ltd) which has been submitted and concludes that noise breakout from the development can be controlled so as not to cause a noise nuisance to neighbours provided that certain remedial works are undertaken to improve the roof construction; that the balcony doors/windows and emergency exits are of a certain specification and are kept closed whilst amplified music is being played; and that an automatic music volume limiting device is fitted for when DJs use their own equipment during functions.
15. The report concludes that the in-situ roof construction is not adequate to control noise breakout at the nearest dwellings on Hazelwell during functions and therefore recommends the following remedial works:
- 0.6mm profiled steel outer skin underdrawn with 22mm plywood;
  - Ceiling formed of at least two layers of 15mm Gyproc SoundBloc plasterboard mounted via a MF grid suspended with acoustic hangers; and a
  - Minimum 300mm cavity fully filled with 100mm 33 kg/m<sup>3</sup> Rockwool.
16. Calculations carried out for dwellings on Whitehall Road, George's Road, Brooklands and Hazelwell have established that music can be adequately controlled using 8mm glass of nominal cavity with 6mm glass for the balcony glazing, provided that all the windows and balcony doors are kept closed. This assumes that there would be no significant contribution of music break-out via any ventilation system and that this would be a matter for the M & E consultant/contractor to address. It is also considered reasonably necessary to attach a condition restricting the concurrent use of the balcony whilst amplified noise is being played to limit harm to neighbouring noise receptors.

17. The Council's Environmental Officer has reviewed the Assessment and agrees with the recommendations made to ensure the amenities of neighbouring residential properties are not harmed. Additionally, it is the request of the Officer to attach a further condition in the grant of any permission detailing the following:
  - 1) The developer shall prepare and submit a noise management plan to ensure that all balcony doors/windows, and emergency escape exits remain closed whilst amplified music is being played, except in emergencies. This plan shall include arrangements for responding to noise complaints during events, and contain written instructions for visiting DJs on how to use the noise limiting device.
18. In respect to the staircases, the emergency exits are located at the rear of the building facing towards Hazelwell and Brooklands. The fire exits are at first-floor level and thus there is direct line of sight to the first and second floor of dwellings on Hazelwell. To protect the ongoing amenities of neighbouring properties it is considered reasonably necessary to attach a condition requiring that the exits must remain closed and the staircases unused at all times except in emergencies.
19. It is not considered that the incorporation of a balcony or increased glazing at first floor level will impact upon the amenities of neighbouring properties through overlooking or loss of privacy. The nearest property, No.34 Heywood Road to the northern aspect, is located in excess of 35m from the balcony with no habitable room windows to the side elevation which could be otherwise affected. The property of No.11a Heywood Road is positioned 50m from the balcony however remains obscured by the main stand separating the two areas. In respect to properties along The Grove (to the east), a distance is maintained at 140m whilst the properties sited alongside Whitehall Road lie between 95m and 160m from the balcony.
20. No objection has been raised to the operating hours which shall continue to be within the already established working hours of the club and conditioned as such:

Monday – Friday	17:00 till 23:00
Saturday	12:30 till 23:00
Sunday	12:00 till 20:00
21. Whilst there is no planning condition restricting the general use of the club at present, it is considered that, given that the function room is a new facility, it would be reasonable to attach a condition specifically restricting the use of the function room to these hours.
22. In respect to other concerns raised by local residents, it is not within the Local Planning Authority's jurisdiction to restrict the use of fireworks, nor impose the soundproofing of the gymnasium floor which does not form part of the proposals

and remains an established part of the existing facility. It is assumed, however, that the noise generation from the gym will be lessened through the incorporation of a first floor above and the remedial measures incorporated into the building. With regard to the gating of the alleyway between Hazelwood and the pavilion, this is not viable for health and safety reasons relating to the emergency staircases and it is unlikely that activity in this area will increase as a result of these proposals as the stairways are for emergency egress only and a condition is included in the recommendation accordingly.

23. It is therefore considered that subject to the incorporation of the remedial measures outlined above, in addition to the submission of a noise management plan and details of the ventilation system the proposal complies with Policy L7 of the Core Strategy and guidance contained within paragraph 17 of The Framework.

### **Highway safety and car parking provision**

24. Policy L7 of the Trafford Core Strategy requires development to incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety, the provision of sufficient and appropriate off-street car and cycle parking, the provision of necessary manoeuvring and operational space for service vehicles and the provision of, and access to, waste recycling facilities. Matters of accessibility are also a material consideration in the promotion of sustainable forms of transportation.
25. In the determination of this application the Local Highway Authority (LHA) has reviewed the submission and raises no objection to the proposal. In this regard it is considered that the existing access onto the site from Heywood Road is acceptable with the servicing arrangements remaining unaffected.
26. In respect to car parking, SPD3: Parking Standards and Design for Trafford states that for use D2 (Assembly & Leisure) in this area, one parking space per 22m<sup>2</sup> of floor area is required. This equates to an additional 10 spaces for the additional D2 use area.
27. The existing on-site parking provision comprises circa 45 spaces with 15 designated spaces behind the club house and additional unmarked ad-hoc parking spaces located around the ground and clubhouse to accommodate overspill parking for approximately 30 spaces.
28. The LHA also reiterates that the site is situated in a sustainable location, being within a short walk of bus stops and Brooklands Metrolink station. Moreover, the proposals are not expected to create an increase in parking demand at peak times given that the venue has, until recently, been used to host premierships rugby matches which drew much larger crowds than the proposed changes

would demand. As such, it is considered that the proposals are unlikely to result in significant additional impacts on the highway network.

29. The concerns raised by neighbouring properties are noted; however issues relating to the speed of cars and the use of coaches are matters that are outside the scope of this planning application and cannot be controlled by conditions.

### **Miscellaneous**

30. Policy R2 of the Core Strategy seeks to ensure the protection and enhancement of the natural environment with woodland, hedgerows and trees being considered Borough assets. In this regard a neighbouring property outlines the proximity of existing hedgerow and tree coverage to the application site along the boundary with No.11 Hazelwell. It is therefore considered reasonably necessary to attach a condition requesting that all trees and hedgerow to be retained within or adjacent to the site which could be affected by the proposed works are enclosed by temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'.

### **CONCLUSION**

31. This application seeks the enhancement of the sporting club's facilities whilst embracing the opportunities available to create jobs and prosperity in line with local and government planning policy.
32. The scheme has been assessed against the development plan and national guidance whereby it is considered that proposed design will improve the aesthetics of the sporting facility with sufficient mitigation measures incorporated into the scheme to ensure the amenities of neighbouring properties are preserved. No objection has been received from the LHA who consider the impact of development on the highway network to be negligible with sufficient on-site car parking provision available to accommodate the proposed use.
33. The proposed scheme complies with the relevant policies 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 three years beginning with the date of this permission.



6. The balconies hereby permitted shall not be used concurrently with amplified noise being played within the building.

Reason: In the interests of preserving amenity to neighbouring residential properties in accordance with policy L7 of the Trafford Core Strategy and relevant paragraphs of the NPPF (2012).

7. The function room shall only be open for trade or business between the hours of:

Monday – Friday	17:00 till 23:00
Saturday	12:30 till 23:00
Sunday	12:00 till 20:00

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

8. The staircases and emergency doors hereby permitted shall at no time be used or opened unless in emergency.

Reason: To protect the privacy and amenity of the occupants of the adjacent neighbouring properties and having regard to Policy L7 of the Trafford Core Strategy and relevant paragraphs of the NPPF (2012).

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

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

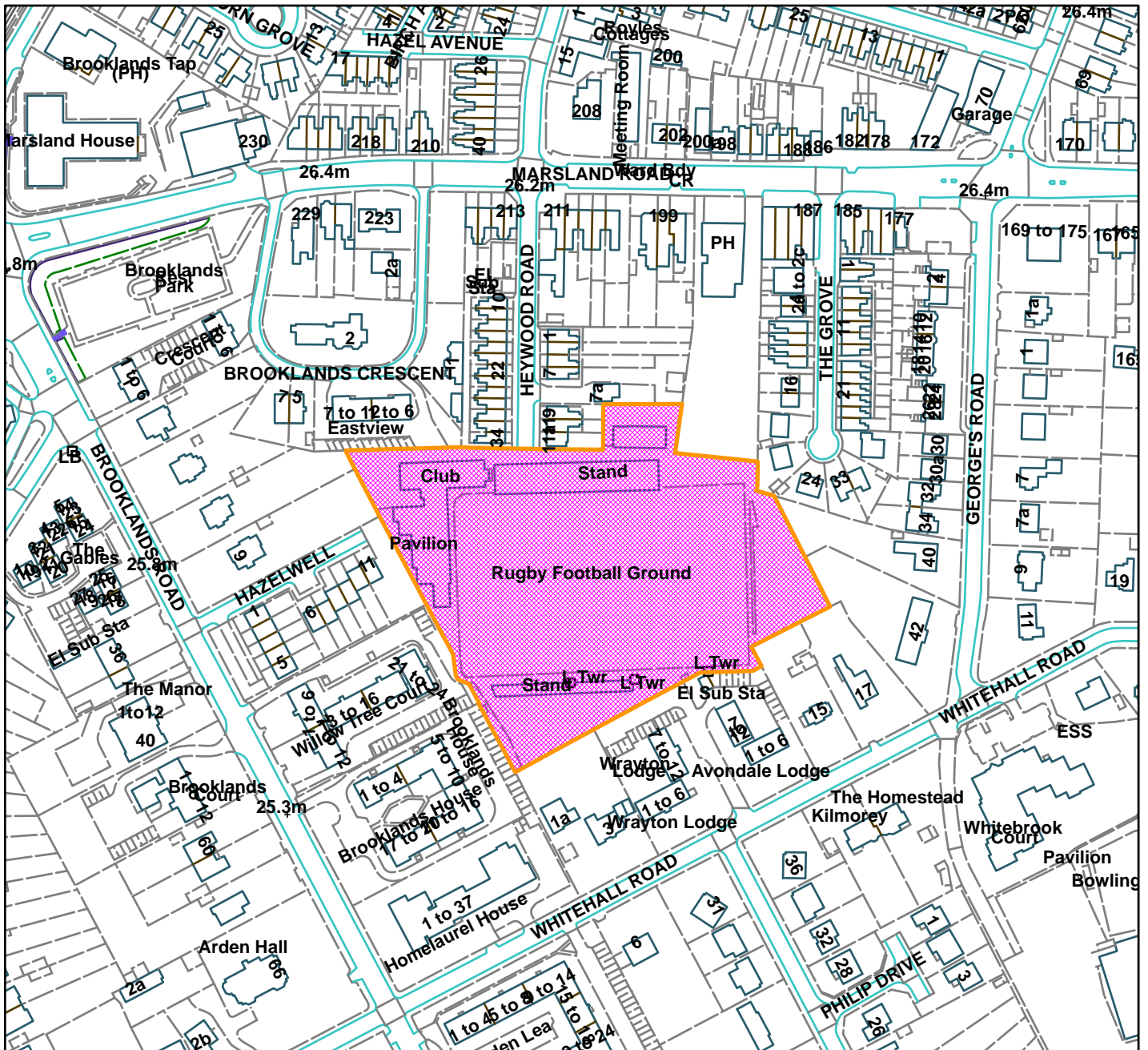
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AW





Sale Football Club, Heywood Road, Sale (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**Application for reserved matters for appearance, landscaping, layout and scale in relation to outline application 86661/VAR/15 for: Erection of 4 mixed-use buildings providing 85 residential apartments (Class C3), retail, commercial/office and leisure uses (Classes A1, A3, A4, A5, B1 and D2), a lower ground car park, new public realm/landscaping, plant and service area, highway alterations and other works.**

Land At Oakfield Road/Moss Lane, Altrincham, WA15 8EP

**APPLICANT:** Nikal Limited and Exige Developments Limited

**AGENT:** HOW Planning

**RECOMMENDATION: GRANT**

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## **SITE**

The wider Altair site lies on the eastern side of, and within, Altrincham Town Centre immediately to the east of Altrincham Interchange. The site is broadly 'L-shaped' and slopes gently downwards to Oakfield Road to the east. It is currently occupied by a surface level public car park, the temporary ice rink building (to become permanent after the development of Phase 1) and the ATS tyre and exhaust facility. The application site does not include the small Network Rail car park situated to the north-west of the site which is accessed from Station Approach. Other buildings that previously occupied the site – Oakfield House, The Bridge Inn and the motor car repair centre have been demolished.

There is a significant level difference along the length of the Moss Lane frontage and between Moss Lane and the adjacent Ice Rink to the north of the site.

The transport interchange which includes Altrincham's railway station, bus station and Metrolink bound the site to the west and has recently undergone a significant refurbishment and improvement programme. Beyond the transport interchange to the west lies Stamford New Road which is fronted by the Stamford Centre. This shopping area is centred around George Street, which incorporates a range of town centre retailers.

Stamford House is a grade 2 listed building which lies across the railway line some 35 metres from the western edge of the application site. The building was constructed in 1904-5 in the style of Edwardian baroque. It was formerly known as Station Buildings and is a commercial building with offices over ground floor retail units and also includes nos 1-13 Moss Lane. Stamford House also forms a group of listed buildings along with

nos 42 and 44 Stamford New Road (Station Hotel) on the opposite side of the street, and the Clock Tower to the north; this group of buildings form the northern boundary of the Stamford New Road Conservation Area. The land falls away from the listed building across the railway and along Moss Lane.

To the north of the site is Altrincham Leisure Centre. The site is bounded to the east by terraced residential properties along the opposite side of Oakfield Road including a recent development of apartments and townhouses, which is located further north opposite the Leisure Centre.

Moss Lane borders the site to the south. This provides pedestrian and vehicular access to the main body of the town centre across the railway onto Stamford New Road and also links with a pedestrian access bridge from Tesco. In addition to Tesco Extra, Moss Lane contains a small range of town centre retail type uses.

## **PROPOSAL**

This application is made pursuant to outline approval which was granted under 81115/O/2013 with all matters reserved except for access. Outline permission was granted on 28<sup>th</sup> January 2014 for the following:

*“Demolition of existing buildings and erection of a mixed-use development comprising:- alterations and extensions to the existing Altrincham Ice Rink to form a new foyer and new self-supporting roof structure; leisure uses including a new leisure centre and bowling alley (use class D2); residential (use class C3); offices and management suite (use class B1); food and non-food retail (use class A1); restaurants and cafes (use class A3); drinking establishments (use class A4); and hot food establishments (use class A5); the permanent retention of the ice rink and associated car parking, plant and service areas, highway alterations and the creation of new areas of public realm.”*

A Section 73 application (86661/VAR/15) for the outline approval was considered at Committee in January 2016 with a resolution of ‘Minded to Grant subject to a S.106.’ This was approved on 16<sup>th</sup> March 2017.

This application seeks approval of the reserved matters in relation to Phase 2 of the development which comprises the erection of 4 mixed-use buildings providing 91 residential apartments (class C3), retail, commercial/office and leisure uses (classes A1, A3, A4, A5, B1 and D2), a lower ground car park, new public realm/landscaping, plant and service area, highway alterations and other works. The reserved matters not previously considered as part of the outline application include layout, scale, appearance and landscaping.

The residential element (C3) of the development comprises:

30 no. 1 bed apartments

51 no. 2 bed apartments

4 no. 3 bed apartments

The total retail floorspace to be provided is 3717.74 sqm and the total office floorspace is 1611.69 sqm.

### **Added Value**

Amendments have been received as a result of negotiations between the Council and the agent to improve the relationship with Oakfield Road by creating a more active frontage at street level. The internal layout has been revised and internal servicing areas replaced with a residential management suite allowing the insertion of additional windows and thereby interest to this elevation. Other amendments include removal of dark recessed areas around building entrances and design amendments to Block 2 to create a more balanced appearance in relation to the wider development.

### **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 & Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
W1 – Economy  
W2 – Town Centres and Retail  
R1 – Historic Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Main Office Development Area  
Altrincham Town Centre  
The site is adjacent to the boundary with the Stamford New Road Conservation Area

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

Proposal S6 – Development in Altrincham Town Centre

Altrincham Town Centre Business Neighbourhood Plan, adopted July 2014

### **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

### **OTHER RELEVANT LEGISLATION**

Planning (Listed Buildings and Conservation Areas) Act 1990

### **RELEVANT PLANNING HISTORY**

**86755/RES/15** – Application for approval of reserved matters for demolition of the existing ATS building and erection of 59 residential apartments (class C3) along with ground and lower ground floor retail/commercial/leisure uses (use class A1, A3, A4, A5, B1 and D2) and a temporary car park approved under outline planning permission 86661/VAR/15.

*Approved with conditions 20<sup>th</sup> March 2017*

**86661/VAR/15** – Variation of conditions 4 (approved plans), 7 (landscaping), 12 (car parking), 13 (coach pick up/hackney carriages), 14 (site investigation), 15 (permanence of ice rink), 19 (travel plan), 20 (off-site highway works) and 21 (archaeological investigation) from planning permission 81115/O/13 (demolition of existing buildings and erection of a mixed-use development comprising:- alterations and extensions to the existing Altrincham Ice Rink to form a new foyer and new self-supporting roof structure; leisure uses including a new leisure centre and bowling alley (use class D2); residential (use class C3); offices and management suite (use class B1); food and non-food retail

(use class A1); restaurants and cafes (use class A3); drinking establishments (use class A4); and hot food establishments (use class A5); the permanent retention of the ice rink and associated car parking, plant and service areas, highway alterations and the creation of new areas of public realm) and an additional condition all in order to facilitate the development in a phased manner.

*Approved with conditions 16<sup>th</sup> March 2017.*

**81115/O/2013** – Demolition of existing buildings and erection of a mixed-use development comprising:- alterations and extensions to the existing Altrincham Ice Rink to form a new foyer and new self-supporting roof structure; leisure uses including a new leisure centre and bowling alley (use class D2); residential (use class C3); offices and management suite (use class B1); food and non-food retail (use class A1) restaurants and cafes (use class A3); drinking establishments (use class A4); and hot food establishments (use class A5); the permanent retention of the ice rink and associated car parking, plant and service areas, highway alterations and the creation of new areas of public realm.

*Approved with conditions 11<sup>th</sup> September 2013*

**74390/O/2009** – Outline planning application (seeking approval of access with all other matters reserved) for the demolition of existing buildings and erection of mixed use development comprising up to:-

Hospital/health care facility (Classes C2/D1 – 5510 sq.m); ice rink (Class D2 – 6150 sq.m); food retail (Class A1 – 1380 sq.m); non-food retail, restaurants and cafes, drinking establishments and hot food takeaways (Classes A1, A3, A4 and A5 – 5380 sq.m); residential (Class C3 – 31 apartments); offices (Class B1 – 8970 sq.m) management suite (Class B1 – 140 sq.m) hotel (Class C1 – 125 bedrooms); health club/gym (Class D2 – 370 sq.m) climbing wall (Class D2 – 310 sq.m); vehicles parking, associated plant and service areas; highway alterations and creation of new areas of public realm.

Planning permission granted on 8<sup>th</sup> October 2010 following the completion of a legal agreement.

**74383/VAR/2009** – Retention of ice rink building until 5<sup>th</sup> January 2014 (variation of condition 2 of planning permission H/63424 and condition 1 of planning permission H/65863).

*Planning permission granted on 18<sup>th</sup> February 2010.*

**H/OUT/68603** – Outline planning application proposing the demolition of existing buildings and erection of a comprehensive mixed use development of land at Oakfield Road/Moss Lane to provide up to 10,536 sq mtrs of non-food retail; 1,583 sq mtrs food retail; 2,040 sq mtrs of A3/A4/A5 café/bar/restaurants; 11,822 sq mtrs residential to provide 150 apartments; 8,471 sq mtrs climbing wall (use class D2); 845 parking spaces; new ice rink totalling 10,076 sq mtrs; associated plant and service areas; improvements to highway arrangements; and creation of new areas of public realm.

*Planning permission was granted on 8<sup>th</sup> August 2008 following the completion of a S106 legal agreement.*

**H/65863** – Variation of condition 2 of planning permission H/63424 to extend temporary permission to 5<sup>th</sup> January 2011  
*Approved 22<sup>nd</sup> December 2006*

**H/63424** – Erection of ice rink building,  
*Approved 11<sup>th</sup> January 2006*

**H/LPA/51807** – Change of use of former site of dwellinghouses as a public car park for a temporary period of 5 years.  
*Approved 27<sup>th</sup> July 2001.*

### **APPLICANT'S SUBMISSION**

The application is accompanied by the following detailed supporting documents. These are referred to in the main observations section of this report where relevant.

Crime Prevention Plan  
Design and Access Statement  
Highway Statement, Landscape Strategy  
Planning Statement  
Noise Statement.

### **CONSULTATIONS**

**Pollution & Licensing (Contaminated Land)** – No objections subject to site investigation and risk assessment condition.

**Pollution & Licensing (Nuisance)** – No objections subject to conditions relating to noise assessment, odour, lighting and air quality.

**Environment Agency** – No objection

**Local Lead Flood Authority** – Insufficient drainage information has been provided with the application. A condition is therefore recommended requiring details of drainage design to be submitted.

**Transport for Greater Manchester** – Raise no objection subject to suggested conditions in relation to a Travel Plan and electric charging bays.

**LHA** - Subject comments set out in full within the main body of the report regarding the proposed off site highway works, S38 Adoption and a Construction Management Plan and Framework Travel Plan, the LHA would have no objection to the proposals.

**United Utilities** – No objection to the proposed development subject to conditions relating to foul and surface water drainage

**Electricity North West** – The planning application has been considered and it is found that it could impact on Electricity North West infrastructure. An informative is recommended to address the potential for impact on operational land.

**Network Rail:-** Informatives are recommended to address comments made by Network Rail

**Greater Manchester Police (Design for Security):** Consider the scheme to be well thought out with a good mix of uses creating natural surveillance and good links to the Altrincham Interchange and town centre taxi rank and suggest a number of conditions.

## **REPRESENTATIONS**

Representations have been received from 55 different addresses. The main points raised are summarised below:

### **Highways & Parking**

- Lack of public parking resulting on parking on nearby side streets and restricting the growth of Altrincham as a destination;
- Car park is the only places east of the railway line where you can park for over 3 hours with easy access to the town centre;
- Access to alternative town centre parking on the west side of the railway involves navigating already congested routes around the town centre via Hale Road, Lloyd Street or Stockport Road;
- Parking for commuters, ice rink patrons and leisure centre users and shoppers will be put under serious pressure;
- Added traffic and pressure on parking generated by the Altair development itself;
- Increased traffic on the cross-railway roads;
- Longer journey times;
- A disincentive for people to come to Altrincham;
- Affect the business of the ice rink;
- The proposed development would eliminate or significantly reduce car parking for Altrincham station which is both a train and Metrolink station;
- Catastrophic impact on commuters which would in turn downgrade Altrincham from a desirable area for working families;
- Adverse impact on road infrastructure with increased traffic around the Moss Lane junction;
- No analysis or consideration of the impact on current road usage of the number of users, both residential and employees and users that this whole development will create;
- Providing a total of 200 car park spaces for 150 residential units, offices, restaurants, cafes, food and non-food retail and a new leisure centre and bowling alley, when replacing a 220 space car park often nearly full without those facilities misses the point of the modern day dependency on the motor car;



- An estimate of 30% spare capacity on Altrincham car parks dated 2013 is not a viable assumption in 2017;
- Lack of parking in Altrincham particularly on market days;
- Lack of suitable parking spaces for disabled and elderly in Altrincham;
- The existing parking is well used and is often completely full;
- Zero public parking spaces;
- Lack of alternative Council run and affordable parking facility for non-residents of the new building;
- Loss of parking will discourage residents from using the leisure centre;
- Public transport is not convenient or cost effective for everyone;
- Force more people to drive into Manchester which will add to congestion and carbon emissions;
- The Design and Access Statement incorrectly refers to the site as being a vacant gap site when it is currently in active use as a public car park;
- Application fails to address the loss of the existing car park;
- Lack of parking for staff will force businesses out of Altrincham;
- No indication of proposed parking charges;
- The application shows a service vehicle lay-by directly opposite houses on Oakfield Road. The developers had promised that all service vehicles would enter the site itself to avoid noise disturbance;
- Attendance on match days at the ice rink is close to 2000 people;

#### Pressure on area as a result of increased residential units

- No need for more apartments in the area;
- Local schools are already oversubscribed. A large residential development being sited so close to these schools will immediately displace traditional residential areas from the catchment area;
- Pressure to provide schools and other facilities will not be able to be met;

#### Visual Impact

- Lack of soft landscaping to the eastern boundary along Oakfield Road;
- A 7 storey high development on the most visible part of the development is totally out of keeping with the rest of Altrincham and suggests economics have outweighed any desire to maintain and enhance the character of the environs;

#### Impact on Altrincham Town Centre

- Shops would compete with the retail provision within Altrincham town centre which has seen recent improvements;
- Raises the question of what will happen to the current dilapidated leisure centre just 50 yards away;

## Residential Amenity

- A bowling alley would encourage more anti-social behaviour to the area;

## Other Matters

- The 2 companies which have applied for planning permission are insolvent and totally rely on their main shareholder company which is resident offshore in Jersey. What financial proofs has the Council sought to ensure that once started the project will be completed within the time scales?

## **OBSERVATIONS**

### PRINCIPLE OF THE DEVELOPMENT

1. Outline planning permission was granted in September 2013 (81115/O/2013) with all matters reserved except for access. Layout, scale, landscaping and appearance were subject to reserved matters and indicative drawings of the scheme were submitted for illustrative purposes only. Notwithstanding this, the planning application was based on a series of parameter plans which set out the maximum heights and widths of the proposed buildings which reserved matters must fall within as well as the quantum of development for each land use; this is controlled by condition.
2. There have been no significant changes to the site or surrounding area since planning permission was granted, save for the improvements to Altrincham Interchange and changes to the Conservation Area boundary. The outline application was determined previously in accordance with the Trafford Core Strategy, the saved policies of the Revised Trafford Unitary Development Plan, relevant supplementary planning documents, all of which are still part of the Development Plan for the Borough and the National Planning Policy Framework. There is therefore no requirement to revisit the principle of development, quantum of development and maximum building parameters through the determination of this application.
3. Members will recall that a Section 73 application (86661/VAR/15) for the outline approval was considered at Committee in January 2016 with a resolution of 'Minded to Grant subject to a S.106.' This was approved on 16<sup>th</sup> March 2017.
4. The S.73 application essentially allowed the phasing of the development and made minor amendments to the approved highways drawing. A reserved matters application for Phase 1 (86755/RES/15) was submitted to the Council in 2015 and permission was granted on 20<sup>th</sup> March 2017.
5. Phase 2 proposes uses which are approved as part of the outline planning application and therefore are not for determination as part of this reserved

matters application. These uses fall within the quantum parameters of the outline consent as set out below:

Land Use	Approved GIA/Units/Spaces (up to)	Proposed for Altair Phase 1	Proposed for Altair Phase 2
Residential (C3)	150 units	59 units	<b>85 units</b>
Non-food and food retail (A1), Cafes, Restaurants and Café Bars (A3, A4, A5); B1 Office; or Ice Rink Foyer/Leisure (D2)	9,090 sqm (for food and non-food retail) 3,833 sqm (Office Management Suite) 1,390 sqm (Ice Rink Foyer and Escape)	816 sqm	<b>6,751 sqm</b>
Car Parking	202 spaces	70 spaces (temporary)	<b>200 spaces</b>

6. The application has also been prepared to fully accord with the development principles set out in the submitted Design and Access Statement (Ian Simpson Architects June 2013) and the physical parameters set in condition 4 of the approved outline consent.
7. The key issues in the determination of this application therefore relate to the following matters outlined below:
  - Layout
  - Scale
  - Design and Appearance
  - Landscaping
  - Access, Highways & Car Parking
  - Residential Amenity
  - Other matters

### SCALE AND LAYOUT

8. Policy L7 of the Core Strategy requires development to be appropriate in its context; make best use of opportunities to improve the character and quality of an area; and enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, and boundary treatment.
9. As advised in paragraph 4.5.3.4 of the Design and Access Statement *“the outline consent dictates the general arrangement and layout of the buildings. Furthermore the consented parameter plans define the minimum and maximum extent of the building. This proposal does not exceed these parameters.”*

10. The development of Phase 2 consists of four separate buildings positioned around a central area of public realm. A basement car park accessed by vehicles from Oakfield Road sits underneath all four buildings.
11. The individual buildings/blocks are set out below:

#### Block 1

12. This building would occupy the corner of Moss Lane and Oakfield Road and would be a maximum of 7 floors high. The building would be occupied by retail units at ground floor facing Moss Lane and the public realm and a residential lobby and residential management suite fronting Oakfield Road, with residential above.

#### Block 2

13. This building is to be positioned to the immediate north of the Ice Rink and is intended to conceal the existing façade of the Ice Rink and provide a new frontage to the future stair connection to the Altrincham Interchange which will be constructed during the Phase 3 works. Again the building is to be occupied by retail units at ground floor with residential above over 7 floors.

#### Block 3

14. This building is to be located on Oakfield Road adjacent to the location of the future leisure centre, which will be constructed during Phase 3 works. The building would comprise retail units at ground floor with offices above to the first and second floors. The building would have frontages facing Oakfield Road and to the public realm within the site.

#### Block 4

15. This building would be sited to the immediate east of the Ice Rink, concealing the existing façade and providing a new frontage to the public realm. It is a two storey retail building that is served by a rear service corridor.
16. Paragraph 4.5.3.5 of the Design and Access Statement advises that the layout is underpinned by the following key ideas:
  - The ice rink is to be enveloped by the Phase 1 building and Blocks 2 and 4 of this application. This helps to conceal the “ugly” structure that currently blights the site;
  - Block 2 is located at the confluence of Moss Lane and Oakfield Road. It provides a significant structure at this pivotal point of the masterplan and is celebrated with a double height entrance to the residential units above;
  - Block 3 contributes positively to the Oakfield Road elevation and helps the development mediate with the adjoining leisure centre;
  - All the buildings frame the public realm with transparent and active frontages, which will help animate the development;

- The separating of the development into 4 blocks helps to provide routes between the buildings, thereby providing a permeable site that will encourage multiple points of access;
- Block 1 is visually broken down into 3 smaller parts to help reduce the scale of the building;
- The development anticipates Phase 3 works and is designed accordingly to ensure the future phase will be integral with the vision;
- The public realm anticipates the construction of a future link to the Altrincham Interchange;
- All service areas are hidden from the principle facades to provide active frontages;
- All buildings positively interact with the public realm so that landscape and buildings are unified into a single concept;
- All buildings benefit from a lift and stair connection with the underground car park so that equal access is provided to all;
- The public realm facing Moss Lane is located at the same level as the road, which ensures level access into the development. This facility was not provided by the outline consent.

### Public Realm

17. The report for the outline application identified that *“A key consideration in the design of the proposal is the need for pedestrian links between the site and the surrounding parts of the town centre, particularly with the adjacent interchange which comprises a Metrolink terminus, a railway station and a bus station and with other shopping areas such as the Tesco foodstore to the south and the Stamford Centre beyond Stamford New Road to the west.”*
18. It was further considered that *“The scheme has been designed to allow for convenient and attractive linkages and permeability for pedestrians to the town centre and the surrounding urban area. The scheme has been purposefully designed in this way with the intention to avoid the creation of an enclave, separate from the established town centre.*
19. *The scheme has been designed to link directly with the GMPTE proposal for a new pedestrian bridge over the railway line which is part of a wider improvement of the whole interchange. The Council has been exploring means of funding this wider scheme with the GMPTE. The bridge across the railway platforms would provide a direct link between the site and the interchange and in the longer term perhaps across Stamford New Road to the Stamford Centre.”*
20. The central public realm will act to unify the buildings throughout the development. The Landscape Strategy advises that *“Primary pedestrian movement is drawn into the heart of the site along the core public realm space, connecting the Moss Lane entrance through to Altrincham Interchange.*

*Secondary connections link through to Oakfield Road and to the East and North of the site, and will add further usability for access and egress.”*

21. There is a significant change in levels across the site both along the length of Moss Lane and the adjoining Ice Rink to the north of the site and also along Oakfield Road. This is addressed with stepped access points from Oakfield Road between the Blocks on this frontage.
22. The scale and layout is considered to be in accordance with the approved outline and would create an attractive, central public realm with active streetscapes and good linkages to the Interchange and Altrincham town centre to the north and the surrounding areas to the south, east and west. Despite the change in levels across the site which results in a large part of the basement car park being at street level, amendments have been sought throughout the process of the application which achieve an active frontage facing Oakfield Road so that the development does not turn its back on this main road and important views of the development from outside of the site.

## DESIGN AND APPEARANCE

23. Paragraph 56 of NPPF advises that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
24. The site in its current form does not contribute positively to the streetscene or the immediate vicinity and adjacent Conservation Area. The neighbouring Tesco supermarket and Ice Rink buildings are contemporary in their architectural treatment with no obvious reference to the Stamford Road Conservation Area or nearby Stamford House (Station Buildings), a Grade II Listed Building located on the corner of Stamford New Road and Moss Lane.
25. The design approach for this proposal is contemporary whilst referencing the surrounding architecture however as stated in paragraph 4.5.5.2 of the Design and Access Statement *“...a key concept is to visually differentiate each of the 4 buildings from one another, not only in architectural vocabulary but in the choice of materials. This will help the development to have a diverse and rich collection of buildings that do not appear to have been conceived by a single hand. Afterall, Altrincham has a variety of architectural styles, including some fine examples of Georgian, Victorian, Edwardian and 20<sup>th</sup> Century buildings.”*

### Block 1

26. Block 1 sits on the prominent corner of Oakfield Road and Moss Lane and marks the main entrance to the development and the area of public realm. The residential entrance is located to animate the important frontage facing Moss

Lane and Oakfield Road. Paragraph 4.5.5.3 of the Design and Access Statement advises that:

27. *“The elevations are conceived as a series of brick cubes that are punctured by windows and deep-set balconies. This contemporary vocabulary provides a modern take on the Altrincham brick vernacular. One key feature is the upper two west facing facades that face the public...making reference to the mansard roof that echoes a number of neighbouring historic buildings. Metal clad dormer windows puncture the roofscape to further enhance the skyline.”*

### Block 2

28. Block 2 is located immediately to the north of the Ice Rink with retail/commercial/office/leisure uses at ground floor level, aimed at encouraging footfall through the site from the adjacent Altrincham Interchange. This building also consists of a brickwork façade with deep recesses to form balconies. Paragraph 4.5.5.4 advises that:
29. *“The grid of brickwork is softened by horizontal stringcourses that overlay the elevations with a delicate filigree that has a synergy with many of Altrincham’s historic neighbours. The façade overlooking the Ice Rink has a simple rhythm of window to illuminate the internal corridor. As the 6<sup>th</sup> and 7<sup>th</sup> floors rise above the height of the main body of the building, the façade is further articulated with a cantilevered box to provide a more imposing façade, given that it will become highly visible from Moss Lane.”*

### Block 3

30. Block 3 is located on Oakfield Road and adjacent to the location of the proposed new leisure centre. This building is non-residential and would accommodate commercial and retail units over 3 floors. It would contribute positively to the Oakfield Road elevation whilst also helping the Phase 2 proposals to mediate with the adjoining leisure centre.
31. Paragraph 4.5.5.5 of the Design and Access Statement advises that:
- “Although the ground floor retail units benefit from floor to ceiling height windows, the 2 upper floors require a different aesthetic. The offices are to be naturally ventilated, so the extent of glazing, particularly the southerly facades, needs to be more modest to prevent over-heating. To assist the solar control, the façade is to be clad in vertical fins. This expression gives rise to a building of different character to its residential neighbours. A key design feature of the office is a large ‘picture window’ facing Oakfield Road. This intervention provides an active frontage and helps to announce the adjacent stepped entry into the development.”*

## Block 4

32. Block 4 is a two storey retail/leisure building located immediately east of the Ice Rink, aimed at providing active frontage alongside the area of public realm running through the heart of the site and would serve to conceal the unattractive existing façade as well as providing a new frontage to the public realm.
33. Paragraph 4.5.5.6 of the Design and Access Statement advises that:

*“To help break the façade into a humanistic scale, the design is articulated into a series of retail pods that animate the public realm. This architectural device will add character to the development. A key component to Block 4 is to address the important entrance off Moss Lane. Large glazed facades will allow restaurants to spill out into the external landscape. To further animate this frontage, an amphitheatre will encourage occupation of this key entry point into the imposing public realm.”*
34. The proposed palette of materials is a mix of traditional and contemporary and takes reference from the Stamford New Road Conservation Area. Blocks 1 and 2 are proposed to be constructed from brick laid in traditional bonds and the use of a buff brick is proposed to be in keeping with the approved Phase 1 development and referencing the buff terracotta façade of Stamford House. It is proposed to use a collection of materials with Blocks 3 and 4 to be predominantly clad in bronze coloured cladding. This would tie in with the bronze coloured window frames and feature metal panels on Blocks 1 and 2. Paragraph 4.5.7.4 of the Design and Access Statement states that *“The deliberate choice of a limited palette will provide a simple and elegant contemporary building that will respond well to the contemporary and historic context alike.”*
35. On balance, it is considered that the proposed buildings would not appear unduly prominent within the townscape and would be appropriate in terms of design and materials in relation to the streetscene and adjacent Conservation Area. The contemporary architecture would create a visually rich streetscape. The different designs and palettes of materials for the four blocks are considered to nevertheless create a cohesive, quality development that recognises the wider variety of architectural styles that are found within Altrincham. The proposal is considered to be in keeping with its surroundings and would constitute a positive addition to this part of the town centre, creating a strong link through to the remaining Altair site.
36. The proposal in relation to the adjacent heritage assets is considered in more detail in the following section.



## IMPACT ON DESIGNATED HERITAGE ASSETS

37. The application site is not located within a conservation area. However the boundary for the Stamford New Road Conservation Area was amended in the Conservation Area Appraisal, October 2014 to incorporate the railway bridge on Moss Lane, the railway tracks to the extent of the railway platform and the historic associated railway structures to the west and east side of the tracks. The Conservation Area boundary therefore now runs along the west of the application site.
38. 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.
39. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises 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 interest which it possesses.”
40. Paragraph 132 of NPPF establishes that when considering the impact of a proposed development of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
41. The NPPF sets out that harm can either be substantial or less than substantial. Case law has established that there can be degrees of less than substantial harm. There will also be cases where development affects heritage assets but from which no harm arises. 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 (para 134).
42. Paragraph 133 of NPPF advises that where a proposed development will lead to a substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

The nature of the heritage asset prevents all reasonable uses of the site; and

- No viable use of the heritage asset itself can be found in the medium term

through appropriate marketing that will enable its conservation; and

- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

- The harm or loss is outweighed by the benefit of bringing the site back into use.

43. Paragraph 56 of NPPF advises that “The Government attaches a great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

44. 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.

45. Policy R1 of the Trafford Core Strategy states that:-

“All new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets.

#### The significance of the designated heritage asset

46. The special character of the Stamford New Road Conservation Area derives from its early 19<sup>th</sup> century development, which has developed on through to the late Victorian and early 20<sup>th</sup> century. This development can be seen throughout the area, through its built form, which differs showing the build-up of the area over the years. Many properties within the Conservation Area retain a good variety of architectural quality, especially at first and second floor level, providing the area with a high level of historic character. The limited palette of building materials and local details repeated throughout the Conservation Area and Altrincham town centre provides the area with a sense of visual harmony. The area’s history remains linked to the establishment of the railway, and the Conservation Area still, till date is home to a large transport interchange.

47. The Conservation Area boundary was extended in the CAA to include the railway bridge on Moss Lane, the railway tracks to the extent of the railway platform and the historic associated railway structures to the west and east side of the tracks.

48. The railway buildings and structures are identified as positive contributors within the CAA, reflecting the traditional functional character and other building elements of the Conservation Area in terms of age and material.

#### The application site

49. The site as it stands comprises a large surface public car park. The site in its current form does not contribute positively to the streetscene or the immediate vicinity and adjacent Conservation Area. The neighbouring Tesco supermarket and Ice Rink buildings are contemporary in their architectural treatment with no obvious reference to the Stamford New Road Conservation Area or nearby Stamford House (Station Buildings), a Grade II Listed Building located on the corner of Stamford New Road and Moss Lane and the traditional railway buildings and structures.

#### The proposal

50. The Stamford New Road Conservation Area Management Plan (CAMP) sets out the following policies which are of particular relevance to this proposal:

##### **Policy 55**

New development should be used to protect and enhance the high quality and historic architectural interest of the Conservation Area. There is an opportunity to give new use to the rears of buildings to provide active frontage to areas that have been identified within this Management Plan.

##### **Policy 56**

Any new development should take inspiration from the established architectural styles within the Conservation Area. Appropriate features, materials and detailing are to be integrated into the design. Modern design is not prohibited within the Conservation Area but should be sympathetic to its historic context; of a high standard; of an appropriate scale; and use appropriate, high-quality materials. Designs of low quality development that do not respect their surroundings should be refused consent.

##### **Policy 60**

The scale and massing of any new development should mirror the existing building and plot sizes. In general, new development should not exceed 2-3 storeys in height and should not dominate the streetscene.

##### **Policy 61**

New development should reflect the traditional design and rhythm of the roofscape of the town. Prominent roof top plant and dormer windows will not generally be accepted. Loft conversions may be permitted only if conservation rooflights are used and are restricted to the rear elevations of properties.

51. A contemporary approach was accepted in principle during the determination of the outline application where it was considered that “...a contemporary approach would be appropriate on this site to provide a distinctive character and identity to the development.” (para 25).
52. With the exception of Block 4, the majority of the development is sited a sufficient distance from the railway bridge and structures to have no impact on the character and setting of the Conservation Area. The new buildings are considered to be appropriate to the town centre location in terms of scale, height and massing and are of quality design and materials that reference the traditional buildings within the Conservation Area. It is therefore considered that the proposal would therefore result in no harm to the setting of the adjacent conservation area and listed buildings.

### Conclusion

53. With regard to its siting adjacent to the Stamford New Road Conservation Area it is considered that the impact of the proposed development would not result in harm to the significance of this designated heritage asset. Further to this it is considered that the development would result in harm to the setting of the listed buildings located on Stamford New Road. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Stamford New Road Conservation Area and surrounding listed buildings.

### LANDSCAPING

54. Landscaping and public realm works are proposed that would unify the spaces between and create a sense of place, connecting the Moss Lane entrance through to Altrincham Interchange. Secondary connection links are provided through to Oakfield Road and to the East and North of the site. The area would be largely paved and would also accommodate service vehicles and pedestrians, and this has been considered within the final arrangement of seating, trees and planting.
55. A great deal of consideration has been given to the areas of paving and to create different areas throughout the scheme. Paragraph 4.5.6.1.2 of the Design and Access Statement advises that “By varying the tones of the paving across the public realm the pattern starts to reinforce different degrees of movement within the spaces created.”
56. Trees and artwork sited outside of the Altair pattern and are to be planted both in the ground and in planters. A new square, situated off Oakfield Road, is created to draw people into the development and provide access to the underground car parking. The Design and Access Statement advises in paragraph 4.5.6.1.3 that “The intention is to create a shared surface space that has a similar design

*language to the central public realm and provides frontage for the future leisure centre development.”* The Landscaping Strategy also proposes the installation of a suspended sculpture as a central focus point.

57. It is considered that the proposal creates the opportunity to provide an attractive public space. A landscaping condition would be recommended to agree the details.

### ACCESS, HIGHWAYS & CAR PARKING

58. 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.

### Background

59. It should be noted that this application relates to the reserved matters approval for appearance, landscaping, layout and scale. As such the traffic and highway matters have been agreed as part of the outline approval.
60. The 2014 outline approval, reference 81115/O/2013 included the closure of Thomas Street and formation of a new vehicular access onto Oakfield Road, highway alterations, associated parking and new public realm access. Matters of access, including the highway works at the Oakfield Road/Moss Lane junction and on Moss Lane itself were secured as part of the outline consent.
61. The basement car park will cater for Phases 1 and 2 of the Altair development and is accessed from Oakfield Road in the approved location established by the outline consent. The car park has been amended from the approved outline in that it will now provide all spaces on a single level rather than the previously approved 2 levels.

### Traffic Impact & Highway Capacity

62. The application is for Reserved Matters and as such, the initial outline planning permission granted in 2014 provided details of the forecast traffic generation and likely impacts which were subsequently accepted by the LHA. The transport statement for this application compares the agreed ‘Outline’ traffic impact to that which could be generated by the phase 2 proposals. The below table shows a comparison of the identified vehicles trips as part of the consented Outline scheme to those associated with the Altair phase 1 and 2 proposals.

	<b>AM Peak Hour 08:00 – 09:00</b>			<b>PM Peak Hour 16:00 – 17:00</b>			<b>Saturday Peak Hour 11:15 – 12:15</b>		
	<i>Arr</i>	<i>Dep</i>	<i>Total</i>	<i>Arr</i>	<i>Dep</i>	<i>Total</i>	<i>Arr</i>	<i>Dep</i>	<i>Total</i>
<b>2014 Consented Outline Scheme Trips</b>	78	54	132	190	199	389	292	287	579
<b>Total Phase 1 &amp; 2 Trips</b>	18	28	45	12	17	29	10	18	29
<b>Difference</b>	<b>-60</b>	<b>-26</b>	<b>-87</b>	<b>-178</b>	<b>-182</b>	<b>-360</b>	<b>-282</b>	<b>-269</b>	<b>-550</b>

63. The trip comparison shows that the predicted trips for Altair Phase 1 & 2 are within the agreed trip levels from the Outline application. The LHA is therefore content that the associated traffic impact is acceptable and that the previously identified mitigation for highway improvements at the Oakfield Road / Moss Lane junction to maintain capacity remains appropriate. This table does not consider Phase 3 of the Altair development, which will need to be the subject of a future application (to be assessed on its own merits). The agent has confirmed however that it is considered unlikely that the Phase 3 proposals would generate traffic flows at a level whereby Phases 1-3 would in combination generate more trips than were assessed at the outline stage, or affect the conclusions that have been drawn.

#### Appropriateness of Access

64. The development is to be served by a basement car park with access taken from a new priority junction off Oakfield Road and includes the installation of a right turn ghost island on Oakfield Road. The access road leading to the car park takes the form of a circular one-way loop which also provides drop-off facilities at its western end; later, under phase 3 proposals, the access road will also contain a coach drop-off facility. These proposals accord with the access arrangements approved as part of the outline application, and those included within the Section 73 application.
65. The access arrangements are considered appropriate for the Phase 2 proposals and swept paths of vehicles accessing and leaving the car park whilst the drop-off facility is in use have been submitted with the application and are satisfactory.

#### Servicing Arrangements

66. Servicing access to the development is to be taken from both Oakfield Road and Moss Lane. A dedicated lay-by is to be constructed on Oakfield Road to serve blocks 1 and 3, with blocks 2 and 4 served via a shared surface access off Moss Lane.

#### Oakfield Road:

67. The proposed lay-by in Oakfield Road is non-standard and is also considered to create a pinch point within the footway which is directly outside a pedestrian entrance to the proposed development. This lay-by will therefore need to be constructed according to Trafford's usual highway standards maintaining a minimum 2m wide footway, and also including kerbs laid parallel to the carriageway with regular lead-in and exit tapers.
68. Whilst the principle of a lay-by to serve the development from Oakfield Road is accepted, the proposed lay-by will need a detail design undertaking showing the correct construction layout and material specifications. It is therefore considered that these details can be determined as part of the detail highway designs and subsequently undertaken as part of a section 278 highway agreement pursuant to the Highways Act 1980.

#### Moss Lane:

69. The level surface access to Moss Lane is to be taken from an extension to a proposed shared surface treatment to Moss Lane itself. The access and manoeuvring has been tested with swept path analysis for large servicing vehicles including an emergency fire tender and this is shown to be satisfactory. Further details of a servicing strategy and management plan are required to be submitted for the approval of the LPA for each development phase in accordance with conditions 12 and 19 of the outline approval.

#### Servicing Vehicles Visibility Splays

70. A vehicle access to the site for service, delivery and emergency vehicles only, will be provided from Moss Lane. These vehicles will then travel along the shared surface space within the site which has been designed to keep vehicle speeds to a minimum. The internal layout of the site has been designed to ensure that the turning movements of vehicles can be safely accommodated. A further service vehicle layby (as discussed above) is proposed on Oakfield Road which is intended for vehicles servicing Blocks 1 and 3.
71. The applicant has provided further details regarding swept paths for servicing vehicles exiting onto Moss Lane with the one-way priority of Moss Lane reversed. The swept paths demonstrate satisfactorily that servicing vehicles have appropriate visibility at this location and are therefore accepted.

#### Car Parking, including disabled provision

72. Loss of public parking spaces which existing on the current surface car park was one of the main reasons for objection to the proposal in the representations received. It is clear from the objections received that this car park is currently

used by a large number of commuters whom drive into Altrincham, park their cars at the Interchange and use the tram to travel onwards into Manchester. Other than the low cost paid towards their daily parking charges, it is considered that this use of the existing site provides no real contribution to the economy or vitality of Altrincham town centre. The application does not include the Network Rail car park and as such the rail users' car park will remain.

73. The development includes proposals for a 200 space underground car park linked to all four blocks which is accessed from Oakfield Road. The car parking consists of 150 spaces for the apartments, including 10 accessible parking spaces; together with 4 motorcycle spaces and 150 cycle storage spaces. The remaining 50 spaces will be set aside for 'pay-as-you-park' car parking. This will provide the option for some public car parking to be made available within the site. Furthermore, it is reported that if any of the proposed 150 residential spaces are not required by residents, these too will be added to the 'pay-as-you-park' provisions.
74. This arrangement is not considered to introduce any additional impacts at the development and may help in assisting any potential displaced public car parking at the development site, which would otherwise have to relocate to nearby facilities. Notwithstanding this, it is considered that there is sufficient provision for displaced public car parking within the town centre. The details of the car parking are also to be further set out and submitted within a car parking management plan which is a condition of the outline approval and this is considered appropriate by the LHA.
75. The level of proposed car parking is considered appropriate and in accordance with Trafford's SPD3 Parking Standards & Design and therefore accepted by the LHA. The lack of public car parking is not considered a significant issue as it is anticipated that a high number of trips to the proposed commercial and retail units will be linked to persons visiting Altrincham as part of a wider shopping or business trip and as such would not require specific parking at the site.
76. Altrincham has many car parks which are within a 5 to 10 minute walk from the development including the Stamford Quarter and Goose Green Multi-Storey Car Parks and approximately 150 spaces in the Regent Road car park. The choice of parking options for the development are considered appropriate and between these sites there are considered sufficient facilities to be able to accommodate the loss of the public car parking at the development site.
77. Concerning any residential car parking which may also be displaced due to the development of the Altair Phase 2 site it is noted that an arrangement for residents to park vehicles at this location was only granted on a temporary basis until such time as the site was developed and that alternative parking within the Oakfield Street Permit Scheme would also be available.



### Site Accessibility

78. Public Transport – The site is highly accessible by public transport being located within a 5 minute walk of Altrincham Bus and Metrolink Interchange and the Town Centre, providing access to a variety of locations within Greater Manchester. Future residents and employees would therefore have access to a wide choice of travel modes which should help to reduce the amount of car travel otherwise generated by this development.
79. Active Travel – In order to maximise the benefits of the site's location in relation to active travel, it should be ensured that the pedestrian and cycling environment is designed to be as safe, convenient and attractive as possible, so as not to discourage people from accessing the site on foot/by bicycle.
80. It is also important to ensure that there is adequate infrastructure and facilities to encourage residents, employees and visitors to travel by sustainable modes. The Transport Assessment refers to the provision of 150 cycle storage spaces located within the car park at basement level. It is not known if these spaces are all allocated to residents. Further parking for staff and visitors should be provided at surface level, (with appropriate welfare facilities for staff i.e. showers/changing rooms), in line with minimum standards as set out in Trafford's Supplementary Planning Document 3.
81. TfGM would also recommend that the development be future proofed to allow for additional secure cycle parking to be provided at a later date should it be required.

### Travel Plan

82. Although the site is accessible by sustainable modes, it is importance to influence travel patterns at the beginning of occupation and therefore it is encouraging that the application is accompanied by a Framework Travel Plan. If the Travel Plan is to be successful, it will be dependent on establishing a culture of sustainable travel behaviour at the outset, rather than on changing already established travel practices. The success of the Travel Plan measures will depend on their effective delivery and commitment from the occupiers and therefore robust arrangements for the implementation and running of the Travel Plan need to be included in the Framework Travel Plan. The submission of a travel plan is conditioned by the outline planning permission.
83. TfGM has suggested a condition requiring the development, implementation and monitoring of full Travel Plans to be attached to an approval planning consent.

### Off-Site Highway Works

84. The proposals include alterations to the existing traffic signal junction at Oakfield Road / Moss Lane to realign the junction which will increase the storage capacity over two lanes on the southbound approach. The proposed works also include the widening of the east footway on Oakfield Road adjacent to the Memorial Gardens and the continuation of the proposed shared surface to Moss Lane outlined as Phase 1 works, the construction of a layby on Oakfield Road and a new access to serve the underground car park.
85. The LHA has not been provided with detail designs of the proposed off-site highway works or a specification of the proposed materials. Although the extent of the mitigation works is agreed and, it is considered that the plans submitted are suitable to determine the Reserved Matters application; it will be necessary for detail highway designs to be submitted to the LHA for approval and for the developer to enter into a s278 highway agreement prior to any construction works taking place on the adopted highway.
86. It should also be noted that any proposals to use non-standard highway materials including proposed laying of block setts within the carriageway will need to be considered further by the LHA. It should be made clear that should such items/materials be considered acceptable the developer will be required to provide a commuted sum for their future maintenance.

### Construction Management Plan

87. The construction management plan should provide details of the proposed demolition / construction traffic routes and an assessment of the potential impact from this traffic on the network.
88. The plan will also need to include the proposed access points, delivery management, site compound layout, material storage loading areas, the proposed times of working, site operatives car parking and the measures to limit any impacts on existing residential dwellings and businesses adjacent to the site boundary.
89. A suitable planning condition setting out the requirement for a Construction Management Plan based on the above details should be attached to any planning permission granted.

### RESIDENTIAL AMENITY

90. 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.

### Impact on Residential Amenity of Existing Neighbours

91. The land uses associated with Phase 2 proposals have already been approved as part of the outline planning permission together with indicative layout plans. The proposal would introduce town centre uses including retail (use class A1) and restaurant and bars (use classes A3/A4 and A5) into an area which is predominantly currently used as a surface car park. The wider site does host the ice rink (with the potential for a high level of comings and goings late into the evenings particularly on match days) and Tesco superstore is located across Moss Lane. The site is located within a mixed use area. Whilst the development would result in an intensification of the town centre uses within the site closer to residential properties, it is considered that this would not be significantly out of character for the area.
92. It should be recognised that the principle of these uses within the proposal was approved under the outline permission and is not for consideration under this application. Instead, it is the particulars of the units in terms of siting, hours of opening, servicing and deliveries that should be assessed in order to prevent any undue impact.
93. Consultation comments from Pollution and Licensing advise that no deliveries and refuse collections to the development should be made after 2300 hours or before 0700 hours on Mondays to Saturdays and after 2300 and 0800 hours on Sundays and Bank Holidays. This is conditioned (16) as part of the outline permission. The use of service vehicles during the opening times of the units will need to be carefully managed and a Service Management Plan is required to be submitted in accordance with conditions 12 and 19 of the outline permission. The agent has indicated a commitment at this stage to ensure that no servicing would take place during unsociable hours (e.g. between 23:00 and 06:00). It is considered that restricting servicing within the shared surface areas to the morning hours would also be the safest option when there is expected to be less pedestrian movement. However this is to be considered through the submission of conditions relating to the parent outline permission.
94. Pollution and Licensing also recommend that retail units shall only be used between the hours 0700 hours and 2300 hours. This is considered to be unduly restrictive for a town centre location and instead a condition restricting the hours of opening for the A1, A3, A4 and A5 premises within Blocks 1 and 3 to between 07:00 and 01:00 Monday to Saturday and 07:00 to 23:00 on Sundays and Bank Holidays with no outdoor consumption of food or drinks after the hours of 23:00 and 22:00 respectively is considered to be appropriate to the character and location of the site. A slightly later opening time for those units in Blocks 2 and 4 which are sited further from the existing residential properties on Oakfield Road is considered appropriate (to 02:00 Monday to Saturday) and it is considered that staggered closing times would help to avoid a period with all customers leaving

the development at the same time in the evening therefore reducing any potential impact on neighbouring residential properties.

95. The separation distance between the buildings on Oakfield Road and the residential properties on the opposite side is approximately 21 metres. The Council's adopted SPG for New Residential Development advises under paragraph 11.2 that *"For new two storey dwellings (houses or flats) 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 21 metres across public highways and 27 metres across private gardens. Where three storey dwellings (houses or flats) are proposed, the minimum distances are increased by 3 metres over the above figures."* There will be habitable room windows within the new apartments facing the neighbouring dwellings on Oakfield Road in the upper floors of Block 1 and commercial windows in the upper floors of Block 3. Whilst the proposal does fall short of the guidelines, the buildings are positioned no closer than the parameters set out in the outline approval.
96. It is therefore considered that the proposal would not result in any undue overlooking or loss of privacy from facing windows.
97. Further to this the proposal is considered to not result in harm through appearing overbearing or visually intrusive, nor would the development result in any loss of light or undue overshadowing.

#### Quality of Accommodation for Future Occupiers

98. Section 13 of the Council's Supplementary Planning Guidelines for New Residential Development covers expected levels of garden and amenity space provision for new properties. Paragraph 13.5 advises that "For flats, 18sq.m of adequately screened communal area per flat is generally sufficient for the functional requirements. Balconies can count as part of the amenity space provision." A communal terrace is to be provided on the 8<sup>th</sup> floor measuring approximately 239 sq.m. Whilst the figure of 18 sq.m is not met for each unit even when taking into consideration the proposed balconies, it is considered that the large communal area would be an adequate amount of amenity space. The proposal is also within walking distance of Stamford Park.
99. 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. Because of the location of the development, conditions are recommended regarding noise assessments to establish the external noise climate and vibration impacts to the proposed dwellings and a further condition to ensure an acceptable noise and vibration insulation scheme is incorporated into the design of the development which is based upon the findings of the noise assessment required.

100. It is considered that to a degree, residents choosing to live in the new apartments will be aware of the mixed use environment that they are moving in to. Conditions are also recommended however relating to hours of deliveries and servicing, hours of opening, sound insulation, fume extraction and air quality assessment to protect the amenities of future occupants.

### CRIME PREVENTION

101. Policy L7.4 of the Core Strategy advises that in relation to matters of security, development must:
- Demonstrate that it is designed in a way that reduces opportunities for crime; and
  - Not have an adverse impact on public safety.
102. The Crime Prevention Plan submitted with the application advises that the design is underpinned by crime prevention measures in relation to the car park, landscaping and building shell security. The report states that the Crime Prevention Plan will be developed further with future tenants.

### Crime Mitigation Measures

103. The layout of the development is not exclusively “inward-oriented”; it also faces outward to Moss Lane, Oakfield Road and the north of the site linking to the future development of Phase 3. The development is considered to link with its surroundings with logical, convenient through-routes. These elements encourage greater use of the space and routes through the development, which add vitality to the public space.
104. The pedestrian links throughout the development provide convenient access to Altrincham Interchange for bus, rail, and tram services, and the main town centre taxi rank.
105. The development includes a mixture of uses, each with different ‘working’ hours. Each use requires specific services and support facilities and generates flow of people and goods. Mixed use developments, such as this, generally exhibit an extended period of activity, a more varied and greater pedestrian flow and a more intensive use of services. Collectively, they generate vitality and natural surveillance to all parts of the scheme. The mixture of uses proposed is broadly welcomed.

### Car Park

106. Undercroft parking creates large sheltered and, partially hidden areas, which have the potential to attract loitering/gathering, anti-social behaviour and crime. However, well managed car parks can avoid such problems. Consequently, there should be an on-site security presence at all times to ensure that there can

be an immediate response to any minor incidents and any more serious incidents reported. A condition is recommended to ensure that this is put into place

### CLIMATE CHANGE AND DRAINAGE

107. Policy L5 of the Core Strategy relates to Climate Change and states that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.
108. Conditions are recommended in relation to foul and surface water drainage on a separate system and details of a surface water drainage scheme (including maintenance and management plan). In accordance with NPPF and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

### DEVELOPER CONTRIBUTIONS

109. A S106 Agreement has been completed in relation to the outline application to secure a maximum financial contribution towards: highways and active travel infrastructure; public transport schemes; specific green infrastructure; spatial green infrastructure, sports and recreation; and education and facilities together with provision of/contribution towards affordable housing in accordance with the Trafford Core Strategy and SPD1: Planning Obligations.
110. No further developer contributions are required or can be sought at reserved matters stage.

### OTHER MATTERS

111. The status of the companies that have applied for planning permission are not a material planning consideration.

### CONCLUSION

112. The scheme has been assessed against the development plan and national guidance and it is considered that the proposed development will result in an acceptable form of development with regard to the amenity of neighbouring or future residents, highways, access and parking and the impact on the streetscene and the surrounding area more generally. With particular regard to the impact on heritage assets, it is considered that the proposal would result in no harm.

113. It is considered that the comprehensive redevelopment of the development site would have a positive impact on the vitality and viability of Trafford's principal town centre creating, as it would, an attractive new town centre destination.
114. The proposed scheme complies with the relevant policies 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 three years beginning with the date of this permission.  
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in accordance with the details shown on the submitted plans, numbers al(02)001 P01, al(02)005 P01, al(04)001 P02, al(04)002 P02, al(04)003 P02, al(04)004 P01, al(04)010 P11, al(04)011 P12, al(04)012 P11, al(04)013 P11, al(04)014 P08, al(04)015 P08, al(04)016 P10, al(04)017 P05, al(04)018 P07, al(04)019 P07, al(04)030 P05, al(04)031 P04, al(04)032 P03, al(04)033 P04, al(04)034 P02, al(04)035 P03, al(04)036 P03, al(04)037 P03, al(04)040 P01, al(04)041 P01, al(04)042 P01 and al(04)043 P01.  
Reason: To clarify the permission, having regard to Policy L7 and R1 of the Trafford Core Strategy.
3. No above ground works 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 demolition and construction works  
Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy.

4. Upon first installation the glazing to all balcony screens shall be fitted with textured glass in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority and retained as such thereafter.

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

5. Further to the submission of the baseline noise assessment submitted as part of this application, no above ground works shall take place unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority setting out what measures are to be adopted to ensure that:

- An acceptable noise climate can be achieved within habitable rooms and amenity areas, following the guidance of BS 8233: 2014 “Sound insulation and noise reduction for buildings – Code of practice”
- Vibration impacts from rail traffic comply with appropriate criteria of BS 6472: 2008 “Guide to evaluation of human exposure to vibration in buildings”

The development shall be carried out in accordance with the approved scheme which shall be retained as such thereafter.

Reason: The proposed development is close by to a number of noise sources, predominantly transport noise which could impact upon the amenity of any future end users, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Prior to the occupation of any retail units hereby approved with cooking and/or food preparation areas, details of the fume extraction systems shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be installed and shall be used at all times when the premises are used for cooking or preparing foods. The system shall be maintained and serviced in accordance with manufacturers recommendations.

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

7. The A1, A3, A4 and A5 premises within Blocks 1 and 3 hereby approved shall only be open for trade or business between the hours of 07:00 and 01:00 Monday to Saturday and 07:00 to 23:00 on Sundays and Bank Holidays with no outdoor consumption of food or drink after the hours of 23:00 and 22:00 respectively.

The A1, A3, A4 and A5 premises within Blocks 2 and 4 hereby approved shall only be open for trade or business between the hours of 07:00 and 02:00 Monday to Saturday and 07:00 to 23:00 on Sundays and Bank Holidays with no



outdoor consumption of food or drinks after the hours of 23:00 and 22:00 respectively.

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

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

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

9. No development works above ground level shall take place until detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

i) All external window and door systems (including technical details (mullions and transoms, method of openings), elevations, plans and cross sections showing cills and reveal depths/colour) at scale 1:10;

ii) Design and material of all main entrances including surrounds;

iii) Rain water goods (including locations, fixings, material and colour) and;

iv) Fins on block 3

v) Picture window

vi) Canopies

vii) Shopfronts

viii) Advertisement strategy

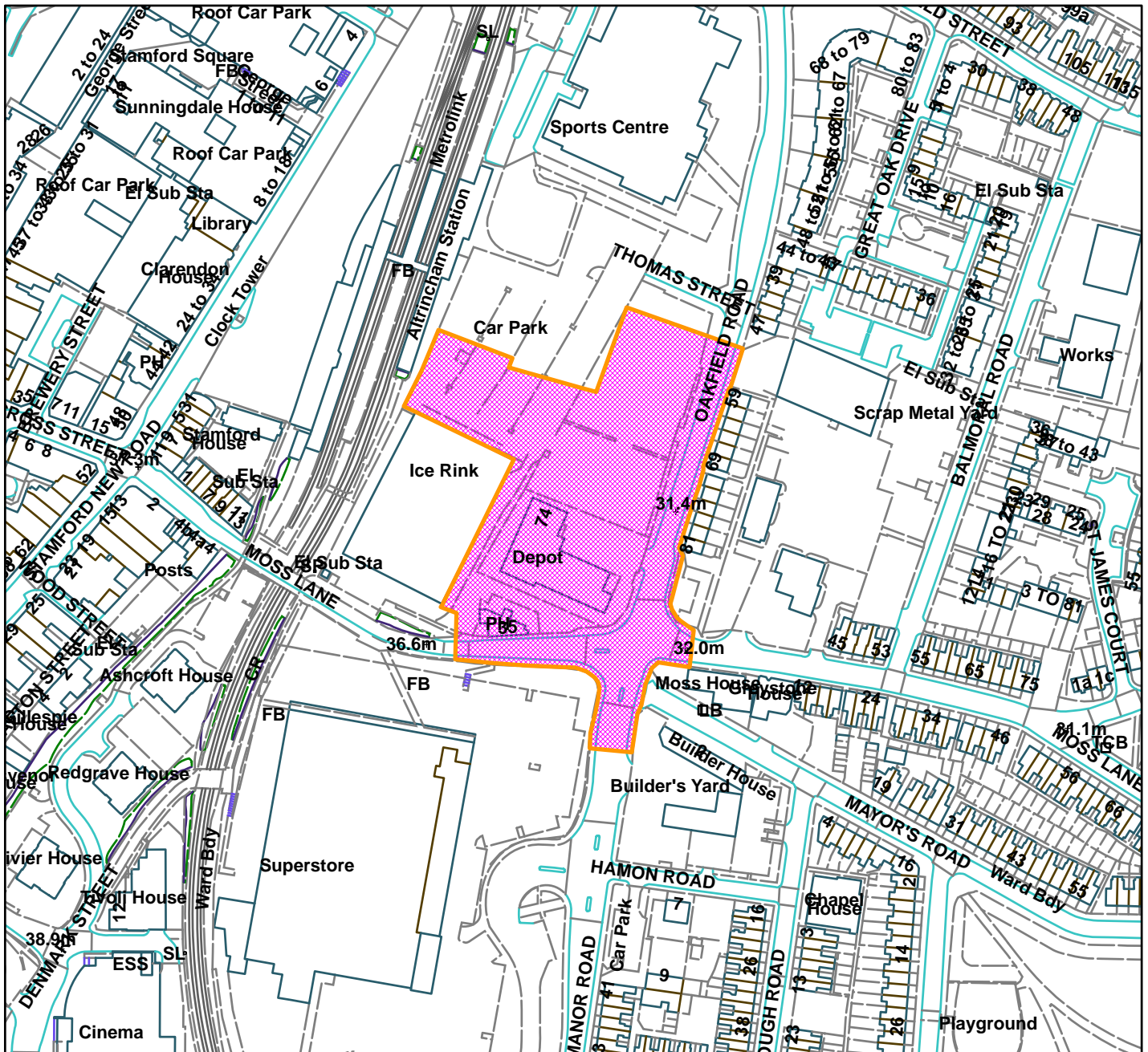
Reason: To ensure a high quality standard of development and to safeguard and enhance the character and appearance of the adjacent Stamford New Road Conservation Area and the setting of the adjoining listed building in particular, and the visual amenities of the locality in general in accordance Policies L7 and R1 of the Trafford Core Strategy.

JE

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Land at Oakfield Road/Moss Lane, Altrincham (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**WARD:** Urmston

**90481/FUL/17**

**DEPARTURE: No**

**Demolition of existing factory buildings to allow for residential development comprising 58no. new dwellings alongside ancillary works including; a new main access from Stretford Road and associated landscaping.**

Simpson Ready Foods Ltd, Stretford Road, Urmston, M41 9WH

**APPLICANT:** M.C.I.Developments Limited, Simpsons Ready Foods Limited

**AGENT:** M.C.I.Developments Limited

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

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## **SITE**

This application relates to the former “Simpsons Ready Foods Limited” site, located on the northern side of Stretford Road, Urmston. The application site is located within a mixed use area, with the prevailing pattern of development varied. To the north, west and east of the site are residential properties of predominantly 2 storey, built in a mix of terrace and semi-detached. The surrounding area also includes a number of flatted residential blocks. The site is bound by Firwood Avenue to its east and Link Avenue to its west. To the north of the site lie residential dwellings on Humphrey Park.

A small parade of shops and other commercial uses lie further down Stretford Road to the sites west, with residential units to its east. The site’s main access is off Stretford Road, with a second vehicle access point from Link Avenue to its west, as well some smaller access points from Firwood Avenue, to the east. The existing site comprises a number of two and three storey units, which form the former factory and its various warehouses and work-shops. The main factory frontage currently adjoins a residential property to its east, along the Stretford Road frontage.

The site is currently vacant.

## **PROPOSAL**

The application seeks planning consent for the demolition of all existing factory buildings on site, in order to allow for the development of 58 residential units; alongside ancillary landscaping and associated works.

The residential units are proposed in the form of 13no. 1 bedroom apartments, 18no. 2 bedroom apartments and 27no. 2 and 3 bedroom houses. The houses are proposed in a cul-de-sac layout, with the three storey apartment blocks proposed to the sites southern side, fronting Stretford Road. Access into and out of the site is proposed via a

single point, sited centrally, off Stretford Road. All other existing accesses are to be closed.

The proposed 3 storey apartment blocks are detailed to have private forecourt parking to their rear. The proposed 2 and 3 bedroom two storey dwellings are detailed to have private drives or allocated parking spaces to their fronts and rear. All the proposed houses would have private garden areas, with the apartment blocks proposed to feature communal amenity spaces for residents.

The development is proposed to be constructed in a pallet of varying brick types, which are proposed to be in keeping with the general rhythm of development within the wider area. The proposed houses are further proposed to feature light grey coloured roof tiles and uPVC openings, in keeping with neighbouring units of a similar style and type.

**Value Added:** - Amendments have been sought to improve the proposed design and layout of the dwellings, the level of landscaping on site alongside the level of private amenity space on offer for future occupiers of the site.

## **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  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
W1 - Economy

R3 - Green Infrastructure

## **SUPPLEMENTARY PLANNING DOCUMENTS**

New Residential Development – Supplementary Planning Guidance 1

## **PROPOSALS MAP NOTATION**

None

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

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

## **RELEVANT PLANNING HISTORY**

88899/OUT/16 - Outline application for demolition of existing factory buildings followed by erection of two to three storey residential development (up to 58 units) with access onto Stretford Road and the provision of a turning area on Link Avenue. Approval sought for access with all other matters reserved – Approved with conditions, subject to Legal Agreement – 22.03.2017

## **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: -

- Crime impact statement
- Statement of community involvement
- Bat and breeding bird survey

- Transport statement
- Planning statement
- Geological survey
- Flood risk assessment
- Design and access statement
- Carbon budget statement

## **CONSULTATIONS**

### Environmental Health – Pollution and Licensing

Raised no objections to the proposals subject to conditions.

### Environmental Health – Contaminated Land

Raised no objections to the proposals, however recommended the use of a planning condition, for any subsequent planning consent.

### Design For Security Team – Greater Manchester Police

Raised no objections in principle to the application, recommendations made within the submitted Crime Impact Statement be incorporated within the proposal.

### Local Highways Authority

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### Drainage Engineer

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### United Utilities

Raised no objections to the proposals, however recommended the use of a number of planning conditions, for any subsequent planning consent.

### GMEU

Raised no objections to the proposal, however recommended the use of 2no. conditions, for any subsequent planning consent, further discussed below.

## **REPRESENTATIONS**

**Neighbours:** A total of 8 neighbours made the following representations to the Local Planning Authority, raising the following concerns and making these comments:

- Development proposes to over develop the site
- Proposed development does not meet the Councils guidance for new Residential Development
- Privacy concerns – overlooking from three storey units
- Development will lead to an increase in traffic within the vicinity of the site
- Increased amounts of pollution and noise during construction stage of development
- The removal of the turning head will cause traffic problems on Link Avenue and jeopardises driver safety
- Proposed garden areas are small in size and not in keeping with those within the wider area
- Full details of boundary treatments have not been provided
- Object to wooden or wired fencing to be used along rear boundaries of site
- Garden areas should back onto existing garden areas of neighbouring dwellings
- Development will lead to loss of light and outlook due to being part 3 storey
- Design should be in keeping with the wider built form within the area

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The application site comprises the former “Simpsons Ready Foods” factory site and its surrounding curtilage. The main factory building and other ancillary units are to be demolished as part of the application, in order to allow for the redevelopment of the site for a residential use. The proposal would therefore result in a change of use of the site from its existing industrial use (B2) to residential use (C3).
2. It should however be noted that the application site was subject to a recent Outline planning consent approval for a residential use, planning application reference: 88899. Outline planning consent was granted for the erection of up to 58no. residential units on site and the sites access. This permission to date has not been implemented.

#### Loss of Industrial (Use Class B2) use

3. Being a former factory, the application site is considered to be a brownfield site, within the B2 use class (General Industrial). The current proposal would result in a change of use of the site to residential (use class C3). Policy W1.12 of the core strategy sets out in determining applications for non-employment uses on unallocated employment sites, developers will be required to provide a statement to the satisfaction of the Local Planning Authority demonstrating that:
  - There is no need for the site to be retained for employment purposes and it is therefore redundant;
  - There is a clear need for the proposed land use(s) in this locality;

- There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;
  - The proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users; and
  - The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford.
4. In this instance the developers have not submitted a supporting statement; however it should be noted that the application site was not identified as an allocated employment site within the Core Strategy. The principle of the change of use has been established within the extant planning permission (88899).
  5. With reference to Policy W1.12, it should further be noted that within application reference (88899), evidence was submitted to the Council in order to demonstrate that there are large number of modern industrial premises, in close proximity to the application site, within Trafford Park. Trafford Park is an allocated employment site and that is its primary function. Within the assessment of the extant permission (88899) it was also found that the existing site does not meet present day expectations for industrial uses; given its aging nature and size and by virtue of the site being sited within a mainly residential area.
  6. The primary function of the wider locality of the application site is residential, with local shops and other services sited within the wider vicinity. Therefore the redevelopment of the site for residential purposes would support the existing primary function of the area. The development would also remove what is currently seen as an un-neighbourly use within the site, improving the amenity of neighboring land users. The applicants have however, in this case, failed to demonstrate that they have considered other suitable available housing sites within the wider vicinity, as set out in policy W1.12. However given the assessment taken in regard to the previous application and that the principle has already been established it is considered that the principle of the development in this case is acceptable. In any event, there is a need generally for additional housing sites across the Borough, as evidenced by the Council's lack of a five year housing land supply. There is therefore no 'alternative' site as this quantum of housing development (and more) needs to be accommodated within the Borough in order to meet the housing needs of its population and there are currently insufficient suitable, available and deliverable sites with which to do so.
  7. It is therefore considered that in this instance the proposed change of use of the site to residential is considered acceptable. The application site has not been identified as a site for future employment provision, and is in fact identified in the Council's Strategic Housing Land Availability Assessment (SHLAA) for housing development, to which some weight can be given. Weight can also be given to the recent outline planning permission for the same number of residential units. It has previously been established that a sufficient number of alternative employment sites can be found within the Trafford Park area, in close proximity to the site, where future industrial



development could be focused. Furthermore the primary function of the sites wider area remains residential and the development would aid in the provision of additional housing. The development is further considered to be within a suitable location and its redevelopment would reuse a brown field site, in order to provide additional housing within the borough. For these reasons, the development is considered to be acceptable and is considered to be in accordance with Policy W1.12 of the adopted Core Strategy.

### Principle of Residential Development

8. Core Strategy Policy L1.7 sets an indicative target of 80% of new housing provision within the borough to be built upon brownfield land. In order to achieve this, the Council has stated that it will release previously developed land and sustainable urban area greenfield land, in order of priority. As this development would involve the use of a large brownfield site, the development is considered to make a positive contribution to the Councils brownfield land target, in accordance with Policy L1.7 of the Adopted Core Strategy.
9. It should further be noted that the site has been identified within the Councils Strategic Housing Land Availability Assessment (SHLAA) as having the potential to provide up to 29 houses (based on 30 dph) as a single housing type site or 39 units (based on 50 dph) as a mixed housing type site, including the erection of apartments.
10. It should be noted however that the density assumptions used in the SHLAA were used for guidance purposes only and are not either a target or a limit to the number of residential units which could be accommodated on the site. The current application proposes development at a higher density, including the erection of a number of 2 and 1 bedroom apartments. The current application seeks planning consent for 58 new units. These units proposed are as follows:
  - 13 x 1 bed apartments
  - 18 x 2 bed apartments
  - 17 x 3 bed semi-detached and town-house housing
  - 10 x 2 bed semi-detached and town-house housing
11. Policy L2.6 from the TBC core strategy states that such residential schemes should put forward a good mix of dwelling types and sizes, which will in turn help meet the housing needs of the Borough. In this instance, it is considered that the site would accommodate a good mix of units with housing types ranging from 1 bedroom apartments, to large 3 bedroom family housing, therefore the proposal is considered to comply with this policy and is acceptable in principle.
12. Policy L2.7 further states, with reference to 1 bedroom apartments, that 1 bed general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. The

current scheme however is not located within a town or regional centre, being located within the outer area of Stretford.

13. 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.
14. 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.
15. 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.
16. Paragraph 47 of the NPPF identifies a clear policy objective to, "*boost significantly the supply of housing*". In order to meet future housing needs, Core Strategy Policy L1 also 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.
17. The application site is located on a local bus route, with services connecting into Stretford, Sale and Manchester. The site is also sited within 1km of Humphrey Park railway station, with Metrolink stops also being accessible from the nearby bus network. Being situated within a well-established residential area, the site also remains sited within a short range of schools, shops and other local community facilities and as such its location is considered to be sustainable.
18. The proposed development inclusive of the proposed 1 bedroom units is considered to be acceptable. The application site is considered to be sustainable and the development is considered to provide a good mix of new residential dwellings to the benefit of the borough and its housing stock. The minor departure from development plan policy in respect of the inclusion of one bedroom apartments would be significantly outweighed by other material considerations; namely the benefits to the

Borough's supply of new homes which would accrue from a mix of dwelling types on the site, particularly as this includes a number of family homes, and the contribution the development would make to housing land supply generally.

19. The current application would therefore significantly add to the Council's aim of meeting its new homes target and would make good use of a large vacant brownfield site. The current scheme would help address the identified housing shortfall within the borough, alongside assisting the Council in meeting the Government's objective, of securing a better balance between housing demand and supply. The proposed development is therefore considered to be in line with policies L1 and L2 from the TBC Core strategy and where it is not, the policies of the NPPF and the benefits of the scheme are considered to comprise material considerations which outweigh development plan policy in this instance, and which in the former case, can be given very significant weight.

### Affordable Housing

20. Within 'moderate' market locations, and in 'poor' market conditions (as at present) a 10% affordable housing contribution is required. If a lesser amount than this is proposed, it should be determined and justified by a site specific viability study. The applicant has proposed 10% affordable housing in accordance with policy.
21. More specifically, Policy L2 of the Trafford Core Strategy highlights the following key principles with regards to affordable housing:
- The expected method of delivery will be on site.
  - At least 50% of the affordable housing provision will be required to be suitable for families.
  - The affordable housing element should reflect the overall mix of unit types on site; and
  - A split of 50:50 in the affordable housing units should be provided between intermediate (commonly shared ownership) and social/affordable rented housing units.
22. The applicants have proposed to provide 6no. units of the proposed 58no. as Affordable Housing units. This is just above a 10% contribution and is proposed in the form of:
- 2 x 1 bed apartments
  - 2 x 2 bed apartments
  - 2 x 2 bed houses
23. The proposed contribution would therefore represent a good mix in the variety of the proposed housing units on offer at the site. The applicants have further proposed the units to have a 50:50 split in terms of these being intermediate and social/affordable rented housing units. As such, in this case, the Affordable Housing contribution

proposed as part of this application is considered to be acceptable and is considered to remain in compliance with policy L2 of the TBC core strategy and can be secured by means of a S106 legal agreement.

## **DESIGN AND STREET SCENE**

24. 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.
25. Paragraph 2.2 of the New Residential Development SPD indicates that development will not be accepted at the expense of the character of the surrounding area. It states that the resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.

### Existing factory building

26. The main factory, an early 20<sup>th</sup> century building, is considered to hold 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 new residential development is considered to be acceptable.

### Layout/footprint

27. A total of 58 units are proposed within the application site. The proposed layout presents a cul-de-sac styled form of development, whereby the sites main access would run centrally through the site, leading off from Stretford Road, to the sites south. The main access is proposed to have three storey residential apartment blocks erected to its either side, fronting Stretford Road. To the rear of these, the development proposals detail the erection of 27no. semi-detached and terraced 2 and 3 bedroom dwellings on the remaining area of the site. Four different house types are proposed; adding some variety within the development.
28. Three pairs of semi-detached dwellings would front onto Link Avenue to the sites west, with a row of three terraced dwellings and six pairs of semis erected to face eastwards onto the proposed new access route to the sites east, with a further pair of semi's and a row of four terraced dwellings proposed to the sites north, facing south, backing onto the dwellings on Humphrey Park.

29. The proposed layout, in this instance is considered to be acceptable and is considered to be consistent with the general rhythm of development within the wider area. Stretford Road currently features a number of similar styled apartment blocks, to those proposed within the current scheme, to the sites immediate south and west and therefore it can be seen that the precedent for such forms of development has already been set within the surrounding street-scene.
30. Presently, the site has a large blank facade built along its western side boundary with Link Avenue. This is not permeable at any point and does not allow for any form of visual relief along this large vertical elevation. The current proposals would see this removed and introduce three pairs of semi-detached dwellings. The dwellings would be set apart at 1m distances and would be setback from the road for a distance of around 1.8m, in line with other properties along Link Avenue. This form of development is therefore considered to provide some enhance of the street-scene and is considered to be in keeping with the general rhythm of development within the vicinity of the site. The setbacks and separation distances allow for visual relief along Link Avenue and the soft landscaping proposed within the apartment car parks and along the sites boundaries improve the visual amenity of this part of the site.
31. To the sites east, a similar approach is proposed. Three terraced dwellings have been proposed to the rear of the apartments 24-37. These retain a 1m separation gap from the rear boundary of the car park and would be setback from the proposed access road. Private drives are proposed to the front of these, separated by a small landscaped buffer. Six pairs of semi-detached dwellings are then proposed to the north of these, retaining 1m – 2m visual breaks from one another. To the sites north a further pair of semi-detached and a row of four terraced dwellings are proposed. These again retain 1m – 2m separation distances and feature front drives and landscaping.

#### Scale/mass/height

32. Presently the sites frontage is formed from numerous adjoining factory buildings at a maximum height of 12m, erected in a staggered footprint. The proposed apartment blocks would be approximately 12.5m in height. These are also separated with the main access running in between them, adding a large visual break within the sites built form. The apartments would be setback from the front boundary of the site by approximately 2m - 3m, and would also be set in from the sites eastern and western side boundaries for distances of around 5m.
33. The apartments given their size and scale would provide the site with a much more open frontage and allow for views down the side of the blocks into the site, making the site much more permeable and creating an element of space and openness within the site.
34. All the dwellings are to be two storeys with maximum ridge heights of between 7.5 and 8.1 meters. The heights and scales of the various house types proposed are

also considered to be characteristic of semi-detached and terraced houses within the wider area and are considered appropriate in their context.

#### External appearance and materials

35. The proposed apartments would be erected from buff brick and would feature stone detailing. Juliet balconies are further proposed at first and second floor levels within the principal front facing elevations of the blocks and these elevations would further feature individual access points for the ground floor units, which would open out onto Stretford Road; allowing for a much more permeable and active frontage.
36. To the rear the apartments are designed to feature private courtyard parking areas, with areas of landscaping forming a buffer around these; screening them from the surrounding street-scene. The apartments also feature a degree of amenity space to the sides and rears for the use of future residents. Whilst the proposed apartment blocks are not considered to be of significant architectural interest they are considered to be acceptable within this context. A condition requiring a sample of the proposed materials and details of window and door openings will be added to any subsequent permission in order to ensure the detail of the development is of the highest quality.
37. With reference to the proposed housing, the materials proposed are red brick with bands of contrasting buff coloured stone to frame the main windows and provide visual breaks between the ground and first floor levels. Although a large proportion of the dwellings have front facing driveways, which is not typical of properties on Firwood or Link Avenue, this is considered to provide an additional level of space within the wider street scene and provides visual relief and as such is considered acceptable.
38. The proposed houses are seen to have a uniform style in their form, through the use of well-proportioned openings sited within the front elevations. These would be in keeping with similar sized openings within properties of the wider area, with stone detailing for their cills and lintels. As such the solid to void ratio for the proposed units is considered to be acceptable and the front elevations have further been broken-up through the use of small porch style features, sited above the dwelling's main entrance points. The properties would all have appropriately sized rear gardens and soft landscaping is proposed within the site to soften the built form. Further details of this would be secured by way of condition.

#### Other matters

39. Comments have been made with reference to the site being overdeveloped. The layout of the development is considered to be appropriate and is reflective of the wider area. The proposed development would not exceed the number of dwelling already approved within the extant permission (88999). The separation distances and levels of amenity space are considered to be in accordance with the Council

guidance set out in SPG1. A condition would be added to any permission to ensure that permitted development rights for the erection of side extensions are removed to ensure the element of space between units is retained within the site for the future. As such the level of development is considered to be appropriate to the application site.

40. It is therefore considered that the design of the scheme is acceptable, and would not result in material harm to the street scene or character of the area in compliance with Core Strategy Policies L5, L7 and the relevant sections of the NPPF.

## **TREES AND LANDSCAPING**

41. The existing site offers very little in terms of the number of trees on site or areas of landscaping. The current application therefore provides opportunities to provide soft landscaping and add to the visual amenity of the local area. The submitted plans show large levels of landscaping to be added to all sides of the site. The applicants have proposed large levels of boundary planting to the front and sides of the proposed apartment blocks. With further planting proposed around the proposed car parking areas and areas of amenity. The proposed dwellings also feature front and rear garden spaces where further opportunities for such planting are available. The plans also show such opportunities along the sites new access road as well as to the sites western side boundary.

42. As such a condition to this effect will be attached to any subsequent planning consent, for the submission of a comprehensive and detailed landscaping scheme, which will be approved in writing by the Council. This shall then be implemented in full and maintained thereafter, for a period of 5 years. The sites landscaping opportunities are considered to visually enhance not just the site itself but also the contribution this makes to the wider street scene and are therefore supported.

## **RESIDENTIAL AMENITY**

43. 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.

44. The closest residential dwellings to the application site are sited on Link Avenue, these are sited some 15m away from the sites west, to its southern side. To the sites north, a number of dwellings on Humphrey Park have their rear boundaries forming the sites northern side boundary, these are sited some 10 – 12m away. To the sites east lie a number of dwellings on Firwood Avenue, these are sited some 15m away from the application site. To the sites south, lie a number of residential apartment

blocks sited some 30m away from the sites southern side boundary, fronting Stretford Road.

#### Overlooking and privacy

45. 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. Where a three storey unit is proposed, an increased length of 3m is added to the above guidelines.
46. Distances of 10.5 metres are normally required between first floor windows and private garden areas to prevent loss of privacy to gardens. This distance is then increased to 13.5m for three storey units. 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. Again this figure would see an increase in 3m to 18m, in the case of three storey units. It should be noted that within the Council's New Residential Development Guidelines it is stated that these figures can be flexible within new developments.

#### The proposed dwellings

47. The proposed two storey residential dwellings, would have distances of at least 10m from their first floor rear windows to their rear boundary openings, which is considered to be a sufficient distance in order to offset any potential overlooking concerns.
48. Distances in excess of 21m would be maintained between elevations containing facing main habitable room windows within the application site. This distance is however not achieved to the sites west, where properties are proposed facing Link Avenue. These achieve a separation distance of around 15m. It should however be noted that Link Avenue already has a well-established building line which the current proposals would follow and the proposed dwellings would not be sited any closer to neighboring units than existing properties on Link Avenue. The Council's Guidelines that a level of flexibility is allowed in the case of new developments and given the existing built form within this area of the site, it is considered that this section of the scheme would have an acceptable impact on privacy levels.
49. However, in order to further protect the privacy of both existing and future occupiers, a condition is proposed requiring first floor secondary windows within the side elevations of all of the proposed dwellings to be obscure glazed; in order to further prevent any future additions of first floor side facing windows.



## The proposed apartment blocks

50. With reference to the proposed apartment blocks. These would face out onto Stretford Road to the south of the site. All openings within the apartment blocks three storeys would retain in excess of 30m to the apartments sited opposite the site on Stretford Road, considered an adequate distance to offset any potential privacy concerns. To the rear, apartments 24 – 37 would retain at least 20m to plot 30, sited to its rear, considered an acceptable separation distance, exceeding the Councils guidelines of 13.5m, therefore the development is not considered to result in any harmful overlooking to existing or future occupiers.
51. Apartments 07 – 23 would also retain a distance of between 20m and 18m to plot 6 to its rear; this therefore indicates that there proposal would not result in harm through overlooking.

## Overbearing and Visual intrusion

52. The ridge heights of the house types proposed range from 7.5 metres to 8.1 metres which is considered characteristic of semi-detached and terraced houses in the immediate area and is not considered to be excessively high. To the sites north distances in excess of 18m would be retained between the proposed dwellings and properties of Humphrey park, considered an adequate distance to avoid any overbearing impacts.
53. Distances in excess of 15 metres would also be retained between any 2 storey elevations on the site and any main habitable room windows of properties of Link Avenue and these would therefore not be unduly overbearing or result in a detrimental harm to the outlook to the adjacent houses. This would also be the case for dwellings sited to the sites east on Firwood Avenue and as such this relationship is also considered to be acceptable.
54. Currently the factory buildings to the southern end of the site, fronting Stretford Road have a height of around 12m and are designed to feature pitched roofs. The eastern most section of this projects rearwards into the site, at this height for a length of 20m, before dropping in height to 6.5m. The current proposals would see the erection of a three storey apartment block, within this location. This would have a ridge height of 12.5m.. Furthermore the proposed apartment block has a projection of 15m, 5m lesser than the existing building on site and is therefore considered to better the existing situation for nearby residents of the site. It should further be noted, where the existing building is built adjoining its neighbouring dwellings to the east of the site, the current proposals would be set 5m away from its eastern side boundary. Therefore, taking the reduction in height, projection and massing into account, alongside increased separation distances, it is considered that the development would improve the level of amenity currently enjoyed by neighboring residential occupiers and not result in any undue overbearing impacts or result in any loss of outlook.

55. To the western section of the site, a similar sized apartment block is proposed. To the sites west lie commercial units, currently operational as a hot food takeaway and a chemist. The closest residential units lie to the apartment blocks north-west on Link Avenue, sited some 19m away and residential apartments to its southern side, sited some 30m away. Internally plot 6 would retain a separation distance of at least 18m from the proposed apartment block at all times and as such this too is not considered to result in any undue loss in amenity for its adjoining residential units, both existing and proposed.
56. In conclusion the proposals would not result in material harm to the living conditions of occupiers of neighbouring properties and is considered to be compliant with Core Strategy Policy L7 and the NPPF.

#### Noise and disturbance

57. The sites existing use is of Industrial use. The change of use to residential is therefore considered to better the level of amenity currently experienced by neighbouring land users.
58. However, during the construction phase of the development, it is considered that as the site lies in close proximity to a number of residential dwellings, a Construction Management Plan would be conditioned as part of any subsequent planning consent. This will require the Construction Management Plan to be submitted to the Council prior to any works taking place on site.

#### Lighting

59. A condition requiring the submission of an external lighting scheme will be added to any subsequent planning consent, in order to control the level of illumination within the external areas of the site, ensuring minimal impact on the amenity of neighbouring dwellings.

#### Quality of accommodation

60. The proposed quality of accommodation in this instance is considered to be of a sufficient quality for the proposed intended use. The proposed housing units enjoy adequately sized private rear garden areas and feature reasonable sized openings, with a good level of light and outlook. The proposed dwellings would further benefit from allocated parking and feature a small level of landscaping to their fronts and rear, considered acceptable. The proposed apartment blocks again feature communal amenity spaces, for the sole use of future occupants of the site. The apartments have large openings, with a good level of light and outlook to the front and rear of the site. Allocated car parking spaces and cycle stores are proposed and as such, in this case the quality of accommodation on offer is considered to be acceptable.

## **PARKING AND HIGHWAY SAFETY**

61. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety.
62. Application reference 88999, granted outline consent for the redevelopment of the application site for residential development. This also included details of the proposed access, which mirror the current proposals. It should therefore be noted that details of the site access have already gained outline approval during the course of this previous planning application.

### Site Access

63. The proposed development will be accessed via a new entrance from Stretford Road located approximately 12m east of the existing site access. The achievable visibility splays at this proposed access have been identified as 43m in both directions; these are in accordance with the visibility requirements set out in the Manual for Streets for a 30mph road. An internal road with a turning head will provide access to the proposed dwellings. Pedestrian and cycle access will also be available from Link Avenue. The existing access from Stretford Road will become redundant and a length of full height kerbs will be installed across the redundant access. There are also existing service access points to the site from Link Avenue and Firwood Avenue, which will again be closed. These proposals are considered acceptable and are further accepted by the Local Highways Authority.

### Servicing Arrangements

64. Servicing will be carried out from Stretford Road. The transport statement submitted by the applicant contains a swept path analysis drawing which demonstrates that a refuse vehicle is able to use the proposed site access and the proposed turning head to enter and exit the site in a forward gear. These arrangements are therefore considered to be acceptable.

### Car Parking, including disabled provision

65. SPD3: Parking Standards and Design states that off-street car parking of 1 space per one bedroom dwelling and 2 spaces per two to three bedroom dwellings should be provided in this area. This equates to 85 spaces for this development. The proposals include parking provision of 75 spaces, with 1 space per one and two bedroom dwellings and 2 spaces per three bedroom dwelling. This represents a shortfall of 10 spaces from the maximum requirement.
66. The applicant has however provided a Transport Statement in which it is demonstrated that the site is in a sustainable location being accessible on foot, by

cycle and public transport and that vehicle movements generated by the development will be lower than the existing situation at peak periods and will not have significant impact on the operation of the local highway network. The shortfall in parking provision is therefore accepted given that the SPD sets out maximum standards and that the site is in a highly sustainable location.

### Secure Cycle Parking

67. SPD3: Parking Standards and Design for Trafford states that cycle parking of either one communal space or one allocated space per 1 bedroom dwelling and either one communal space or two allocated spaces per 2 – 3 bedroom dwelling is required. This equates to 36 communal spaces or 60 allocated spaces for the two apartment blocks. The proposals include the provision of a cycle store within each apartment block and within each dwelling. The applicant has not provided details of the proposed number of spaces or type of cycle parking infrastructure to be used. Such details are therefore considered to be acceptable subject to a condition being attached to any subsequent planning approval, detailing such facilities in full and these being submitted to and approved in writing by the Council prior to their installation.
68. The applicant intends that the internal road within this development be offered up for adoption, the developer will be required to enter into an appropriate Section 38 Legal Agreement with Trafford Council in this regard.

### **FLOOD RISK AND DRAINAGE**

69. The Lead Local Flood Authority has not raised any objections to the proposals in principle, subject to appropriate drainage conditions which are recommended accordingly. These are in line with similar comments from United Utilities.

### **AIR QUALITY**

70. The application site is sited in close proximity to an air quality management area. The applicants have submitted a detailed air quality report in support of the application. This has found that the development as proposed will not result in any adverse impacts upon the local air quality within the area, as well as for future residents of the development itself. This has been reviewed by the Council's Environmental Health Officers who have found the proposals to be acceptable in this regard.
71. The development will however involve demolition works taking place at the site. The submitted report therefore details a number of on-site mitigation measures to take place, in order to control and maintain the air quality levels on site and locally within its vicinity. A condition to this effect is therefore proposed to ensure that all such measures, as submitted, are implemented in full on site, during the construction

phase of the development. This has been further supported by the Councils Environmental Health Officers.

## **CONTAMINATED LAND**

72. A desktop contamination study has been provided in support of this application. The submitted report confirms that due to previous industrial usage of the site, there is potential for land contamination. It is therefore recommended that a contaminated land investigation and risk assessment take place prior to any works taking place on site, in order to understand the full scale of any such contamination and to identify necessary remedial measures. A condition to this effect is therefore recommended to be attached onto any subsequent planning consent, ensuring that the survey assess the full nature and extent of any such contamination on site and the findings of this report be submitted to and approved in writing by the Council, along with any mitigation measures.

## **DESIGN FOR SECURITY**

73. A crime impact statement was submitted in support of this application, detailing a number of measures that would be installed on site, in order to make the site more secure; in turn helping to reduce crime. These measures have been supported by the Greater Manchester Design for Security Team and therefore a condition to this effect, is recommended as part of this consent, to ensure that all such measures be incorporated within design of the proposals and be retained and maintained thereafter, ensuring the safety of any future occupiers of the site and the wider area.

## **ECOLOGY**

74. A preliminary Bat survey was submitted in support of this application. This found the site to have a moderate potential to support bats. As bats are a protected species, it is recommended that no demolition works take place on site, until a detailed method statement has been submitted to and approved in writing by the Council. The submitted statement should detail a strategy which entails the removal of all slate roof coverings by hand during the months of November – March, 2018. Should demolition works not take place within this period, it has been advised by the Greater Manchester Ecology unit, a further detailed Bat survey and assessment be conducted on site and be submitted to and approved in writing by the Council, prior to any such works taking place. A condition to this effect will therefore be attached to any subsequent planning approval.

## **DEVELOPER CONTRIBUTIONS**

75. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' zone for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre and apartments

will be liable to a CIL Charge rate of £0, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

76. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary that the development provide an element of green infrastructure. It is considered that the development site has the capacity to comply with the requirements of SPD1, which could include the planting of trees within the sites boundaries. A landscaping condition, as specified above is therefore recommended to ensure that the required specific green infrastructure is provided in accordance with SPD1 and Policy L8.

77. The proposed development would be liable to an affordable housing contribution. This contribution will be secured by way of a 106 Agreement, as discussed within the Affordable Housing section of this report. The 106 Agreement will be used to secure an on-site method of delivery for the proposed affordable housing units, in this case, at least 50% of which are to be provided in the form of family housing. In addition the tenure split should be 50:50 between shared ownership and social/affordable rented housing, in line with policy L2 of the TBC Core strategy,

## **CONCLUSION**

78. The proposed development would provide 58no. new residential units on site, improving the quality and quantity of the housing stock in this part of the Borough. The principle for the change of use of the site to allow for its redevelopment as a residential site has been previously found to be acceptable; and the proposed form of the proposal as shown on the submitted plans is considered to be of an acceptable design and form and would not result in harm to the residential amenity of neighbouring and surrounding properties. Suitable planning conditions are able to mitigate against any residual harm. The proposals are therefore considered to be broadly in accordance with the development plan. Where there is a minor departure from the principles of the development plan in respect of housing mix, these policies are 'out of date' in NPPF terms and therefore Paragraph 14 of the NPPF applies as a material consideration which should be given significant weight. In accordance with Paragraph 14 of the NPPF, planning permission should be granted unless the adverse consequences of the development significantly and demonstrably outweigh the benefits. When weighing the development in the planning balance, the benefits of the scheme significantly outweigh the harm. As such there are material considerations which weigh strongly in favour of the granting of this planning application, despite it not being entirely in accordance with the development plan. The application is therefore recommended for approval.

## **RECOMMENDATION**

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure :
  - (i) 10% affordable housing, with a 50:50 tenure split of social/affordable rent and intermediate units and 50% family housing.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -

### Conditions

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: Stretford Road/Stretford scene 01 Rev. C, Stretford Road/Stretford scene 02 Rev. A, Stretford Road/SK01 Rev. E, Stretford Road/APT01 Rev. A, Stretford Road/APT02 Rev. A, Stretford Road/3B5P LF ES House type, Stretford Road/2B4P OP ES House type, Stretford Road/2B4P AF House type, Stretford Road/3B5P ES House type and 001.

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

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

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

4. No development works above ground level shall take place until detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.
  - i) All external window and door systems (including technical details (mullions and transoms, method of openings), elevations, plans and cross sections showing cills and reveal depths/colour) at scale 1:10;
  - ii) Design and material of all main entrances including surrounds;
  - iii) Rain water goods (including locations, fixings, material and colour) and;
  - iv) Boundary treatment, including gates

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

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.

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



6. The development hereby approved 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.

Reason: To ensure that a satisfactorily landscaped scheme is secured on site for the long term, having regard to its location and the nature of the proposed development, with reference to Policies L7, R2 and R3 of the Trafford Core Strategy.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - wheel washing facilities
  - measures to control the emission of dust and dirt during construction
  - a scheme for recycling/disposing of waste resulting from demolition and construction works
  - measures to control noise and vibration from the approved works

Reason: It is necessary for this information to be submitted and agreed prior to commencement in to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L5 and L7 of the Trafford Core Strategy.

8. 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, v service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with [Council's policies] and the National Planning Policy Framework.

9. The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement dated (10/02/2017 – URN: 2016/0554/CIS/02). The physical security specification listed within section 4 of the appendices within the submitted Crime Impact Statement shall also be carried out in full on site and retained thereafter.

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

10. No development shall take place unless and until details of the full detailed drainage design and all relevant documents to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Councils Level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted and approved in writing by the Local Planning Authority. The drainage scheme is to be designed in accordance to the design principles within *Simpson Ready Food Ltd Flood Risk Assessment & Outline Drainage Strategy* by Scott Hughes, February 2016 Rev 1, submitted as part of any conditions, with a max surface water discharge of 20 l/s. 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 and FRA thereafter.

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

11. No development shall take place unless and until full details of the Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

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

12. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Construction photographs;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

13. No development or works of site preparation shall take place until a detailed method statement for demolition has been submitted to and approved in writing by the Council. The approved statement shall detail a demolition strategy which entails the removal of all slate roof coverings by hand during the winter period (November – March). The approved method statement shall then be implemented in full on site during the course of the works.

Reason: It is necessary for this information to be submitted and agreed prior to commencement in order to safeguard any roosting Bats on this site in

accordance with Policy R2 of the TBC Core strategy and the relevant sections of the NPPF.

14. Notwithstanding the development hereby approved, should demolition works not be completed for any part of the application site by March 2018, a full Bat survey and assessment should be submitted to and approved in writing by the Local Planning Authority. The Assessment should include any mitigation measures required on site and any such mitigation measures must then be implemented in full on site and retained thereafter.

Reason: To safeguard any roosting bats on this site in accordance with Policy R2 of the TBC Core strategy and the relevant sections of the NPPF.

15. The mitigation measures described within the submitted Air Quality Assessment report, completed on behalf of MCI Developments LTD, reference:101478 should be implemented in full during the demolition works taking place on site, in order to ensure that the residual impacts of such works are considered to be 'not significant' in accordance with IAQM guidance.

Reason: To minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Prior to the occupation of the dwellings hereby approved, details of the proposed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full and retained thereafter. The lighting provided in the scheme should be erected and directed so as to avoid nuisance to residential accommodation included within scheme and in close proximity. Guidance can be obtained from the Institute of Lighting Professionals Guidance: Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

Reason: In the interests of the amenity of neighbouring occupiers and the surrounding area in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. The car-parking spaces to be provided on site, as shown on plan number Stretford Road/SK01 Rev. E. shall be made available for the parking of motor vehicles at all times and retained on site thereafter.

Reason: To ensure adequate garaging/off street parking provision is retained and thereby avoid the harm to amenity, safety or convenience caused by on street parking, having regard to Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification):

- i) no side or two storey extensions shall be carried out to the dwellings
- ii) no garages or carports shall be erected within the curtilage of the dwellings
- iii) no means of access or areas of hard surfacing shall be constructed to the curtilage of the dwellings
- iv) no dormer windows shall be added to the dwellings

other than those expressly authorised by this permission.

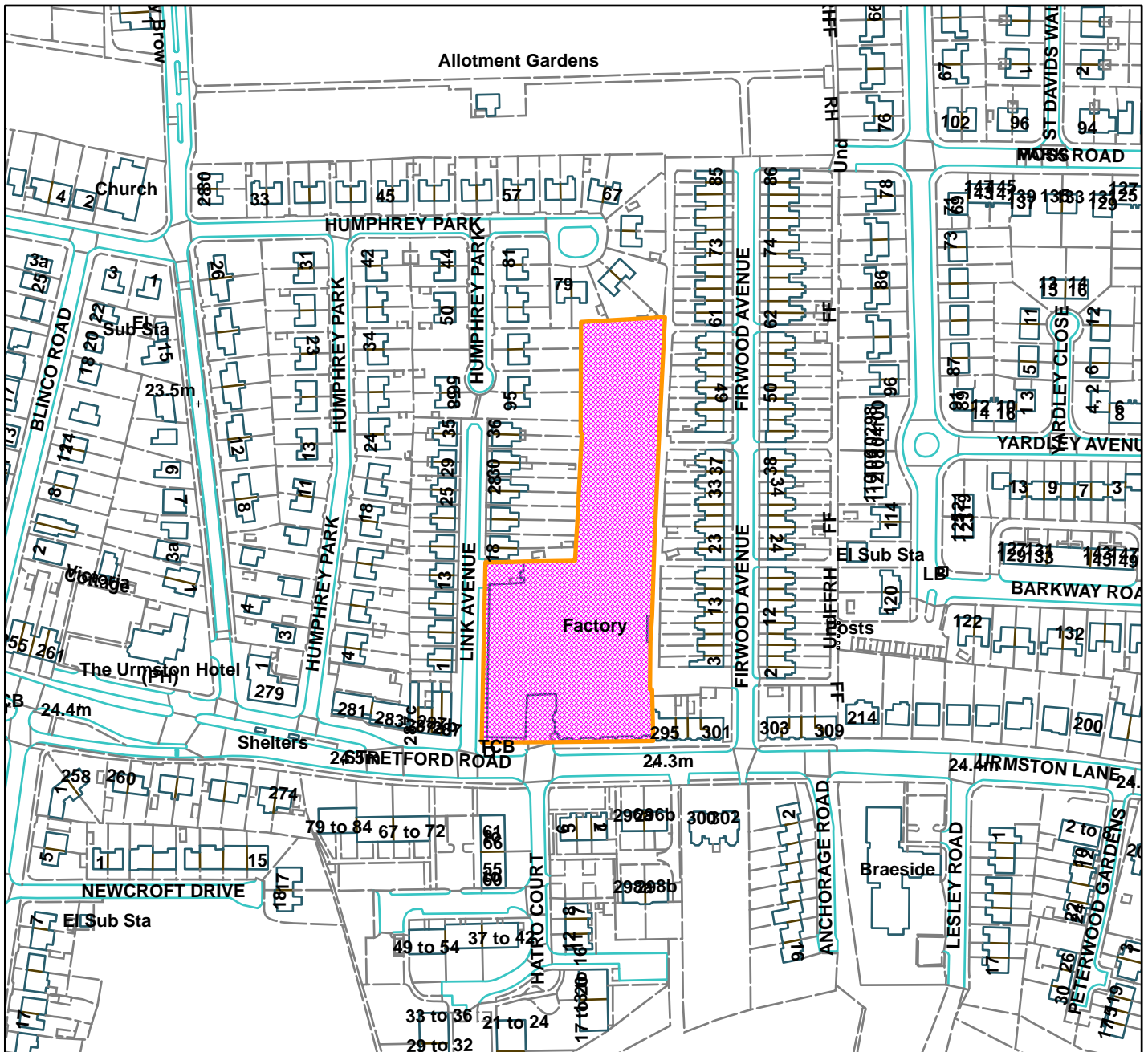
Reason: To protect the residential and visual amenities of the area, privacy, and/or public safety, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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IG



Simpson Ready Foods Ltd, Stretford Road, Urmston (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**Application for variation of condition 3 on planning permission 77202/FULL/2011 for “Installation of a shear processor in connection with the recycling and processing of ferrous and non-ferrous metals enclosed within 6.5m high concrete acoustic walling system” and condition 7 of planning permission H/71701 “Erection of single storey building for the storage and maintenance of HGVs and other motor vehicles, staff offices and end-of-life decommissioning unit, ancillary open storage for skips and motor vehicles and associated landscaping.” To alter hours of operation to 07:00 to 17:00 hours Monday to Friday (excluding Bank holidays) and 09:00 to 13:00 on Saturdays.**

35 Craven Road, Altrincham, WA14 5HD

**APPLICANT:** J Davidson (Broadheath) Limited

**AGENT:** Edward Landor Associates

**RECOMMENDATION: GRANT**

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## **SITE**

The application site lies within the northern part of the Broadheath industrial area and on the eastern side of Craven Road. The site is occupied by a scrap metal business and comprises a large L-shaped industrial building and associated hardstanding areas for parking, turning and storage. The activities authorised on site include the storage and maintenance of HGVs and other motor vehicles, end-of-life decommissioning and staff offices.

The site extends to 0.83 hectares and is generally level, though the ground level is some 1.5 metres higher than the level of Craven Road. There is a concrete boundary wall approximately 2.4 metres high topped in part with barbed wire along the Craven Road and Peveril Road boundaries of the site. Running along the southern and eastern boundaries is the service road for Altrincham Retail Park which lies to the east of the site and to the east are large 2 storey retail units. To the north and west of the site are residential properties and to the south and south west are industrial and business premises. Access to the site is via an access road on the southern side of the site which leads to a service area to the rear of Altrincham Retail Park.

## **PROPOSAL**

Application for variation of condition 3 on planning permission 77202/FULL/2011 “Installation of a shear processor in connection with the recycling and processing of ferrous and non-ferrous metals enclosed within 6.5m high concrete acoustic walling system”) and condition 8 of planning permission H/71701 for “Erection of single storey

building for the storage and maintenance of HGVs and other motor vehicles, staff offices and end-of-life decommissioning unit, ancillary open storage for skips and motor vehicles and associated landscaping.” To alter hours of operation to 07:00 to 17:00 hours Monday to Friday (excluding Bank holidays) and 09:00 to 13:00 on Saturdays.

Condition 3 of planning permission 77202/FULL/2011 restricts the hours of operation of the shear processor and associated grabbers to 07:30 to 17:00 hours Monday to Friday (excluding Bank Holidays) and 09:00 to 13:00 hours Saturdays and at no time on Sundays, Bank or Public Holidays.

Condition 7 of planning permission H/71701 restricts the hours the premises are open for business to between 07:30 to 17:00 Mondays to Fridays (excluding Bank Holidays) and 08:30 to 13:00 on Saturdays.

The proposal therefore seeks to extend the hours of operation Monday to Friday by half an hour in the morning.

**Value Added:-** the application as submitted also proposed to increase the hours of opening on Saturdays to 08:00 to 12 noon however following discussions with the agent it is now proposed to keep these as per the original permission.

The proposal would not result in any increased floorspace.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

W1 – Economy



## **PROPOSALS MAP NOTATION**

Main Employment Area

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

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)**

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**

**77202/FULL/2011** – Installation of a shear processor in connection with the recycling and processing of ferrous and non-ferrous metals enclosed within 6.5m high concrete acoustic walling system.

Approved with conditions 28 March 2012

**H/71701** – Erection of single storey building for the storage and maintenance of HGV's and other motor vehicles, staff offices and end-of-life decommissioning unit, ancillary open storage for skips and motor vehicles and associated landscaping.

Approved with conditions 14<sup>th</sup> March 2011

## **CONSULTATIONS**

**Local Highway Authority** – The proposals have no highway implications; the LHA therefore has no objection to this application on highway grounds.

**Pollution & Licensing (Nuisance)** – Raise no objections to the application.

## **REPRESENTATIONS**

Letters of objection have been received from 7 neighbouring properties. The main issues raised are summarised below:

- Permission should never have been given for the premises to be constructed;
- Noise and increased traffic from the application site some of which ignore the weight limitation on part of Craven Road;
- Increased dust;
- Unsightly piles of scrap approximately 9 metres high outside the sound-proofed 6 metre high wall, contrary to planning permission;

- Impact on value of neighbouring properties;
- Premises is an eyesore;
- The building does not shield the noise;
- Proposed change in hours is not taking into consideration the needs of residents;
- Proposal will move the noisy operation to an earlier and quieter part of the day both during the week and on Saturdays;

## **OBSERVATIONS**

### **BACKGROUND**

1. J Davidson (Broadheath) Limited is a long established family business specialising in the recycling and processing of ferrous and non-ferrous metals. The business previously operated from two sites in Craven Road and Viaduct Road in Altrincham. In June 2009, the business had to relinquish 50% of its Viaduct Road site which was held on leasehold interest. A new site was acquired at Craven Road (the application site) and all operations now operate from this site. These include the storage and maintenance of HGV's and other motor vehicles, the preliminary inspection and preparation of vehicles that have reached the end of their life and which are to be decommissioned; the end-of-life decommissioning of vehicles (comprising the removal, storage and disposal of fluids, tyres and batteries from vehicles); processing and crushing; the storage of skips; ancillary offices and staff accommodation. Some cars that are in roadworthy condition, or that required only minor mechanical repairs (e.g. new battery, alternator etc.) are stored prior to being sold. No major repairs or bodywork repairs of any kind are carried out at the site.
2. Permission was originally granted for the scrap metal business at the Craven Road site in March 2011 (ref H/71701). The permission included a condition specifying the activities that may be carried out from the site and this excluded the recycling, dismantling and scrapping operations which previously took place at the Viaduct Road site. Condition 7 of this permission restricts the hours of opening for the business to between 07:30 to 17:00 hours Mondays to Fridays (excluding Bank Holidays) and 08:30 to 13:00 Saturdays.
3. The shear processor and associated acoustic wall were approved at the site under application reference 77202/FULL/2011 in 28 March 2012.
4. The shear processor has been installed in the south east corner of the site, close to the boundary with the access road to the south and adjacent to the rear of the Retail Park to the east. The unit has external dimensions of approximately 16.8m length x 2.9m wide x 3.86m high at its highest point. It is mounted on a 6 axle trailer rather than being permanently fixed to the ground, although it is not moved around the site. Scrap vehicles and metal are fed into the top of the shear by a wheeled grabber, two of which are proposed adjacent to the processor. The processor and material handlers are enclosed by a 6.5m high

acoustically lined concrete wall.

5. Approval of this application was subject to a number of conditions. Condition 3 required:

*“The shear processor and associated grabbers hereby permitted shall not be operated outside the following times: 07:30 to 17:00 hours Monday to Friday (excluding Bank Holidays) and 09:00 to 13:00 hours Saturdays. The shear processor and associated grabbers shall not be operated at any time on Sundays, Bank or Public Holidays.*

*Reason: To safeguard the amenities of the occupiers of nearby residential properties and in compliance with Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.”*

### PRINCIPLE OF DEVELOPMENT

6. Members will be aware that the approval of a Section 73 application grants a new planning permission in its own right. In deciding an application under section 73, the local planning authority must only consider the conditions that are the subject to the application – it is not a complete reconsideration of the application. In terms of decision making, regard should also be had to any changes on site or in the surrounding area and any changes to planning policy since the time of the original approval.
7. There have been no significant changes to the site or surrounding area since planning permission was granted. The application for the grant of the scrap metal business was determined previously in accordance with the Revised Trafford Unitary Development Plan and the approval of the shear processor in accordance with the Trafford Core Strategy.
8. The application site is allocated for employment use on the Proposals Map. Policy W1.2 of the Core Strategy advises that “The Council recognises the significant contribution that existing successful manufacturing industries make to the economy of the Borough and will continue to support these industries where appropriate within the context of the Development Plan for Trafford.”
9. The application relates to changes to an existing business and is therefore acceptable in principle subject to considerations relating to impact on residential amenity and highways and parking.

### IMPACT ON RESIDENTIAL AMENITY

10. 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.

11. The protection of existing occupiers of land from noise generated by new development is a fundamental consideration. The Pollution Section has been in receipt of intermittent complaints of noise relating to the above premises. None of these complaints have been substantiated and no evidence of a noise nuisance relating to the activities has been found to date. The main issue arising from this proposal is considered to be the impact the proposed development would have on the amenity of adjoining and nearby residential property, particularly in terms of noise from the operation of the shear processor and the impact the extended hours of operation would have.
12. The application site has a boundary with residential properties on Peveril Road to the north and there are houses on the opposite side of Craven Road, as well as Barlow Road and Lee Avenue near to the site.
13. The shear processor is positioned in the south east corner of the site, adjacent to the access road linking the service area of retail units on Altrincham Retail Part with Craven Road. In relation to properties on Craven Road the shear processor is approximately 73 metres from the site boundary and there is a distance of approximately 95 metres retained to the nearest houses on Craven Road. Within this 73 metre separation distance there is the end of life vehicle compound and a 7 metre wide landscape buffer zone along the boundary. In relation to the houses on Peveril Road the shear processor is approximately 71 metres from the shared boundary and 84 metres from the rear elevation of the houses. It is screened from these properties by existing building on the site and there is also a landscape buffer zone between the building and the shared boundary.
14. Under application 77202/FULL/2011 the issue of noise from activity at the site potentially affecting nearby residential properties was considered in detail in the Noise Impact Assessment submitted with the application. This report concluded that hours of use will be limited to daytime working hours with no working at night or on Sundays or before 09:00 hrs on Saturday.
15. Considering the matter of noise, the officer's report stated that:

*“Having regard to the hours of use being proposed, the noise rating level relative to background noise levels, the proposed attenuation measures (the 6.5m high acoustic wall), and noise control measures set out in the conditions, it is considered that the proposed development would have acceptable impact on the amenity of nearby residential property and complies with criteria set out in Policy W1 and L7 of the Core Strategy. It is also relevant to take into account that historically this site has been in industrial use (previously a foundry) and is within an area allocated in the Revised UDP for employment use, therefore it is not unreasonable to expect industrial activity and a certain level of noise associated with this site.”*

16. The main issue for consideration is therefore the impact that the earlier hours of operation would have on the residential amenity of adjacent residents.
17. NPPG guidance on noise, published March 2014 is clear in paragraph 123 that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and mitigate and reduce to a minimum less significant impacts from noise, including through the use of conditions. The guidance also recognises that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.
18. It is considered that a relaxation of hours of operation can have repercussions with regard to noise not only from the machinery itself but also from increase traffic flows. Given the assessment above and the fact that there was considered to be no harm to residential amenity during the consideration of the original application for the shear processor, it is considered that the carrying out of the same operations at a slightly earlier start time of 07:00 would not result in any significant increased impact. It should also be noted that condition 9 of planning approval H/77202/FULL/2011 required a noise assessment to be carried out during the commissioning of the shear operation to prevent noise levels exceeding those in the Hepworth Acoustics report reference 20925.3v2. Condition 10 also states that noise levels from the shear and grabber operation shall not exceed the noise levels as calculated in the acoustic report when measured at the identified nearest sensitive receptor. There are therefore considered to be adequate measures in place with the development resulting in a breach of condition in the event that these levels are exceeded.
19. The agent has confirmed that with regard to vehicle movements, these will not change from that provided when planning permission was granted under reference H/71701. Two no. HGVs exit the site in the morning daily which is determined by the shipping schedule at Liverpool Docks. These trucks would leave the site turning left onto George Richards Way at 0700 hours, having been loaded at the site on the previous day. As such there would be no transportation of materials to the site between the hours of 0700 and 0730 and this would take place throughout the day. The total number of current movements per day is 30-35 including HGVs, transit vans and private vehicles (of which 12-15 would be HGVs) and this would remain. Whilst there are no restrictions on vehicle movements to and from the site, the use of the site is restricted to relate to the current operations only. Any other purpose within Use Classes B1, B2 or B8 would require a separate application and there is therefore a level of protection against intensification of use and movements in relation to the site. This condition was included with specific regard to the amenity of neighbouring residents.

20. Access and egress to the site is via George Richards Way. Representations from some residents suggest that Craven Road is being used. The applicant has confirmed that this is not the case and Craven Road has weight limit restrictions in place.

21. It is considered that extending the hours of operation Monday to Friday with a half hour earlier starting time of 0700 that there would be no undue impact on residential amenity to warrant refusal of this application.

#### PARKING & HIGHWAYS

22. The proposals have no implications for the local highway network as the number and type of vehicle movements would not be altered by the proposals.

#### DEVELOPER CONTRIBUTIONS

23. No planning obligations are required.

#### CONCLUSION

24. The proposal has been assessed against the development plan and national guidance and it is considered that the proposed development will result in an acceptable form of development with regard to the amenity of neighbouring residents and highways, access and parking.

25. The proposed scheme complies with the relevant policies 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 three years beginning with the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on drawing numbers 400.01, 400.02, 400.03, 400.04, 400.06, 400.07 and 400.08 (received 15 July 2009) and 400.05 (received 03 November 2009) as submitted with planning application H/71701 and 475.loc, 475.01, 475.02a, 475.03, 475.04, 475.05 and E1 as submitted with planning application 77202/FULL/2011.

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

3. The premises to which this application relates shall not be open for business outside the following hours: 07:00 to 17:00 Mondays to Fridays (excluding Bank Holidays) and 08:30 to 13:00 Saturdays and the shear processor and associated grabbers hereby permitted shall not be operated outside the following times: 07:00 to 17:00 hours Monday to Friday (excluding Bank Holidays) and 09:00 to 13:00 hours Saturdays. The shear processor and associated grabbers shall not be operated at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of nearby residential properties and in compliance with Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

4. The shear processor approved under permission 77202/FULL/2011 shall be sited in complete accordance with the submitted plans; any amendment to this siting shall be the subject of a separate application for planning permission.

Reason: For the avoidance of doubt and to safeguard the amenities of the occupiers of nearby residential properties, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

5. The 2.5 metre high acoustic barrier erected in accordance with condition 8 of planning approval H/71701 and the 6.5 metre high acoustic barrier erected in accordance with conditions 6 and 7 of planning approval 77202/FULL/2011 shall be retained at all times.

Reason: To safeguard the amenities of the occupiers of nearby residential properties, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

6. Development shall be carried out at all times in accordance with vibration mitigation measures for scrap metal operation as approved under condition 8 of planning permission 77202/FULL/2011.

Reason: To safeguard the amenities of the occupiers of nearby residential properties, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

7. Noise levels from the shear and grabber operation hereby permitted shall not exceed the noise levels as calculated in Hepworth Acoustics report reference 20925.3v2 when measured at the identified nearest sensitive receptor.

Reason: To safeguard the amenities of the occupiers of nearby residential properties, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

8. All processed materials or materials awaiting processing shall be located within the screened area of the site. The handling of all materials shall be carried out below the height of the top of the noise barrier.

Reason: To safeguard the amenities of the occupiers of nearby residential properties and in the interest of visual amenity, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

9. Stockpiles of materials within the site shall not be higher than the acoustic barrier permitted under planning approval 77202/FULL/2011.

Reason: To safeguard the amenities of the occupiers of nearby residential properties and in the interest of visual amenity, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

10. Development shall be carried out at all times in accordance with the dust mitigation and management scheme as approved under condition 13 of planning approval 77202/FULL/2011.

Reason: To safeguard the amenities of the occupiers of nearby residential properties, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

11. The three fire escape doors in the rear (north) elevation of the vehicle preparation and repair and fleet storage and maintenance building as approved under permission H/71701, shall be closed at all times, except in case of emergency.

Reason: In the interest of residential amenity and having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

12. The skips stored in the skip storage area approved under permission H/71701 shall not be stacked.

Reason: In the interest of visual amenity and having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.



13. All tyres shall be stored within a sealed container sited within the skip storage area approved under permission H/71701. There shall be no storage of tyres elsewhere on the site.

Reason: In the interest of visual amenity and having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

14. No tannoy systems shall be installed in conjunction with the development hereby approved.

Reason: In the interest of residential amenity and having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

15. No floodlighting shall be installed in conjunction with the development hereby approved.

Reason: In order to ensure an appropriate level of control over potential light pollution in this sensitive area, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

16. The premises to which this permission relates shall be used for the storage and maintenance of HGV's and other motor vehicles, the end-of-life decommissioning of vehicles (comprising the removal, storage and disposal of fluids, tyres and batteries from vehicles), the storage of skips and motor vehicles, recycling and processing of ferrous and non-ferrous metals, ancillary offices and staff accommodation, and for no other purpose within Classes B1, B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Other activities within the same Use Classes may have a detrimental effect on the neighbourhood and the restriction to the uses proposed will enable the Local Planning Authority to consider any further change of use on its merits, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

17. All end of life decommissioning works proposed on site, including the removal from vehicles of all fluids, including fuel oil, brake and clutch fluids, and the removal of tyres and batteries, shall only take place within the proposed de-pollution building (shown on the amended plan ref. 400.05 received by the Local Planning Authority on 03 November 2009) in accordance with approval H/71701 and nowhere else within the site.

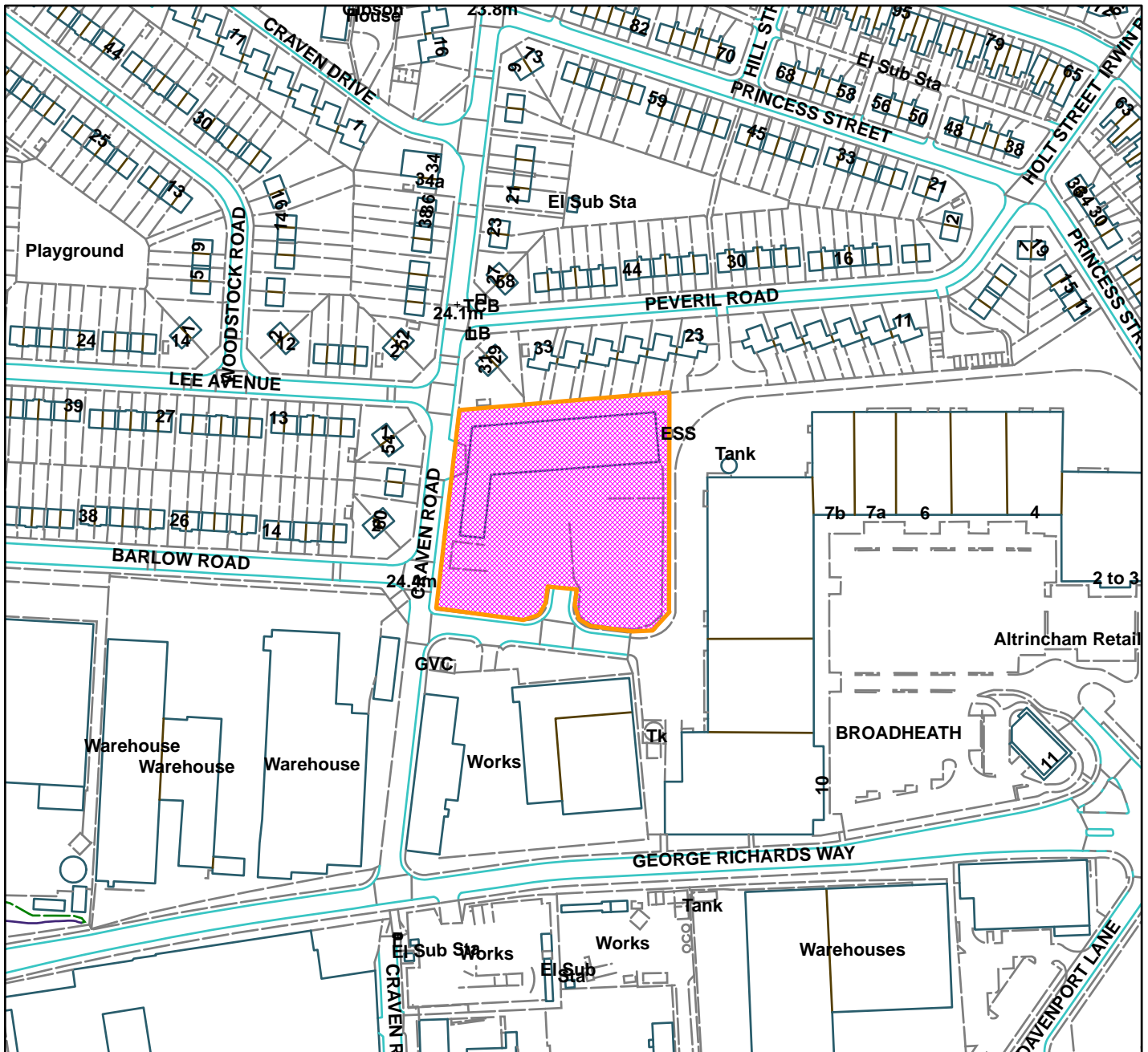
Reason: To protect the amenity of nearby residents from noise associated with such operations, having regard to Policies L5, L7 and W1 of the Trafford Core Strategy and Proposal E7 of the Revised Trafford Unitary Development Plan.

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35 Craven Road, Altrincham (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**WARD:** Brooklands

**90678/FUL/17**

**DEPARTURE: NO**

**Alterations to the school to include the demolition of the existing detached kitchen and dining hall; the erection of extensions to the rear to facilitate 7no. new infant and nursery classrooms; extension to the main hall and a new kitchen area; erection of a temporary classroom; extension to the existing car park and hard play area with new hardstanding and landscaping throughout the site.**

Brooklands Primary School , Woodbourne Road, Sale, M33 3SY

**APPLICANT:** Trafford Council

**AGENT:** Amey Consulting

**RECOMMENDATION: GRANT**

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## **SITE**

The application site contains a primary school with accompanying playing fields positioned within a predominantly residential area of Sale. The school is accessed from three pedestrian gates and one vehicular entranceway along Woodbourne Road, itself located off Brooklands Road which connects the A56 to the A560. The vehicular access leads down the side of No.17 and culminates at the kitchen and dining block with designated car parking area for 23 staff and visitor bays. To the east of the car park lies an expanse of hardstanding consisting of two netball courts and the reception play area whilst the southern aspect is laid to playing fields encircled by a cross country run route.

The main school building, constructed circa 1937, is traditionally formed with a centrally positioned two storey core and two, previously symmetrical, projecting single storey wings under tiled hipped roofs. A large parapet styled flat roofed infill extension (permitted in 1999) is sited on the principal elevation to the western wing. Extensions are also formed to the rear with connecting assembly hall, classrooms and reception area constructed circa 1993. The rear extensions are constructed from a lighter brick with corresponding fenestration patterns under gable ended pitched roofscapes. The fenestration is a mixture of white steel single glazed frames and white UPVC double glazed windows whilst the rainwater goods are cast iron in green and UPVC black.

The application site is bounded to the east, south and west by the rear curtilages of residential properties located along Framingham Road, Wilford Avenue and Brookside Road respectively. The northern aspect lies adjacent to Woodbourne Road and residential properties beyond.

The existing Primary School currently provides accommodation for 70 per year intake in a 2.5 form entry with a total of 15 classrooms for some 520 pupils for Nursery, Reception, KS1 (Infants) and KS2 (Juniors).

## **PROPOSAL**

The proposed development seeks the alteration and expansion of the school to accommodate an additional 140 pupils by 2024 (20 per year). Once full, it is envisaged that the school will have a capacity for 630 full time spaces at Reception – KS2 level and 52 Nursery places totalling 682 children.

In order to facilitate the additional places the new development will consist of:

- The construction of a two storey rear extension located adjacent to the main hall providing six new infant classrooms (a net increase of four overall classrooms due to the amalgamation of two classrooms within the main school);
- The conversion of the existing Nursery to Reception classroom;
- The construction of a Nursery extension with associated facilities and secure external play area;
- Extension of the main hall with folding partition wall, servery and connecting kitchen;
- A temporary classroom located within the junior playground for July 2017-May 2018;
- Ancillary accommodation will include:
  - Wheelchair/appliance bay,
  - Additional cleaner storage;
  - General stock storage;
  - SEN resource base;
  - SEN therapy/MI room;
  - Four small group rooms;
  - Remodelling and refurbishment of an existing space to accommodate a larger staff room;
  - Additional store rooms to the reception;
  - Plant room;
  - Server room;
  - A second access WC;
  - Hygiene room; and
  - Toilets to the infant classes.

In addition to the above the proposal seeks the demolition of the existing kitchen and dining room block and enlargement of the car parking facilities from 22 spaces (one disabled) to 36 spaces (one disabled), 17 cycle spaces, 1 motorbike space for staff, 30 scooter spaces for pupils, a designated delivery space and allocated bin store/lock up facilities. The car park will also be enclosed by a 2m high mesh fence however open throughout the day.

## **DEVELOPMENT PLAN**

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

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

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

L4 – Sustainable Transport and Accessibility

L6 – Waste

L7 – Design

L8 – Planning Obligations

R2 – Natural Environment

R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Protected Open Space

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

OSR5 – Protected Open Space

### **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

## **RELEVANT PLANNING HISTORY**

**H/64973** – Erection of single storey extension to north-west elevation to form classroom and disabled person's ramp. Approve with conditions 11.08.2006

**H/53601** – Re-roofing of existing school building. Approve with conditions 25.04.2002

**H/LPA/49051** – Siting of steel storage container. Approve with conditions 13.07.2000

**H/LPA/47523** - Erection of single storey front extension to form additional classroom, formation of additional parking space at rear and re-siting of existing flag pole. Approve with conditions 08.07.1999

**H36481** – Erection of single storey rear extension to provide an assembly hall, 2 classrooms, a nursery unit, changing and ancillary facilities and formation of car park for 23 vehicles. Approve with conditions 03.03.1993

## **APPLICANT'S SUBMISSION**

The applicant has indicated that there has been a steady increase in the demand for school places in the Timperley area, primarily due to increasing birth rates. In order to rationalise the places available, it is proposed that some schools will be expanded. In this respect Brooklands Primary has been identified for expansion to a 3FE Primary to help accommodate the additional children within the catchment area.

Currently, there are 37 members of staff working at the school, 490 primary school pupils and around 30 Full Time Equivalency nursery pupils (equating to 52 children if part-time).

A recent travel survey at the school indicated:

- Come by car every day = 235 children - 43%
- Walk to school = 285 children - 52%
- Cycle = 14 children - 2%
- Car share = 3 children - 0.5%
- Metro link = 1 child – 0.1%

Following the development the school would accommodate an additional 14 staff and 140 new primary school pupils. It is confirmed that the nursery numbers will not be affected by this proposal.

The existing on-site car park will be improved. The proposal includes for an additional car park and new access and allows for the following parking provision:

- 36 car parking spaces;
- 17 cycle spaces
- 1 motorcycle space for staff
- 30 scooter spaces for pupils.

Following a public consultation in January the main concerns raised by neighbouring occupiers related to congestion and traffic generation. In line with these concerns the school and Local Highway Authority are currently looking at ways to relieve the issues identified by local residents. However, it was emphasised that *'the site is accessible by sustainable modes of travel due to its location adjacent to a number of residential areas, and proximity to existing pedestrian and cycle friendly infrastructure. There are public transport services located within reasonable walking distance of the site, inclusive of buses and Metro-link services'*.

## **CONSULTATIONS**

**Sport England** – Initial objection received given the utilisation of playing fields for additional class room provision. The objection has now been withdrawn through consultation with the school who will now provide improved sports facilities as detailed on the Landscape Works – Layout Plan (dwg.CO36800148-01 rev P01.2).

**Local Highway Authority** – No objection subject to the approval of a Travel Plan.

**Pollution and Housing (Nuisance and Noise)** – No objection subject to the attachment of conditions relating to odour abatement; Noise from fixed plants; the submission of a Construction Environmental Management Plan; and restrictions to hours of use for the proposed basketball court.

**Pollution and Housing (Contaminated Land)** – No conditions required

**Greater Manchester Police (Design for Security)** – No response received.

**Lead Local Flood Authority** – Currently awaiting formal response in line with the amended Flood Risk Assessment.

**Greater Manchester Ecological Unit (GMEU)** – No objection

## **REPRESENTATIONS**

During the course of this application 42 letters of objection have been received detailing the following summarised concerns:



## Demonstrated need

- Presumably the developments listed within the demand for additional spaces section are outside the BPS catchment area – would it not make more sense to expand or build a new school closer to these developments; and
- The impact of the recession on the need to expand the school is pure supposition.

## Highways

- Car use predominates with pedestrian and cycle-friendly infrastructure unused;
- There is excessive congestion during peak times which causes travelling in those times problematic for non-school traffic;
- Blocking of front drives by parked vehicles will be exacerbated;
- Problems compounded by staff at the school who are obliged to park in the street rather than on school premises;
- Danger to children and other pedestrians crossing the road due to double parking and restricted vision
- The roads are already blocked up by parking for metrolink users;
- The road surfaces along the surrounding streets are breaking up due to poor restitution work by repairers – this is exacerbated by the increased levels of school traffic;
- The pavements are in a poor state of disrepair and require urgent attention;
- Insufficient parking restrictions;
- No traffic/road safety survey has been carried which would look at the existing congested roads around the school;
- The existing school travel plan has had no particular success;
- There is an excessive amount of traffic for only one thoroughfare causing the bottle neck by Brooklands School;
- Limited access for emergency services at peak hours given the level of congestion;
- There is insufficient car parking provision for teaching, ancillary staff and visitors;
- An additional 140 children to this school would create an impossible build-up of traffic and obstructions;
- There are 3 schemes currently in progress and due for implementation in 2017-2018. Namely Trafford General, Timperley Metrolink Area and Mersey Road Sale Area. Please explain how these latter two have precedence over a Brooklands Metro/Framingham Road/ Woodbourne Road scheme; and
- It can very often take 15 minutes to negotiate an exit from Brookside Road onto Brooklands road during peak times

## Design

- The proposed extension is not in keeping with the existing building;
- It has no relation to the style of the school and the height of the infant block with a flat roof is unnecessarily intrusive and ugly;

- The colour used on the drawings does not instil any confidence in the use of matching or complementary brickwork.

### Pollution

- Serious levels of pollution, particularly outside the school, are generated by exhaust fumes which is detrimental to children's health; and
- The height of the new building is of concern

### **OBSERVATIONS**

In the determination of this application the key considerations include:

- Principle of development;
- Siting, scale and design;
- Impact upon highway safety;
- Amenity to neighbouring properties; and
- Ecology.

### **Principle of development**

1. Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
  - Give great weight to the need to create, expand or alter schools; and
  - Work with schools promoters to identify and resolve key planning issues before applications are submitted.
2. The proposal is for extensions and alterations within the grounds of the existing school. This is driven by a critical shortage of places for primary school children within the local catchment area. The proposal to increase the size of the school is to enable the Council to fulfil its statutory obligations to provide school places for all eligible local children. The proposed development would also have the wider public benefit of facilitating improvements to the educational facilities at the site.
3. The playing field to the rear of Brooklands Primary School is allocated within Revised Trafford Unitary Development Plan as 'Protected Open Space'. Policy R5 of the Core Strategy explains that '*Development which results in an unacceptable loss of quantity of open space, sport or recreation facilities, or does not preserve the quality of such facilities will not be permitted*'. This is followed by paragraph 25.17 which reads '*An unacceptable loss of open space, sport or recreation facilities is deemed to be that which leads to a loss in quantity which could not be replaced with an area of equivalent or better quality in a suitable location to meet present and predicted future demand.*'

4. It is acknowledged that the site of the proposed extension would encroach into the allocated area and would therefore result in a slight loss of marginal green space associated with the playing field. Notwithstanding this, the loss of this land would not interfere with the use of the sports pitch and this slight encroachment to facilitate the expansion of the school is considered to constitute an acceptable loss. Following detailed discussion with Sports England, the proposal includes demonstrated qualitative enhancements to the outdoor play provision through the inclusion of a basketball court, a 6 lane 100m running track and improvements to the football pitch to incorporate rounders' facilities. As confirmed by Sports England and the Council's Strategic Planning Department the proposal now meets policy guidelines.
5. As such, the proposal is acceptable in principle as it would enhance and improve the existing education provision on site and increase its capacity to the benefit of the borough. The proposal, whilst slightly encroaching onto the area of protected open space, does not result in any significant harm to its usability and is considered to be compliant with the NPPF and Policy R5 of the Core Strategy subject to compliance with other development plan policies regarding design, highway safety and residential amenity.

### **Siting, scale and design**

6. Paragraph 56 of the NPPF (2012) states that the Government attaches great importance to the design of the built environment with paragraph 64 stating that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
7. Policy L7 of the Core Strategy states that *'In relation to matters of design, development must:*
  - *Be appropriate in its context;*
  - *Make best use of opportunities to improve the character and quality of an area;*
  - *Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment'*
8. The original school building is constructed from brick and of a traditional design which has been extended and altered over the last few decades. This has resulted in a variety of extensions projecting off the main school which include varying designs under parapet/gable ended pitched roofscapes.
9. Whilst acknowledging the traditional forms associated with past extensions, the proposal subject to this application incorporates a more contemporary design ethos with a mixture of pitched roofs interconnected to the 1993 assembly hall.

10. The single storey elements are of an appropriate scale and proportion with ridge heights which do not exceed the original height of the main building fronting Woodbourne Road. Additionally, as viewed from the western elevation the extended and modified Hall incorporates fenestration patterns similar to those seen on the principal elevation to the projecting eastern wing.
11. Further along from the principal school building and beyond the public domain the design transforms into a more contemporary configuration. As discussed with the applicant this design has been selected to best facilitate the increased classroom provision without significantly increasing the footprint of the school into protected open space, the massing of development as viewed with connecting buildings or the overall ridge height. As such the design is suited to the functionality of the site. Whilst it is agreed the use of a mono-pitched roof does not replicate the traditional roof forms associated with the main school buildings, the proposal incorporates fenestration patterns which mirror the overarching symmetry of the site and is considered to be sufficiently detached from the original structure by distance and visual breaks to not be read within the same line of sight.
12. It is also worth noting that the colouration of the proposed extensions is illustrative and not representative of the materials palette. In this regard the proposal will utilise matching yellow buff brick to the elevations under interconnecting grey tiles with grey composite panels above the staircases.
13. As explained within the submitted Design and Access Statement, the school windows are a combination of metal and UPVC with the design requiring the majority of doors and windows to be removed from the hall. The proposed new doors and windows for the expanded hall and two story extensions will be in powder coated aluminium that are both thermally efficient and maintenance free with low emissivity glass to reduce solar heat gains and UV light.
14. Whilst the concerns raised by neighbouring properties in respect to the design are noted, the overall scheme has been designed to best accommodate the increased provision in school facilities whilst respecting the rather low ridge heights and proportionate scaling associated with the existing buildings. Furthermore, the proposed extension would be sited to the rear of the existing buildings and would not have any significant impact in the street scene. Subject to a condition requesting material samples, the proposal is considered compliant with the stipulations of policy L7 of the Core Strategy and guidance contained within the NPPF.
15. The proposal temporary classroom is a necessity which is ideally positioned to ensure the visual amenities of the application site are not harmed as viewed from the surrounding area.

## Impact upon highway safety

16. Policy L7 of the Trafford Core Strategy requires development to incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety, the provision of sufficient and appropriate off-street car and cycle parking, the provision of necessary manoeuvring and operational space for service vehicles and the provision of, and access to, waste recycling facilities. Matters of accessibility are also a material consideration in the promotion of sustainable forms of transportation.
17. As expressed within the representation letters received by local residents the key concern resulting from the proposed increased capacity of pupils from 490 to 630 over the 7 year period (equating to 20 pupils per year) is the level of congestion generated during peak hours and the potential detrimental impact the increased provision may have upon the amenities of local residents. In this regard the Local Highways Authority (LHA) has been consulted and has raised the following points.

### Appropriateness of Access

18. The LHA consider that the vehicular access from Woodbourne Road is acceptable to accommodate the increased level of car parking provision from 23 spaces (including one disabled space) to 36 spaces (including two spaces for disabled persons). Additionally, the existing car park is currently closed throughout the school day for safeguarding reasons, and is therefore not available for visitor use. The improvements to and the reconfiguration of the car park include an increase in the number of spaces, a 2m high mesh fence and will enable all-day access, which represents a significant improvement. All existing pedestrian access routes will also be maintained throughout the build and are therefore acceptable.

### Servicing Arrangements

19. The new carpark will be open all day to provide access for deliveries and other services. The turning area for kitchen delivery vehicles is considered acceptable.

### Car parking arrangements

20. The existing car park accommodates 23 parking spaces which is to be reconfigured and extended to provide 36 parking spaces; an increase in 13 spaces. The proposals comprise increasing the number of classrooms from 19 to 23. SPD3: Parking Standards and Design for Trafford state that two spaces per classroom are required. In this regard the extension includes the formation of six new classrooms, however this is subtracted by the amalgamation of two classrooms within the existing school. As such, four new classrooms equates to the requirement of an additional eight spaces. Using the SPD requirements for

the total number of classrooms 46 spaces would be required. This is a short fall of 10 spaces however represents an overall improvement to the existing car parking arrangements and is therefore considered to be, on balance, acceptable.

#### Secure cycle parking

21. SPD3: Parking Standards and Design for Trafford states that one cycle parking space per five members of staff should be provided. As a result of the expansion, the school will employ a total of 51 members of staff; equating to a provision of 10 cycle parking spaces.
22. The proposals include storage for 17 bicycles and 30 scooters which meets the standards requested through Section 11 of SPD3. In light of initiatives in the travel plan and with the aim to reduce car usage, the level of cycle and scooter parking should, however, be monitored and increased if necessary.

#### Transport and Highways

23. It is recognised that the road network around Brooklands Primary School is quite constrained and there are many issues in relation to traffic, congestion and parking as a result of the proposals with concern amongst local residents at school drop off and pick up times.
24. The submitted Design & Access Statement states that an additional 140 pupils and 14 staff will attend the School over the 7 year planning period. It can be assumed that the additional car parking spaces will accommodate the increase in staff parking requirements. Once staff are parked, it is likely they will be parked in the car park all day and as the majority will arrive earlier and leave later they can be discounted from any traffic generated at school drop off and pick up times. Therefore, there will be 140 additional pupils to consider in relation to traffic generation. 25. The recent Travel to School Survey for the school indicates that 43% of pupils travel to the school by car. Therefore, as a worst case scenario, if this is applied to the new pupil intake, potentially 60 additional trips will be made morning and afternoon (43% of 140 pupils).
26. An update to the schools Travel Plan has been submitted and includes initiatives such as increasing the pupil's use of scooters to travel to and from school and also restarting a Park and Stride scheme with parking at the nearby St John's Church. As such the travel plan should be monitored and regularly updated for a period of 10 years with a condition attached to any grant of approval.
27. Additionally, the LHA also requests that the school operates staggered start and finish times between infant school pupils and junior school pupils which would also help to reduce potential traffic impacts. Details of this initiative can be controlled through the updated Travel Plan.

28. The LHA is aware of the use of the surrounding roads for Metrolink parking (park & ride) and is actively looking at ways to address the issue of parking build up from the Metro Station. A review of the current parking restrictions adjacent to the School would also be beneficial, particularly when the construction work commences.
29. With regards to the above the development will require a construction management plan to ensure that the build process has minimal impact on the School's neighbours etc. In this regard details on proposed times of working, proposed site compound, materials loading and storage and site operatives parking and the construction traffic routes will be required and is recommended to be conditioned to the grant of any planning permission.
30. It is envisaged that the continued promotion and monitoring of the Travel Plan will help to reduce the associated traffic impact and the calculated 'worst case' of 60 additional trips may not materialise, especially in the short term which sees the school implementing a staggered growth model projected over the next 7 years.
31. The concerns raised by local residents are noted and have been assessed during the determination of this application. In this regard matters relating to parking restrictions on the highways surrounding the school are outside the scope of the planning application and cannot be requested through the attachment of a condition. However, the implementation of the updated Travel Plan, the staggering of school times, in addition to the improved car parking provision will help to ease the level of congestion on nearby roads. Additionally, significant weight is given to paragraph 72 of the NPPF which details the Government's motivation in ensuring that a sufficient choice of school places are available to meet the needs of local communities. It has been demonstrated through the comments made by the Local Highways Authority that the additional school provision not outweigh any limited additional inconvenience to residents from additional traffic generation and on balance the proposal complies with policy L7 of the Core Strategy and the guidance contained within the NPPF (2012).

### **Amenity to neighbouring occupiers**

32. Paragraph 17 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings affected by development.
33. 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.'*

34. The main considerations in determining the impact of development upon the amenities of neighbouring properties include the projected depth of the extension into the site and, the proximity of the proposed basketball court to the eastern boundary and the extended car park to the western boundary.
35. In regard to the extensions to the south, the single storey element (relocated Nursery) would be sited 16m from the common boundary of No.58 Framingham Road to the east and 37m from the nearest ground habitable room window. The two storey element would be 30m from the common boundary of Nos.60-64 Framingham Road and 52m from the nearest ground floor habitable room windows. The common boundaries of Nos.5-17 Brookside Road to the eastern aspect would be between 47-50m and 63-67m from the nearest ground floor habitable room windows. In addition, there are established boundary treatments measuring approximately 1.8m in height.
36. Taking this into account the proposal would be compliant with Council guidelines for required interface distances between new and existing developments and therefore although the extensions would be visible from these houses, due to the significant separation distances involved and degree of screening from the boundaries, it is not considered that the extensions would be overbearing or result in a loss of privacy, light or outlook to any of these properties.
37. Regard has also been given to the proximity of the proposed basketball court to the Nos.60-64 Framingham Road which is positioned approximately 4.5m from the common boundary and 23m from the nearest ground floor habitable room window. Whilst there would be no overlooking or overbearing effect associated with this facility, its proximity in terms of noise and light generation has been considered by the Council's Pollution and Housing Section. Further to discussion with the applicant it has been confirmed that the basketball court will not be used outside school hours (8:30 – 17:00 Monday to Friday and at no time Saturday or Sunday) with no intention to erect floodlighting. As such, it is reasonable to attach a condition restricting the hours of operation. Should any proposals for floodlighting come forward in the future, these would need to be the subject of a further planning application.
38. In respect to the extension of the car park, this represents an extension of the existing line and is not considered to have a significantly greater impact on adjacent residential properties than the existing situation. Furthermore the removal of the existing kitchen and dining block would improve outlook and spaciousness between adjoining buildings which is to be improved by supplementary landscaping to the car parking area.



39. The Council's Environmental Officer has also requested details by way of condition for odour abatement, noise from fixed plant and the attachment of a Construction Management Plan condition to ensure the amenities of neighbouring properties are not affected.
40. Consequently it is considered that the proposals would not have an unacceptable impact on the amenities of occupiers of adjacent residential properties and is compliant with Policy L7 of the Trafford Core Strategy.

### **Ecology**

41. This application seeks demolition of the existing kitchen/dining room block to the eastern boundary of the application site.
42. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994. Notwithstanding the level of protection already afforded to protected species, the NPPF also seeks local planning authorities to conserve and enhance biodiversity.
43. This is reinforced through Policy R2 of the Trafford Core Strategy which clarifies that *'where the council considers it necessary, in order to protect the natural environment, developers will be required to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the proposal'*.
44. In support of the application a Bat Survey Report has been prepared by ECUS Environmental Consultants dated June 2017. An internal and external survey of the building was undertaken during optimal bat and bird season which detailed the presence of foraging bats. The survey findings for the buildings revealed no evidence of bat or bird activity within the roofspace with the Ecologist recognising the good condition of walling and mortar bedding with no lighting penetration to indicate gapping for access/egress opportunities for bats or birds.
45. No objection has been made by the Greater Manchester Ecology Unit.
46. Taking this into account it has been demonstrated that the risk of harm to protected species is negligible with no protective or mitigation measures required to warrant the attachment of a condition. The proposal is therefore acceptable and accords with Policy R2 of the Core Strategy and Section 11 of the NPPF.

### **DEVELOPER CONTRIBUTIONS**

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

the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

## **CONCLUSION AND PLANNING BALANCE**

48. The proposed development seeks the enhancement of school provision and the resulting improvements to sporting facilities at Brooklands Primary School. In assessing this application considerable weight has been given to The Government's thrust to ensure that a sufficient choice of school places is available to meet the needs of local communities with local planning authorities required to take a proactive, positive and collaborative approach to meeting this requirement.
49. In the determination of this application the design of the proposals is considered acceptable and satisfactorily accords with the requirements of policy L7 of Core Strategy. Similarly, it has been demonstrated that the amenities of neighbouring properties would not be unduly harmed through overbearing effect, overlooking or visual intrusion due to sufficient spatial distancing.
50. It is not considered that there would be a detrimental impact upon the safeguarding of the natural environment with evidence provided which demonstrates that there is no indication of bat roosts within the existing buildings and that any trees which will be felled to facilitate the development will be replaced through an agreed Landscaping Plan.
51. Through discussion with Sports England the existing sports facilities shall be significantly improved through the addition of a basketball court, demarcated sports pitch, 100m running track and landscaped play areas which overall meet the requirements of Policy R5 of the Core Strategy.
52. The concerns raised in respect to traffic generation and the resulting congestion envisaged through the increase in pupil capacity has been reviewed by the Local Highway Authority who conclude that the increased level of car parking provision made available throughout the day in addition to the implementation of an improved Travel Plan, is sufficient to outweigh the harm attributed through the addition of 140 pupils and 22 nursery school children by 2024.
53. It is therefore considered that any adverse impacts of permitting this development would not significantly or demonstrably outweigh the evidential benefits of enhancing school capacity and the improvements made to sporting facilities when assessed against local and government policy as a whole.
54. The proposed scheme complies with the relevant policies 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 three years beginning with the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered  
Location Plan A.90.01  
Proposed Ground and First Floor Layout A.00.02 Rev P1  
Existing and Proposed Roof Plan A.00.03 Rev P  
Temporary Mobile A.00.05 Rev P  
Proposed East and West Elevation A.00.06 Rev P  
Proposed South Elevation A.00.07 Rev P  
Landscaping Works – Layout CO36800148-01 P01.2

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

3. Notwithstanding any description of materials in the application no above ground 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.

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

4. 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 and phasing of implementation works.

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

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

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

5. The development hereby approved 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.

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

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

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

7. The temporary classroom hereby granted is for a limited period expiring on the occupation of the extensions to the school when the building, services and use hereby permitted shall be removed and the land reinstated to its former condition in accordance with a scheme of work which shall be submitted to and approved by the Local Planning Authority before the expiration of the period specified in this condition.

Reason: In the interests of the visual amenities of the area and having regard to the use of the site for sports provision in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

8. On or before the first occupation of the development hereby permitted the approved Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

9. The basketball court as illustrated on the approved Landscaping Works drawing CO36800148-01 Rev P01.2 shall only be used between the hours of 8:30-17:00 Monday to Friday and at no time Saturday or Sunday.

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

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii hours of construction activity.

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

11. Prior to first use of the extension hereby permitted measures to ensure that a suitable odour extraction system to disperse cooking odours from the kitchen shall be submitted to and approved in writing by the Local Planning Authority. The applicant should refer to the following guidance in selecting the most appropriate design of extraction/ odour arrestment system: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'

(Prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs, January 2005). Development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the amenity of neighbouring residential properties in accordance with Policy L7 of the Core Strategy and relevant paragraphs of the NPPF (2012).

12. 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".

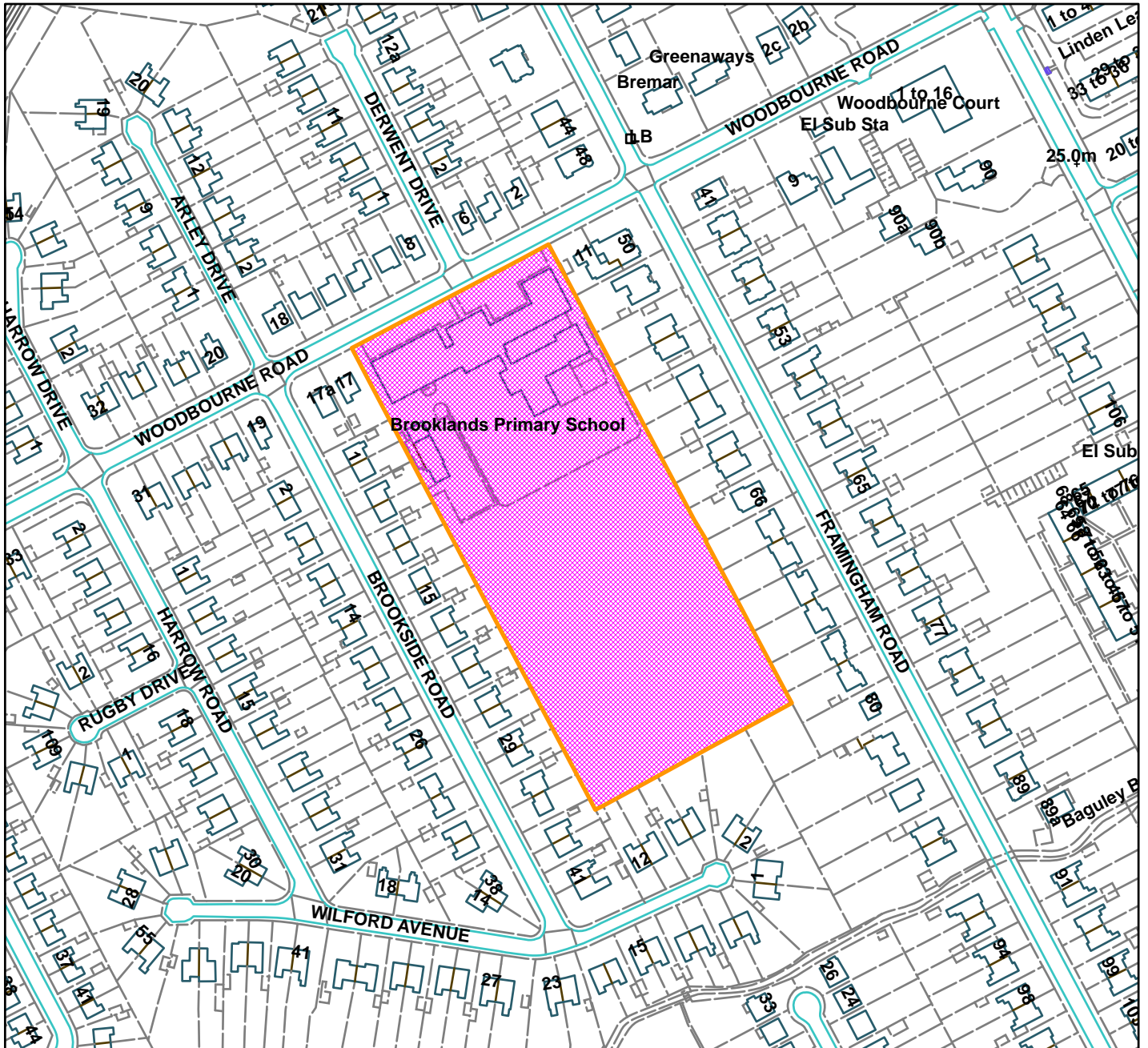
Reason: In the interests of protecting the amenity of neighbouring residential properties in accordance with Policy L7 of the Core Strategy and relevant paragraphs of the NPPF (2012).

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AW



Brooklands Primary School, Woodbourne Road, Sale (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**WARD:** Bowdon

**90758/FUL/17**

**DEPARTURE: No**

**Erection of detached dwelling and formation of vehicular access to Groby Road.**

Land North West Of The Junction Of St Margaret's Road and Groby Road, Altrincham.

**APPLICANT:** Jam Properties Ltd

**AGENT:** Garner Town Planning Ltd

**RECOMMENDATION: GRANT**

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**SITE**

The application site is a prominent corner plot bounded by Groby Road and St Margaret's Road. The site is located within the Devisdale Conservation Area. The site formerly formed part of the gardens of Hill Carr, a substantial mid nineteenth century villa, located in a spacious setting and now subdivided into 8 flats. Hill Carr is identified in The Devisdale Conservation Area Appraisal July 2016 as a positive contributor to the Conservation Area.

The historic curtilage of Hill Carr has been subdivided by a concrete post and timber panelled fence to form the application site. A gap has been retained to provide access from Hill Carr to the site, there is currently no access to the site from Groby Road. No permission has been given for a change of use and it is considered that its lawful use remains as residential gardens for Hill Carr. This site is grassed with a large number mature trees and shrubs, although at present it is somewhat unkempt.

The application site is located within predominately residential area, with a mix of large historic villas set in large plot and a number of more modern apartment developments. The wider locale is spacious and characterised by mature landscaping and historic stone boundary treatments.

To the north of the site is the Grade II listed Altrincham and Dunham Massey War Memorial.

**PROPOSAL**

Planning permission is sought for the erection of a 2 storey, (ground floor/lower ground floor) dwelling with four bedrooms. The main living accommodation would be at ground floor level with two additional bedrooms, cinema room and gym/plant room at lower ground floor level.



The dwelling would be of a contemporary flat roof design. It would be predominantly glazed with the flank and retaining walls of Cheshire Sandstone and would have a green roof with powder coated flashing and nosing.

The proposal also involves the removal of a 5.2m section of the boundary wall to Groby Road and the formation of an vehicle access to the site. 1.5m high piers are proposed with 1.2m high timber gates. No further details of these have been provided. A curved driveway would be provided with parking area that could accommodate 2 cars and a turning head; the application form states that there would be provision for 4 car parking spaces.

The gross internal floor area of the proposed dwelling would be 463m<sup>2</sup>.

A similar proposal with the same layout and elevational plans was submitted to the Council and considered under the reference 85960/FUL/15. This application was refused by the Council and subsequently appealed. The appeal was dismissed.

## **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  
L5 – Climate Change  
L7 – Design  
R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

Devisdale Conservation Area- sub area A

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

SPD5.10 Devisdale Conservation Area Appraisal July 2016

SPD5.10a Devisdale Conservation Area Management Plan July 2016

## **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.

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

## **RELEVANT PLANNING HISTORY**

**85960/FUL/15** - Erection of detached dwelling and formation of vehicular access to Groby Road. Refused on the 17/11/15 for the following reasons:

1. The proposed access, by reason of the loss of a section of wall, bank and soft landscaping would be detrimental to the character and appearance of the Devisdale Conservation Area, and fail to better reveal the significance of the heritage asset. Furthermore the applicant has failed to demonstrate how the development will complement and enhance the existing features of historic significance including their wider setting and how the development will preserve or enhance the Conservation Area in the light of relevant Supplementary Planning Documents. As such, the proposal is contrary to Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the Council's approved Planning Guidelines: 'The Downs, The Devisdale, Bowdon and Ashley Heath Conservation Areas, and to relevant national policies as set out in the National Planning Policy Framework.
2. The proposed dwelling by reason of its design and external appearance and the level of hardsurfacing proposed would form an incongruous and alien feature within the street scene and would fail to preserve or enhance the character or the appearance of the Devisdale Conservation Area. As such it is contrary to policies L1.10, L7 and R1 of the Trafford Core Strategy, Proposal ENV21, of the Revised Trafford Unitary Development

Plan and the Council's approved Planning Guidelines 'New Residential Development' and Guidelines for the Devisdale Conservation Area and advice contained within the NPPF.

The refused application was appealed and dismissed on the 6/10/16 (APP/Q4245/W/16/31498310). The Inspector in her decision was largely supportive of the proposal and found no significant harm in relation to the opening of the frontage or the design of the proposed dwelling on the conservation area. Her concern was that the degree and extent of excavation would be likely to have an adverse impact on the established mature trees within the site and the subsequent impact this could have on the character and appearance of the conservation area. The Inspector's concern was compounded by a lack of information with respect of the modified Root Protection Areas (RPA's) and concluded without this information she was unable to determine that the proposal would not result in undue harm. This appeal decision is a material consideration and will be discussed further in the Observations section below.

**82686/FULL/2014** - Erection of detached dwelling and formation of vehicular access to Groby Road. Refused 6/1/15.

**79293/FULL/2012** - Formation of access slope requiring removal of part of front wall and grading of land to form slope Refused 3/12/12 Appeal dismissed 3/6/13

**78503/FULL/2012** - Formation of access slope requiring removal of part of front wall and grading of land to form slope Refused 27/7/12 Appeal dismissed 3/6/13

**H/65202** - Creation of vehicular access onto Groby Road including demolition of part of existing boundary wall, provision of tarmac drive and erection of gateposts. Withdrawn 4/12/06

**H/51228** - Erection of one detached two storey dwelling Refused 22/6/01

### **APPLICANT'S SUBMISSION**

Townscape Heritage Statement and Impact Assessment May 2015  
Design and Access Statement April 2015  
Planning Statement March 2017

### **CONSULTATIONS**

**LHA**- No objection subject to conditions.

### **REPRESENTATIONS**

10 letters of representation have been received from neighbouring properties raising the following issues:

- Application proposals not in keeping with the Conservation Area.

- The area has generally become more busy with more on street parking. This already causes problems for emergency vehicles. Another entrance onto Groby Road will make this worse.
- Hill Carr is a fine example of Victorian architecture with a beautiful façade, the views to and outlook from this property will be spoiled by the proposed development.
- Proposals will affect views from Coppice Lodge and Hill Carr. Grass roofs are frequently unsustainable and deteriorate into poor condition.
- The re-designing of the front elevation makes its appearance worse than previous submissions

## **OBSERVATIONS**

### BACKGROUND

1. The current application follows on from a previously refused application (85960/FUL/15), presented to members at the Planning and Development Control committee (as was) in November 2015. The application was refused on three grounds, relating to the creation of an access within the historic boundary wall, the design and appearance of the development and the impact on the conservation area and the principle of the development on greenfield land failing to be sustainable.
2. Subsequently the application was appealed (APP/Q4245/W/16/3149831) to the Planning Inspectorate and the appeal was dismissed. However the Inspector dismissed the appeal solely on the grounds of lack of information relating to any potential impact on mature boundary and street trees within the site from the development and the impact that this could have in the character and appearance of the conservation area. Specifically the inspector was concerned with the lack of information relating to the modified RPAs and what impact the proposed excavation could have on these, concerned with the impact the development could have on the long term health and longevity of the trees, and ultimately the potential harm to the conservation area should the development result in the loss of these trees. The Inspector considered that the proposal was acceptable on all other grounds.
3. The applicant within the current application have submitted the same scheme as the 2015 application but have provided more detailed information in regards to the trees which could be affected by the development and their RPAs.
4. The Inspector's decision is a material consideration in the assessment of the current application which holds significant weight. The Inspector gave consideration to the Council's Adopted Conservation Area Appraisal and Management Plan for the Devisdale Conservation Area when considering the appeal and there has been no other significant change in policy since the decision.

## PRINCIPLE OF THE DEVELOPMENT

5. The LPA within the refusal of the previous application (85960/FUL/15) considered given the greenfield nature of the application site, that the development failed to comply with policy L1.7-L1.10, which sets a target for 80% of development to be built on brownfield land. Thus rendering the development unsustainable.
6. The Inspector within her decision (APP/Q4245/W/16/3149831), gave this argument little weight, and considered that *'the appeal site is small and its use for housing would have a minimal impact on the overall figures. Furthermore, whilst I appreciate it may fall outside the Altrincham Town centre boundary, it is nevertheless within a residential area and within easy walking distance of the town centre'*.
7. Further to this the Council cannot at present demonstrate a 5 year supply of housing land and as such the proposal should be considered in light of paragraph 49 of NPPF.
8. 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.
9. 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. Heritage policies in the NPPF indicate that development *may* be restricted on this site and this issue is discussed in more detail in the section of this report 'Impact on Designated Heritage Assets', albeit that analysis does not conclude that development *should* be restricted in this instance.
10. 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. 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.

11. Therefore given the conclusion set out in the Inspector's decision, plus the Council lack of 5 year supply of housing, it is considered that the principle of the development is acceptable and would be in accordance with the NPPF.

## DESIGN

12. 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.
13. Paragraph 2.2 of the New Residential Development SPD indicates that development will not be accepted at the expense of the character of the surrounding area. It states that the resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
14. Given the conclusions of the previous scheme by the LPA and the Inspector's conclusion within the appeal decision, it is considered that the layout, footprint, scale, mass and height of the proposed development is acceptable. Whilst the external appearance of the development is contemporary, the Inspector argued that this would not be at odds with the historic character of Hill Carr and its simplicity would aid its integration into the site. Views from the street scene would be limited, however the Inspector considered that the development would appear connected and not at odds with the Hill Carr to the rear of the site, stating:  
  
*'The two buildings would also be parallel, which would provide the illusion of a functional connection between Hill Carr and the development, particularly given the latter's simple design, and its positioning in relation to the floor levels of Hill Carr could lead to it being read visually as a plinth or basement conversion.'*
15. The proposed materials are considered to be reflective of this historic materials use in Hill Carr and the wider area and as such are in principle considered acceptable. Conditions requiring samples of materials and construction detailing to be submitted to the LPA for approval would be added to any permission. On this basis the proposal is considered to be acceptable and in accordance with policy L7.

## IMPACT ON DESIGNATED HERITAGE ASSET

16. The Devisdale Conservation Area Appraisal July 2016 and the Devisdale Conservation Area Management plan July 2016 have been adopted since the earlier application was considered by the Council. They had however been adopted at the time the Appeal was determined and the Inspector indicated that she had given weight to them in her reasoning and report.
17. The Devisdale Conservation Area Appraisal sets out that Sub-area A or the Northern Residential Area (within which the site lies) is characterised by having gently curving roads, low stone front boundary walls and a wealth of trees and other planting with substantial buildings behind. The overall impression is of a relaxed and affluent spaciousness, with landscaping dominant. To be acceptable, any development proposal must preserve or enhance the conservation area – the essential character is that arising from the areas pre-1914 development. The area has a high overall quality as regards layout, building design and landscaping.
18. The NPPF paragraph 132 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing.
19. Paragraph 133 advises where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
20. Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (such as a conservation area) this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
21. The NPPF at Para 137 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. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. Guidance within the NPPF also states that the Government attaches great importance to the design of the built environment and planning decisions should aim to ensure developments add to the overall quality of the area; respond to local character and reflect the identity of local surroundings; and are visually attractive as a result of good architecture and appropriate landscaping.

22. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. It requires developers to demonstrate how the development will complement and enhance the existing features of historic significance; in particular in relation to Conservation Areas and other areas of identified historic features, and that the proposed development will not have any unacceptable impact. Within Conservation Areas the policy requires developers to demonstrate how the proposed development will preserve and enhance the Conservation Area, in the light of relevant Supplementary Planning Documents and Guidance notes.
23. The main issues for consideration in respect of the Devisdale Conservation Area are the impact of the new dwelling house and the new vehicle access on the significance of the Conservation Area. The application remains in detail the same as that previously refused by the LPA and it is therefore relevant to consider the views of the Council and the Planning Inspector to that application.

#### Vehicle access/front boundary treatment

24. When the previous application 85960/FUL/15 was considered, the Council was of the opinion that this site is typical of the large plots found in the Devisdale Conservation Area, with its dense informal mixture of trees and shrubs on the boundary. This is emphasized by the vegetation being on a raised area behind a sandstone wall. It was considered that the removal of a significant section of the wall and the excavation of the raised bank would result in a significant gap in the wall and a large area of hardsurfacing behind to form the 5m wide drive and turning head and that this would be out of keeping with such historic boundary treatment of the Conservation Area and that views would be opened up into the site.
25. The Planning Inspector was however of view that there is little consistency of the spacing or design of such access points in the vicinity of the appeal site and that the opening would be less utilitarian than others nearby. She concluded that *“I am not persuaded that an additional access would necessarily cause significant harm to the character and appearance of the Conservation Area. In this case, I consider the merits of a new access point would be determined by the design of the development to which it afforded access”*
26. Given that the Inspector raised no objection in principle to the proposed access and considered that the loss of part of the historic wall would not result in harm to the conservation area. It is therefore considered should the application be granted permission that a condition requiring the details of the boundary treatment, piers, gate, remedial works to the existing boundary, replacement landscaping and hardsurfacing would need to be added to any permission in order to ensure that the development does not harm the significance of the heritage asset.



### Proposed dwelling

27. In respect of the dwelling the Council when determining the earlier application considered that the footprint of the development, extent of hard surfacing and loss of soft landscaping and planting would have a detrimental impact on the setting of Hill Carr. The garden between Hill Carr and Groby Road contributes significantly towards its overall character and appearance. There is an historic relationship between the two sites and the elevation, position and orientation, result in this, historic property directly overlooking the site. It was noted that development has previously been allowed to the north of Hill Carr and this emphasises the importance of retaining all the remaining garden area, in order to retain the spacious character of the area.
28. It was also considered that beyond the site boundaries the proposed building would be at odds with the prevailing historic residential development and would neither preserve nor enhance the overall character and appearance of the conservation area. Advice within the NPPF states that when determining planning applications, local planning authorities should take account of *'the desirability of new development making a positive contribution to local character and distinctiveness'* (Para. 131). Within the determination of the previous application it was considered that the proposal would not make a positive contribution to local character and distinctiveness and it would cause harm to the conservation area and no public benefit had been demonstrated that would outweigh this harm.
29. The Planning Inspector considered that the subdivision of the two plots had already occurred and that the extent of the garden area relating to Hill Carr had already been significantly reduced but the gardens at the front provide a setting for its imposing front elevation. The Inspector considered that the positioning of the proposed dwelling below Hill Carr, and its flat roof would ensure views from neighbouring dwellings would not be obstructed, nor would views of the upper floor of Hill Carr from Groby Road or St. Margaret's Roads be affected as Hill Carr is elevated and its lower floor is already screened by vegetation and fencing. The Inspector was of the view that the scale, proportions or simplicity of the proposed building would not be incongruous with or significantly detract from the complex detailing of the visible elements of Hill Carr particularly as the materials would reflect those used on the older building. In addition the development's position and design restraint is of sufficient quality to make a positive contribution to the Conservation Area.
30. On this basis given that the proposal development reflects that of the scheme considered by the Inspector it is considered that the proposal would not result in harm to the significance of the conservation area and is in accordance with the NPPF. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Devisdale Conservation Area and weight has also been given to the Inspector's previous conclusions on this issue.

## Trees and landscaping

31. The application submission includes a tree survey plan and schedule and an arboricultural survey. Although the property stands within a designated conservation area, none of the trees within the site are protected by a tree preservation order.
32. The Inspector within the appeal decision states *“My observations at the site visit led me to conclude that as the existing boundary trees are raised above street level, their roots are likely to be constrained on one side and have asymmetric RPAs, with roots extending well beyond the tree canopies into the appeal site. In light of this I conclude there is insufficient evidence to demonstrate that the trees’ roots would not be harmed by the development’s excavations, or that adjacent excavation would not cause stability issues, both of which would result in harm to the future health and longevity of these trees. This would be to the material detriment of the character and appearance of the Conservation Area, as the characteristic enclosure and visual containment along the street would be lost. I give this considerable weight. I acknowledge that the tree works plan shows the position of protective fencing outside the canopies of the retained trees, but as the RPAs are not identified, this does not enable me to conclude that the trees would be protected. In any case, site fencing would not necessarily prevent building or excavation works within the exclusion zone, were they required. In addition, the fence would appear to afford little protection to the street tree located close to the proposed access.”*
33. Additional Information has been submitted to address the above issues, with a tree constraints plan and tree protection plan appended to the Arboricultural survey which indicates the modified RPA’s of all the trees within the vicinity of the development, on and off site. The tree protection plan indicates that the RPA of the retained trees in relation to the proposed development on site and indicates the alignment of the sheet piling required to provide lateral support for the soil surrounding the outer walls of the proposed dwelling house.
34. The trees on the site are not the best examples of their species but have “group” value collectively. The most individually valuable trees will be retained. All trees of stature on the boundaries abutting the public footway would be retained. A closely-spaced group of three Yew trees, one Holly tree and an ‘off site’ Cypress tree standing close to the march with Hill Carr would be removed to enable the construction of the proposed dwelling house.
35. The plan indicates that the development and excavation would not encroach into the RPA of all retained trees within the site. The most valuable trees have been identified as T7, T11 and T26 (street tree) and all will be retained with virtually no encroachment within their RPAs. The proposal however would encroach into the RPAs of three off site yew trees (T22, T23 and T24) to the west of the site, with

the gardens of Hill Carr. The arboricultural report sets out a method statement for the protection these trees and a method of root pruning required to enable sheet piles to be installed within their RPAs.

36. The only street tree affected by the proposed development is a Lime tree (T26). The tree must be protected during these works although it is appreciated that outside of this the pavement will need to be open and therefore protection will only be temporary. The information submitted does not describe how the street tree may be protected. The protection of this street tree was specifically reference within the appeal decision by the Inspector, however it is considered a method statement for temporary protective measures, for example an external grade plywood and timber enclosure, could be secured by a condition should planning permission be granted.
37. It is proposed to plant 21 new trees within the site which would mitigate the loss of the 5 trees (3 yew, 1 holly and 1 cypress) that would need to be removed to accommodate the proposed development. A row of 7 pleached lime trees has been incorporated into the design with the intention of providing a visual buffer between the proposed dwelling and the adjacent property, Coppice Lodge. Pleached trees are clipped on a regular basis and are not allowed to grow unchecked. This should help reduce overlooking of the application site without unduly impacting on the amenity of the residents of Coppice Lodge. The scheme has avoided any underplantings that would affect the stability and physiological well-being of retained trees, but has exploited any gaps in the boundary planting, including the northern and western site boundaries.
38. The information submitted has been reviewed by the Councils arboriculturist who considers the information as submitted to be sound and to address the concerns raised by the Inspector. On this basis it is considered that the development would be acceptable without harm to the character and appearance of the Devisdale conservation area. The development would retain and enhance the existing mature landscaping and would not result in harm to the future health and longevity of the trees, therefore having no impact on the significance of the Devisdale Conservation Area.

## **RESIDENTIAL AMENITY**

39. 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.

40. The impact on residential amenity was not raised within either the previous LPA refusal nor within the appeal decision by the Planning Inspector. The proposal is not considered to result in any significant intensification of the use of the site. One additional dwelling would not result in any significant undue noise and disturbance and the separation distances between the proposed dwelling and the adjacent residential properties, at Coppice Lodge and Hill Carr are further considered to support this conclusion.
41. Although this proposed scheme involves development above ground level, as the proposed dwelling would be single storey (with lower ground floor), the flat roof of the development however would sit at the same level as the remaining garden area of Hill Carr. Therefore the new dwelling would not result in any adverse impacts with regards overlooking to the adjacent Hill Carr apartments. Nor would the development appear overbearing or result in any harmful overshadowing.
42. The proposed building would be 4m from the boundary with Coppice Lodge and at the closest point the buildings would be approximately 12.5m apart. There are a significant number of large windows in Coppice Lodge looking out over the application site. The applicant has indicated that the existing 1.8m high close boarded fence will remain along the boundary with Coppice Lodge and as discussed above semi-mature pleached box headed limes will be planted to mitigate issues of overlooking.
43. Given the nature of the development and its position within the site it is considered that the proposal would not result in any undue harm to residential living conditions of neighbouring and adjoining residential properties. On this basis it is considered that the proposal would be in compliance with Development Plan Policy L7.

## **HIGHWAYS**

44. The proposals include the formation of an access point to the new dwelling from Groby Road. No visibility splay is provided at the entrance/ egress which will limit the view of pedestrians on the footway. However, given the ability for vehicles to turn within the site and leave in a forward gear and the likely volume of pedestrians using the footway this is not anticipated to be an issue and the Local Highway Authority have raised no objections.
45. SPD3: Parking Standards and Design for Trafford states that for a four+ bedroom dwelling in this area, three off-street parking spaces are required. The proposals comprise the provision of three parking spaces at the end of the proposed driveway; as such the requirements are met.

## **DEVELOPER CONTRIBUTIONS**

46. 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).
47. 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 replacement trees on site as part of the landscaping proposals to meet this requirement. The submitted landscaping scheme shows 5 trees will be lost and 21 new trees will be planted.

## **CONCLUSION**

48. The application as submitted is considered to overcome the previous concerns raised by the Inspector within the appeal decision (APP/Q4245/W/16/3149831), and it is considered that the development would not result in harm to the significance of the designated heritage asset the Devisdale Conservation Area. Considerable importance and weight has been given to the desirability of preserving heritage assets but having carefully considered the proposals and given due regard to the Inspector's conclusions on the matter, it is considered that the development would not result in harm to the conservation area. As such the development is not specifically restricted by the NPPF and no public benefits of the proposal are required for it to proceed (albeit some benefit would accrue to the supply of housing land).
49. The application demonstrates that the proposal would not result in harm to the long term health and longevity of trees within the conservation area which contribute to its character. The development would include an extensive landscaping plan which would mitigate for any loss of trees within the site and would enhance the overall appearance of the site and wider conservation area.
50. Therefore given the weight also to be afforded to a Planning Inspector's previous and very recent decision it is considered that the application is acceptable and in accordance with the NPPF and local Development Plan policy. As such planning permission should be granted subject to conditions.

## **RECOMMENDATION**

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans P02 Rev D, P03 Rev B, P04 Rev D, P05 Rev D, P06 Rev D, 3025 02 A, 3025 003 and 3025 04 and the Arboricultural Survey By dep Landscape Architecture dated 7<sup>th</sup> November 2016.

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

3. No development shall take place until details of the design, siting, materials, remedial works to the historic boundary wall, replacement landscaping and hardsurfacing to facilitate the construction of the vehicle access, gateposts and gates have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to protect the significance of the designated heritage asset having regard to Policies R1 and L7 of the Trafford Core Strategy.

4. 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 (including windows) on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

5. Notwithstanding the details shown on plan No. P02 Revision D the site shall be landscaped in complete accordance with the details shown on drawing 3025 04 Planting Plan.
  - (a) The landscaping works shall be carried out in accordance with the approved scheme within the next planting season following final occupation of the development hereby permitted.
  - (b) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

6. The development hereby approved 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.

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

7. No development or works of site preparation shall take place until a scheme has been submitted and approved for the protection of the off-site lime tree (T26). All trees that are to be retained within or adjacent to the site shall be protected in accordance with the scheme shown on drawing No.3025.06 and submitted as part of this application and throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective areas during the construction period.

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

8. No development shall take place unless and until full details of the Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

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

9. No development shall take place unless and until the drainage design is accompanied by full details to demonstrate a discharge runoff rate for Greenfield site which does not exceed 5l/s/ha. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the

development and shall be retained and maintained thereafter, to meet the requirements of the Manchester City, Salford City and Trafford Councils Level 2 Hybrid Strategic Flood Risk Assessment. The development shall not be occupied until such works, as approved, are implemented in full and they shall be retained and maintained to a standard as set out in the SFRA.

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

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii hours of construction activity.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof)
- i) no external alterations shall be carried out to the dwelling
  - ii) no extensions shall be carried out to the dwelling
  - iii) no garages or carports shall be erected within the curtilage of the dwelling(s)
  - iv) no vehicle standing space shall be provided within the curtilage of the dwelling(s)
  - v) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling(s)
  - vi) no means of access or areas of hard surfacing shall be constructed in the curtilage of the dwelling(s)
  - vii) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission.



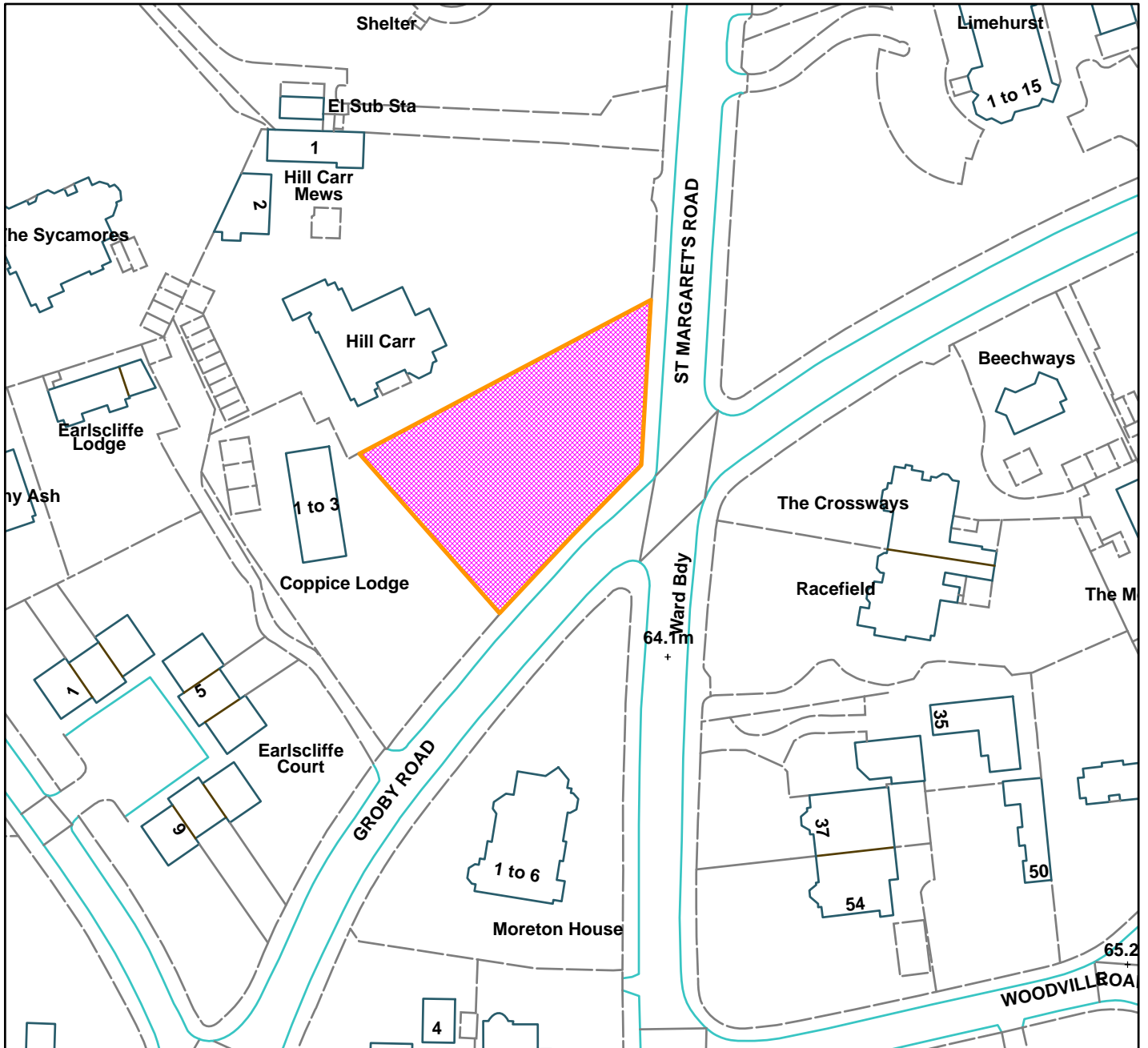
Reason. To protect the character of the Devisdale Conservation area having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

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CR



Land to NW of junction of St Margarets Rd & Groby Rd, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**WARD:** Clifford

**90799/FUL/17**

**DEPARTURE:** No

**Erection of two residential blocks providing a total of 216no. one, two and three bedroom residential apartments (Block 1 and Block 2 will comprise 10 and 12 storeys respectively) with parking, landscaping and associated works.**

Development Site, Pomona Strand, Old Trafford

**APPLICANT:** Vermont / X1 Manchester Waters

**AGENT:** Turley

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

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## **SITE**

The site is part of the wider Pomona Island site, a currently vacant strip of land between the Manchester Ship Canal/River Irwell to the north west and the Bridgewater Canal and Manchester – Warrington railway line to the south east. The Pomona Island site extends to approximately 15 hectares.

The application site extends to approximately 1 hectare and is situated at the south western end of Pomona Island, adjacent to the Manchester Ship Canal/River Irwell. An elevated section of the Metrolink, the Bridgewater Canal and railway line are to the east of the site. The site is vacant and comprises predominantly vegetation (rough grassland with scattered shrub) and some areas of hardstanding. The site is generally level. The application site also includes the section of Pomona Strand parallel to the development site. Vehicle access is via Pomona Strand which is a private road extending through the Pomona Island site from Trafford Road to the south west to Cornbrook Road to the north east, although a gate currently prevents access from Cornbrook Road. There is pedestrian access along both Pomona Strand and a towpath alongside the canal.

The site was formerly part of Pomona Docks, a set of five docks on the Manchester Ship Canal. Three of the former docks have since been infilled, one has been partly infilled and one remains (Dock 3). This application relates to land at the south western end of the former docks and previously comprised a dock basin (Dock 4) which has since been infilled together with buildings and railway sidings associated with the former use. The former southern dock wall is still visible and runs adjacent to Pomona Strand

Land adjacent to the east side of the site and further north east on Pomona Island is similarly vacant and predominantly comprises vegetation (grassland and shrub) with some areas of hard standing. Further to the north east two apartment blocks (11 storey and 10 storey) are under construction and nearing completion.

The surrounding area is mixed in terms of land use, although predominantly commercial in the immediate vicinity. To the south west of the site on Pomona Strand is a 4 storey office building. On the opposite side of the canal there are 2 and 3 storey commercial units at Waters Edge Business Park and a cluster of office buildings at Exchange Quay including 4 storey offices at the Soapworks. Pomona Metrolink Station is south east of the site and Cornbrook Metrolink station is north east of the site, both within walking distance.

## **PROPOSAL**

Permission is sought for the erection of two apartment blocks providing a total of 216 apartments; Block A is a 10 storey building of 75 units and Block B is a 12 storey building providing 141 units. The proposals also include 97 car park spaces with access from Pomona Strand, open space/landscaping and play area and an upgrade of the footpath alongside the Manchester Ship Canal to provide a footpath and a separate two way cycle path. The wider development of Pomona Island, of which this application forms a part, has been named 'Manchester Waters' by the landowner.

The development is proposed to provide 85 x 1-bed units (16 studio apartments, 69 one bedroom), 99 x 2-bed units and 32 x 3-bed units. The development would also include cycle stores and refuse areas on the ground floor of both buildings, a communal space/gym on the ground floor of Block A and communal space/cinema on the ground floor of Block B. The proposed car park is at ground level with a podium constructed over comprising landscaping, seating, footpaths and a playground area. The proposals include a new vehicle access off Pomona Strand to serve the car park.

Amended plans and further information has been submitted in response to comments made by officers and issues raised during consultation. The amendments include an increase in the number of cycle spaces; provision of a two-way cycle path along the waterfront; width of emergency/maintenance accesses revised in line with swept paths analysis; revisions to the internal layout of apartments; design of front columns revised to reduce the height of the concrete plinth; entrance lobby layout revised; design of corner windows revised; and amended refuse store. An updated noise report, further ecological surveys, viability assessment, education and health impact assessments and further drawings and images in support of the scheme have also been submitted.

The main differences between the current proposal and the previously approved scheme are as follows: -

- The previous scheme had a curved and stepped elevation to the canal, cantilevering out above the canal. The current scheme retains a curved frontage but steps out to a far lesser extent and would not oversail the canal.
- Amended palette of materials, including the use of rainscreen aluminium cladding instead of white render.
- Car parking proposed at ground level only whereas the previous scheme had car parking on three levels below the apartments.

- Reduced ratio of car parking (previously 1 space per apartment which included undercroft parking and a surface level car park outside the site).
- Increase in the number of apartments in these two blocks. The previous permission included 173 units in the two blocks on this part of the site, therefore the proposals would result in 43 additional units on this part of the site.

The total floorspace of the proposed development would be approximately 13,034 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**

SL1 – Pomona Island  
 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  
 W1 - Economy  
 R1 – Historic Environment  
 R2 – Natural Environment  
 R3 – Green Infrastructure  
 R5 – Open Space, Sport and Recreation

## **PROPOSALS MAP NOTATION**

Strategic Development Site  
 Large Sites Released for Housing Development  
 Priority Regeneration Area  
 Mixed Use Development  
 Wildlife Corridor (River Irwell and Bridgewater Canal)

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

TP2 – Pomona Strategic Development Area

E13 – Strategic Development Sites

H3 - Large Sites Released for Housing Development (HOU5 Land at Pomona)

H10 - Priority Regeneration Area: Old Trafford

ENV10 – Wildlife Corridors

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

Planning Guidelines: New Residential Development

SPD1: Planning Obligations

SPD3: Parking Standards and Design

## **OTHER RELEVANT DOCUMENTS**

Pomona Island Masterplan (2008)

Cornbrook Hub Regeneration Framework (2014)

Planning Guidance Irwell City Park (2008)

## **GREATER MANCHESTER SPATIAL FRAMEWORK (GMSF)**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

## **RELEVANT PLANNING HISTORY**

Applications affecting the application site: -

**H/58948** - Erection of residential development comprising 5 blocks (varying from 8 to 16 storeys height) to provide 546 apartments with ancillary car parking, landscaping and amenity areas. Approved 04/05/07. This permission has technically been implemented (through the construction of a drainage channel), although the building of the apartment blocks has not yet commenced. This technical implementation means that the planning permission now exists in perpetuity.

**H41606** – Engineering works to prepare the site for future development comprising piled wall enclosing dock, extension of Cornbrook culvert, demolition of existing and construction of new Canal Bridge at Cornbrook Road, removal of concrete bases, construction of new road, provision of services and reclamation works. Approved 23/02/96

**H36228** - Demolition of buildings and erection of nine buildings to comprise themed attractions, restaurants, bars, two nightclubs, souvenir shops, a five storey 200 bedroom hotel, a 5,000 seat arena, administrative and customer reception buildings, a monorail, a rocket ship attraction, provision of ancillary car parking and landscaped areas and means of access from Throstle Nest Lane and Cornbrook Road. Approved 10/12/92

Land at the north east end of Pomona Island: -

**85822/FUL/15** - Erection of 11 storey building of 86 apartments and 10 storey building of 78 apartments with ground floor link, provision of car parking, access from Hulme Hall Road, new landscaping and refurbishment of footpath alongside Manchester Ship Canal/River Irwell. Approved 27/11/15. Currently under construction.

Other applications on Pomona Island: -

**H42269** - Building and engineering works associated with the alignment of Throstles Nest Lane bridge over the Manchester Ship Canal, with the diversion of the cycle and footways and the surface level car park for Adamson House to enable the construction of the Metrolink Tramway and the provision of a station stop. Approved 16/05/96

**H39494** – Change of use of dock to a marina and the erection of a building for boat sale and repairs. Approved 15/09/94

### **APPLICANT'S SUBMISSION**

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

- Planning Statement
- Design and Access Statement
- Transport Assessment
- Interim Travel Plan
- Preliminary Ecological Assessment
- Arboricultural Impact Assessment and Arboricultural Method Statement
- Flood Risk Assessment and Drainage Strategy
- Preliminary Risk Assessment (Ground Conditions)
- Heritage Statement
- Air Quality Assessment
- Carbon Budget Statement

- Crime Impact Statement
- Noise Planning Report and updated version
- Daylight and Sunlight Assessment
- Preliminary Refuse Collection Strategy
- Education Assessment
- Health Impact Assessment
- Viability Assessment

Key points from the Planning Statement in support of the proposed development are summarised as follows: -

- The previous consent on the site has established the principle of residential development and principles around site layout, building height and architectural form.
- The current application promotes a higher density scheme, with a mix of apartment types and sizes which better reflect current market conditions.
- The additional apartments are accommodated within broadly the same building volume whilst the treatment of external elevations has been updated to deliver a more striking and contemporary design which reflects its prominent waterfront location. In particular the use of render to the external elevations has been replaced with contemporary rain-screen cladding.
- Consultation with the local community has been undertaken prior to submission of the application.
- The scheme will contribute to the delivery of much needed housing in the Borough and will help address the identified shortfall in delivery from previous years.
- The scheme will deliver a high quality landmark development that will help to revitalise and regenerate a long-term vacant site and contribute towards the creation of a sustainable urban neighbourhood.
- The proposals accord with the relevant and up-to-date Development Plan policies and thus planning permission should be granted without delay.

## **CONSULTATIONS**

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

**Environment Agency** – No objection in principle subject to conditions requiring a remediation strategy to be submitted and approved to deal with contamination; no infiltration of surface water drainage into the ground where contamination is known or suspected; piling or other foundation designs using penetrative methods not permitted other than with consent of the LPA; and a verification report to be submitted and approved demonstrating completion of works in the remediation strategy.

**Greater Manchester Archaeological Advisory Service** – Based on the submitted Heritage Statement and a desk based assessment undertaken by UMAU in 2004,



GMAAS consider that there is limited below-ground archaeological interest and that no further archaeological mitigation is required.

**Greater Manchester Ecology Unit** – No overall objection on ecological grounds, subject to conditions requiring 1) a more detailed Landscape Plan and 2) no vegetation clearance during the optimum period for bird nesting, unless nesting birds shown to be absent. Comment the provision of high quality Green Infrastructure should be given a high priority when developing detailed plans for the development and also comment it would be useful to have an overarching holistic Landscape Plan for the whole site. Further comments are incorporated within the ecology section of the report below.

**Greater Manchester Police (Design for Security)** – The Crime Impact Statement is acceptable and recommend the following: the land shown as ‘Proposed Landscape’ should be restricted to residents only as the place is quite large and raised which may lead to anti-social behaviour; entrances should all be gated and access controlled; the underground car park should be access controlled and gated to SBD standards; the development should be built to Secured by Design (SBD) standards.

**Lead Local Flood Authority** – Recommend conditions requiring 1) details of the full detailed drainage design to limit the proposed peak discharge rate of storm water to meet the requirements of the Council’s Level 2 Hybrid SFRA; and 2) full details of the Sustainable Drainage Scheme, including maintenance and management plan. The LLFA also advised that further information is required, including detailed drainage layout and calculations, but have since advised this information can be required by condition and provided prior to commencement of development.

**LHA** – No objections. Comments summarised as follows: -

- The LHA concurs with the TA that the vehicle trips generated by the application fall within the parameters of the accepted traffic impacts from the extant permission and as such would raise no objection to the proposals.
- The existing Pomona Strand junction off Trafford Road to access the development is considered appropriate.
- In support of the proposed reduced level of on-site parking it is acknowledged that the development is situated close to Pomona and Cornbrook Metrolink Stations and also provides a high number of cycle parking facilities. Taking the above points into consideration the LHA is minded to accept the reduced level of proposed off-street parking. Furthermore, the measures taken by the developer regarding the travel plan and travel plan coordinator and the high level of cycle storage facilities are all considered positive steps which would contribute to reducing the demands for parking which may otherwise be associated with the development.
- Recommend additional traffic management measures are put in place to ensure the emergency access and service zone is maintained and kept clear from any traffic.
- Recommend a condition requiring the further development, submission, implementation and monitoring of a Full Travel Plan.

- A condition requiring a Construction Management Plan will be required. Further comments are summarised in the Observations section of this report.

**Manchester City Council** – No comments received

**Manchester Ship Canal Company** - No comments received

**NHS Trafford Clinical Commissioning Group** – No comments received at time of preparing this report.

**Network Rail** – The layout and design of the proposal could impact upon the safety, integrity and operation of the operational railway and make the following comments: 1) Guidance on the use of cranes adjacent to the railway has been provided for the developer to action; 2) A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail; and 3) Recommend the LPA and developer engage in discussions to determine appropriate measures to mitigate noise and vibration from the railway to ensure no future issues for residents. Network Rail also advise current railway usage may be subject to change and maintenance works or other activities may generate noise and vibration that will impact on amenity of the proposed development. The proposal should not prevent Network Rail from its statutory undertaking.

**Pollution and Licensing (Contaminated Land)** - A condition is recommended requiring an investigation and risk assessment to investigate the nature and extent of any contamination on the site, assessment of the potential risks, where unacceptable risks are identified an appraisal of remedial options and a remediation strategy for the site, and a verification report to be submitted and approved.

**Pollution and Licensing (Air Quality)** – Comment they are in agreement with the conclusion of the air quality assessment and no further action is required.

**Pollution and Licensing (Nuisance)** – Details of sound insulation, glazing and ventilation to be installed should be submitted to the LPA for approval to demonstrate compliance with the report's recommendations and details of the ventilation strategy should include information to demonstrate that appropriate ventilation rates (to Building Regulations standards) can be attained whilst keeping windows closed, where this is necessary to maintain suitable internal conditions. A condition is also required for noise from fixed plant to minimise the likelihood of adverse impact and conditions requiring a Construction Environmental Management Plan and a Lighting Impact Assessment in respect of exterior lighting.

**Salford City Council** – No comments received

**Trafford Public Health** – No comments received

**TfGM** – Comments summarised as follows: the site is accessible by sustainable modes of travel and note its proximity to the Pomona Metrolink stop; the pedestrian and cycling environment within and around the site should be designed to be as safe, attractive and convenient as possible; 1:1 cycle parking provision is recommended; a condition is recommended requiring the further development, implementation and monitoring of a full Residential Travel Plan. With regards to highways impact it is advised that some consideration is given to the level of committed development in the area and that if the results in the junction impact assessments from the previous submission identified capacity issues, then further assessments to explore potential mitigation would be useful.

**TfGM Metrolink** – Awaiting further comments on the updated noise report and the applicant's response to their initial comments. Conditions are recommended requiring: 1) appropriate assessments to ensure appropriate measures to mitigate the impact of noise and vibration generated by the Metrolink Trafford Park Line and other applicable existing Metrolink extensions; and 2) the applicant to meet with TfGM on a regular basis and share all relevant plans and programmes so works can be appropriately coordinated, due to construction activities potentially being carried out by the applicant and TfGM concurrently.

**United Utilities** – No objection subject to conditions requiring 1) foul and surface water to be drained on separate systems and 2) a surface water drainage scheme to be submitted and approved, based on the hierarchy of drainage options in the NPPG with evidence of an assessment of the site conditions, must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems, and no surface water shall discharge to the public combined sewerage system either directly or indirectly. Also recommend a condition for the management and maintenance of any Sustainable Drainage System.

**Waste Management** – No comments received at time of preparing this report.

## **REPRESENTATIONS**

None received.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Pomona Island is a substantial area of previously developed land which has been vacant for over 20 years following its remediation. It is one of the largest vacant sites in the Regional Centre and has been identified as a significant opportunity for development. The area was first established as a redevelopment site at the time of the Trafford Park Development Corporation and was identified as such in the Trafford Unitary Development Plan. Its potential for redevelopment

is continued in the adopted Trafford Core Strategy where it is designated a Strategic Location. Although the nature and mix of the proposed development has evolved over time, the principle of redevelopment has been established for some time on this brownfield site.

### Trafford Core Strategy

2. Pomona Island is identified in the Trafford Core Strategy under Policy SL1 as a Strategic Location, which states that a new mixed-use commercial and residential district will be created to complement the offers of the city centre and Salford Quays / Mediacity:uk. It will be a new destination for business, residential and leisure combining significant commercial and recreational development for people living in the Location and for communities in the city centre and Old Trafford. Policy SL1.2 states the Council considers that this Location can deliver:

- 10 Ha of employment activity;
- 800 residential units;
- New commercial leisure facilities, including an hotel;
- Small scale ancillary retail and bar/restaurant uses;
- Appropriate new community facilities to support those people using the development;
- A substantial new area of open space for informal recreation; and,
- New and improved pedestrian links.

The Justification section for the Policy further states Pomona is at Trafford's northern gateway, the redevelopment of this significant area of long-term vacant brownfield land for high quality mixed-use development offering scope for large-scale development including tall buildings, represents a major opportunity to assist with the regeneration of this part of the Regional Centre. It will increase public safety by introducing new levels of activity in the area and providing extensive opportunities for natural surveillance of paths and open space areas.

3. At SL1.5 the Policy sets out a number of specific requirements required for development to be acceptable on Pomona Island. These requirements are considered within the relevant sections of the report.

### Draft Land Allocations Plan

4. Subsequent to the adoption of the Core Strategy and further work in relation to flood risk issues, the first draft Land Allocations' Plan (LAP) has been published. The LAP is at a very early stage in its preparation and has been put on hold, pending the production of the Greater Manchester Strategic Framework, therefore the LAP has limited material weight in the determination of this application. Although the Draft LAP has not been adopted and is currently on hold, this remains the most recent statement of policy published by the Council (2014) in respect of this site. The Draft LAP states that the Pomona Island

Strategic Location provides a unique opportunity to create a high quality, high density mixed use sustainable community on a significant area of brownfield land within the Regional Centre. Policy POM1 states the Council will grant planning permission for a mix of residential, offices, hotel and a range of supporting commercial and/or community uses to serve the needs of the proposed communities within the Strategic Location and identifies the following: -

- A minimum of 1,100 residential units at densities of between 230 and 320 dwellings per hectare in the form of high-rise apartment blocks;
- Approximately 20,000sqm B1a/b office floorspace and similar appropriate uses;
- Office floorspace on approximately 2ha adjacent to Cornbrook Metrolink stop;
- A new hotel;
- A mix of uses including a range of retail, commercial leisure and community facilities at a scale to serve the needs of the proposed communities;
- Approximately 2.5 Hectares of new open space / green infrastructure, of which approximately 2 Hectares will be delivered as a new Neighbourhood Park located in the centre of Pomona Island adjacent to the Ship Canal;
- Appropriate levels of high quality amenity space between development blocks.

#### Proposed Residential Development

5. Having regard to the above policies, residential development in this location and in the form of tall buildings is acceptable in principle and will contribute towards the delivery of the Council's objectives for this key strategic location. Furthermore, planning permission was granted in 2007 for 5 apartment blocks providing 546 apartments on the application site and the adjoining land to the east. This permission has been implemented by virtue of construction of a drainage channel within 5 years of the permission date, ensuring the permission remains extant and the scheme capable of being built. This further establishes the principle of development on this site.
6. Policy SL1 of the Core Strategy indicates that the Pomona Island Location can deliver 800 residential units between 2011 and 2021, with the phasing as follows:

	<b>2008/9 – 2010/11</b>	<b>2011/12 – 2015/16</b>	<b>2016/7 – 2020/1</b>	<b>2021/2 – 2025/26</b>	<b>TOTAL</b>
<b>Residential</b>	0	350	450	0	800

It is clear from this phasing schedule that 350 dwellings were expected to have been built by 2015/16 and a further 450 dwellings between 2016/17 and 2020/21.

The subsequent Draft LAP considers Pomona Island could accommodate some 1,100 residential units; the proposed increase from 800 to 1,100 units, as explained in the justification to draft LAP Policy HO1, 'reflects the aspirations of the land owner and its location within the Regional Centre'. To date none of this housing has been delivered, although 164 units within the two blocks under construction in the north east corner of Pomona Island will be completed shortly. Planning permission for 546 apartments on the application site and adjacent land remains extant although has not been delivered to date. The Pomona Island Strategic Location has therefore under-delivered against the above schedule. This has had a negative effect on the Council's ability to deliver new housing in the Borough in accordance with the Core Strategy and maintain a supply of housing to meet the identified need, and as such there is a clear need for this housing to be delivered. Having regard to Paragraph 47 and Footnote 11 of the NPPF the application site is considered to be available, suitable and achievable for housing.

7. 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. NPPF paragraph 47 identifies a clear policy objective to, "*boost 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.

8. The Council does not, at present, have a five year supply of immediately available housing land, although this site is identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). 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 significantly boosting the supply of housing. Substantial weight should therefore be afforded in the determination of this 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 proposed development contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that it will deliver 216 new dwellings.
9. NPPF paragraph 14 indicates that for decision-taking, the presumption in favour of sustainable development means: "*granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted” (as explained by example in footnote 9 of the NPPF).*

Heritage policies in the NPPF indicate that it *may* be appropriate to restrict development in this particular case. The assessment of heritage issues below (paragraphs 69-71) demonstrates that it is not appropriate to conclude policies within the NPPF should restrict this development. Accordingly, NPPF paragraph 14 indicates that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

10. Residential development in this location is compliant with the policies of the Core Strategy and Draft LAP, in accordance with the NPPF and therefore acceptable in principle. Furthermore the application will make a significant contribution to the supply of land for new housing and contribute towards addressing the significant shortfall identified above.

#### Greenfield /Brownfield Land

11. Although the application site is currently vacant it is clear that as part of the former Pomona Docks, the site has previously been developed. Historic mapping and photographs confirm there were previously buildings and railway sidings on parts of the site associated with its former use, with the remainder being the former dock basin that was infilled in the 1980's and 1990's. Furthermore the Core Strategy refers to Pomona Island as a significant area of long-term vacant *brownfield* land. Whilst there are no longer any buildings or structures on the land, having regard to the above it is considered the site constitutes previously developed land as defined in the NPPF.

#### Type of Units

12. Policy SL1.6 of the Core Strategy states residential development in this Location will be largely apartments, appropriate to its Regional Centre Location. However, a proportion of the residential development should be suitable for families, either in terms of size or type, having regard to Policy L2. 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. Although the site sits within the Regional Centre, The proposed development would provide for a mix of 85 x 1-bed apartments, 99 x 2-bed apartments and 32 x 3-bed apartments. It is considered that the mix of apartment sizes is appropriate given its Regional Centre location. The Trafford Core Strategy also recognises the appropriateness of apartment style development in the Regional Centre.

## Affordable Housing and Viability

13. 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 Old Trafford area is identified as a “cold” market location where the affordable housing target applied under normal market conditions is 5%. The supporting text of Policy L2 recognises that under ‘poor’ market conditions a 5% contribution could inhibit development in cold market locations and therefore applications for development in such locations will not trigger a requirement to make a contribution to affordable housing. However, Policy L2.12 goes on to explain that in areas where the nature of the development is such that, in viability terms, it will perform differently to generic developments within a specific market location the affordable housing contribution will be determined via a site specific viability study, and will not normally exceed 40%. SPD1 also states this will apply in the case of most of the strategic locations (paragraph 3.14). It is considered that this proposed scheme, given its scale and nature, would perform differently from other ‘generic’ housing developments in this area. The site is part of a wider strategic location/area of change and is also considered to be of a different type of development to that generically found in Old Trafford at the time of the Economic Viability Study, due to its nature and scale. Therefore the extent of any affordable housing contribution associated with this scheme will be determined by the site specific viability assessment submitted with the application.
14. The application includes a Viability Assessment that seeks to demonstrate that no affordable housing is viable in this case. The Assessment has been reviewed by an independent consultant on behalf of the Council and shows in fact that there may be scope within the scheme to provide a substantive contribution which could be brought forward through planning obligations to secure affordable housing. At the time of preparing this report discussions are ongoing with the applicant and further details of the precise amount of the contribution will be provided in the Additional Information Report. A S106 legal agreement will be required to secure this.

## Other Requirements of the Trafford Core Strategy and Draft LAP

15. The policies of the Core Strategy and Land Allocations Plan as summarised above set out a number of specific requirements for the future development of Pomona Island. Whilst residential development is a key element, these policies also seek to provide other uses, community facilities and infrastructure to create a sustainable community in this location (as set out in paragraphs 2 and 4 above).
16. There is concern that bringing forward this proposal for only part of the site without a framework in place such as an outline permission or masterplan for the



wider site, could result in piecemeal development of the site and the possibility that the site as a whole will not then deliver the infrastructure and other requirements set out in the Core Strategy and LAP. Clearly, as individual applications come forward without an outline permission or masterplan in place, but representing a smaller quantum of development than is anticipated across the site as a whole in the Core Strategy / Draft LAP, it potentially becomes increasingly difficult to be able to deliver a coherent and cohesive plan for the site in its entirety on the remaining undeveloped land. As part of the previous permission on this site a masterplan was required, in accordance with the relevant policy in the UDP in force at the time. A Masterplan was subsequently approved in 2008, however it is considered that this no longer forms an up-to-date plan that is fit for purpose given it is almost 10 years old and pre-dates the Core Strategy and the Draft LAP, and does not reflect the specific requirements of the Council's most up to date policy. It also pre-dates publication of the NPPF. Development has also since taken place within the Strategic Location.

17. The applicant was therefore requested to prepare an updated masterplan in order to seek to address the concerns summarised above. In response the applicant has advised they do not have any control over any land on Pomona Island beyond the application site boundary, therefore it would not be within their gift to prepare a masterplan for the wider site.
18. Although a masterplan would assist in ensuring a comprehensive approach to the development of Pomona Island in accordance with the Core Strategy and LAP (if subsequently adopted), each application must of course be considered on its own merits. This application relates to a comparatively small site relative to the Strategic Location as a whole (1 ha of approximately 15 ha) and sufficient land would remain for the public open space and other requirements to be provided in a future phase, even without the assurance of an outline permission or masterplan at this stage. In addition, although a wider masterplan was prepared in association with the previous extant consent at this site, that permission was for a very similar form of high density residential development and it has not been envisaged that any alternative form of development would come forward on this particular site.
19. With regards to the substantial area of open space required by Policy SL1, this should be centred around the canal basin and Policy POM1 of the Draft LAP further states that a new Neighbourhood Park of approximately 2 hectares will be located in the centre of the Pomona Island Strategic Location immediately adjacent to the Ship Canal. Given the size of the application site relative to the Pomona Island Strategic Location as a whole and its location at the south western end of Pomona Island, it is not expected that this open space should be provided entirely on this part of Pomona; as stated above the open space is most likely to be located centrally within the Pomona Island Location in order to maximise its accessibility and benefit to developments in the Location.

20. With regards to the issue of precedent, the Council maintains the ability to consider future applications on their merits and to ensure they would not compromise the delivery of the infrastructure and other requirements of policy as set out above. The need for a masterplan or similar such as a Development Brief can be pursued through other channels and/or be given further consideration when future applications are considered.
21. For these reasons it is considered that the Council would not be able to require that an outline approval or masterplan must be in place as a pre-requisite for the determination of this application. This application would bring forward the allocation for housing on the site and approval of this scheme would not, at this stage, compromise the ability to deliver the requirements of SL1 (and POM1) across the wider site through subsequent applications.

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

22. Policy SL1 states the design of development proposals in this Location should reflect its Regional Centre status, with a high density, high-rise built form (SL1.4). It goes on to state that residential development in this Location will be largely apartments, appropriate to its Regional Centre Location. The Justification to the Policy states that: - *“In view of the Location’s important position in relation to the Regional Centre, it will be important to secure high quality urban design to ensure an appropriate mix of land uses and inter-relationship of buildings/open spaces, because the appearance of this site once developed will have a significant bearing on the overall regeneration of the Priority Regeneration Area and the wider Regional Centre”*. The Draft LAP also states the Pomona Island Strategic Location provides a unique opportunity to create a high quality, high density mixed use sustainable community and ... *“the design of development will be of high quality in both form and materials, creating active frontages to support a vibrant public realm”*. Policy POM1 states residential development should be at densities of between 230 and 320 dwellings per hectare in the form of a number of high-rise apartment blocks. Policy L7 (Design) also 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.
23. 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.
24. The scheme is similar to the previously approved scheme in terms of scale, height and the arrangement of the buildings. The design of the buildings has been updated to achieve a more contemporary design better suited to its

waterfront location and to reconfigure the internal space to achieve a mix of apartments whose size is better suited to current market requirements.

### Siting and Layout

25. The previous scheme comprised 5 buildings in a radial form projecting over the towpath and cantilevering out above the Ship Canal. This revised scheme is for two buildings in the same position as two of the previously approved buildings and retains scope for three further buildings in the same position as previously on the adjacent land. Both buildings would have the main entrances direct from the footpath on the canal side of the buildings, providing an active frontage to the waterfront and canalside footpath. This siting relative to the canal reflects the previous scheme and is considered acceptable.

### Scale and Height

26. The development takes the form of two high-rise apartment buildings, one of 10 storeys (32m high) and one of 12 storeys (38m high). Relative to the podium over the car park, the proposed buildings are 9 and 11 storeys. This would be a similar height to the two buildings previously approved on this part of the site which were 30m and 37m high respectively and would be consistent with the type of development envisaged by SL1 in providing a high density, high-rise built form in this location. In the previous scheme it was noted the development would stand proudly visible from all directions of approach and that the height and massing of the buildings and their combined group effect, while significant, was acceptable. The current scheme is the same in this regard. The previous scheme was also the subject of a design review by the then Commission for Architecture and the Built Environment who raised no objection in principle to a residential scheme of this density and scale in this location and the scheme was redesigned in response to CABE's comments. The previous scheme proposed a series of buildings which increased in height from south west to north east and these two blocks will enable this approach to be followed in the event of a subsequent application for the adjoining site.

### Design and Materials

27. As with the previous scheme the proposed blocks sit on a podium and have narrow, curved frontages projecting over the towpath. The design of the previous scheme was influenced by the historic use of the site as part of the Manchester Docks and sought to create the illusion of ships setting sail, with narrow, curved frontages cantilevering out above the Ship Canal. The current scheme is similar in approach, although the projection of the upper floors on the canal side is significantly less than previously and would not extend over the canal. On the canal side the upper floors are supported on steel columns in a 'V' formation, allowing for an area of public realm between the buildings and the canal. The middle sections of each building (from the third floor to the seventh and ninth

respectively) project further out than the lower floors and the top two floors would be set back and comprise large amounts of glazing and opaque glass panels which reduce the apparent mass and visual impact of the buildings. The buildings would be finished in light silver rainscreen aluminium cladding and grey ribbed rainscreen aluminium cladding, with terracotta grooved rainscreen to the lower floors and a recessed vertical section to one side elevation of each building. The fenestration comprises vertically aligned windows that would be recessed from the elevations with a reveal of 100mm to 150mm which will give some depth to the facades. Balconies will add further depth/variation to the elevations. It is suggested that where appropriate glazed spandrel panels are used to emphasise the size of the window openings which will further enhance the articulation on the building. The quality of the cladding panels is important to ensuring a high quality scheme and a condition requiring submission and approval of samples of materials is necessary should planning permission be granted.

28. The DAS identifies a number of key views, including from the Salford side of the River Irwell, Trafford Road bridge, and the approach from Pomona Strand from both directions. The previous scheme also included a Visual Impact Assessment to assess the scheme from a number of key views, including from the Salford side of the River Irwell, Pomona Metrolink Station, Exchange Quay and Cornbrook Station. As noted with the previous scheme, it is considered the proposed development would not block any important views, its articulated form would add interest to the skyline, the materials proposed would reflect light and provide contrast to the existing built environment and the development would provide a focal point to bring people to the area and enhance the use and enjoyment of river and canal routes. The development would impact on the existing open aspect over the site currently available from Pomona Strand and from the towpath on both sides of the canal, however this would be the case with any high-rise development at this end of Pomona Island and the apartments will ultimately be seen in the context of future phases of development, which will include high-rise buildings as envisaged by Policy SL1.
29. The proposed boundary treatment to the canal side of the site comprises soft landscaping on a gentle gradient from the podium level down to the footpath, indicated as shrub and ornamental grass planting. This would give a 'soft' edge to the development alongside the footpath and avoid a hard, vertical edge on this side of the site. This is considered acceptable, subject to a detailed specification to ensure a selection of appropriate species in terms of visual interest and enhancing biodiversity. Full details can be required as part of a landscaping condition.
30. On the Pomona Strand side of the site, the edge of the development would comprise a 4 to 4.3m high wall to the car park extending for a length of approximately 120m, with the podium above. The wall is to comprise a combination of brick and perforated mesh panels. There is concern over the appearance of the wall and its impact on visual amenity, having regard to the

combination of its height, length and materials and this has been raised with the applicant with a view to it being amended. At the time of preparing this report discussions are ongoing and an update will be provided in the Additional Information Report.

31. In conclusion (and notwithstanding the treatment to Pomona Strand) it is considered the scale, height, proportions and design of the proposed development would be appropriate in its context, having regard to the aspirations of the Core Strategy and Draft LAP for high-rise high-density residential development. The different elevation treatments between the lower floors, middle sections and top floors, the lower and top floors being recessed from the middle section, use of cladding of different textures and colours and recessed windows, all provides for a degree of articulation which visually breaks up the scale and massing of the buildings. The proposal is considered to be in accordance with Core Strategy Policies SL1, L2 and L7 and the NPPF in making best use of an opportunity to improve the character and quality of the area and adding to the overall quality of the area.

#### Materials and Fire Safety

32. Although not a material planning consideration, the applicant has advised the following regarding the proposed aluminium cladding. Due to the buildings having habitable storeys higher than 18m (measured from the lowest ground level) the external wall build-up shall be constructed of materials which are 'limited combustibility' or better (which will include fire stops and cavity barriers in all concealed cavities in line with ADB vol.2). All products are to be minimum Class A2 ('limited combustibility) or better. The ACM (Aluminium Composite Panels) panels will not be used in the rainscreen; the rainscreen panels will be of a solid metal construction (either steel or aluminium). Each product chosen shall be from a proprietary system and manufacturer to supply necessary data sheets and fire test reports for checking by the wider design team prior to fabrication, which will include a fire consultant and a façade engineer. Due to the proposed height of Block B (above 30m) a sprinkler system will be provided to all floors.

#### PUBLIC OPEN SPACE AND LANDSCAPING

##### Spatial Green Infrastructure

33. 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. SPD1: Planning Obligations states large residential developments of approximately 100 units or that provide homes for 300 people or more, will need to provide new

open space as part of the site design. Based on the standards in Policy R5 the proposed development requires 0.5ha (4,977 sq. m) of open space.

34. The proposed layout provides for areas of open space and soft landscaping at podium level surrounding the buildings which is approximately 0.56ha in total, inclusive of areas of lawn, shrub and ornamental grass planting, wildflowers and tree planting as well as hard surface areas. The applicant has confirmed the landscape podium includes 'access for all' and will be fully open to the public at all times of day and night. Access would be via a gentle slope up from the footpath at the south western end of the site and two sets of steps from the footpath in the northern half of the site. Although the landscape podium would be open to the general public it is considered that in reality this area would function primarily as private amenity space for the residents. It is noted GMP Design for Security recommend that these areas should be restricted to residents only as its use by members of the public may lead to anti-social behaviour. It is also considered appropriate to take into account that the policy for Pomona Island requires a large area of open space for informal recreation which, when provided, will be accessible to residents. This will be required as part of a subsequent phase of development on Pomona Island in accordance with the Core Strategy.
35. The scheme also retains the existing path alongside the canal, which would be widened and upgraded and a separate cycle path is also proposed, providing an enhanced environment for recreational use (for walkers, joggers and cyclists) alongside the canal. These elements of the scheme comply with Policy SL1 in providing improved pedestrian links and contribute towards the realisation of the Irwell City Park initiative as set out in the Irwell City Park Planning Guidance. The cycle path may necessitate a requirement for the provision of new canalside railings to ensure a safe cycling environment given recent TfGM analysis of upgrading the towpath surface in the area close to Trafford Road Bridge. Any further comments from TfGM regarding the cycle path will be reported in the Additional Information Report.
36. SPD1 also states that developments in the region of 300 units and above will be required to provide mitigation measures for semi natural green space. Although the proposed development is below this threshold, it is noted that combined with the existing development at the far end of Pomona Island there would be over 300 units, therefore the provision of semi natural green space should be considered. Based on the standards in Policy R5 the development requires 0.73ha (7,374 sq. m) of semi natural greenspace. The footpath and cyclepath described above contribute towards semi natural green space and although this is below the standard in Policy R5 this is considered acceptable given the nature of the site and need to maximise the potential for high density development.
37. Based on the standards in SPD1 the development requires a Local Area for Play for children's play that should include a 100 sq. m activity zone set within a 400 sq. m buffer zone to include informal recreation, landscaping, fencing, seating,

and may include a low key games area for toddlers. The application provides for a playground area in the south west corner of the site and states that the specific detail is subject to further consideration. The submitted details indicate this would include play features integrated into the landscape, such as slides, rope pulls, and gentle 'climbing' boards, rather than provide a single enclosed area in accordance with the above LAP specification. It is also acknowledged that it would be appropriate for a larger play area to be provided as a future phase on Pomona Island when the quantum of development reaches the requirement for a Neighbourhood Equipped Area for Play (1,062 residents). This play area would be best placed within the open space / Neighbourhood Park that would serve the whole Pomona development, as required by Policy SL1 (and Policy POM1 of the LAP in the event this has been adopted at that time) and within walking distance of the site, therefore a play area that doesn't fully meet the standards for a Local Area for Play is considered acceptable in this instance. A condition requiring full details of the proposed play area would need to be attached to any permission given the lack of detail provided at this stage.

38. Policy SL1 refers to the need for new community facilities and the implementation section highlights the need for improvements to existing and the development of new indoor/outdoor sports facilities. Policy R5 of the Core Strategy and POM1 of the emerging Draft LAP further identify the need for development to provide or contribute towards sports facilities. Although SPD1 states this will be required for developments over 300 units and the proposed development is below this threshold, it is noted that combined with the existing development at the far end of Pomona Island there would be over 300 units. It is therefore considered appropriate for this development to contribute towards the provision of sports facilities; SPD1 states that if a potentially large development site has been divided into smaller applications then it is appropriate to consider planning obligations as part of the wider development. It states that the cumulative impact of smaller schemes will be addressed through CIL funded projects, although in this case the CIL charge rate for this development is currently £0. The SPD goes on to state that in exceptional circumstances it may be more appropriate to pay a commuted sum towards new or improved outdoor sports facilities, for example, where large development is phased so the provision can be delivered as part of a later phase, or where appropriate to provide the required provision on land outside of the boundary for planning permission, but close to the development. It is considered this applies to the proposed development and therefore a financial contribution at the rate set out in the SPD should be applied. This is £520 per person (includes estimated maintenance costs at 30%) which equates to £191,724.

### Specific Green Infrastructure

39. The application includes a 'Public Realm Strategy' which sets out the concepts behind the proposed open space and landscaping of the site. This comprises landscaping at podium level surrounding the buildings and which includes areas

of lawn, shrub and ornamental grass, wildflowers and a number of trees. In the event of being approved a condition would be necessary requiring full details of landscaping to be submitted and approved to ensure that this is provided, in a suitable timescale and maintained thereafter to contribute to a good quality development.

40. In terms of the amount of tree planting and other forms of specific green infrastructure, SPD1 indicates as a guide that 1 tree per apartment should be planted. SPD1 also states 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. could be provided. To comply with this guideline the development would need to provide 216 trees, or a lower number of trees in combination with provision of other green infrastructure. The submitted details for landscaping indicate approximately 47 trees, including multi-stem trees. Due to the desirability of retaining the areas of open space as amenity space for residents, it is considered inappropriate to require this amount of tree planting on site and a smaller amount of tree planting would be appropriate. The SPD states the provision of alternative Green Infrastructure treatments could be provided in lieu of, or in combination with, tree provision. In this case it is considered the alternative forms of green infrastructure summarised above are acceptable in lieu of providing a greater number of trees on the site, having regard to nature of the site and the development.

## HIGHWAYS AND TRANSPORTATION

### Accessibility

41. The site is within a highly sustainable and accessible location given its proximity to the city centre and public transport infrastructure. The site is within walking distance of Pomona Metrolink stop (approximately 300m) providing frequent services between Eccles, Manchester City Centre and Ashton-under-Lyne. Cornbrook Metrolink stop is also within walking distance of the site (approximately 600m) providing tram services to other destinations. Additionally, work is currently underway to construct a new Metrolink line from Pomona Metrolink Station through Wharfside to the Trafford Centre. The nearest bus stops are located on Trafford Park Road / Trafford Wharf Road / Trafford Road (11/12 minute walk away). It is therefore noted that Metrolink services are the most accessible within desirable walking guidelines and will likely be the most utilised giving future residents' access to a choice of travel mode which should help to reduce the amount of car travel otherwise generated by this development. There are also nearby services, amenities and employment opportunities available which will make walking and cycling genuine alternatives to travelling by car or public transport. Policy SL1.5 of the Core Strategy requires improvements to the local highway network and public transport infrastructure in this location; no such improvements are proposed in this application however this is not considered necessary having regard to the scale of development proposed



and the above. Future phases on Pomona Island may require these improvements as a result of the cumulative impact of development.

42. TfGM has advised that in order to maximise the benefits of the site's sustainable location, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, with improved street lighting and including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks and including reinstating redundant access points, renewal of footway, tactile paving where appropriate etc. The proposed footpath and cyclepath as described above would improve the pedestrian and cycling environment and can include street lighting, renewal of footway and tactile paving where appropriate. Full details of these works can form part of the landscaping scheme and lighting details to be required by conditions recommended below.

#### Trip Generation and Traffic Impact

43. The development has been assessed in terms of its impact on the surrounding network using the TRICS database. The proposals were shown to generate 58 two-way vehicle trips in the AM Peak and 68 two-way vehicle trips in the PM Peak which equates to approximately 1 additional vehicle per minute in either of the commuter peaks. The LHA consider the forecast trips and any associated traffic impact, in comparison to the extant planning permission, are considered to be acceptable. The LHA concurs with the submitted TA that the vehicle trips generated by the application fall within the parameters of the accepted traffic impacts from the extant permission and as such would raise no objection to the proposals.
44. TfGM originally advised that if the proposals would result in an increase in the number of units from those permitted in 2007 then the situation would be different than that presented in the TA and would require further assessment work and junction analysis. Since being advised the proposals would result in an increase in the number of units, TfGM comment that an additional 61 apartments would lead to a further 16 trips in the AM peak and 19 trips in the PM peak. This figure in isolation would not warrant a junction impact assessment, however it is advised that some consideration is given to the level of committed development in the area, including the adjacent development. They also suggest that if the results in the junction impact assessments from the previous submission identified capacity issues, then further assessments to explore potential mitigation would be useful. In response to these comments, it is considered that further assessment of the network can be required with applications for future phases as necessary and which will need to take account of development already permitted.

## Appropriateness of Access

45. Vehicular access to the development would be from the existing Pomona Strand junction off A5063 Trafford Road and this is considered appropriate by the LHA. It is noted that Pomona Strand is not adopted for the majority of its length and therefore does not fall under Trafford's Highway Authority maintenance obligations. There is potential for this road to become more heavily trafficked as the build-out of the development phases are progressed and through increased construction traffic use which may result in the future maintenance to Pomona Strand being required sooner. The road is also bridged by the Metrolink line and height restrictions may impact on the size of construction vehicle which can access the site safely during the construction phases.

## Pedestrian and Cycle Links

46. Policy SL1.5 of the Core Strategy states that the provision of suitable pedestrian and cycle links to and from the existing Metrolink stations at Cornbrook and Pomona, to key bus routes and to the wider Irwell River Park area, will be required. A cycle route through the site linking existing cycle lanes in the St. George's area of Manchester with those in the Wharfside area of Trafford Park has been a long-term Council objective. As noted above the proposals include an upgrade of the existing footpath and provision of a dedicated two-way cycle path alongside the canal, providing a route along the full length of the site for pedestrians and cyclists which would link to the existing path alongside the canal through Pomona Island and beyond, providing another sustainable transport link for future residents of the development both in the direction of Trafford Park/Salford Quays/Media City) and Manchester City Centre (after joining the Bridgewater Canal). These improved pedestrian and cycle links are welcomed to meet the aspirations of Policy SL1 and the wider aims of Policy R3 to provide a green infrastructure network. A detailed specification for the cyclepath will be required by condition to ensure it meets relevant standards.

## Car Parking

47. The Council's parking standards for this location are 1 space for 1 bedroom dwellings and 2 spaces for 2 to 3 bedrooms, which results in a maximum requirement for 347 spaces based on the proposed mix of units. The proposed level of car parking at 97 spaces (45%) is well below this maximum standard. In support of the proposed reduced level of on-site parking it is acknowledged the site is within a highly sustainable location as discussed above. The site is situated close to both Pomona and Cornbrook Metrolink Stations which are approximately 300m and 600m walking distance from the site respectively. The development also provides a high number of cycle parking facilities with 216 spaces available. The developer has also stated that a Travel Plan Coordinator will be appointed to the development prior to the first occupation and this would also help to promote sustainable travel modes from the outset. Future residents

will therefore have some access to a choice of travel mode which should help to reduce the amount of car travel otherwise generated by this development. In addition to good transport links it is also recognised that there are nearby services, amenities and employment opportunities available within the Regional Centre which will make walking and cycling genuine alternatives to travelling by car. It is also relevant to take into account that the Council's standards are maximum standards and schemes in sustainable locations with availability of and opportunities for public transport can be relaxed in such locations.

48. Taking the above points into consideration the LHA is minded to accept the reduced level of proposed off-street parking in this instance due to the accessibility of public transport. Furthermore, the measures taken by the developer regarding the travel plan and travel plan coordinator and the high level of cycle storage facilities are all considered positive steps which would contribute to reducing the demands for parking which may otherwise be associated with the development. Disabled parking is provided with 5 accessible spaces within the undercroft car park and this is also considered appropriate and accepted by the LHA.

#### Cycle and Motorcycle Parking

49. The Council's standards require 1 space per dwelling where communal cycle parking is proposed. TfGM has also recommended 1:1 cycle parking provision. The original submission provided for 115 cycle spaces, however this has since been increased to 216 spaces at the request of officers and TfGM given the sustainable location and low level of car parking at the development (in relation to the Council's standards) would support higher cycle parking facilities. The submitted parking layout doesn't indicate any motorcycle parking spaces, however there is scope within the car park to provide a number of spaces.

#### Travel Plan

50. A Framework Travel Plan has been prepared which includes a list of potential measures that could be implemented to affect a modal choice. The success of the travel plan measures will depend on their effective delivery and commitment from the occupiers and therefore robust arrangements for the implementation and running of the Travel Plan need to be included from the outset, in the plan itself, including:
  - Appointment of a named Travel Plan coordinator
  - A travel plan budget and resources for the day to day implementation and management of travel plan measures
  - Target and monitoring arrangements

The interim travel plan appears to include the above points and it is recommended that further development, submission, implementation and monitoring of a Full Travel Plan is attached as a condition of any approval. TfGM

also recommend the further development, implementation and monitoring of a full Residential Travel Plan is required by condition and also provide advice as to what the Travel Plan should include to ensure it's effective from the outset and this has been forwarded to the applicant.

#### Emergency Access and Service Zone

51. An emergency access and service zone to the development is proposed to run along the northern boundary to the buildings, between the apartment blocks and the Manchester Ship Canal, which is to be accessed from Pomona Strand. It is recommended that additional traffic management measures are put in place to ensure the access is maintained and kept clear from any traffic which may be tempted to park within the facility.

#### Servicing and Refuse Collections

52. The proposed refuse and recycled materials stores are located within the private boundary. Routes to a proposed refuse collection point on Pomona Strand have been provided and these are considered appropriate. The Euro bins are to be transferred on collection days by the building management and returned to store, this is also considered satisfactory.

#### Off-Site Highway Works

53. There are no proposed works to the adopted highway and the LHA is satisfied that the development can be accommodated within the existing network without further interventions. The proposed landscaping will need to be managed and maintained by the developer or their landscape management company and details within a landscape management and maintenance plan should therefore be submitted as a planning condition for approval.

#### Construction

54. A Construction Management Plan will be required including details of the proposed construction arrangements from a highways perspective covering the type and frequency of vehicular movements anticipated, proposed times of working, together with any associated proposals for delivery, storage and disposal/collection of materials and the arrangements for site operatives parking.

#### AIR QUALITY

55. The site does not lie within the GM Combined Authority Air Quality Management Area (2016), although the junction of Pomona Strand with Trafford Road/White City roundabout is within the AQMA and the A56 parallel to the site is also within the AQMA. An Air Quality Assessment (AQA) has been submitted which concludes that the operational air quality impacts of the proposed development

are judged to be 'not significant'. The AQA states additional traffic generated by the proposed development will affect air quality at existing properties along the local road network. Increases in pollutant concentrations at sensitive locations resulting from emissions from these additional traffic movements will have negligible impacts for nitrogen dioxide, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Concentrations at these receptors will remain below the air quality objectives at all of the sites. Air quality conditions for new residents within the proposed development have also been considered and pollutant concentrations are predicted to be well below the air quality objectives at the worst-case locations assessed, and air quality conditions for new residents will be acceptable. The Pollution and Licensing Section has reviewed the AQA and are in agreement with the conclusion and no further action is required.

## CONTAMINATED LAND

56. The previous use of the site is such that there is potential contamination on the site. Policy SL1.5 of the Core Strategy states that an assessment of potential contamination must be carried out prior to development and any necessary remediation carried out in accordance with an agreed schedule. A 'Preliminary Risk Assessment (Ground Conditions)' report has been submitted in support of the application and has identified the potential presence of contamination at the development site which could adversely affect future site users and the environment. This includes chemical/asbestos contamination within made ground backfill materials and silts from the original dock basin, and potential for hazardous ground gas generation. Potential chemical contaminants include fuels and oils, heavy metals and PAHs (polycyclic aromatic hydrocarbons).
57. To prevent and minimise such risks a condition is recommended requiring an investigation and risk assessment to be submitted and approved, to investigate the nature and extent of any contamination on the site, assessment of the potential risks, an appraisal of remedial options and a remediation strategy for the site where unacceptable risks are identified, and a verification report to be submitted and approved prior to occupation. The Environment Agency has raised no objection in principle to the development subject to conditions, including a remediation strategy and verification plan as above and further conditions: to prevent infiltration of surface water drainage into contaminated ground other than with the express written consent of the LPA; and to prevent piling or other foundation designs using penetrative methods other than with the express written consent of the LPA.

## FLOOD RISK AND DRAINAGE

58. The site is within Flood Zone 2 and also within the Critical Drainage Area identified in the Manchester, Salford and Trafford Level 2 Hybrid SFRA. Policy SL1.5 of the Core Strategy states that in order for development in this Location to be acceptable a Flood Risk Assessment must demonstrate that the development

will be safe, without increasing flood risk elsewhere, and that it will where possible reduce flood risk overall. Policy SL1.7 also states that uses identified in national guidance as being more vulnerable to flooding such as residential must be located outside Flood Zone 3. A Flood Risk Assessment has been submitted with the application.

59. It is noted that the Sequential Testing of the Strategic Locations, which was undertaken in accordance with national guidance in March 2010, did not identify Pomona Island as a preferred location for residential development. It concluded however, that a significant number of Strategic Locations and other development areas had to be identified wholly or partly within Flood Zones 2 and 3 that would better enable the Council to deliver its overall spatial strategy objectives. Since the Core Strategy was adopted part of the Environment Agency's Flood Risk Map has been revised. This has resulted in a number of areas adjacent to the Manchester Ship Canal, including most of Pomona, now being identified as being within Flood Zone 2 rather than Flood Zone 3. In view of the above there is no need to apply a sequential test to this development as would normally be required, since the designation of Pomona Island as a Strategic Location in the Trafford Core Strategy was subject to a sequential test as part of the plan adoption process. Paragraph 33 of the Flood Risk and Coastal Change Planning Practice Guidance is clear that developments already allocated and sequentially tested as part of the local plan process are deemed to have satisfied the sequential test.
60. The LLFA advise that further information is required in order to meet the Non Statutory Technical Standards for Sustainable Drainage: Practice Guide and this can be required by condition, to be provided prior to commencement of development. Details of the full detailed drainage design to limit the proposed peak discharge rate of storm water to meet the requirements of the Council's Level 2 Hybrid Strategic Flood Risk Assessment and full details of the Sustainable Drainage Scheme, including maintenance and management plan will also be required. It has also been requested that confirmation is provided from Peel that they accept the proposed discharge of surface water to the Manchester Ship Canal; this has since been provided.
61. United Utilities has no objection subject to conditions requiring that foul and surface water are drained on separate systems and a surface water drainage scheme to be submitted and approved prior to the commencement of any development, based on the hierarchy of drainage options in the NPPG with evidence of an assessment of the site conditions. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the LPA, and no surface water shall discharge to the public combined sewerage system either directly or indirectly. United Utilities also recommend a condition for the management and maintenance of any Sustainable Drainage System. United

Utilities also advise in accordance with the NPPF and the NPPG the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way, having regard to the hierarchy set out in the NPPG. Further comments from United Utilities relating to existing water mains and UU standard conditions to be forwarded to the applicant.

## IMPACT ON ECOLOGY

62. Policy SL1.5 of the Core Strategy states in order for development in this Location to be acceptable an assessment of biodiversity must be carried out prior to development and appropriate sites for nature conservation must be provided to compensate for any loss. Policy R2 further states developers will be required to demonstrate through a supporting statement how their proposal will: 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 protect the natural environment throughout the construction process. Policy R2.3 identifies the Borough's assets include designated Wildlife Corridors and watercourses (both the River Irwell and Bridgewater Canal are designated as Wildlife Corridors).
63. The application site is not designated for its nature conservation value and is not adjacent to statutorily designated sites, such as Site of Special Scientific Interest (SSSI) or Site of Biological Importance (SBI). Nevertheless the wider area is relatively species-rich in places and supports a relatively varied range of bird species, although it does not qualify as a Local Wildlife Site. The site is immediately adjacent to the River Irwell / Manchester Ship Canal, an important local wildlife corridor. The potential of the site to support significant populations of any specially protected species is generally low, although bats are known to forage along the adjacent River and the nearby Canal and will likely use the site itself for occasional feeding. Little Ringed Plover, a protected species of ground-nesting bird, has been known to breed nearby. The overall ecological value of the site lies in its location, context and recent land-use; the site is adjacent to the River Irwell / Ship Canal, a main River and valuable wildlife corridor into and through the City. The Bridgewater Canal to the south of the site forms part of a wider ecological corridor. The site has remained undeveloped for some years and now comprises an area of rare semi-natural greenspace very close to the City centre. The River is used as an important 'flyway' for birds, including Kingfishers, Gulls, Lapwing, Peregrine and Ringed Plover.
64. An Ecological Survey and Assessment that includes assessment of flora and fauna on site is submitted with the application and has been considered by GMEU. The Assessment recommended a more detailed botanical survey and invertebrate habitat assessment survey to enable a full assessment of the value of the BAP habitat present and these have both since been submitted.

65. GMEU raise no overall objection on ecological grounds, subject to a condition requiring the ecological surveys to inform the preparation of a more detailed Landscape Plan that reflects the brownfield context of the site and the plant diversity, acknowledge the adjacent Wildlife Corridor and reference the Landscape Plans for the wider Pomona site. A condition is also recommended to prevent vegetation clearance during the optimum period for bird nesting (March to July inclusive), unless nesting birds have been shown to be absent by a suitably qualified person. GMEU also comment it would be useful to have an overarching holistic Landscape Plan for the whole site, to ensure that developments are complementary. Whilst this does not form part of this application, there is scope for this to form part of a masterplan in the event this is provided in the future.
66. GMEU advise it is important that the provision of high quality Green Infrastructure is given a high priority when developing detailed plans for the development. GMEU note the relatively large area of public greenspace and open amenity areas around the apartment blocks, although details of the design of the exterior spaces are lacking at this stage. Further details can be required as part of a landscaping condition.

#### IMPACT ON HERITAGE ASSETS

67. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
68. Policy SL1.5 of the Core Strategy states in order for development to be acceptable it must protect, preserve and enhance the grade II Brindley's Weir and its setting. Brindley's Weir is located adjacent to the Bridgewater Canal approximately 460m north east of the site. There are limited views between the site and the weir due to the distance involved, higher section of Pomona Strand over Pomona Lock between the sites, and other intervening vegetation. The contained nature of the weir also restricts any relationship to its wider setting. The Heritage Statement notes the application site makes no contribution towards the understanding or appreciation of the weir, and therefore no contribution towards its significance. The upper stages of the proposed development may be visible from the surroundings of the weir when looking south-west; however, these views will be in the context of the existing urban character of the surroundings. Given the distance between the sites and the intervening land (which is within the Pomona Island Strategic Location and therefore likely to be developed in the future), it is considered the proposed development would not lead to harm to the weir or its setting.



69. Ordsall Hall on the Salford side of the Manchester Ship Canal is grade I listed and located approximately 270m north west of the site. There are intervening buildings on the Salford side between Ordsall Hall and the application site that would obscure views of the proposed development, although the upper floors would be visible in the distance from the frontage of Ordsall Hall due to their height. In the context of the existing development in the vicinity of the Hall and given the distance involved, it is considered the change to the wider setting of the Hall would not adversely affect its setting. The Heritage Statement also notes the area of setting which contributes most substantially to significance and the appreciation and experience of the building will not be affected.
70. The Manchester Ship Canal and Bridgewater Canal are important historic landmarks in the immediate context of the site and are considered non-designated heritage assets having regard to the NPPF. The buildings would be visible from both canals and views of the Ship Canal and to a lesser extent the Bridgewater Canal from some existing viewpoints would be lost or interrupted given the proximity of the buildings to these features. The Heritage Statement notes that in both cases the proposed development will result in change within their setting but will have no impact upon the legibility of their form or function, and will have a neutral impact upon their overall significance.

#### IMPACT ON RESIDENTIAL AMENITY

71. 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.
72. There are no existing residential properties within close proximity of the proposed development that would be affected by the proposed development.

#### Impact of Noise on Future Occupants

73. The site is in close proximity to the Metrolink, railway line and A56 and there is the potential for noise, vibration and other forms of disturbance from these sources. The apartments include windows and balconies within the elevations facing the Metrolink and railway lines. The application includes a Noise Planning Report that concludes acceptable internal noise levels can be achieved (capable of meeting the relevant criteria in BS 8233:2014), provided a suitable building fabric, glazing and ventilation scheme is adopted.
74. The Pollution and Licensing Section has confirmed the updated noise assessment is satisfactory and has been prepared in accordance with relevant national standards and guidelines. The report concludes that environmental

noise should not cause undue impact for the new occupants of the development providing a scheme of sound insulation, glazing and ventilation is installed to the specifications detailed in the report. Details of the final scheme should be submitted to the LPA for approval to demonstrate compliance with the report's recommendations. In addition, details of the ventilation strategy should include information to demonstrate that appropriate ventilation rates (to Building Regulations standards) can be attained whilst keeping windows closed, where this is necessary to maintain suitable internal conditions. The report also recommends design targets for fixed plant to minimise the likelihood of adverse impact; it is recommended a condition is attached to include these targets, requiring that noise from all fixed plant, when rated and assessed in accordance with BS 4142: 2014, shall not exceed the following noise limits at the location of sensitive receptors around the development site: Daytime (0700-2300h): 46dB L<sub>A,r</sub>,1hour; Night time (2300-0700h): 44dB L<sub>A,r</sub>,15mins. An assessment of fixed plant should be submitted once plant details have been finalised to demonstrate compliance with the above limits.

75. TfGM has also raised concerns in relation to the assessment of noise from Metrolink. Further information has been submitted in response to their concerns and TfGM's further comments will be included in the Additional Information Report. TfGM recommend a condition requiring the applicant to carry out appropriate assessments to ensure the development is implemented with appropriate measures necessary to mitigate the impact of noise and vibration generated by the Metrolink Trafford Park Line and other applicable existing Metrolink extensions. TfGM also recommend a condition requiring the applicant to continue to meet TfGM on a regular basis and share relevant plans and programmes, so that works can be appropriately coordinated given that construction activities could potentially be carried out by the applicant and TfGM concurrently. It is considered the applicant should be advised of this request, rather than be required by condition.

#### Privacy, Daylight, Sunlight and Amenity Space

76. Both proposed buildings include windows and balconies in the elevations facing each other. The Council's Guidelines for new residential development don't include specific distance guidelines for tall buildings, other than stating that for development of four or more storeys where there would be major facing windows, flats should retain a minimum distance of 24m across public highways and 30m across private gardens. The proposed apartment blocks retain a separation distance of between 17.5m and 37.5m at ground floor, although due to the upper floors projecting further out this separation reduces to 13.5m at their closest (between floors 3 to 9 at the Pomona Strand end of the development), widening to over 30m on the canal side of the development. There will therefore be instances where window to window distances between the blocks will be less than the recommended 30m set out in the Council's guidelines, although it is recognised the 30m guideline isn't directly relevant to this situation. In the

previous scheme it was considered that although some of the separation distances between the main windows of the apartments would not meet the distance recommended by the SPG, the smallest distances occur where the blocks are orientated so that they do not directly face each other. This also applies to the current scheme as the buildings are in the same position as previously approved and angle away from each other so windows and balconies are not directly facing. Additionally, as this is an entirely new build scheme, it is considered that some flexibility should be applied for a 'within site' relationship, as future residents would be aware of it before moving into their respective apartments. Furthermore the SPG states "*the Council acknowledges that a rigid adherence to spacing standards can stifle creativity in design and result in uniformity of development. The Council is looking to encourage imaginative design solutions and in doing so it 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*". Having regard to the above it is considered that the proposal would provide a satisfactory level of amenity for future occupiers of the apartments opposite to each other.

77. With regards to the provision of amenity space, the SPG on New Residential Development states that 18 sq. m of adequately screened communal area per flat is generally sufficient for the functional requirements. This would equate to 3,888 sq. m. Amenity space for the future occupiers comprises the communal areas adjacent to the buildings at podium level which is approximately 5,626 sq. m in total and some of the apartments would also have balconies (most are approximately 6.4 sq. m and others are 5.3 sq. m). The public/private areas plan submitted with the application shows the land at podium level within the site as 'semi-private'. Although the applicant has confirmed there would be public access, the podium area is anticipated to primarily function as private amenity space for the residents. On this basis the amount of amenity space provided exceeds the above standard.
78. The general north-south orientation of the blocks, their differing heights and the separation distances between them mean that the blocks would not unduly overshadow each other. The application includes an assessment of the potential daylight and sunlight levels within the proposed development and concludes that 96% of the rooms in Block A and 93% in Block B are compliant for ADF daylight (Average Daylight Factor); 71% of rooms in Block A and 58% in Block B are compliant for NSL (No Sky Line); and 96% of rooms in Block A and 85% in Block B are compliant for APSH sunlight (Annual Probable Sunlight Hours). The report also notes that the assessment has used the suburban targets set out in the BRE Guide, and no adjustment has been made for the development's location. It states this compliance level, for an urban development against the suburban BRE targets, is excellent.

## CRIME AND SECURITY

79. The application includes a Crime Impact Statement which states any future development will be consistent with current principles of the NPPF and will adopt the principles of Secured by Design. Crime prevention measures are considered in the Statement in relation to perimeter security, layout and landscaping, apartment entrances, internal communal areas, apartments, car and cycle parking, lighting, security systems and the electricity sub-station.
80. GMP (Design for Security) comment that the land 'Proposed Landscape' should be restricted to residents only, as the place is quite large and raised, and may lead to anti-social behaviour. The area referred to by GMP is proposed to be 'semi-private' and would function primarily as private amenity space for the residents, but the general public could also access these areas if they wanted to. The applicant has advised this area would have good natural surveillance from the buildings and it is also proposed that there will be a management suite within the buildings and CCTV will monitor key areas. Nevertheless it is considered appropriate to require a management plan to be submitted for this area to ensure public access into the site is managed in such a way to prevent crime or anti-social behaviour. This may require gates and fencing being erected to restrict access to parts of the site. GMP also recommend that the entrances are all gated and access controlled, the underground car park should be access controlled and gated to SBD standards, and that the development should be built to Secured by Design (SBD) standards. These recommendations can be satisfactorily covered in a condition, although it is not considered appropriate to require the development to be built to SBD standards.

## EDUCATION

81. Policy SL1 of the Core Strategy states that in order for development in this Location to be acceptable a contribution will be required towards the provision of a new 1-form primary school by 2021 to serve the new residential community in this and the surrounding area (including SL2 Trafford Wharfside and SL3 LCCC Quarter). Since the adoption of the Core Strategy, the Council has identified the requirement for a school to serve Pomona Island on the CIL Regulation 123 List and this is the mechanism by which a school in this location could be provided in the future. Where infrastructure is included in the CIL Regulation 123 List there is no requirement for a financial contribution from individual development proposals to contribute towards this infrastructure.
82. Whilst a primary school is identified as being necessary to serve future development in the Pomona, Wharfside and LCCC Strategic Locations, there will be a period prior to its delivery where the proposed development will generate a demand on existing school places. Of the 216 apartments, 131 are 2-bed or 3-bed, therefore a proportion are likely to be occupied by families with children of school age. The applicant has provided an Education Assessment that concludes

there is currently capacity within the local primary school system to accommodate the demand expected to be generated by the proposed development. The Assessment estimates the proposed development could generate a demand for an additional 76 primary school places. There are 10 primary schools in Trafford within a 2 mile radius of the site and the site lies within the catchment area of 3 of these schools. There is currently spare capacity to accommodate 124 additional pupils within these 3 schools, therefore the demand for places can be accommodated in the local area prior to the delivery of the new 1-form primary school proposed in Policy SL1 and on the CIL123 List. With regards secondary schools, there are 6 schools within a 3 mile radius currently with spare capacity of 726 places. Any comments from Education will be reported in the Additional Information Report.

## HEALTH FACILITIES

83. Policy SL1 of the Core Strategy states that in order for development in this Location to be acceptable the provision of ancillary community facilities will be required (SL1.5). This would include the provision of health facilities; the Implementation section of the policy identifies development of a small GP Practice (also to support development in the Trafford Wharfside Strategic Location). The application includes a Health Impact Assessment which confirms that current primary healthcare provision in the surrounding area (GPs, pharmacies, dentists and opticians) can be expected to accommodate the additional demand for these services. Any comments from NHS Trafford CCG will be reported in the Additional Information Report.

## REFUSE ARRANGEMENTS

84. The development incorporates bin stores within each block on the ground floor and a preliminary refuse collection strategy is submitted with the application. The LHA has confirmed the strategy is acceptable. Any comments from the Waste Management Section will be reported in the Additional Information Report.

## UTILITIES

85. Policy SL1 of the Core Strategy states in order for development in this Location to be acceptable a contribution towards the provision of additional utility capacity will be required, including the reinforcement of the local waste water treatment works. The above comments from United Utilities do not specifically refer to a requirement to reinforce the local waste water treatment works and given that the proposed development is a relatively small proportion of the overall quantum of development envisaged for Pomona Island (even taking into account the scheme nearing completion), this is not considered necessary at the present time. Future phases on Pomona Island may need to contribute towards additional utility capacity as the cumulative impact of development increases pressure on the local waste water treatment works.

## **DEVELOPER CONTRIBUTIONS**

86. As set out above a contribution of £191,724 is required towards the provision of off-site outdoor sports facilities which would need to be secured by a legal agreement. The precise amount of any developer contribution, and the means by which this contribution is allocated between affordable housing and outdoor sports facilities is still under discussion with the applicant and will be reported in the Additional Information Report.

### **CIL**

87. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold 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).

## **RECOMMENDATION**

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure :
  - an appropriate contribution to affordable housing; and
  - a contribution of £191,724 to outdoor sports facilities provision;
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -
  1. The development must be begun not later than three years beginning with the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:
  - 02-001A – Existing Site Plan
  - 02-002A – Existing Site Location Plan
  - 02-003E – Proposed Car Park Plan
  - 02-004D – Proposed Site Plan (Podium Level)
  - 02-005C – Proposed Site Plan (Roof Level)
  - 02-006C – Preliminary refuse collection strategy
  - 03-A-001J – Block A Proposed Level 0 (Car Park)
  - 03-A-002J – Block A Proposed Level +1 (Podium)
  - 03-A-003J – Block A Proposed Level +2
  - 03-A-004K – Block A Proposed Level +3 and +4
  - 03-A-005J – Block A Proposed Level +5 to +7
  - 03-A-006C – Block A Proposed Level 8
  - 03-A-007C – Block A Proposed Level 9
  - 03-A-009C – Block A Typical Apartments Layout
  - 03-B-001G – Block B Proposed Ground Floor Plan
  - 03-B-002E – Block B Proposed First Floor Plan
  - 03-B-003F – Block B Proposed Second Floor Plan
  - 03-B-004G – Block B Proposed Typical Upper Floor Plan (Levels 3-5)
  - 03-B-005F – Block B Proposed Typical Upper Floor Plan (Levels 6-9)
  - 03-B-006F – Block B Proposed Level +10
  - 03-B-007C – Block B Proposed Level +11
  - 03-B-009B – Block B Typical Apartments Layout
  - 05-001B – Site Elevation
  - 05-A-001F – Block A Elevation 01
  - 05-A-002E – Block A Elevation 02
  - 05-A-003E – Block A Elevation 03
  - 05-A-004E – Block A Elevation 04
  - 05-B-001D – Block B Elevation 01
  - 05-B-002D – Block B Elevation 02
  - 05-B-003D – Block B Elevation 03
  - 05-B-004E – Block B Elevation 04

Reason: To clarify the permission, having regard to Policies SL1 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of materials to be used externally on the buildings (to include all types of rainscreen cladding indicated on the approved drawings, the opaque backed panel glass, window frames, balcony frames, and materials for the wall to Pomona Strand) have been submitted to and approved in writing by the Local Planning Authority. Such details

shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policies SL1 and L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

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 scheme shall be: (i) in general accordance with the concepts/principles shown in the Public Realm Strategy submitted with the application and (ii) informed by the results of the ecological surveys submitted with the application, reflect the brownfield context of the site, its plant diversity, and acknowledge the adjacent Wildlife Corridor and reference the wider Pomona site. 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, cultivation and other operations associated with plant and grass establishment), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

Reason: To ensure that the site is satisfactorily landscaped and to enhance biodiversity at the site in accordance with the recommendations set out in the Preliminary Ecological Assessment and subsequent reports submitted with the application having regard to its location, the nature of the proposed development and having regard to Policies SL1, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby approved 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.



Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies SL1, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Prior to the first occupation of the apartments hereby permitted, the area of play space in the south western corner of the site as shown on drawing no. 02-004D shall be provided and subsequently maintained in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full landscaping details, a specification for the play equipment to be installed, a maintenance regime, and details of how the area will be made accessible to the general public.

Reason: To ensure that an adequate level of play space is available for the occupants of the development and in compliance with Policies SL1, L7, and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

7. Prior to the first occupation of the apartments hereby permitted a scheme of appropriate measures for the implementation of the proposed footpath and cyclepath alongside the Manchester Ship Canal and for their subsequent management and future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a specification for both the footpath and cyclepath (to include width, surface materials, signage and linkages to existing footpaths and cyclepaths outside the site boundary). Development shall be carried out in accordance with the approved scheme prior to the occupation of the apartments.

Reason: To ensure that the proposed footpath is provided as part of the development, within a suitable timescale and is subsequently maintained having regard to Policies SL1, L7, R2 and R3 of the Trafford Core Strategy.

8. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the Supplementary Planning Document 3 - Parking Standards and Design.

9. All areas for the movement, loading, unloading and parking of vehicles provided in accordance with this permission shall be made available for those purposes at all times once the apartments are occupied. 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)

no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

Reason: To ensure that satisfactory provision is retained within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 3 - Parking Standards and Design.

10. The development shall not be occupied unless and until a scheme of traffic management measures for ensuring that the emergency access and service zone accessed from Pomona Strand, as shown on drawing number 02-003E, is maintained and kept clear from any traffic has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the measures shall be implemented as approved.

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

11. The development shall not be occupied unless and until a scheme to provide a minimum of 216no. secure cycle parking spaces has first been submitted to and approved by the Local Planning Authority. The scheme shall include details of the location, type of stands, access arrangements and design of the facility. The spaces shall be made available prior to the occupation of the apartments and retained thereafter.

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

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

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

13. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment

shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. 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. This shall include any requirements identified for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the 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. The verification report shall demonstrate that the works identified in (iii) above are complete and identify any further requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action (The long-term Monitoring and Maintenance Plan). Thereafter, the Long-term Monitoring and Maintenance Plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies SL1, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. No infiltration of surface water drainage into the ground where adverse concentrations of contamination are known or suspected to be present shall take place unless and until a strategy which demonstrates that there will be no resultant unacceptable risk to controlled waters has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the approved details.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to controlled waters from potential contamination on the site, in accordance with Policies SL1, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. There shall be no piling or any other foundation designs adopted using penetrative methods unless and until a scheme for such work has first been submitted to and

approved in writing by the Local Planning Authority, which demonstrates that there will be no resultant unacceptable risk to groundwater. Thereafter, development shall be carried out in accordance with the approved details.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to controlled waters from potential contamination on the site, in accordance with Policies SL1, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. No development shall take place unless and until a full detailed drainage design and all relevant documents 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 and Flood Risk Assessment thereafter.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies SL1, L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. No development shall take place unless and until full details of the Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a residents' management company; and
  - (ii) Arrangements for inspection and on-going maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies SL1, L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

18. No development shall take place unless and until the following details have been submitted to and approved in writing by the Local Planning Authority: -
- Detailed drainage layout which is to include cover levels and invert levels, manhole and pipe numbering, pipe sizes and gradients.
  - Full details, specification, calculation, and construction drawings for all elements including oil interceptors, flow controls and storage.

- Existing drainage microdrainage calculations including existing discharge rate.
- Full microdrainage calculations for the proposed drainage system.

Development shall be carried out in accordance with the approved details.

Reason: Such details need to be incorporated into the design of the development to prevent the risk of flooding by ensuring that surface water can be satisfactorily stored or disposed from the site having regard to Policies SL1, L4, L5 and L7 of the Trafford Core Strategy, the National Planning Policy Framework and the Non Statutory Technical Standards for Sustainable Drainage: Practice Guide.

19. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, having regard to Policies SL1, L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. Prior to any works taking place, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance, together with evidence of an assessment of the site conditions, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. No surface water shall discharge to the public combined sewerage system either directly or indirectly. The development shall be implemented in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies SL1, L4, L5 and L7 of the Trafford Core Strategy, the National Planning Policy Framework and National Planning Practice Guidance.

21. No vegetation clearance in preparation for (or during the course of) development shall take place during the optimum period for bird nesting (March to July inclusive) unless an ecological survey carried out by a suitably qualified person has shown nesting birds to be absent and has been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds present on the site having regard to Policies SL1 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

22. No above ground construction works shall take place until details of the final scheme of sound insulation, glazing and ventilation have been submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with the recommendations of the submitted Noise Planning Report (ref PMI-HYD-ZZ-XX-RP-Y-1006 dated June 2017). The submitted ventilation strategy shall include information to demonstrate that appropriate ventilation rates (to Building Regulations standards) can be attained whilst keeping windows closed, where this is necessary to maintain suitable internal conditions. The scheme shall be implemented in accordance with the approved details before the apartments are first occupied and shall be retained thereafter.

Reason: To achieve appropriate internal sound levels within the development and to protect the amenities of future occupiers in accordance with Policy L7 of the Trafford Core Strategy, the National Planning Policy Framework and in accordance with the recommendations of the Noise Planning Report submitted with the application.

23. Noise from all fixed plant, when rated and assessed in accordance with BS 4142: 2014, shall not exceed the following noise limits at the location of sensitive receptors around the development site:

Daytime (0700-2300h): 46dB L<sub>Ar</sub>, 1hour  
Night time (2300-0700h): 44dB L<sub>Ar</sub>, 15mins

An assessment of all fixed plant on site shall be submitted to and approved in writing by the Local Planning Authority once plant details have been finalised to demonstrate compliance with the above limits.

Reason: To achieve appropriate internal sound levels within the development and to protect the amenities of future occupiers in accordance with Policy L7 of the Trafford Core Strategy, the National Planning Policy Framework and in accordance with the recommendations of the Noise Planning Report submitted with the application.

24. The apartments hereby approved shall not be occupied unless and until a scheme prepared by a suitably qualified professional to assess the impact of noise and vibration from the adjacent Metrolink and railway lines has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify any necessary mitigation measures to ensure that an acceptable level of amenity can be achieved for future residents of the site. Thereafter, development shall proceed in accordance with the submitted scheme and a verification report shall be submitted to and approved in writing by the Local Planning Authority before any of the apartments hereby approved are first occupied. The verification report shall demonstrate that any identified mitigation measures have been completed in accordance with the approved scheme.

Reason: To ensure that the apartments are designed to mitigate against the noise and vibration effects of the adjacent Metrolink and railway lines, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Framework.

25. No external lighting shall be installed within the site until a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for new and replacement lighting along the footpath, areas of open space and any proposals to light the external façade of the buildings. The approved lighting shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual and residential amenity and in compliance with Policies SL1 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

26. No above ground construction works shall take place until a Lighting Impact Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of proposed exterior lighting installations in order to demonstrate compliance with the Obtrusive Light Limitations of The Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, including details of any necessary mitigation measures. Any mitigation measures shall be implemented in full before the development hereby permitted is first occupied and shall be retained thereafter.

Reason: In the interests of visual and residential amenity and in compliance with Policies SL1 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

27. The development shall not be occupied until details of the bin stores, which shall include details of the design and internal layout of the stores, the width of the external doors and to include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to 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.

Reason: To ensure satisfactory arrangements are in place for the disposal of refuse (including recyclables) in accordance with Policies L6 and L7 of the Trafford Core Strategy.

28. 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, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii hours of construction activity ix) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity.

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

29. Prior to the first occupation of the apartments hereby permitted a management plan for the management of public access to the proposed areas of open space and landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall thereafter be implemented in accordance with the approved details.

Reason: To reduce the risk of crime and in the interest of residential amenity, having regard to Policy L7 of Trafford Core Strategy, the National Planning Policy Framework and Trafford Council Supplementary Planning Guidance 'Crime and Security'.

30. All entrances to the development hereby permitted shall be gated and access controlled and the car park shall be access controlled and gated to SBD standards. Details of the gates and access controls to all entrances shall be submitted to and approved in writing by the Local Planning Authority prior to being installed, provided in accordance with the approved details and maintained thereafter.

Reason: To reduce the risk of crime pursuant to Policy L7 of Trafford Core Strategy and to reflect the guidance contained in the National Planning Policy Framework and Trafford Council Supplementary Planning Guidance 'Crime and Security'.

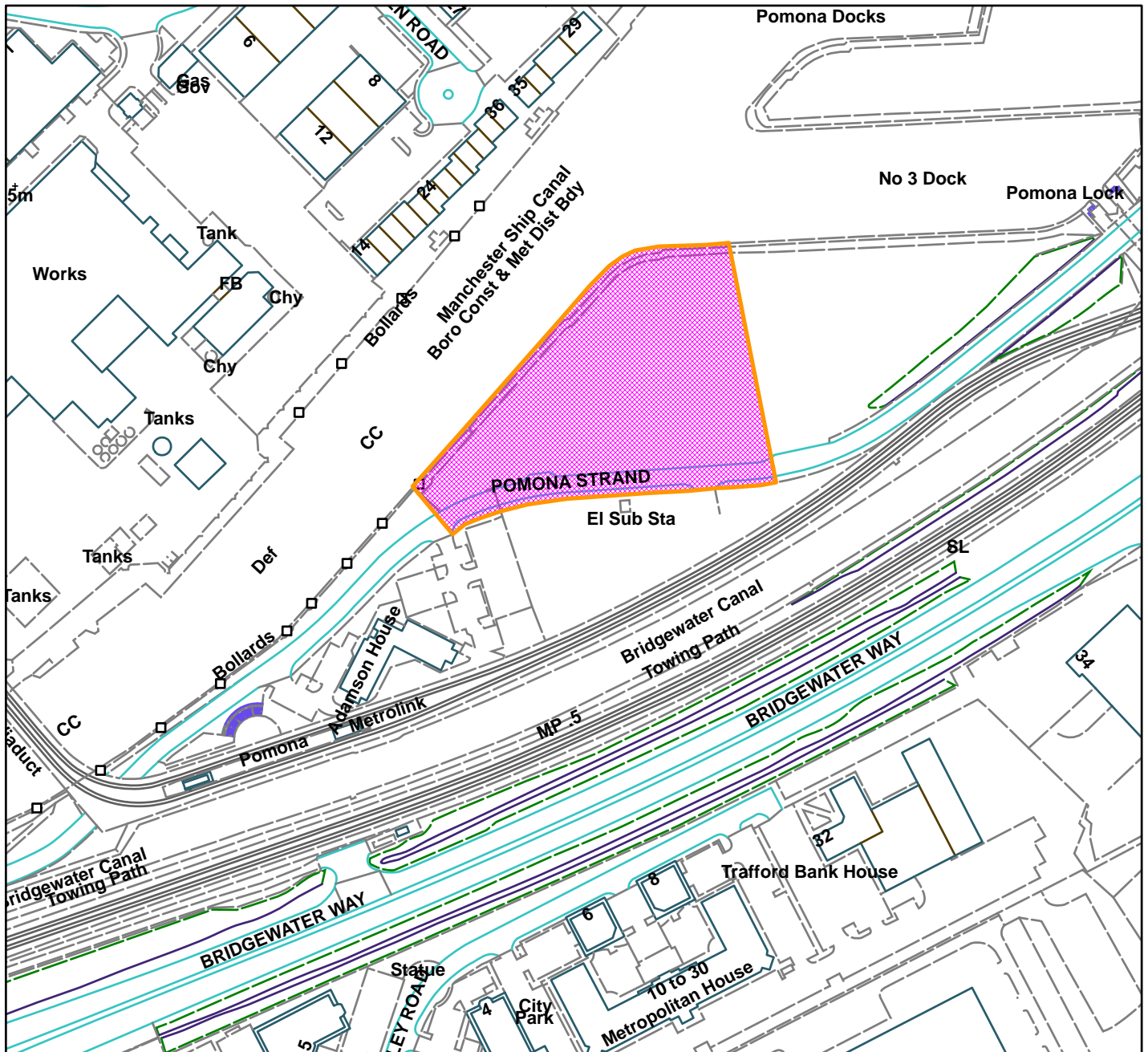
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Development Site, Pomona Strand, Old Trafford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**Application for variation of conditions 2 (approved plans) and 11 (no access to rear yard) and removal of condition 12 (means of preventing public access to rear yard) on planning permission 89558/COU/16.**

42-44 Brook Rd, Flixton, M41 5RY

**APPLICANT:** Mr & Mrs D. Ellis

**AGENT:** Sarah Foster

**RECOMMENDATION: GRANT**

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**This application is reported to the Planning and Development Management Committee as there have been 6 or more objections contrary to the officer recommendation.**

### **SITE**

The application relates to a two storey detached property on the corner of Brook Road and Briar Close, the latter running past its north (gable) elevation. The current building is predominantly red brick and dates from 1906 but there is evidence of an earlier building visible at the north elevation. The main frontage onto Brook Road comprises two separate shop fronts with a central covered passageway running through to a back yard. The north gable elevation includes a single door providing access off the street and leading up to the separate first floor unit which is also the subject of this application. At the building's south gable elevation a set of external stairs leads up to a door facing Brook Road at first floor level. The building's south elevation is otherwise blank.

The back yard is enclosed by a brick wall of varying heights and includes a dual pitch roofed brick outbuilding which is built off the yard's north/east boundaries and adjacent to Briar Close. The yard's north boundary wall includes a pedestrian door onto Briar Close.

The building has a long established commercial use and most recently was occupied by 'Appliance Care' who carried out sales, repairs and provided spares for household appliances, with a martial arts academy operating from the first floor in the recent past, the latter accessed by the door in the building's north (gable) elevation.

Briar Close to the northeast is a residential cul-de-sac of semi-detached properties. The side (west) boundary of No. 2 Briar Close, a 1.8m high brick wall, forms the application site's (back yard's) rear (east) boundary. No. 36 Brook Road, a semi-detached property, is located to the south, this latter property having a detached

garage adjacent to the common boundary. To the north of the site, across Briar Close, is the blank gable elevation and garden of No. 48 Brook Road. Across Brook Road to the west are residential properties at 51-53 Brook Road.

There are other commercial premises to the north with forecourts fronting Brook Road (Nos. 55-63 odds Brook Road) and a public house (the Garrick's Head) fronts Moorside Road to the north. The property does not have any dedicated off-street parking.

The site visit revealed that works had commenced on site as per planning permission reference 89558/COU/16.

## **PROPOSAL**

The applicant proposes the variation of conditions 2 (approved plans) and 11 (no access to rear yard), and the removal of condition 12 (means of preventing of public access to rear yard) on planning permission 89558/COU/16 (Use of premises as a mixed cafe (A3 Use Class) and function room use with an ancillary children's play area in the rear outbuilding. External alterations to include a flue to the rear, replacement windows to the front and an extension to the rear outbuilding), this planning application was approved by the Planning and Development Management Committee on the 10<sup>th</sup> March 2017.

The amended proposal would allow for access to the ancillary child's play area to the rear of the site via the main building's internal passageway and then through the north-west corner of the rear yard, thereby avoiding the need for patrons to access the play area via the yard's pedestrian gate on the Briar Close frontage.

This would be facilitated through the variation of conditions 2, 11 and 12.

### **Condition 2**

Varying condition 2 (approved plans) allow a minor material amendment to the original scheme and would substitute the originally approved proposed site layout plan (Site Plan, reference A0.13) with a new site layout plan (Route A, reference SF01 (1)) showing the public access route to the ancillary play area from the main building via the enclosed passageway and through the back yard's north-west corner, thereby avoiding the need for patrons to access to ancillary play area by exiting the main building's front door, walking up Brook Road, turning onto Briar Close and entering the play area via the yard's pedestrian door. This would allow for the access to be wholly contained within the site.

### **Condition 11**

The variation to condition 11 (no access to the rear yard) would substitute the original condition wording which excludes any access public to the back yard to allow public access to the yard's north-west corner when moving between the main building and the ancillary play area.

Original condition 11:

*There shall be no public access by users of the premises to the shaded rear yard area shown on drawing ref. A0.13 dated February 2017 and this shaded rear yard area shall not be used for sitting out and no tables, chairs or seating shall be placed in the shaded area. Prior to the use hereby approved first taking place a 1.2 metre high timber fence shall be erected in the location shown on drawing ref. A0.13 and retained in situ in perpetuity to prevent access to the shaded area of the rear yard as shown on the plan by users of the premises.*

Proposed condition 11:

*Public access by users of the premises to the rear yard area shall be limited to the route between A & B shown on drawing ref. SF01(1) dated 20 June 2017 between the main building and the outbuilding to be used as a children's play area. This route between A & B shall only be used by members of the public for access to and from the play area. Prior to the use hereby approved first taking place a 1.2 metre high timber fence shall be erected in the locations shown on drawing SF01(1) and retained in situ in perpetuity to prevent access to the shaded area of the rear yard as shown on the plan by users of the premises. The rear yard shall not be used for sitting out and no tables, chairs or seating shall be placed in the shaded area.*

#### Condition 12

The applicant proposes the removal of condition 12 which sought to prevent public access to the enclosed passageway within the main building, use of this passageway now required to allow patrons to access to ancillary play area from the main building without leaving the site.

*Prior to the use hereby approved first taking place details of the means of preventing access to the rear yard via the central internal passageway by users of the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the use hereby approved being first commenced and retained as such thereafter.*

#### **Value Added**

The applicant in addition originally proposed variation of condition 5 (hours of operation) to allow for operation from 8am to 10pm each day and removal of conditions 11 (no access to rear yard) to allow for the public use of the yard in its entirety for seating, however these elements of the proposal have been removed following LPA confirmation that such amendments would result in an unacceptable amenity impact on the surrounding residential properties.

#### **S73 Application**

This is an application under s73 of the Town and Country Planning Act and it is noted that when deciding such applications the LPA should normally limit its appraisal to the relevant conditions, albeit it does result in the grant of a new permission. Should this s73 application be approved the other conditions attached to the original grant of planning permission which have yet to be discharged will continue to be attached to the new permission.

When assessing variation of condition applications the LPA does not only have the option of either approving or refusing the proposed varied condition wording, but also has the power to impose an amended condition, the wording of which has not been requested by the applicant, as well as the option of imposing additional conditions should this be deemed necessary.

## **DEVELOPMENT PLAN**

**For the Purposes of this Application the Development Plan in Trafford Comprises:**

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility;  
L7 – Design;  
W2 – Town Centres and Retail.

## **PROPOSALS MAP NOTATION**

None.

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

None.

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the 10 Greater Manchester districts and, once adopted, will be the overarching development plan for all 10 districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

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

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

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

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

## **RELEVANT PLANNING HISTORY**

90997/CND/17: Application for approval of details reserved by conditions of grant of planning permission 89558/COU/16. Condition numbers: 6 (cycle storage), 10 (flue details), 12 (rear yard access) and 13 (bin storage). Confirmation full discharge of conditions subject to implementation 22 May 2017.

89558/COU/16: Use of premises as a mixed cafe (A3 Use Class) and function room use with an ancillary children's play area in the rear outbuilding. External alterations to include a flue to the rear, replacement windows to the front and an extension to the rear outbuilding. Approved at LPA's monthly Planning Committee subject to conditions 9 March 2017.

H/52565: Change of use of first floor from dance studio to martial arts and self-defence studio. Approved 2001.

H/35010: Change of use from shop and warehouse to office, storage and showroom with sales of non-domestic goods. Approved 1992.

H/21675: Retention of use of premises for the manufacture and storage of sports clothing. Refused 1985.

## **APPLICANT'S SUBMISSION**

A Planning Statement and addendum have been submitted in support of the application. The applicant's main argument relating to the amended proposed variation of conditions is that allowing the proposals would facilitate direct access within the site between the main building and the ancillary play area which would aid business viability and also reduce noise and disturbance amenity impacts on neighbour properties compared to the current conditions which require customers moving between the two elements to exit the site and travel along Briar Close.

## **CONSULTATIONS**

**Pollution & Housing (Nuisance):** No objection to amended proposal provided the remainder of the back yard outside of its north-west corner is not accessible to members of the public to ensure an acceptable noise impact on neighbouring properties.

**GMP Design for Security:** Objection to original proposal with reference to use of all of site's back yard and extended hours of operation due to concern the amendments would result in an unacceptable amenity impact.

**LHA:** No objection to the original proposal.

## **REPRESENTATIONS**

20 letters of objection have been received to the originally proposed variation of conditions application, several of which have raised concerns about the amenity and privacy impact of allowing public access to the back yard, and none of which have been withdrawn.

Issues raised:

- Access to the back yard would result in an unacceptable amenity and privacy impacts on neighbouring residents;
- Concerns about amenity impact of originally proposed extended hours of operation;
- Concerns about parking impact of originally proposed extended hours of operation;
- The site's lack of dedicated parking provision;
- Current fit out works are causing local disturbance; and
- The applicant has misrepresented the amenity impacts of previous site uses.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The principle of the development has already been established through the grant of planning permission (89558/COU/16).

### IMPACT ON RESIDENTIAL AMENITY

2. The proposal seeks to vary conditions of the original permission (89558/COU/16) to allow for access to be provided within the site to the rear play area. The extant scheme restricted this and access was only to be provided from a side access on Briar Close which would have involved exiting the site and walking around on the public highway to the rear. The applicant within the justification for this application has stated that this would not be a viable option and that the play area would need to be accessed within the site.
3. An acceptable compromise would be to allow a pedestrian route through the main building's internal passageway and the courtyard's north-west corner to allow for direct access between these two elements. This is facilitated by amending condition 11 to allow for public access to the north-west corner of the courtyard as per submitted plan reference SF01(1) (amended site layout plan). In addition to the removal of condition 12 to allow for public use of the main building's internal passageway as part of this route. The remaining rear yard would remain unused and fenced off. With condition 11 retaining the restriction on public access and sitting out within this area. Condition 2 as the approved plans condition would be varied to substitute an amended site layout plan.
4. It is noted that the Council's Noise and Pollution team has confirmed no objection to the use of the yard's north-west corner as part of the internal route between

the main building and the ancillary play area element in terms of its noise amenity impact on neighbouring properties.

5. Officers consider that these amendments and varied conditions would not significantly change the impact of the extant permission and would not result in any undue harm to the residential amenity of neighbouring and surrounding properties. The access route would be restricted to people accessing and using the play area, which is considered appropriate to limit any undue noise and disturbance and overlooking.
6. Allowing for this compromise would also reduce any noise impacts from customer movements between the main building and the play area, with these movements now contained within the site compared to the current conditions which require customers to exit the site and travel along Briar Close.
7. It is noted that the proposed amended wording for condition 11 states the route across the north-west corner of the yard (between points A & B on plan reference SF01 (1)) would only be used by members of the public to move between the main building and the ancillary play area, thereby excluding the possibility of this area being used for example as an external seating area, with the remainder of the yard bound by a 1.2m high internal fence to prevent access, thereby ensuring the use of the yard's north-west corner would not result in an unacceptable noise amenity and privacy impact on neighbouring properties.
8. The proposed minor amendments and variation of conditions are considered to be acceptable without undue harm to residential amenity and would be in accordance with Core Strategy Policy L7 and the provisions of the NPPF.

## DESIGN

9. The proposal would not result in any significant changes to the appearance of the approved development. Details of the boundary treatment to be installed between the internal access to the play area and the remainder of the yard would be secured by way of condition. The proposed variation of conditions is not considered to have any significant impact on the visual amenity of the application site or wider area.

## OTHER MATTERS

10. The concern raised in regards to the impact on parking and the local highway from the development is noted however this was assessed within the previous application (89558/COU/16) approved by Planning and Development Management Committee, and was deemed acceptable without significant harm to the local area. The changes as proposed are not considered to be changing this previous assessment and the proposal is considered to be in accordance with Policy L4 of the Core Strategy.



## CONCLUSION

11. It is considered that on the basis of the revisions submitted to the LPA during the course of the application the proposed variation of conditions 2 (approved plans) and 11 (no access to rear yard) and removal of condition 12 (means of preventing public access to rear yard) of planning permission 89558/COU/16 would be acceptable in terms of their impact on residential amenity and would not result in an adverse impact on neighbouring properties. For the foregoing reasons the application is considered to be in accordance with the development plan and the National Planning Policy Framework and is therefore recommended for approval.
12. It is noted that condition nos. 1 (commencement of development), 6 (secure cycle storage), 10 (details of external flue) and 13 (bin storage) have been fully discharged to date and therefore these conditions should not be included in the amended list of conditions. As such there has been consequential renumbering of conditions and the conditions which are to be varied as a result of this application are numbers 1 and 8 below.

## **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, reference A0.5 and A0.6 dated September 2016 and A0.4, A0.9 and A0.10, dated February 2017, in addition to plan reference SF01 (1) dated June 2017.

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

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.

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

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a mixed café (A3 Use Class) and function room use with an ancillary children's play area and for no other purposes within the above Order.

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

4. The premises shall only be open for trade or business between the hours of:

08:00-19:00 hours Monday - Saturday inclusive; and  
09:00-17:00 hours on a Sunday.

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

5. There shall be no external handling, collection, servicing or disposal of refuse and/or recycled materials between the hours of 21.00 hours and 07.00 hours on any day.

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

6. All external doors and windows shall be kept closed at all times when amplified sound of any type is occurring at the premises.

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

7. The LAeq noise level from the operation of all fixed mechanical or electrical plant and equipment, when rated and assessed in accordance with BS 4142: 2014 (or the prevailing guidance of the time), shall not exceed the LA90 background noise level without such plant operating, at any residential receptors.

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

8. Public access by users of the premises to the rear yard area shall be limited to the route between A & B shown on drawing ref. SF01(1) dated 20 June 2017 between the main building and the outbuilding to be used as a children's play area. This route between A & B shall only be used by members of the public for access to and from the play area. Prior to the use hereby approved first taking place a 1.2 metre high timber fence shall be erected in the locations shown on drawing SF01(1) and retained in situ in perpetuity to prevent access to the shaded area of the rear yard as shown on the plan by users of the premises. The yard shall not be used for sitting out and no tables, chairs or seating shall be placed in the shaded area.

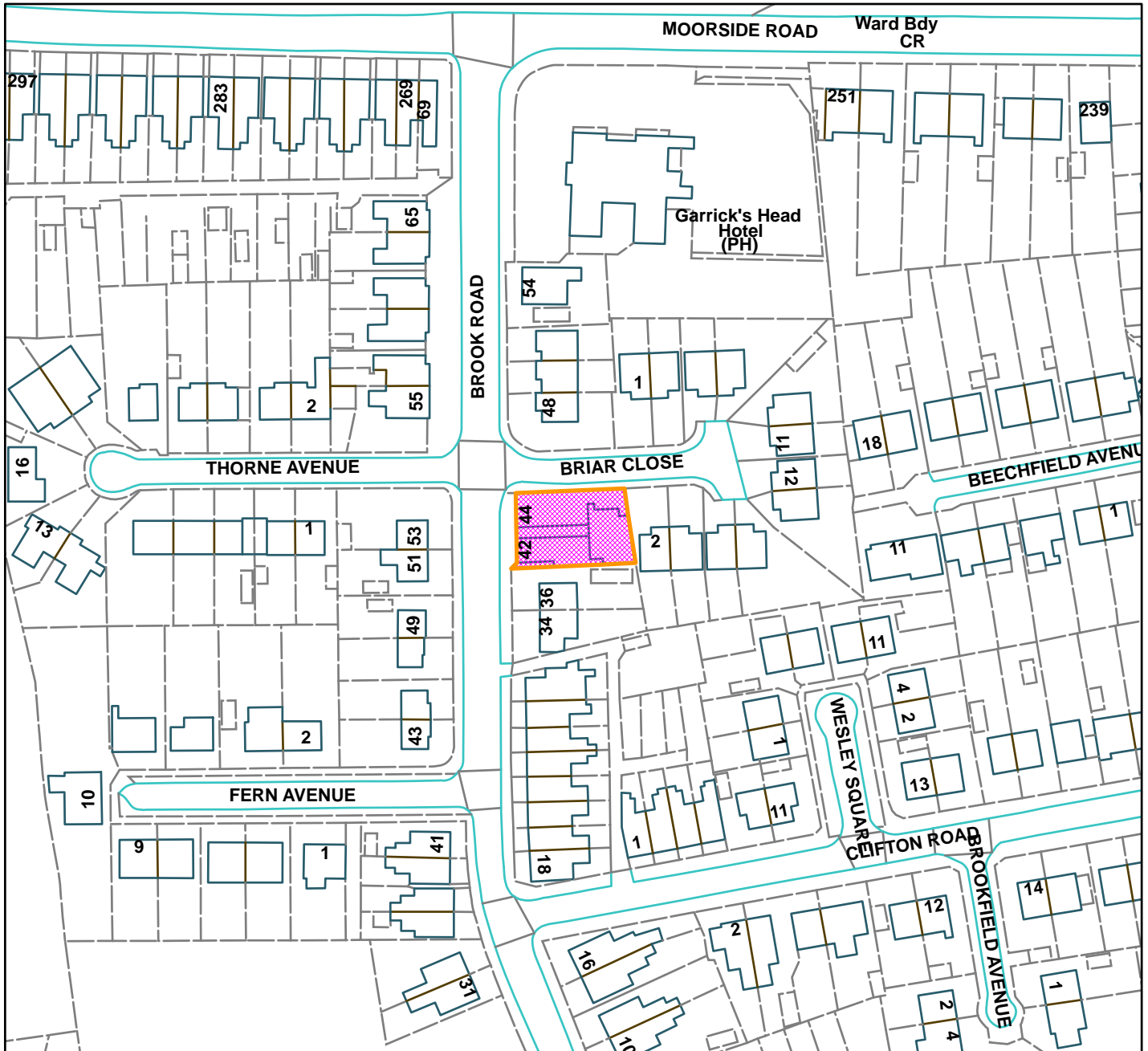
Reason: In the interest of residential amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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TP



42-44 Brook Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)

**WARD:** Flixton

**91272/HHA/17**

**DEPARTURE: NO**

**Erection of a part single, part double storey side and rear extension. Erection of a single storey front porch and bay addition.**

47 Southgate, Flixton, M41 9EQ

**APPLICANT:** Mrs Hall

**AGENT:** DAC Designs

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee as the applicant is an employee of the Council.**

### **SITE**

The application site relates to semi-detached dwelling sited to the eastern side of Southgate. It has an existing garage extension to its side and single-storey extensions to its rear. The neighbouring properties to either side of the application site have previously been extended at ground floor level to their rear elevations. The application site is located in a predominantly residential area within Flixton with the pattern of development consisting of two storey semi-detached and detached properties.

### **PROPOSAL**

Planning permission is sought for the erection of a single-storey front extension, part single part two-storey side and rear extension to form a porch, gym, WC, utility room, kitchen and snug area at ground floor level and 2 no. extended bedrooms at first floor level. Windows are proposed to the front, side and rear elevations.

The proposed front porch extension would create a gable roof feature above the main entrance. The two storey side extension would be sited in line with the existing bay window and would incorporate a bay window at ground floor level.

The proposed roof form of the two storey side extension would be hipped to reflect that of the host dwelling, with the incorporation of two rear gable roofs within the first floor rear extension. The single storey rear extension would have a flat roof with a lantern roof light.

The proposed development would be constructed in brick with the single storey rear extension to be rendered. The two front windows are proposed to be obscurely glazed.

Amended plans have been submitted at the request of the case officer which remove the render proposed to the front elevation of the extended property.

Proposed works would take place following the demolition of the existing garage and single-storey rear extensions.

The additional floorspace of the proposed development would be 23 sqm.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

## **PROPOSALS MAP NOTATION**

Unallocated

## **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**

H/47385 – Erection of a conservatory at the rear. Approved with conditions 29<sup>th</sup> July 1999

H17669 – Erection of extension to form garage. Approved with conditions 23<sup>rd</sup> March 1983

H13132 – Erection of extension to form enlarged lounge/dining room and kitchen. Approved with conditions 7<sup>th</sup> October 1980

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None

## **OBSERVATIONS**

### **DESIGN AND STREET SCENE**

1. Paragraph 58 of the NPPF states that *“The Government attaches great importance to the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*. Paragraph 64 states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*.

2. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of design, development must:*

*Be appropriate in its context;*

*Make best use of opportunities to improve the character and quality of an area;*

*Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and,*

*Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”*.

3. Paragraph 3.1.1 of SPD4 states that side extensions should be appropriately scaled, designed and sited so as to ensure that they do not appear unacceptably prominent, erode the sense of spaciousness within an area and detract from the character of the dwelling.

## Porch

4. SPD4 states that *'The space between the front of a dwelling and the street is important in defining the character of the street scene. Porches and front extensions should not disproportionately erode this space and should be designed to respect the character and style of the host dwelling and the surrounding area.'*

The proposed single-storey front extension would in part be formed by the front porch extension and in part by the ground floor bay window sited to the front elevation of the proposed two-storey side extension. Whilst the proposed porch would sit further forward than that the existing porch it replaces, it would retain sufficient garden to the front so as to not erode the space to the front of the property. Furthermore, it is considered to be modest in its scale and its 1.2m forward projection would not be so excessive so as to not detract from the house or street's character. Furthermore, the proposed extension would create a gap to the ground floor bay window to the original dwelling, thus helping define and separate this original feature. The proposed ground floor level bay window would project 0.585m to the front to sit flush with the existing ground floor bay window sited to the opposite side of the front elevation of the original dwelling. The overall width of the proposed front extension appears reduced compared to the existing front extension it would replace. Its pitched roof design with gable feature is considered to complement the original dwelling

## Side and rear extensions

5. Side extensions can have a prominent impact upon the appearance of the dwelling as they can remove gaps from the street scene which help define the local character.
6. The Council's SPD4 A guide for Designing House Extensions and Alterations, within paragraph 3.1.2 states: *two storey side extensions or first floor additions should always seek to retain at least 1 metre from the side boundaries to retain the impression of space to the side of the dwelling. This is particularly important within a row of closely spaced detached or semi-detached houses.*
7. The proposed two-storey side extension would project 2.756m to the side of the original dwelling towards its common shared boundary with No. 45 Southgate, before wrapping around the rear of the original dwelling to project 5.75m to the rear at ground floor level and 1.5m to the rear at first floor level.
8. The proposed development would retain a minimum gap of 1m to its common shared boundary with No. 45 Southgate and as such it is considered that the site would not appear over-developed or cramped, and would retain the impression of space between the properties. Furthermore, retaining access to the rear of the property.

9. The guidance contained within SPD 4 states that side extension should not usually be flush with the front elevation, it is considered in this instance that the proposal would not appear overly dominant or out of keeping with the host dwelling and the introduction of bay windows would replicate its character. The roof form of the extension would reflect that of the original dwelling and as such the side extension is considered to be appropriate and reflective of the character and appearance of the host dwelling without harm to the visual amenity of the streetscene.
10. The rear extension would not be visible from the public realm, the part single part two storey extension is considered to reflect the character of the existing dwelling and is an acceptable addition in line with the SPD guidance.
11. Following the render having been removed to the front elevation of the extended property, it is considered that the proposed materials would match or be similar in appearance to the original dwelling and surrounding streetscene.
12. It is considered that the proposed development seeks to reflect the character of the existing property and surrounding area in terms of design, materials and scale and street scene and would be acceptable in this respect in terms of Policy L7 of the Trafford Core Strategy and the Council's SPD4 guidelines.

## **RESIDENTIAL AMENITY**

13. Policy L7 of the Trafford Core Strategy states that *"In relation to matters of amenity protection, development must be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way"*.
14. Paragraph 3.1.1 of SPD4 states that side extensions should not adversely affect the amenities of neighbouring properties.

### Privacy and Overlooking

15. Paragraph 2.15.1 of SPD4 states that windows in close proximity to a neighbouring boundary are likely to lead to loss of privacy to a neighbour's house or garden. No habitable openings are to be introduced to the side elevation of the two-storey side extension facing onto No. 45.
16. Paragraphs 2.15.2-3 of SPD4 state that extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable, unless there is adequate screening such as significant mature evergreen planting or intervening buildings and window to window distances of 21m between principal elevations (habitable room windows in properties that are directly facing each other) will normally be acceptable as long



as account is taken of the fact that the facing properties may need, in fairness, to be extended also. The window sited at first floor level to the front elevation of the proposed two-storey side extension would be non-habitable and obscure glazed, whilst to the rear of the proposed extension, separation distances of approximately 18m to the common shared boundary to the rear and approximately 34m to any facing habitable windows in the properties to Riverside Drive would be achieved. As such, it is considered it is considered unlikely that the proposal would result in any overlooking or loss of privacy to the neighbouring properties.

#### Overbearing/visual intrusion

17. Paragraph 2.17.1 of SPD4 states that positioning an extension too close to a neighbouring boundary can result in an uncomfortable sense of enclosure for the neighbouring property. A large expanse of brickwork can be overbearing to the amenities of a neighbouring property. Windows and gardens of neighbouring properties will be protected from an undue overbearing impact. The maintenance of adequate separation distances may help to avoid overbearing relationships between properties.
18. Both the adjoining property No. 49 and the adjacent property No. 45 have existing extensions to the rear of their properties. No. 49's existing single-storey rear extension projects approximately 3.85m to the rear of its original dwelling. Whilst sitting almost flush to its common shared boundary with No. 49, at ground floor level, the proposed two-storey rear extension would only project 1.855m beyond the rear elevation of No. 49's existing single-storey rear extension, whilst at first floor level, projecting only 1.5m to the rear elevation of No. 49's original dwelling.
19. No.45's existing single-storey rear extension projects approximately 2m to the rear of its original dwelling. The flat-roofed single-storey rear element of the proposal would project approximately 4m beyond the rear elevation of No. 45's existing rear extension, whilst at first floor level the two-storey element of the extension would project approximately 2m to the rear of No. 45's original dwelling. A minimum separation distance of 1m would be retained between the proposal and its common shared boundary with No. 45. It is considered that the overall 5.75m depth of the extension at ground floor level and 1.5m depth at first floor level are acceptable and that the proposed development would not appear visually intrusive or overbearing to neighbouring properties No. 45 and No. 49. Furthermore, given the depth of the applicant's rear garden and the distance of the proposal away from its common rear boundary or to the backs of the properties to Riverside Drive, it is unlikely that it would appear visually intrusive or overbearing to the properties to the rear.

#### Loss of light and overshadowing

20. Paragraph 2.16.1 of SPD4 states that an extension positioned too close to a boundary, may cause a loss of sunlight and/or daylight to a neighbour's window or

garden. An extension that would overshadow your neighbour to an unreasonable extent would not be considered acceptable. Care should be taken that the extension is not positioned in such a way as to cause unreasonable overshadowing to a neighbouring house or a well-used part of a garden, e.g. siting a tall wall in close proximity to a boundary.

21. Being located to the north of No. 49 and that at ground floor level, the proposal would only project 1.855m beyond the rear elevation of No. 49's existing single-storey rear extension and at first floor level, would project only 1.5m to the rear elevation of No. 49's original dwelling, it is unlikely that it would result in any significant overshadowing or loss of light to No. 49.
22. Given that at ground floor level the proposal would project approximately 4m to the rear of No. 45's existing single storey rear extension and at first floor level approximately 2m to the rear of No. 45's original dwelling, whilst retaining a minimum separation distance of 1m to its common shared boundary with No. 45, it is unlikely that it would result in any significant overshadowing or loss of light to the windows in the rear elevation of No. 45 or its rear garden area.
23. Whilst it is recognised that some loss of light could be experienced by No. 45's side habitable window this is unlikely to be significantly greater than the existing impact currently experience due to the sitting of the existing dwelling and car port. It is therefore considered that any loss of light or undue overshadowing to this window would be so significant as to warrant a refusal.
24. As such the proposal is considered to be acceptable in line with the guidance set out in SPD4 and would not result in harm to the residential amenity of neighbouring and surrounding properties.

## **HIGHWAYS**

25. The existing property has 3 no. bedrooms. There would be no increase in the number of bedrooms as a result of the proposed development. Whilst the existing garage would be lost as a result of the proposed development, it is considered that sufficient hardstanding exists to the front of the property to accommodate 2 no. off-road parking spaces in line with SPD3 and as such the proposal is acceptable on Highway Grounds.

## **CONCLUSION**

26. The proposed scheme is considered acceptable in terms of design and visual amenity, residential amenity and highway safety and would comply with Policies L4 and L7 of the Trafford Core Strategy and guidance in the NPPF. As such it is recommended that planning permission should be granted, subject to conditions.

## **RECOMMENDATION**

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 29-04-17-2, 29-04-17-4 and Location Plan, received 5<sup>th</sup> May 2017 and on amended plan, number 29-04-17-3/A??, received 30<sup>th</sup> June 2017.

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

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

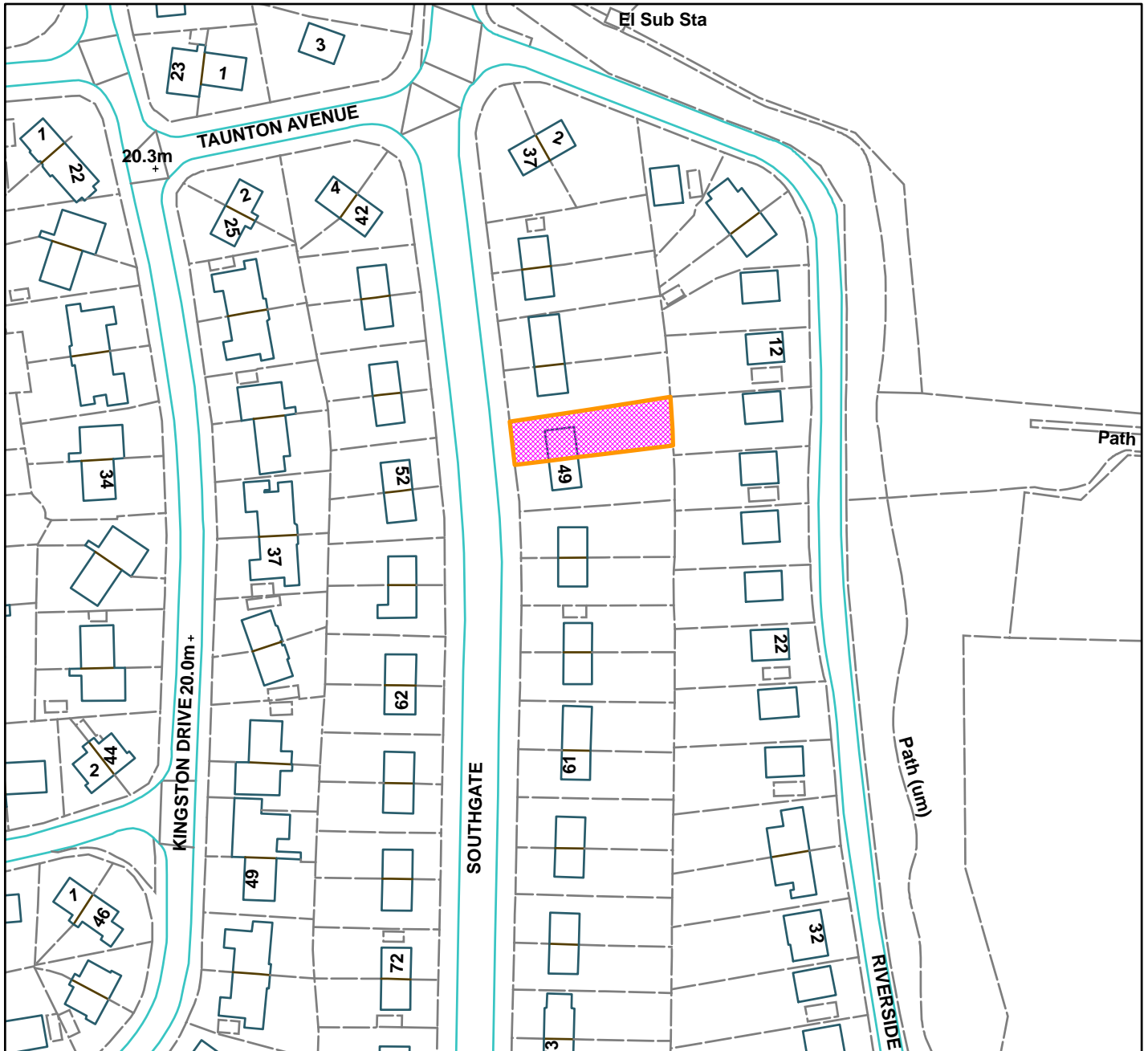
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

**BB**

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47 Southgate, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/07/2017
Date	03/07/2017
MSA Number	100023172 (2012)