

WARD: Village

91529/FUL/17

DEPARTURE: No

Change of use from shop (A1) to hot food takeaway (A5), including external alterations (erection of extraction flue).

2 Shaftesbury Avenue, Timperley, WA15 7LY

APPLICANT: Mr Constantinou

AGENT: Therma Group

RECOMMENDATION: GRANT

SITE

The application site contains a vacant retail unit (Use Class A1), previously a Martin's newsagents, located on the corner of the Shaftesbury Avenue Local Centre and within the wider predominantly residential area of Timperley. The site is bound by Shaftesbury Avenue to the north, the Hare and Hounds public house to the west, an alleyway leading to Nos. 2-2 Seymour Grove to the south, and the adjoining shopping frontage to the east.

The Local Centre is formed of six commercial premises comprising an estate agent (with beauty salon above), a hairdresser's, a McCool's newsagent and a 'fish and chip' hot food takeaway. With the exception of No.10, it is understood that separate residential accommodation lies above each unit.

The terrace is set back from Shaftesbury Avenue, behind a one way service road which provides car parking for approximately 10 cars. There is also a service road with unrestricted car parking at the other end of the shopping frontage which leads into a wide access track to the rear of the terrace. The application form submitted alongside this application indicates that two off-street car parking spaces are available for staff members.

PROPOSAL

This application seeks the change of use of the vacant retail premises (A1) into a hot food takeaway (A5) with external alteration through the insertion of a flue to the rear (southern) elevation.

To facilitate this change of use the premises will be subdivided to provide a customer waiting area, a preparation area and a kitchen to the rear with separate toilet facilities.

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

W2 – Town Centres and Retail

PROPOSALS MAP NOTATION

Local and Neighbourhood Shopping Centre

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

S4 – Local and Neighbourhood Shopping Centre.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

H/ADV/67517 – Installation of 1 no. internally illuminated fascia sign (for ATM). Approve with conditions 05.09.2007

H/67516 – Installation of an Automated Teller Machine (ATM). Approve with conditions 05.09.2007

H/48912 – Installation of 1.2m diameter satellite dish antenna on rear elevation. Refusal 20.04.2000

H42291 – Erection of a two storey side extension to shop on the ground floor and to form additional accommodation over. Erection of external staircase access to first floor.

H31436 – Change of use of existing lounge to form extended sales area and erection of first floor rear extension to form new lounge. Approve with conditions 28.06.1990.

APPLICANT'S SUBMISSION

- The property has been vacant for 2 years and due to this has become an eyesore on the high street. There are no other pizza shops in Salisbury road and the chip shop to the left is the only fast food takeaway on the road or on any main road leading to Shaftesbury Avenue;
- The unit has had lots of interest from other takeaway owners / Indian and Chinese takeaways yet had no interest for any other type of use therefore it is believed the unit will stay empty for the foreseeable future if a hot food use isn't implemented;
- The proposal will bring local employment to the area;
- The unit will be of a high standard finish and will not be a low grade pizza shop; and
- It will be a nice, clean, well run establishment with the applicant having other well established takeaways in Hale, Altrincham, Timperley and other surrounding areas where these are all well-kept and help to bring people to the centre.

CONSULTATIONS

Local Highways Authority (LHA): No objection given the proposal seeks the retention of two parking spaces at the rear with unrestricted on-street parking to the front of the premises which is ideal for customer use. Refuse collection arrangements should be provided.

Pollution and Housing (Nuisance): No objection subject to the submission of odour/extraction details and limitations to hours of operation.

Design for Security: Awaiting formal comments.

REPRESENTATIONS

During the determination of this application 9 letters of objection have been received detailing the following concerns:

Highways and Parking

- Insufficient car parking availability with Seymour Grove used as an overspill parking area;

- Driveways along Seymour Grove blocked;
- The uses in the area have damaged road surfaces;
- Delivery vans at present cause major problems blocking the road for other traffic; and
- The Shaftsbury Avenue / Stockport Road intersection is already a busy junction and there are regularly traffic incidents at the site. In particular, traffic leaving the service road / pub exit often ignores (or is unaware) of the traffic lights controlling the junction and further local or passing traffic can only increase the risk of accidents.

Amenity to neighbouring properties

- The noise and disturbance associated with the pizza shop will affect local residents;
- Gangs of youths already loiter around the shops which can be quite intimidating for other members of the public. Another takeaway will only increase this issue;
- Local residents experience vandalism and abuse from youths which will be exacerbated by the re-routing of the No.11 bus through Timperley;
- Strong smells already come from the chip shop which has been reported to Environmental Health;
- There are no opening times proposed;
- This is a predominantly residential area;
- A previous planning application was refused and dismissed at Appeal (H/43707 11th February 1998) which is relevant to this application;
- A restriction of the opening hours should be applied;
- It is anticipated that littering will increase with establishments making no effort to gather up any of the litter; and
- The bins outside the shop do not have the capacity to cope with litter from the chip shop let alone another takeaway.

Other matters

- Opening a takeaway near a school is ridiculous; and
- A number of nearby local residents have not been consulted.

OBSERVATIONS

In the determination of this application the key considerations include:

- The principle of development;
- Impact upon the character and appearance of the area;
- Residential amenity;
- Highway safety; and
- Other matters.

THE PRINCIPLE OF DEVELOPMENT

1. The NPPF (2012) seeks to promote the viability and vitality of commercial centres to provide customer choice and a diverse retail offer for all. The application site is located within a Local Centre as defined by the Proposals Map whereby Policy W2 of the Core Strategy confirms that *'there is a network of local centres where the focus will be on convenience retail facilities and services to meet local needs'*.
2. This is further strengthened by paragraph W2.11 which states that the change of use from Use Class A1 (retail) *'to other uses should be carefully considered in terms of their impact on the function, character, vitality and viability of the centre as a whole'*.
3. The applicant has provided supportive evidence which demonstrates that the premises have been vacant for an extended period of time whereby no interest has been sustained for A1 retail use, only uses falling within the restaurant or takeaway classes. Taking this into consideration and noting the cumulative effects of providing local employment opportunities to the area, bringing a vacant unit back into use, and providing a service which contributes to the needs of the local area but also supports the collective vitality and viability of the local centre, it is considered that there are no objections in policy terms to the loss of the A1 retail unit. It is also recognised that retail remains the predominating use class along the parade and as such the usability and intrinsic character of the street-scene will not be significantly altered to the detriment of the local community.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE AREA

4. Paragraph 56 of the NPPF (2012) states that The Government attaches great importance to the design of the built environment with Paragraph 64 going on to state 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.
5. 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; 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.
6. The only works proposed to the exterior of the existing unit is the introduction of an external flue to the rear elevation of the property. The flue would not be visible along Shaftesbury Avenue by virtue of its position to the rear roof slope and would be largely concealed from the Hare and Hounds public house by a projecting two storey outrigger which projects 5.5m into the rear curtilage. Intermittent, long distance

views of the flue would be maintained from Seymour Grove nevertheless given its proportionate scaling and positioning next to an existing flue used by the adjoining fish and chip shop, in addition to the sites position amongst an established local centre, it is considered that on balance the proposed works would have a limited impact on the visual amenity of the area and as such are acceptable and in accordance with Policy L7 of the Core Strategy and related paragraphs of the NPPF (2012).

RESIDENTIAL AMENITY

7. Policy L7 of the Core Strategy states that in relation to matters of amenity protection, development must be compatible with the surrounding area and must not prejudice the amenity of future occupiers of the development and/or occupants of the adjacent properties by reason of noise and/or disturbance, odour or in any other way.
8. In respect to hot food takeaways, the Council's Planning Guidelines entitled 'Hot Food Takeaway Shops' explains that noise and disturbance for local residents is the most frequent cause of problems associated with such uses, particularly as most businesses operate in the evenings when neighbouring properties can reasonably expect peace and quiet. Issues surround not only activity at the premises, but also the cumulative impact of recurrent and incidental noise generation outside the premises from the comings and goings of car doors, revving of engines and conversation from those congregating outside. As such, the Planning Guidelines recommend that proposals should be thoroughly assessed and in less intrusive circumstances, granted subject to restrictions on operating hours.
9. Whilst the application premises form part of the wider shopping frontage, there are a number of residential properties within close proximity of the proposed takeaway, namely the flats above the terrace itself and No.2 Seymour Grove to the south. There are also a number of residents along Seymour Road which have raised a number of objections.
10. The majority of units within the shopping frontage operate within daytime hours, with the exception of the adjoining fish and chip shop which operates until 22:00. It is therefore recognised that the cumulative effect of the existing adjoining takeaway and the proposed takeaway on the above mentioned dwellings could potentially result in limited increases to the amount of noise, disturbance and litter.
11. Open 7 days a week, the operation hours for the proposed takeaway are 11:30 till 22:00 Monday- Sunday (including Bank Holidays) which is similar to the operating hours of the adjacent fish and chip shop. The Council's Nuisance and Noise section have raised no objections to these hours of operation noting that they are reasonable within a mixed use area and are not considered to result in significant harm to residential amenity through noise or disturbance. Additionally, the site is located within an established Local Centre along the main A560 and within close proximity of the adjoining takeaway and neighbouring public house. Taking into

account the proposed hours of operation and the siting of the premises within the shopping parade (between the public house, the existing takeaway and at the far end from residential properties on Seymour Road), it is considered that the proposed use will not have a significant detrimental impact in terms of noise and disturbance including when this is considered cumulatively with the existing uses. It is recommended however that a condition is attached to any subsequent planning consent restricting the hours of operation to those detailed above to ensure the amenities of neighbouring properties are not significantly or detrimentally impacted upon.

12. In the installation of an external flue to the rear elevation of the unit, the submitted plans show it would terminate at just over 1m above eaves level which meets the standards required to ensure odour is appropriately dispersed. The Council's Pollution and Housing Section (Nuisance) has not raised any objections to the positioning of the flue, however has requested that a number of conditions be attached to ensure an appropriate ventilation/extraction system serving the cooking and food preparation areas be designed and installed to reduce odour and noise generation. Furthermore, it has requested that 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.
13. During the determination of this planning application an objector has referenced a previous decision which was dismissed at appeal in 1998 for No.10 Shaftesbury Avenue (H/40711). The proposal sought the change of use of the premises from a retail shop (A1) to hot food takeaway (A3). Whilst the fundamental issues raised by local residents are comparative, applications must be determined each on their own merits by using current planning legislation and not superseded policy documents referred to previously.
14. For reference, the appeal was dismissed due to the Inspector concluding that a takeaway in this particular position on the streetscape within such close proximity of adjoining properties along Seymour Road would significantly impact upon the amenities of those residents through increased noise, disturbance, litter and a proportionate increase in the number of vehicles and pedestrians attracted to the site which could prejudice the free flow of traffic and highway safety on Shaftesbury Avenue and Seymour Grove.
15. The issues relating to highway safety will be assessed in the next section however it is important to note that there are material differences between the two proposals in that the appeal site was at the end of the parade closest to residential properties on Seymour Road whereas the current application site is at the opposite end of the parade, furthest away from these properties, and proposes reduced hours of operation than the previous application.

16. It is, however, within remit of the local planning authority to request, and for the applicant to implement, a management plan for the hot food takeaway which will include measures to effectively moderate and reduce the risks of littering in the surrounding area. This may include additional litter bin provision, details of a cleaning programme to clean up litter from external areas and litter advice and signage to be provided at the premises. The Environmental Protection Act 1990 also imposes duties on certain landowners and occupiers to keep land clear of litter and refuse. Updates to the act were made in the Clean Neighbourhoods and Environmental Act 2005 which generally extended the range of enforcement powers for local authorities to deal with problems affecting the quality and appearance of the local environment.
17. In terms of noise and disturbance, the previous proposal for the dismissed appeal was located on the farthest side of the terrace, opposite Seymour Grove, and thus would have had a greater impact upon the amenities of those properties given the reduced distances between sensitive noise receptors. In this instance, the takeaway is located between an existing takeaway and a public house which in themselves have some impact in terms of noise generation from visitors and the coming and going of vehicles. It is considered that the cumulative impact of an additional takeaway in this specific position and subject to the currently proposed hours would not be so great as to justify a refusal of the application. Furthermore, the neighbouring property most likely to be immediately affected is the flat above the premises which is already susceptible to existing noise generation from these adjoining uses and unlikely to be significantly harmed through the presence of an additional hot food takeaway which will close at the same time as the adjoining fish and chip shop and before the adjacent public house.
18. It is not considered that anti-social behaviour will be an inevitable outcome in permitting this development and there is no reason to consider that the impacts will be any greater than in respect of similar uses in other locations.
19. It is considered that, on balance, the proposal is unlikely to significantly harm the amenities of neighbouring properties. The site is located at the furthest point along the shopping parade, faces north, away from the nearest receptors and at an appropriate distance from the nearest properties along Seymour Grove. Consequently, the level of noise and disturbance attributed to the proposed use is unlikely to be exacerbated to any discernible degree to warrant a reason for refusal. In an effort to negate the concerns raised by local objectors, it is considered reasonably necessary to attach conditions requesting the submission of details for odour/ventilation, a restriction of the operating hours and a management plan to reduce litter.
20. Subject to the incorporation of the conditions detailed above, the proposal is compliant with the Council's Planning Guidelines on 'Hot Food Takeaway Shops' and policy L7 of the Core Strategy.

HIGHWAY SAFETY

21. Policy L4 of the Trafford Core Strategy seeks the promotion of sustainable forms and choice of modes of travel to all sectors of the local community through prioritising development within the most sustainable areas whilst ensuring new development does not individually or cumulatively impact upon the functioning of the highway network.
22. 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.
23. SPD3: Parking Standards and Design for Trafford states that for the proposed use class, 1 car parking space per 6m² public floor area should be required. In this regard no details of the public floor area have been provided, however the plans indicate a very small area available to the public in front of the proposed food ordering counter. The proposal also includes the retention of two parking spaces at the rear for staff members and there is unrestricted on-street parking to the front of the premises (approximately 10 spaces) and to the side of No.10 (approximately 4 spaces) which is considered, on balance, sufficient to suitably meet the needs of the local centre and that of the proposed change of use.
24. The Local Highway Authority (LHA) has reviewed the means of access and considers it to be acceptable with a takeaway unlikely to generate significant levels of vehicular activity to prejudice the free flow of traffic along Seymour Grove, the service road or onto Shaftesbury Avenue.
25. It is understood that servicing is proposed to be carried out from the rear yard accessed via Seymour Grove. Whilst not indicated on the plan, sufficient space exists for the storage of refuse bins which can then be transferred to Seymour Grove for collection. However, to reduce any potential negative impacts to the surrounding properties as a result of the increased waste, it is recommended that the applicant submit details as to the location of the bin store and associated servicing arrangements.
26. It is considered that subject to the attachment of a condition requesting details of refuse collection, the proposal meets the stipulations of SPD3 and Policies L4 and L7 of the Core Strategy.

OTHER MATTERS

27. During the determination of this application a number of objectors raised concerns in respect to the opening of an additional takeaway near to a school and the limited number of local residents which were immediately consulted.
28. Discussing each matter in turn, the Trafford Core Strategy and the NPPF does seek to support the promotion of healthy, inclusive communities through the planning process. In this instance however there is no site specific policy or local guidance which examines the appropriateness of a takeaway's proximity to educational institutions and therefore to challenge the principle of this takeaway given its position within 850m of two schools is unreasonable (Wellington School 800m to the north and Cloverlea Primary 850m to the east).
29. In respect to the number of local residents which were consulted, the Council formally notified all adjacent properties and erected a site notice outside the premises on the 8th August 2017 informing bystanders of the proposal and allowing an additional 21 day consultation period for any representations to be submitted. It is therefore considered that the Council has acted appropriately and proactively engaged the local community of the proposed development.

CONCLUSION

30. The proposal would bring a vacant shopfront into active use whereby improving the viability and vitality of the local centre. It is not considered that the takeaway will have a significant detrimental impact upon the amenities of neighbouring properties (including when considered cumulatively with the existing uses) with recommended conditions attached to any grant of permission designed to mitigate the impacts of the takeaway on adjoining sensitive land uses. There will no significant impact upon the overall character and appearance of the streetscape, nor the highway network, and therefore it is considered that the proposal complies with the aforementioned policies contained within the Council's Planning Guidelines entitled 'Hot Food Takeaway Shops', SPG3: Parking Standards and Design for Trafford, the Trafford Core Strategy and the NPPF.

DEVELOPER CONTRIBUTIONS

31. No planning obligations are required.

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 Location Plan and amended Proposed Layout submitted to the Local Planning Authority on the 9th September 2017.

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

3. Notwithstanding the approved plans, prior to its installation, details of the external flue, including its; overall finish and materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved details and retained as such thereafter.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 of the Trafford Core Strategy.

4. A ventilation/extraction system serving the cooking and/or food preparation areas (for the type of food to be prepared at the premises) shall be designed and installed such that there will be no odour or noise nuisance to sensitive premises and shall be approved by the Local Planning Authority prior to the development taking place. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.

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

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

6. Notwithstanding the plans hereby approved, a Management Plan detailing facilities and measures for the disposal of litter by customers, such as additional litter bin provision, details of a cleaning programme to clean up litter from external areas and litter advice and signage to be provided at the premises, shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the Management Plan has been submitted to, and approved by

the Local Planning Authority and has been implemented in full. The approved measures shall be retained thereafter.

Reason: In the interests of amenity of the occupiers of nearby properties, having regard to Policy L7 of the Trafford Core Strategy.

7. No development shall take place until details of bin storage and servicing arrangements, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and made available for use prior to first operation of the use hereby approved and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities and servicing arrangements, having regard to Policy L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

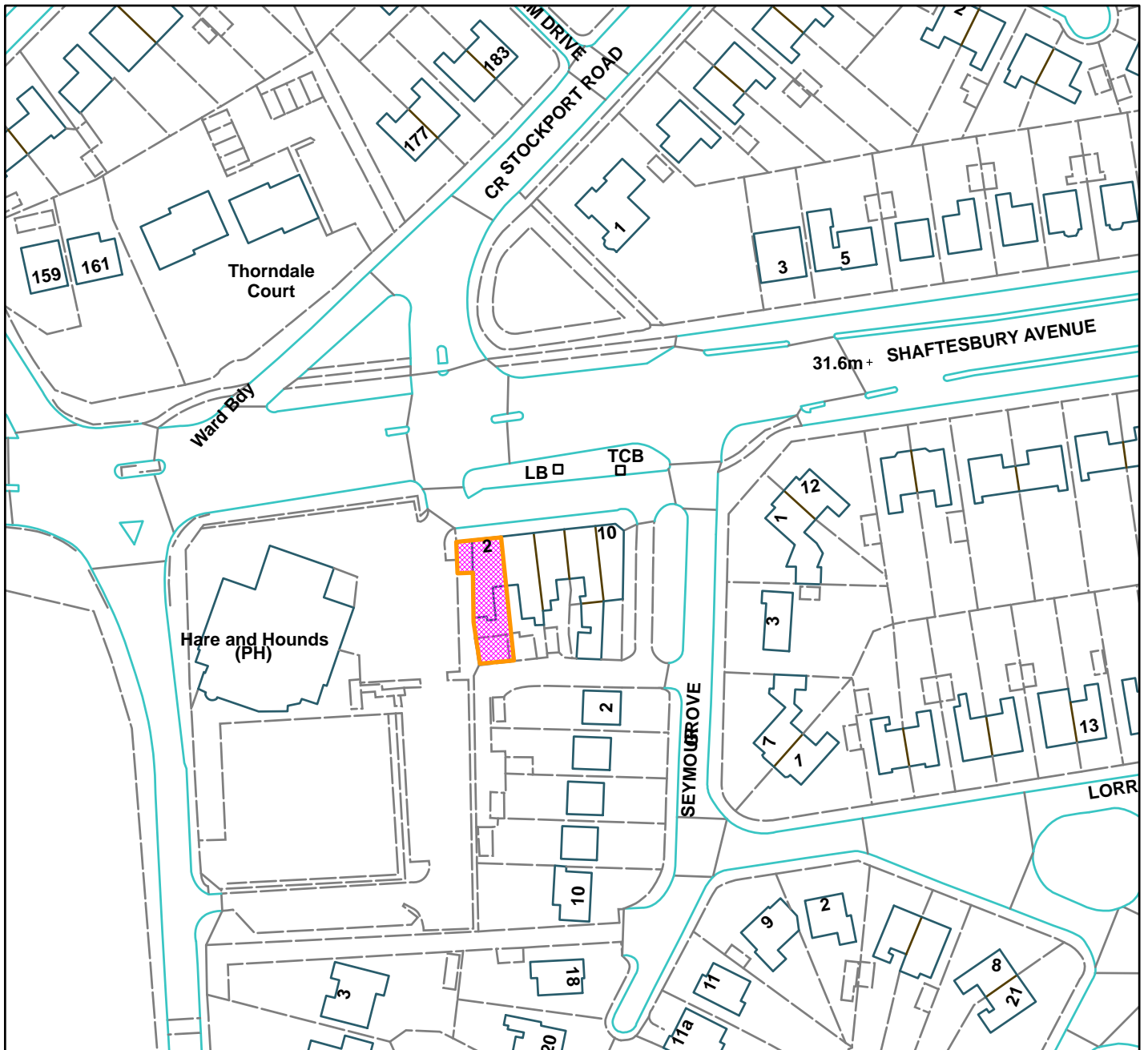
8. The premises shall only be open for trade or business between the hours of 11:30 - 22:00 Monday to Sunday, including Bank Holidays and not at any time outside of these hours.

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

AW



2 Shaftesbury Avenue, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/10/2017
Date	02/10/2017
MSA Number	100023172 (2012)

WARD: Altrincham

91951/FUL/17

DEPARTURE: No

Erection of 4 residential two storey dwellings (with habitable roof accommodation), along with the extension and conversion of existing pavilion building to provide a single dwelling (total 5 dwellings proposed) and creation of a new vehicle and pedestrian access off Church Walk, with associated landscaping, cycle parking and refuse store.

Former Bowling Green, Albert Place, Altrincham, WA14 4PG

APPLICANT: Group Holdings (South Ltd)

AGENT: Caldecotte Group

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

SITE

The application site comprises a square shaped parcel of land located to the north of Albert Place and west of Church Walk. The hall to St George's Church sits to the north of the site.

The application site relates to a former bowling green and pavilion building; the site has been vacant for some time (since approximately 2005) and is currently overgrown. The pavilion building is constructed from brick with a blue slate hipped roof.

The site is located within the Old Market Place Conservation Area and an Area of Protected Open Space. The application site is also a designated Asset of Community Value.

Since the use of the site as a bowling green ceased in 2005 the site has remained in private ownership with no use by the public as open space for recreation or leisure pursuits.

PROPOSAL

The development proposal comprises the erection of two pairs of two storey semi-detached dwellings with additional living accommodation within the roofspace, served by dormer windows to the front and rear elevations. The two outer dwellings would incorporate attached garages to the side with an additional parking space in front.

Permission is also sought for the extension and conversion of the pavilion building to create a further residential unit. It is proposed to extend the building towards the Church Walk elevation to enable the building to accommodate two bedrooms. The roof over the extension would tie in with the existing hipped roof.

Vehicular and pedestrian access is proposed off Church Walk with a second pedestrian access off Albert Place.

VALUE ADDED: The original plans were considered to be unsatisfactory on highway safety grounds. Amended plans have been received which have repositioned the boundary wall to provide a 4.2m highway along Church Walk with a footway measuring 1.2m in width.

DEVELOPMENT PLAN

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

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
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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
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport & Recreation

PROPOSALS MAP NOTATION

Asset of Community Value
Protected Open Space
Old Market Place Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV21 – Development in Conservation Areas
OSR5 – Protection of Open Space

SUPPLEMENTARY PLANNING GUIDANCE

PG1 New Residential Development (2004)

Revised SPD1: Planning Obligations (2014)

SPD3 – Parking Standards and Design (2012)

SPD5.3 – Old Market Place Conservation Area Appraisal (October 2014)

SPD5.3a – Old Market Place Conservation Area Management Plan (March 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.

OTHER LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

The following documents are included within the application submission:-

- Planning Statement;
- Structural Report;
- Topographical Survey;
- Drainage Strategy;
- Ecology and Bat Survey;
- Tree Survey;
- Phase 1 Desktop Survey

CONSULTATIONS

Local Highway Authority – No objection. Justification has been requested to why maximum parking standards have not been achieved.

GMEU – No objection

Greater Manchester Archaeological Advisory Service – There is an unknown archaeological potential for the development site relating to its close proximity to the medieval core of Altrincham. The site has seen little development other than the

creation of the bowling green and erection of the pavilion so there is good potential for archaeological deposits to survive unless they were severely truncated by ground works for the bowling green. In the absence of any archaeological work, it is impossible to comment in an informed way on the presence or absence of archaeological remains, the level of their significance, and the impact that the development ground works might have on them. There is substantial risk in terms of timetabling and potential cost to the developer should significant archaeological remains be present. GMAAS consider that a survey record should be made of the pavilion prior to demolition/alteration as this is a historic structure. A planning condition is recommended to secure a scheme of works.

United Utilities – No objection subject to conditions in relation to foul and surface water drainage.

Lead Local Flood Authority – Are satisfied that the developer has gained in principle agreement with United Utilities for the discharge of surface water. Conditions are recommended with regard to requiring the submission of a full detailed drainage design, SUDs scheme and discharge runoff rates.

Pollution and Licensing (Nuisance) – No objection subject to the submission of a scheme for acoustically insulating the proposed residential accommodation against noise from nearby sources.

REPRESENTATIONS

Objections have been received from 11 different addresses including Altrincham and Bowdon Civic Society and Altrincham Neighbourhood Business Plan Design Panel. A petition has also been received with 8 signatures. The main objections raised are summarised below:

Parking and Highways

- Concerns regarding vehicular access from Church Walk from a highway safety point of view and proximity to properties opposite;
- Are any provisions to be made to prevent any parking on the parts of Church Walk/Albert Place that are currently patrolled by local enforcement officers;
- 10+ extra cars in an already over busy lane way;
- Church Walk is cobbled and not suitable for more traffic;
- Chapel Road is a tight road with no proper pavement and is accessed by school children and their parents, walking in both directions at the peak times that residents will be using their cars, therefore becoming very dangerous;
- The road is very narrow and will not allow for passing traffic;
- Increased emissions;
- Insufficient parking and lack of alternative spaces;
- Increased noise and disturbance from vehicular traffic within the site;
- Bright lights from vehicle shining onto adjacent windows and gardens;

Loss of Bowling Green

- Loss of open space;
- The bowling green should be rehabilitated and enjoyed by the local residents as it was historically intended rather than built on by speculating builders;
- Bowling Green should be transformed into a local green space;

Impact on Heritage

- The former bowling green falls within protected Conservation Area of the Old Market Place and has visual, historical and archaeological qualities that are also supported by Policy HE1 stating that this land is one of five Conservation Areas in Trafford identified as being on the Heritage at Risk Register by English Heritage;
- No archaeological assessment;
- The land has been heavily neglected and the owner has failed to improve or enhance its value to the people of Trafford;

Residential Amenity

- Overlooking;
- Overbearing impact on properties on Church Walk;
- Concerns regarding proximity of proposed development to adjacent premises on Arnolds Yard;
- Loss of light;
- Impact on outlook. Adjacent properties are currently looking onto trees, wildlife and greenery which are to be replaced with walls, car park and road;
- Bin store to be sited to the rear of neighbouring garden would cause smell and attract vermin;

Trees and Landscaping

- Large tree at frontage to Albert Place bordering no.12 should be felled or significant pruning should be undertaken as a minimum. The tree has lost two of its primary four branches and represents a risk to adjacent properties;
- The border between No.12 and the development refers to 'retain hedge.'

Other Matters

- Reduce value of adjacent properties;
- Disturbance as a result of building work;
- Makes access to the rear of properties on Albert Place easier, heightening the security risks for residents;

Support

A letter of support has been submitted by a neighbouring property. The reasons are summarised as follows:

- The plans are aesthetically pleasing and sympathetic to the site and area;

- The site is currently a complete eyesore and an area of anti-social behaviour that is only going to get worse if it is to decay any further;

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Paragraph 49 of the National Planning Policy Framework (NPPF) indicates that housing application 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. Heritage policies in the NPPF *may* specifically restrict development in this case.
3. 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 any planning application at this site to the schemes contribution to addressing the identified housing shortfall, and meeting the Government objective of securing a better balance between housing demand and 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 proposed development achieves many of the aspirations which the Plan policies seek to deliver.
5. As the proposed development is on a greenfield site, Policies L1.7-L1.9 of the Trafford Core Strategy apply. Specifically, Policy L1.7 sets an indicative target of 80% on new housing provision to be built on brownfield land. In order to achieve this, the Council will release previously developed land and sustainable urban area greenfield land in the following order of priority:
 - Firstly land within the Regional Centre and Inner Areas;
 - Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in Policy L3 and/or strengthen and support Trafford's 4 town centres; and
 - Thirdly land that can be shown to be of benefit to the achievement of the wider plan objectives set out in Chapters 4 and 5 of the Core Strategy (Strategic Objectives and Place Objectives).

6. The first priority cannot relate to this proposal because the site does not sit within either the Regional or Inner Area. Therefore the application will need to be considered against the second and third points of Policy L1.7.
7. The proposal does not strictly comply with Policy L1.7 as it does not fall within Altrincham Town Centre. The site is however located just outside of Altrincham Town Centre and in a sustainable location. It is considered that the redevelopment of this site would support Altrincham as the Principal Town Centre and key economic driver, in terms of employment, retail and leisure opportunities by meeting local housing needs and supporting regeneration priorities.
8. Other main issues for consideration are the design and impact on the character and setting of the Conservation Area, impact on the protected open space, parking and highways and residential amenity and the provision for open space and recreation.

LOSS OF OPEN SPACE

9. Policy R5 'Open Space, Sport and Recreation' states that in order to remedy deficiencies in the provision of facilities in identified parts of the Borough and ensure that appropriate facilities are available to meet the needs of its residents across the whole of Trafford, the Council will secure the provision and maintenance of a range of sizes of good quality, accessible, play, sport, leisure, informal recreation and open space facilities. The Council will seek to address key areas of deficiency in quality and quantity of open space and indoor/outdoor leisure provision by protecting existing and securing the provision of areas of open space and outdoor sports facilities.
10. Para 74 of NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
11. With regard to Policy R5 of the Trafford Core Strategy, justification 25.17 states that "*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.*" In order to remedy deficiencies in the provision of facilities in identified parts of the Borough and ensure that appropriate facilities are available to meet the needs of its residents across the whole of Trafford, the Council will secure the provision and maintenance of a range of sizes of good quality, accessible, play, sport, leisure, informal recreation and open space facilities. The Council will seek to address key areas of deficiency in quality and quantity of open space and indoor/outdoor leisure provision by

protecting existing and securing the provision of areas of open space and outdoor sports facilities.

12. A playing pitch strategy has been carried out by Strategic Growth Services is expected to be adopted by Executive Committee in October 2017. This report confirms that there is no shortage of bowling greens in Trafford and that provision is greatest in the south of the borough. It states that future demand can be accommodated on existing greens, provided they can absorb any future demand (which would require upgrade in quality). Comments were sought from Sport England however they have responded that they are not concerned about bowling greens unless they are part of a bigger facility including playing fields; they are happy for the Local Planning Authority to deal with this aspect.
13. At face value the scheme represents an unacceptable loss of open space as defined in R5. In terms of R5 and bullet point 2 of NPPF Paragraph 74 however (*“the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location”*), it is acknowledged that the bowling green has been vacant for some time, is inaccessible to the public and that a replacement bowling facility would not be appropriate. Retention of part of the site as open space would improve the current situation in terms of providing some accessible open space, although this is considered to be insufficient to mitigate the loss of the whole area. Therefore, the loss of the protected open space should be mitigated by a financial contribution that represents the financial value of the area to be developed in open space terms. This would point towards using any contribution to enhance quality at the nearest available site.
14. In line with the standards contained in SPD1: Planning Obligations (2014), the cost per person (£161.59) for providing new open space can be converted into a cost of £11.97 per sqm, which, when applied to the area of protected open space to be lost to the proposed development, equates to a figure of £32,760. This figure is based on those within SPD1, using the ‘quality’ aspect as the contribution will be used to enhance the quality of existing local facilities.
15. Ways to incorporate an element of open space were considered at pre-application stage. As this is a private development, the management and up-keep of any land whilst allowing public access could not be satisfactorily addressed. Whilst the bowling green is to be lost through the development, careful consideration has been given to retaining an element of open landscaping which would still bring benefits to the character of the surrounding area in terms of outlook from public and private views. This is dealt with in more detail in the following section of this report.
16. It is considered therefore that the loss of open space is considered acceptable subject to the financial contribution as outlined above and the proposal is considered to comply with Policies L8 and R5 of the Trafford Core Strategy

DESIGN AND IMPACT ON DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS

17. 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.
18. 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.
19. Paragraph 134 of NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
20. Paragraph 135 of NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
21. 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. 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).

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. 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.”

22. The application site is located within the Old Market Place Conservation Area.

The designated heritage asset

The Conservation Area

23. The significance of the Old Market Place Conservation Area is derived from the medieval settlement core of Altrincham. The Conservation Area has the character of an historic market town with a variety of inter-linked building types including civic, commercial and residential. The majority of buildings are 19th Century or earlier and have high aesthetic value for architectural detailing, materials and local distinctiveness. Market Place and later Market Street are a significant public gathering place. The continued use of the Historic Market Quarter of Altrincham as a vibrant civic and communal space makes it a significant heritage asset to the town.

The application site

24. Due to the variety of character within the Conservation Area, it has been divided into five character zones for the purpose of analysis. The application site is situated within Character Area A in the adopted Old Market Place Conservation Area Appraisal, October 2014. The special interest of this character zone derives from the variety of historic buildings that retain a high level of architectural detail, which also chart the historic development of the area.

25. Specific reference is made to the application site within the CAA in paragraph 4.3.45 which acknowledges that *“The bowling green located to the north adjacent to Church Walk is currently in a state of disrepair and is screened from the public by a concrete wall.”* With regard to development opportunities within this character area, paragraph 4.3.48 states that *“Due to the compact grain of the character zone there are now no opportunities for new development. Only the former bowling green pavilion sited within the bowling green adjacent to Church Walk is completely vacant. Despite the deteriorating condition, this space and property are identified as positive contributors, and are identified as non-designated heritage assets.”*

26. It is considered that these elements illustrate the development of the settlement in which they stand.

The proposal

27. The relevant Conservation Area documents are the Old Market Place Conservation Area Appraisal (October 2014) and the Old Market Place Conservation Area Management Plan (March 2016).

28. The following Conservation Area Management Plan policies are considered relevant to this application:

Policy 59 – The open spaces within the Conservation Area, including those around the public buildings, are to be maintained and conserved.

Policy 61 – The disused bowling green and boundary treatment should be brought back into an acceptable condition and solutions should be considered for its future use or development.

Policy 64 – Any new development is to take inspiration from the established Georgian, Italianate, Arts and Crafts, Tudor Revival, Edwardian and Victorian architectural styles which are well-established within the Conservation Area. Use of traditional materials and architectural details would ensure new development is appropriate for its setting. Modern designs that do not respect their surroundings will be refused consent.

Policy 65 – Height and massing of new development should reflect the traditional form of development that gives the conservation area its special character. New development should reflect the traditional roofscape of the town. Prominent roof top plant and dormer windows will not generally be accepted.

Policy 67 – Regard will be given to advice from Greater Manchester Archaeological Advisory Service in relation to the potential to uncover archaeological evidence of Anglo-Saxon or medieval features relating to the agricultural activity or settlement in these periods.

29. The importance of good design is set out in NPPF. 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.”*
30. Paragraph 60 of NPPF continues to advise that *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*
31. Section 2 of the CAMP provides design guidance that should be used as a reference for new development with particular regard to architectural style and materials.
32. The Design and Access Statement states that the scheme *“has been designed to respond to the character and appearance of the immediate area by referencing a Victorian theme and using it as base in which to design contemporary housing.”*
33. The proposed development is considered to be traditional in its design approach through the use of traditional roof design and architectural features including windows/openings. It is considered that the proposed development reflects the local distinctiveness in terms of scale, height, massing, design and materials. The amount of built form has been restricted to reflect the previous use and designation of the site as

public open space and to reflect the location of the development within the Conservation Area.

34. The extension of the pavilion building is in keeping with the existing style of the property and is modest in size. The building has been extended towards Church Walk to retain as much space around the building as possible. It is considered that the extension is modest and allows for the sympathetic conversion and retention of this non-designated heritage asset.
35. The proposed development would be in keeping with the surrounding developments and traditional buildings within the wider Conservation Area and is therefore in accordance with the CAMP and in particular policies 59, 61, 64 and 65.
36. Notwithstanding the loss of the area of public open space, it is considered that the proposal has been well considered in terms of the overall layout, landscaping and boundary treatments. Boundary planting is retained and enhanced where appropriate with additional areas of landscaping provided to the front of the pavilion and adjacent to the vehicular access. The proportion of the site that is to be developed is sympathetic to the previous use of the site and the contribution this made to the character of the streetscene and the Conservation Area. Hardstanding for the parking courtyard and turning areas has been kept to a minimum to retain as much soft landscaping as possible. Careful consideration should be given to the materials to be used for the parking areas and other areas of hardstanding to ensure that they are high quality and appropriate to the character of the Conservation Area. This would be addressed under a landscaping condition.
37. The existing concrete boundary wall is to be replaced with a new brick wall and the stone retaining wall is to be retained other than across the new access drive. The proposed brick pier is some 4.0m behind the line of the retaining wall and would not therefore detract from this traditional feature within the Conservation Area. It is considered that overall the boundary treatment would result in an improvement to the existing and would be more appropriate to the traditional materials used within the Conservation Area.

Archaeology

38. Archaeological remains (or the potential for them) are non-designated heritage assets and should therefore form part of the heritage assessment.
39. There is an unknown archaeological potential for the development site relating to its close proximity to the medieval core of Altrincham. The site has seen little development other than the creation of the bowling green and erection of the pavilion so there is good potential for archaeological deposits to survive unless they were severely truncated by ground works for the bowling green.

40. Greater Manchester Archaeology Advisory Service (GMAAS) state that in the absence of any archaeological work, it is impossible to comment in an informed way on the presence or absence of archaeological remains, the level of their significance, and the impact of timetabling and potential cost to the developer should significant archaeological remains be present. GMAAS consider that a survey record should be made of the pavilion prior to demolition/alteration as this is a historic structure. A condition is therefore recommended to ensure that this is carried out.
41. The development therefore has the potential to harm non-designated buried heritage assets. However, it is considered by GMAAS through their suggestion of a Written Scheme of Investigation (WSI condition) that the recording of these assets, if discovered, would provide sufficient mitigation against any harm. The heritage assets are currently unknown and their recording and public dissemination of the results would aid their understanding. No overall harm would therefore result.

Conclusion

42. With regard to its siting within the Old Market Place 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. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Old Market Place Conservation Area.
43. The proposed development would bring the pavilion building back into use thus providing for its repair and long term retention and would secure the future of this non-designated heritage asset. The potential for harm to archaeological assets can be mitigated through the use of recording conditions and therefore in accordance with paragraph 135 of NPPF there would be no harm to these non-designated heritage assets.
44. The proposal is therefore considered to be in accordance with Policies L7 and R1 of the Trafford Core Strategy and relevant sections of NPPF.

RESIDENTIAL AMENITY

45. 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

46. Parameters for privacy distances to limit impact on residential living conditions are set out in the Council's Planning Guidelines for 'New Residential Development' (PG1).

Impact on Church Walk

47. The adjacent development on Church Walk facing the application site comprises a mix of three storey dwellings and two storey properties with rooflights in the roofslope facing. All windows on the front elevation would appear to serve habitable rooms.
48. The pavilion building would be extended towards Church Walk however this is single storey only and there would be no windows in this side elevation. It is considered that the extension and conversion of this building would have no additional impact on the amenity of these neighbouring properties.
49. Plot 1 is situated closest to Church Walk. The property is two storeys high with additional accommodation in the roofspace. At ground floor, the only opening facing Church Walk would be a door to the garage. No windows are proposed in this side elevation at first floor and at second floor level the only window is to serve a bathroom. Subject to an obscure glazing condition, there would therefore be no overlooking or loss of privacy to the adjacent properties on Church Walk as a result of the proposed development.
50. Section 12 of PG1 deals with overshadowing and advises that “..dwellings should not be grouped so closely that they unduly overshadow each other, their garden areas or neighbouring property. In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15m should normally be provided.” A maximum distance of 15m is achieved from the gable of the main dwelling to the front of properties on Church Walk. The garage, whilst within the 15m separation distance is not considered to cause any undue harm by virtue of its hipped roof.
51. The separation distance is marginally less than 15m between the property at Plot 1 and the properties on Arnolds Yard fronting Church Walk and are located to the north east corner of the application site. These properties would face the rear corner of the dwelling and it is considered that the distance is sufficient to prevent any undue harm and a refusal on these grounds could not be sustained.
52. It is accepted that the outlook from adjacent residents would change from facing an open green area to that of a residential development. It is considered however that given the quality of the scheme, the proportion of the site that would be built upon and the landscaped areas that this would not be so significant to be detrimental to residential amenity.

Impact on Albert Place

53. Number 12 Albert Place is located to the south west corner of the application site with the side elevation facing the bowling green and pavilion building. That part of the development which would be sited closest to this property is the private garden to the pavilion, part of the courtyard parking area and the bin store. Whilst concern has been

raised with regard to the location of the bin store, the exact position and design of this is to be agreed by condition as part of a waste management strategy. Nevertheless, it is considered that bin storage for 5 dwellings is not considered to result in significant disamenity to neighbouring properties to warrant refusal.

54. Numbers 14 and 16 Albert Place are positioned adjacent to the south west boundary of the site with the rear elevations of these dwellings facing the proposed development.
55. Plot 4 is situated closest to these dwellings on Albert Place. The property is two storeys high with additional accommodation in the roofspace. At ground floor, the only opening facing the rear of these properties would be a door to the garage. No windows are proposed in this side elevation at first floor and at second floor level the only window is to serve a bathroom. Subject to an obscure glazing condition, there would therefore be no overlooking or loss of privacy to these adjacent properties and their private rear gardens.
56. A separation distance of 15m is achieved from the gable of the main dwelling to the rear of the properties on Albert Place in accordance with PG1. The garage, whilst within the 15m separation distance is not considered to cause any undue harm by virtue of its hipped roof.

Quality of Accommodation for Future Occupiers

57. The separation distance from the front of the main elevation of the two storey dwellings to the pavilion opposite is approximately 21m.
58. PG1 advises that for new three storey properties, the minimum distance between dwellings which have major facing windows is 24 metres across public highways and 30 metres across private gardens. Whilst the proposal therefore fails to meet these guidelines, it is considered that as the separation distance relates to all new properties, it is for the prospective purchasers to determine whether this relationship would be acceptable. The properties are separated by an area of courtyard and garden and it is considered that the distance would be sufficient and helps to create the close-knit character of the development which is considered to be in keeping with the density of the surrounding area.
59. All properties have adequate areas of private amenity space.

Conclusion

60. The proposal is considered to be appropriate in terms of its relationship with the surrounding dwellings as well as the properties within the proposed development. It is considered that there would be no undue harm to the level of amenity currently enjoyed by neighbouring properties and as such the proposal is considered to be in accordance with Policy L7 and PG1.

PARKING & HIGHWAYS

61. 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.

Appropriateness of Access

62. Church Road is too narrow to allow two vehicles to pass each other and has a heavy footfall of pupils to/from the Altrincham C of E school and St George's Church/Hall.

63. Amended plans have been received which have adjusted the new boundary wall position and kerb line to achieve a 4.2m wide roadway and 1.2m pavement. This amended highway layout is considered to be acceptable.

Servicing Arrangements

64. The servicing arrangements indicate three wheelie bins whereas four should be provided. Concern is raised regarding the gradient up to Albert Place and whether this may be too steep to push the bins up. It is therefore recommended that a condition in relation to bin storage and waste management is attached to any approval.

Car Parking

65. Under SPD3 the maximum parking requirement for the development is 14 spaces. A total of 10 spaces are provided including the 2 no. garages. There is therefore an overall shortfall of 4 spaces.

66. Although sited outside of Altrincham Town Centre, the site is highly accessible by public transport and is within walking distance of most day-to-day services. In spatial terms the site is therefore considered to be sustainable and as such the shortfall in parking provision is justifiable in this location. The parking standards in SPD3 are maximum standards only and do not provide a minimum figure.

Right of Way

67. Archive plans show that Church Walk is adopted footway. The LHA have requested that the applicant demonstrate that they have a vehicular right of way. The agent has responded by stating that rights of way issues are appropriately dealt with outside the planning remit. The matter has been duly brought to their attention and it is considered that this should not have any further bearing on the determination of this planning application.

TREES AND LANDSCAPING

68. There is considered to be no significant impact on the trees within the site as the majority of them are positioned on the boundaries and will therefore not be affected by the proposals. The proposed development requires the removal of scrub only and all trees of stature will be retained. A condition is recommended requiring the submission of a tree protection scheme, thus making the consultant's 'Tree Retention and Protection Plan' enforceable.
69. Although the consultant mentions landscape proposals at paragraph 6.11 of the tree survey report, no detailed landscape hardworks and softworks proposals drawings have been submitted. A landscaping layout has been submitted however and additional trees, hedging and planting are to be provided to create amenity space and to soften the impact of car parking areas and more generally in relation to the existing character of the site and the surrounding area. A landscaping condition is therefore recommended to agree the details of this.

CLIMATE CHANGE AND DRAINAGE

70. 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.
71. No objections have been raised by the Lead Local Flood Authority subject to conditions requiring the submission of a full detailed drainage design, SUDs scheme and discharge runoff rates.

ECOLOGY

72. An Ecology and Bat Survey was submitted with the application. Comments on this have been provided by Greater Manchester Ecology Unit as summarised below.

Bats

73. The building on the site was assessed for bat roosting potential and an emergence survey carried out. No evidence of bats was found and the building assessed as low risk.

Reptiles

74. The site was assessed as having suitable habitat for reptiles, but the location of the site and lack of records for reptiles in the locality made the risk low.

Nesting Birds

75. Areas of bramble, potential bird nesting habitat will be lost. An old bird nest was identified in the building. All British birds' nests and eggs (with certain limited

exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended.

Contributing to and Enhancing the Natural Environment

76. Section 109 of NPPF states that the planning system should contribute to and enhance the natural and local environment. The majority of the site comprises of widespread low to moderate value ecological habitats, the features of highest value the mature trees being retained. The loss of the species poor semi-improved grassland and bramble will however result in a nett loss unless some form of ecological mitigation is provided. New tree and hedgerows are proposed around the perimeter of the development, these have the potential to provide adequate mitigation for the loss of scrub habitat if appropriate native/wildlife friendly species are utilised e.g. beech or hawthorn hedges. Given the urban location it is accepted that the gardens are likely to be of equivalent ecological value for the small area of species poor semi-improved grassland that will be lost. It is therefore considered that there is the potential to mitigate on-site subject to the detail and a tailored landscape condition is recommended to address this.

Conclusion

77. Subject to the recommended conditions and informatives, it is considered that the proposal would be acceptable in terms of ecology.

DEVELOPER CONTRIBUTIONS

78. 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).
79. 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.
80. In line with the standards contained in SPD1 a financial contribution of £32,760 towards the enhancement of existing local open space facilities will be required.

OTHER MATTERS

Asset of Community Value

81. The site is listed as an Asset of Community Value. The DCLG Asset of Community Value Policy Statement advises that *"these provisions give communities a right to identify a building or other land that they believe to be of importance to their community's social well-being. The aim is that, if the asset comes up for sale, then they will be given a fair chance to make a bid to buy it on the open market.... Nothing further will happen unless and until the owner decides to dispose of the asset, either through a freehold sale, or the grant or assignment of a lease, granted for at least twenty-five years."*

82. The Statement continues to advise that *“the provisions do not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. However the fact that the site is listed may affect planning decisions – it is open to the Local Planning Authority to decide that listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.”*
83. Whilst the listing of a property as an ACV is capable of being a material consideration, it is not on its own determinative in the planning decision-making process. The agent points out that the final decision is a matter of planning judgement informed by relevant planning policies and refer to case law in R (Anne-Marie Loader) (Claimant) v Rother District Council (Defendant) & Churchill Retirement Living Ltd (Interested Party) [2015] EWHC 1877 where this principle was established.
84. There are no Core Strategy policies which specifically address Assets of Community Value and therefore this application should be determined in accordance with the policies as set out above. The status of the land as an Asset of Community Value is not, in itself, considered to carry sufficient weight as a material consideration to outweigh adopted development plan policy and, where this is out of date, national planning policy.

Devaluation of Neighbouring Properties

85. Impact on property value is not a material planning consideration.

Disruption from Building Works

86. Disruption from building works is temporary and not a reason to refuse development. The proposal is considered to be relatively small-scale and it is considered that no specific planning conditions are required however any statutory nuisance could be addressed by Pollution & Licensing.

Security of Neighbouring Properties

87. It is considered that the proposed development would not increase security risks over the use of the site as public open space. There would be increased surveillance from the proposed properties.

CONCLUSION

88. The key benefit of the proposal is the delivery of 5 homes in a sustainable location. Whilst the proposal would result in the development of a greenfield site and is therefore not strictly in accordance with the development plan, Paragraph 14 of the NPPF applies as a material consideration which should be given significant weight.
89. 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. Subject to securing a financial contribution to the improvements to existing local facilities, the loss of the open space is considered to be in accordance with Core Strategy Policy, NPPF Paragraph 74 and SPD1: Contributions.

90. With particular regard to the impact on heritage assets, it is considered that the proposal would result in no harm. Considerable importance and weight has been given to the desirability of preserving the heritage asset and it is concluded that the proposals result in no harm and would preserve the character and appearance of the Conservation Area.
91. 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 S106 contributions and suitable planning conditions. As the proposal slightly departs from the development plan in respect of the greenfield nature of the site, but the Council does not have a five year supply of housing land, Paragraph 14 of the NPPF is a material consideration which should be given significant weight. This states that 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

92. 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:
 - A financial contribution of £32,760 towards enhancing the quality of existing local facilities to compensate for the loss of protected open space at the application site.
 - (ii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:

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 16, 20K, 21i, 22J, 23F, 24F and 25.

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

3. Notwithstanding the details submitted, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the building (including rainwater goods and joinery details of windows and doors) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 and R1 of the Trafford Core Strategy and 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 garage doors (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
- v) refuse storage area

Reason: To ensure a high quality standard of development and to safeguard and the visual amenities of the locality, having regard to the siting within the Conservation Area in accordance with Policies L7 and R1 of the Trafford Core Strategy.

5. 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 dwellings
 - (ii) No extensions shall be carried out to the dwellings
 - (iii) No garages or carports shall be erected within the curtilage of the dwellings

- (iv) No vehicle standing space shall be provided within the curtilage of the dwelling
- (v) No buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling
- (vi) No means of access or areas of hard surfacing shall be constructed in the curtilage of the dwellings
- (vii) No windows or dormer windows shall be added to the dwellings

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

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

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

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

7. 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.

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

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

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

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

10. No development shall take place until the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) has been secured and which has been prepared by the appointed archaeological contractor and submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following: (a) A phased programme and methodology of site investigation and recording to include:- A Historic England Level 1 survey of the pavilion; an archaeological desk based assessment; informed by the above, an evaluation using trial trenching; dependent on the above, more detailed, targeted archaeological excavation and recording; informed by the above, an archaeological watching brief; (b) A programme for post investigation assessment to include:- detailed analysis of finds and site records; production of a final report on the significance of the heritage interest represented; (c) A programme for post investigation assessment to include:- detailed analysis of finds and site records; production of a final report on the significance of the heritage interest represented; (d) Deposition of the final report with the Greater Manchester Historic Environment Record and Trafford Local Studies Library; (e) Dissemination of results commensurate with their significance; (f) Provision for archive deposition of the report and records of the site investigation; (g) Nomination of a competent person or persons/organisations to undertake the works set out within the approved WSI.

Reason: In accordance with Core Strategy Policy R1 and NPPF Section 12, Paragraph 141 – To record and advance understanding of heritage assets

impacted on by the development and to make information about the heritage interest publicly accessible.

- 11.No works to the pavilion building hereby permitted shall take place unless and until a photographic survey record of the building has been submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Core Strategy Policy R1 and NPPF Section 12, Paragraph 141 – To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

- 12.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 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 works starting on site because the approved details will need to be incorporated into the development at design stage.

13. 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 development, and thereafter managed and maintained in accordance with the approved details.

Reason: 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.

- 14.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 L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

- 15.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the second floor bathroom windows in the side elevations of Plots 1 to 4 shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights

and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

16. 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 and constructed in complete accordance with the plans hereby approved.

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

17. Notwithstanding the plans hereby approved and prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing (for the car parking area) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the curtilage of the dwellinghouses, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

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

18. The garage hereby permitted and car spaces to be provided shall be kept available for the parking of motor vehicles at all times.

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, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and and Supplementary Planning Document3: Parking Standards and Design and the National Planning Policy Framework.

19. The development hereby permitted shall not be brought into use unless and until a Waste Management Strategy, which shall include details of refuse and recycling facilities and collection has been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be made available for use prior to the first occupation of the dwellings and shall be retained thereafter.

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

20. No development shall take place until a scheme of sound insulation has been submitted for the prior written approval of the Local Planning Authority. The duly

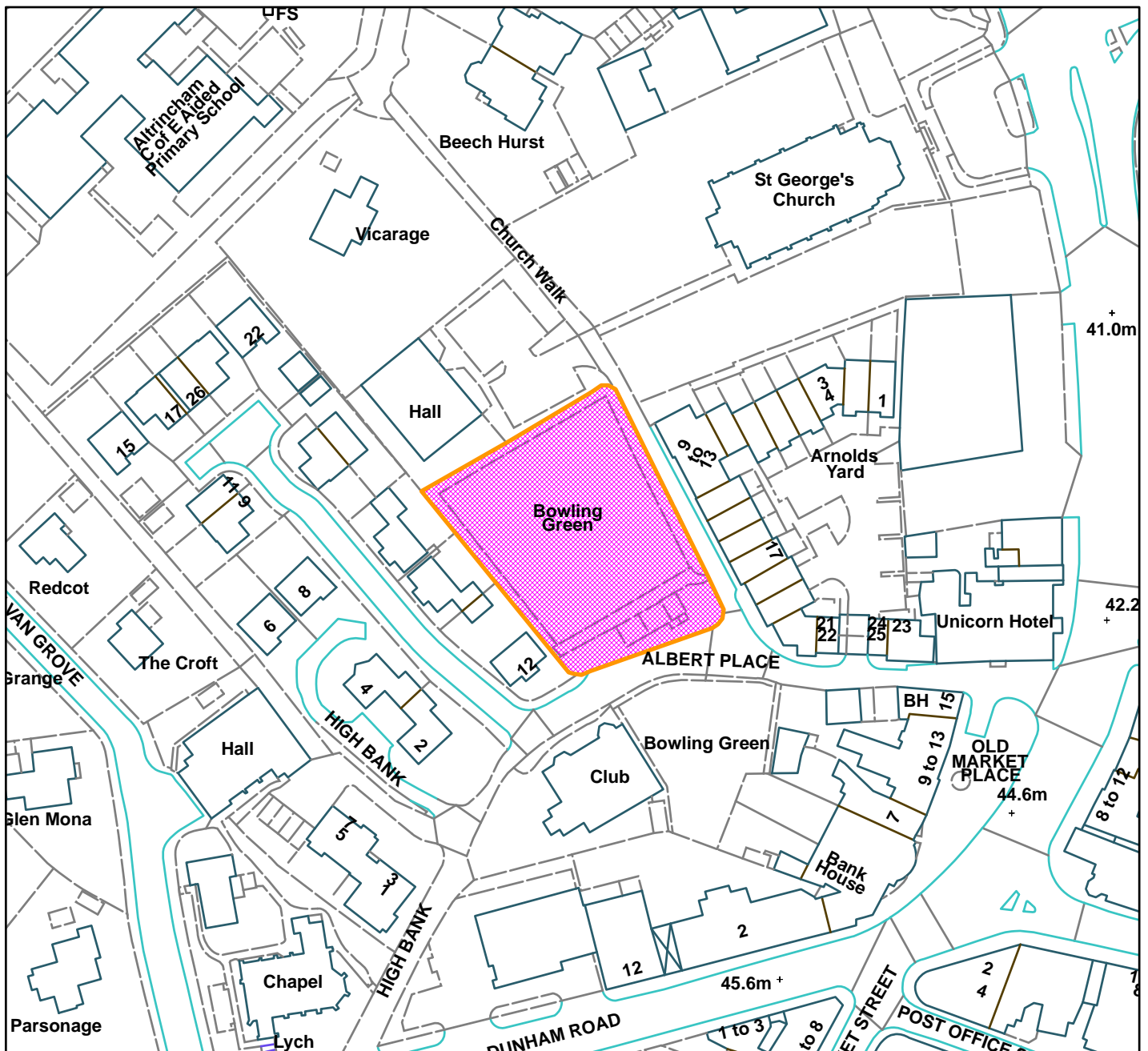
approved scheme shall be implemented in full before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenities of future occupiers of the approved dwellings against noise from nearby sources in accordance with Policy L7 of the Trafford Core Strategy.

JE



Former Bowling Green, Albert Place, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/10/2017
Date	02/10/2017
MSA Number	100023172 (2012)

Application for variation of condition 2 on planning permission 89163/HHA/16 (Erection of a single storey side and a two storey rear extension, with glass balustrade to the rear ground floor level and steps leading to the lower ground floor level extension, following the demolition of the existing double garage). An increase in the area of glazing to the rear elevation of the two-storey rear extension, including the first floor Juliet balcony.

67 Langham Road, Bowdon, WA14 3NT

APPLICANT: Mr Malthouse

AGENT: View Associates

RECOMMENDATION: REFUSE

The application has been reported to the Planning and Development Management Committee as Councillor Sharp has declared a personal interest in the proposal as the application site adjoins his personal residence.

SITE

This site relates to a semi-detached residential dwelling located in a private shared courtyard. The development to which it belongs is Victorian in age, and comprises of a number of adjoining structures of varying height and forming a 'U' shape. The element of the existing development which forms 'The Coach House', No 67A and which faces onto Langham Road has exposed brickwork to its elevations. The adjoining application property is located to the rear of the site and away from Langham Road and its elevations have been rendered in white. The site has shared access from Langham Road with The Coach House. The application site is located within the Bowdon Conservation Area.

PROPOSAL

The application proposes to vary condition 2 of planning permission ref: 89163/HHA/16 to allow minor material amendments to the approved scheme for the proposed erection of a single storey side and a two storey rear extension, with glass balustrade to the rear ground floor level and steps leading to the lower ground floor level extension, following the demolition of the existing double garage.

The proposed alterations to the development proposed are as follows:

- increase in height of glazing at ground floor level to the rear elevation of the rear extension
- increase in width of glazing and Juliet balcony at first floor level to the rear elevation of the rear extension
- the introduction of a glazed element within the gable end of the rear extension

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L7 – Design

R1 – Historic Environment

SUPPLEMENTARY PLANNING DOCUMENTS

Bowdon Conservation Area Management Plan (Adopted July 2016)

Bowdon Conservation Area Appraisal (Adopted July 2016)

SPD 4: A Guide for Designing House Extensions & Alterations (Adopted February 2012)

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

91788/NMA/17 – Application for non-material amendment to planning permission 89163/HHA/16 to allow for an increase in the size of the windows to the rear elevation. Refused 19th July 2017 - on the basis that the increased width and height of the openings of the two-storey rear extension would have represented a material change to the scheme and as such would not have constituted a non-material amendment.

89163/HHA/16 – Erection of a single storey side and a two storey rear extension, with glass balustrade to the rear ground floor level and steps leading to the lower ground floor level extension, following the demolition of the existing double garage. Approved with conditions 4th October 2016

88206/HHA/16 - Erection of a part two/part single storey side and a two storey rear extension, with glass balustrade to the rear ground floor level and steps leading to the lower ground floor level, following the demolition of the existing double garage. Withdrawn

OTHER RELEVANT DOCUMENTS AND LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

CONSULTATIONS

None

REPRESENTATIONS

1 no. letter received from Councillor Hyman. The main points contained therein are summarised below:

- cannot understand why the condition should be contested such a short time after original permission having been issued. N.B. the 'named plans' condition to which the Councillor refers is a standard condition attached to almost all permissions. Asking to vary such a condition is an alternative to having to submit a new householder application which would require the whole scheme to be considered again, a variation limits the assessment to proposed changes and it is not uncommon for an applicant to seek to vary an approval in this way.

OBSERVATIONS

BACKGROUND

1. Planning permission was granted under planning approval 89163/HHA/16 for the proposed erection of a single storey side and a two storey rear extension, with glass balustrade to the rear ground floor level and steps leading to the lower ground floor level extension, following the demolition of the existing double garage.

2. Condition 2 of the approval states that:

“The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans” (named).

3. This application therefore seeks to vary this condition to make amendments to the approved scheme.

PRINCIPLE OF DEVELOPMENT

4. This application seeks approval under Section 73 of the Town and Country Planning Act (1990) (as amended) for minor-material amendments following a grant of planning permission reference 89163/HHA/16 (Erection of a single storey side and a two storey rear extension, with glass balustrade to the rear ground floor level and steps leading to the lower ground floor level, following the demolition of the existing double garage.) granted on 4th October 2016.
5. The minor material amendments proposed are detailed within the proposal section of this report above. The development would remain as approved in other regards. The NPPG states that in determining an application under S73 that the LPA must only consider the disputed conditions that are the subject of the application – it is not a complete re-consideration of the application. Condition 2 lists the approved plans. There is no change to the description of the proposal.

IMPACT ON VISUAL AMENITY, STREETSCENE AND DESIGNATED HERITAGE ASSET

6. Policy 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.
7. 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. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
8. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

9. Policy L7 of the Core Strategy states that 'In relation to matters of design, development must:
- Be appropriate in its context;
 - Make best use of opportunities to improve the character and quality of an area;
 - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment;
10. Policy R1 of the Core Strategy requires 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.
11. The Bowdon Conservation Area Appraisal identified that the application site is within the Character Zone C: Historic Core. The majority of houses in this area are residential. However No. 67a 'The Coach House' which is adjacent to the neighbouring dwelling, is one of the few examples of an ancillary building in this Character Zone. The applicant's dwelling and the Coach House have been identified as a Positive Contributor to the area, due to its form, style, materials, being reflective of development in the area and traditional functional character and former uses in the area.
12. The Bowdon Conservation Area Management Plan (CAMP) was adopted in March 2016. The following policies are of particular relevance to this proposal:

Policy 10

13. If the replacement of doors or windows is proposed, whether the existing is of timber or uPVC, any further replacements should be in timber (unless the original windows can be proven to be of a different material, for example metal) and should represent a significant improvement over the existing. Where windows are replaced, they should respect the size and form of the original opening(s) and glazing bars, and be of an appropriate traditional design. Replacement doors and windows should not detract from the established character of the building.

Policy 42

14. Any proposed extensions should be high-quality and in-keeping with the character of the surrounding historic rear elevations. Extensions, to an existing historic building, should have regard to its established style by respecting the building's established features, form, proportions and materials. Pastiche copying should be avoided.

Policy 44

15. Buildings identified as positive contributors (see Map 3) should not to be demolished, partially-demolished or substantially altered in any way that dilutes their contribution to the Conservation Area unless public benefit can be demonstrated that outweighs the harm
16. The openings approved in planning permission ref: 89163/HHA/16 are already deemed considerably larger and of a contemporary design compared to those openings within the original dwelling and the surrounding pattern of development. However, given the location to the rear and away from the streetscene were considered acceptable at the time of granting permission. Furthermore, in agreeing to such a contemporary design, it was considered a more light weight appearance and increasing the void to solid ratio was appropriate whilst striking a balance with the original character of the property.
17. Policy 10 of the CAMP states that windows should respect the size and form of the original opening and be of an appropriate traditional design. The proposed changes to the fenestration pattern and in the increase in glazing at ground and first floor levels within the rear elevation of the rear extension are considered a significant change to what was approved. The glazing would span in height uninterrupted from the base of the ground floor level up to the tip of the apex below the ridge. The render would lie in two narrow strips to either side of this large expanse of glazing. This would appear incongruous to and significantly depart from the fenestration pattern of the original dwelling failing to respect the form and design of the existing windows and doors. It is considered that this would appear incongruous and as alien feature within the context of the historic building failing to preserve or enhance the character and appearance of the conservation area and would fail to comply with policy 10 of the CAMP.
18. The design amendments sought through this application are considered to be inappropriate and it is considered that the proposed development would result in less than substantial harm to the significance of the Conservation Area. The development would not bring forward any public benefits and therefore in NPPF terms it is not possible for this 'less than substantial harm' to be outweighed. In such circumstances, the Local Planning Authority has no lawful choice other than to refuse the application as it is 'specifically restricted' by the NPPF.
19. For the reasons set out above, it is considered that the proposed changes to the fenestration would result in an incongruous design feature out of keeping with the original dwelling resulting in harm to the visual amenity and failing to preserve the character and appearance of the application site and surrounding Conservation area. As such the proposal is contrary to Policies L7 and R1 of the Trafford Core Strategy and Paragraph 134 of the NPPF. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the Bowdon Conservation Area. It is considered that there are no public benefits that clearly outweigh the less than substantial harm to these heritage assets.

RESIDENTIAL AMENITY

20. 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”*.
21. Paragraph 3.1.1 of SPD4 states that side extensions should not adversely affect the amenities of neighbouring properties.

Privacy and Overlooking

22. Whilst there would be an increase in the area of glazing to the rear elevation of the extension, given there would be no change in the interface distances to the common rear boundary to the properties to Ledward Lane, it is therefore considered that the changes proposed under the current application would have no additional impact with regard to overlooking or loss of privacy to those properties.

Overbearing/visual intrusion

23. No increase in the scale, massing or footprint of the property is proposed as part of this application and as such it is considered that the changes proposed under the current application would have no additional impact with regard to appearing visually intrusive or overbearing to neighbouring properties.

Loss of light and overshadowing

24. No increase in the scale, massing or footprint of the property is proposed as part of this application and as such it is considered that the changes proposed under the current application would have no additional impact with regard to the loss of light or overshadowing to neighbouring properties.
25. 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

26. Planning permission ref: 89163/HHA/16 concluded that the parking arrangement comprising of the single garage and courtyard was acceptable. Given there would be no change to the scale, massing or footprint of the property or an increase in the number of bedrooms as a result of this application, it is considered that the proposal is acceptable on Highway Grounds.

27. Given the nature of the proposal as a domestic house extension it would not be reasonable to add a condition requiring a construction management plan.

CONCLUSION

28. Considerable importance and weight has been given to the desirability of preserving the setting of the designated heritage asset (The Bowdon Conservation Area). The proposal is considered to produce an incongruous design feature out of keeping with the original dwelling and harmful visual amenity, failing to preserve the character and appearance of the conservation area. Furthermore, it has been identified that the proposal would result in less than substantial harm to the significance of the designated heritage asset and no public benefit has been identified which would outweigh this harm.
29. For the above reasons, the application therefore fails to comply with Policies R1 and L7 of Trafford's Core Strategy and the Council's adopted Supplementary Planning Document, SPD4, A Guide for Designing House Extensions and Alterations, Bowdon CAA & CAMP and the relevant paragraphs of the NPPF. The application is therefore recommended for refusal.

RECOMMENDATION

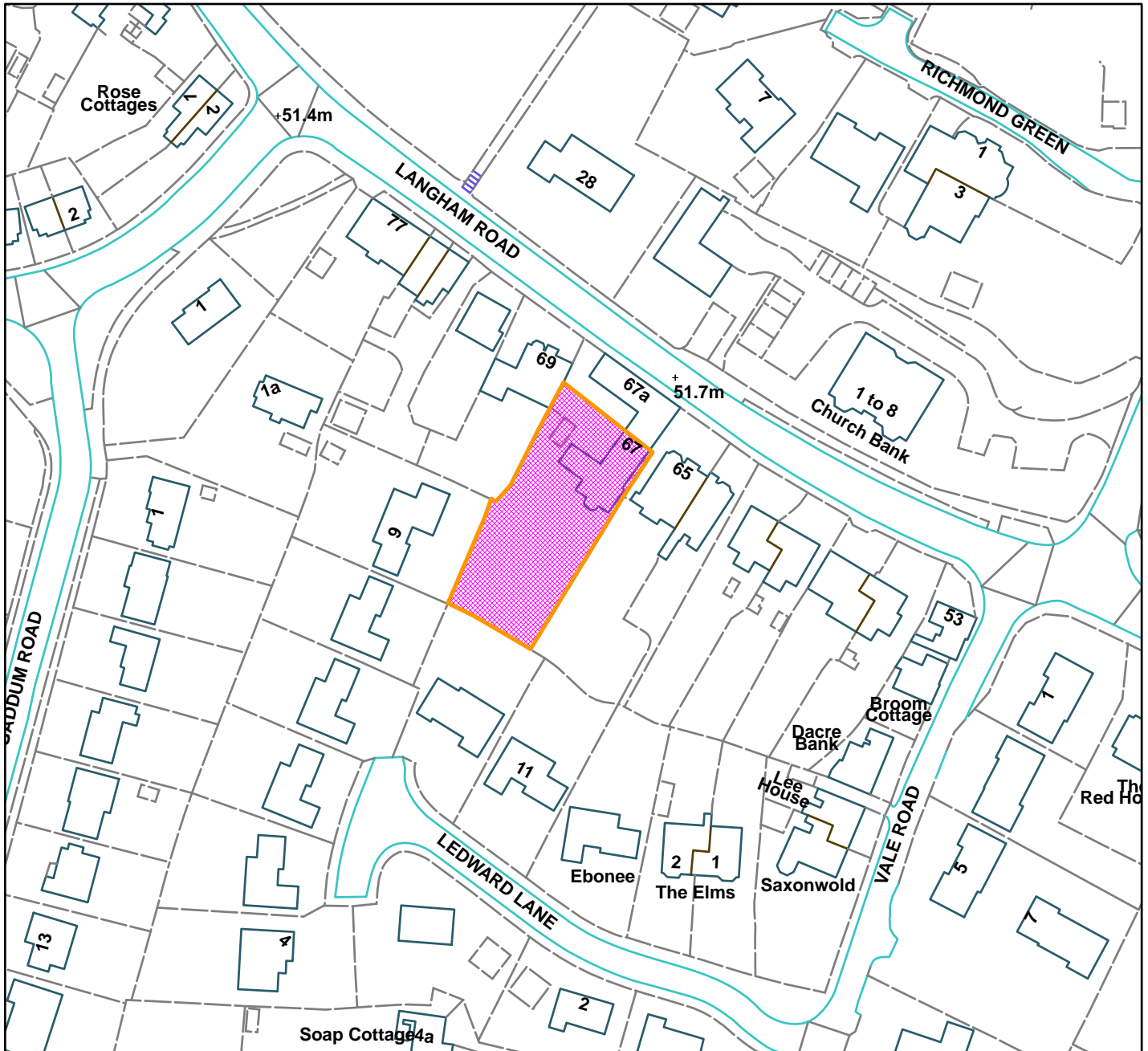
Refuse for the following reason:

1. The proposal, by reason of the proposed fenestration pattern within the rear elevation of the extension, would result in an incongruous design feature which would appear out of keeping and alien to the host dwelling resulting in harm to the character and appearance of the application site and the Bowdon Conservation Area. The proposal would not preserve or enhance the conservation area and is considered to result in less than substantial harm to the significance of a designated heritage asset in circumstances where no public benefit would accrue from the development. . As such the proposal is contrary to Policies L7 & R1 of the Trafford Core Strategy (2012), the guidance contained within Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations (SPD4) (2012) , Supplementary Planning Document 5.9 Bowdon Conservation Area Appraisal (SPD5.9) (2016), Supplementary Planning Document 5.9a Bowdon Conservation Area Management Plan (SPD5.9a)(2016) and the National Planning Policy Framework (2012).

BB



67 Langham Road, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/10/2017
Date	02/10/2017
MSA Number	100023172 (2012)

WARD: Sale

92058/HHA/17

DEPARTURE: No

**Erection of a two storey side and part single/part two storey rear extension.
Demolition of the existing garage and erection of a rear and side decking area.**

58 Lynn Avenue Sale M33 7BW

APPLICANT: Mr Stefan Peilober

AGENT: Mr Jason Cartwright

RECOMMENDATION: GRANT

Councillor Brotherton has requested that this application be determined by the Planning and Development Management Committee for reasons set out within the report.

SITE

This application relates to a semi-detached residential dwelling located within a cul-de-sac on Lynn Avenue, Sale. The dwelling is set back from the highway, with landscaping and hardstanding leading from the highway to a side garage. The applicant property and neighbouring property No. 56 both have their rear gardens set 1.1m lower than the properties' ground floor levels. The dwelling has been previously extended to the rear at single storey with No. 56 also having a single storey rear conservatory built along the common boundary. This boundary consists of 1.6m/1.8m high fencing from ground level.

PROPOSAL

Planning permission is sought for the erection of a two storey side and part single/part two storey rear extension including the demolition of the existing garage and erection of a rear and side decking area.

The proposed side extension would be set back from the main elevation by 2m and would retain a 2.2m gap to the side boundary with No. 60. The single storey rear extension would project by 3.5m; to match that of No. 56's rear conservatory. The first floor rear extension would also project 3.5m and would be 3m from the common boundary with No. 56. The raised decking would introduce a walkway to the rear, to access the principal decking area, located to the south of the dwelling; sitting 1.1m above ground level.

The first floor side and rear extensions would both have a height to the eaves to match the host dwelling to the front and side, with a lower ridge height to the applicant property.

Value Added

Amended plans were sought to introduce a more in-keeping design with regards to the front façade, to move the proposed raised decking, incorporating the principal area of the decking to the south of the property rather than to the west, reducing the impact upon No. 56 Lynn Avenue and to re-locate a bedroom window from the side elevation to the front elevation to prevent overlooking of the garden of No.60.

The increase in floor space of the proposed development would be approximately 46.08 m².

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility;

L7 – Design

SUPPLEMENTARY PLANNING DOCUMENTS

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

None

CONSULTATIONS

None.

REPRESENTATIONS

Neighbours – Five letters of objection were received and contained the following representations:

- Unacceptable impact upon on-street parking
- Insufficient parking spaces for a four bedroom property
- Loss of light upon the rear garden of No. 56 Lynn Avenue
- The proposed raised decking would overlook the garden of No. 56
- The proposed kitchen will be on the other side of No. 56's lounge wall, introducing unacceptable levels of kitchen noise

The above comments will be assessed in the Observations sections below.

- Construction work vehicle access is limited
- The extractor fan terminal from the proposed kitchen would be in close proximity to No. 65's opening conservatory windows.

The above comments are not planning considerations and would therefore not influence the assessment of this application.

A councillor has raised the following concerns:

- Proposed extension is too large for the limited site
- Overlooking upon neighbouring gardens
- Loss of light upon No. 56's living room and kitchen
- Unacceptable parking provision

The above comments will be assessed in the Observations sections below.

OBSERVATIONS

DESIGN AND APPEARANCE

1. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
2. The proposed extensions would be built at the side and rear of the host dwelling, and as such will be visible from the street scene. The two storey side and first floor rear extension will be no taller than the existing property and the eaves height of the extensions corresponds with the host dwelling as seen from the street scene. The proposed two storey rear extension has an asymmetrical roof, which does not appear wholly in keeping with the existing dwelling. However, this will not be visible in the street scene and the proposal is therefore considered to be acceptable in

design terms. The side extension will retain a distance of 2.2m from the common boundary with No. 60, with this distance then increasing further to the south west. Therefore, the proposed side extension would be acceptable in terms of the spaciousness of the area.

3. The proposed single storey rear extension is subservient to the host dwelling by virtue of being single storey on a two storey dwelling. The depth is considered appropriate to a semi-detached dwelling of this nature due to the neighbouring single storey conservatory built along the common boundary with No. 56 and is considered to be in accordance with the Councils SPD, 'A Guide for Designing House Extensions & Alterations'.
4. It is considered that both proposed extensions are acceptable in design terms due to the proposed matching roof slopes and matching external materials.
5. SPD4, 'A Guide for Designing House Extensions & Alterations' indicates that a minimum of a 1m gap should be retained between the side elevation of two storey and first floor side extensions and side boundaries in order to maintain the spaciousness of the area. The proposed development would comply with this guideline.
6. The proposed works are considered acceptable in design terms and would not result in harm to the character and appearance of the street scene. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy.

RESIDENTIAL AMENITY

7. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
8. Section 3.4 of SPD4 relates to single storey and first floor rear extensions. Normally extensions should not project more than 3m at single storey and 1.5m at first floor close to a shared boundary. If extensions are set away from the boundary by more than 15cm, the projection can be increased by an amount equal to the extra distance from the side boundary. Additionally if neighbouring properties have existing extensions built close to the common boundary, these distances can be taken from the neighbouring extensions rear elevation.
9. The single storey rear extension will project 3.5m from the rear elevation and be 0.1m from the common boundary with No. 56. As No. 56 has a single storey rear conservatory built along the common boundary, this proposed projection will not introduce an overbearing impact and therefore complies with SPD4.

10. One of the neighbouring concerns was that this single storey element would block light from the conservatory, due to a brick wall being built close to the conservatory windows which directly face into the applicants rear garden. However, the conservatory also has windows in the rear elevation and therefore the proposal will not result in an unacceptable overbearing impact or unacceptable loss of light.
11. The two storey rear extension would project 3.5m in depth, separated from the boundary of No. 56 by 3m and from No. 43 by 3 metres and would therefore comply with the SPD4 guidelines in this respect.
12. One of the main concerns within the neighbouring and councillor's objection letter is the proposed rear first floor extension's impact upon the rear elevation and rear garden at No. 56. Officers did note that the rear garden of No. 56 is relatively small. This has been taken into account in the assessment of the impact of the proposal. As the extension does maintain a distance of 3m from the common boundary (and therefore complies with the SPD4 guidelines), has a hipped roof sloping away from the boundary and a ridge height significantly lower than the main roof, it is considered that the proposed extension would not introduce an unacceptable loss of light upon the rear garden or habitable windows within the rear elevation of No. 56.
13. The proposed decking will be 1.1m higher than ground level and be 3m from the common boundary with No. 56, with the majority of the decking, bar a raised pathway along the rear, being located to the south of the property. A neighbouring letter states concerns over the potential overlooking this raised decking may introduce to the garden of No. 56. As amendments have been sought to reposition the main element of the decking to the south, with the rear part of the decking being used as an access route, it is considered that no unacceptable overlooking will be introduced via the decking, therefore being acceptable.
14. The proposed decking will have a minimum distance of 2.8m and a maximum distance of 10.1m from the common boundary with No. 60. As the boundary treatment consists of approximately 4m high from ground level, it is considered that the 1.1m high decking would be adequately screened as to prevent any overlooking or loss of privacy upon the neighbouring garden at No. 60.
15. Ground floor French doors proposed in the side elevation of the extension, serving the secondary outlook to the lounge will be 9.5m from the common boundary with No. 60. The ground floor doors will be adequately screened by the existing boundary treatment, as to not introduce any unacceptable overlooking upon the garden of No. 60.
16. Amended plans have been sought to reorganise the internal layout as to remove the formally proposed first floor principal master bedroom window which was located in the side elevation, and replace this with a non-habitable en-suite window. The bedroom window within the front elevation will be less than 21m from any directly facing habitable room windows and the en-suite window within the side elevation will

introduce no unacceptable overlooking due to its non-habitable status. Therefore no overlooking or loss of privacy will be introduced upon neighbouring properties and gardens.

17. Figure 10 in SPD 4 identifies the interface distances that would normally be acceptable between principal outlooks and common boundaries and with other neighbouring principal outlooks at 10.5m and 21m respectively. The distance to the rear common boundary is close to 6.5m, with no dwellings located to the rear. At the front, there would be a 22m distance to No. 25 on the opposite side of the road. The proposal would therefore meet the SPD4 guidelines in this respect.

18. Therefore with regard to amenity, the proposals are considered to be acceptable.

PARKING PROVISION

19. The proposed development will introduce an additional bedroom to the property, maintaining four bedrooms overall. The SPD3 Parking Standards states that three parking spaces should normally be provided for four bedroom properties. There will be adequate space on the hardstanding to the front and side of the property to allow two on-site parking spaces and it is considered that there is scope for on street parking on Lynn Avenue and that the proposal will therefore not result in an unacceptable impact in terms of on-street parking.

DEVELOPER CONTRIBUTIONS

20. No planning obligations are required.

CONCLUSION

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

RECOMMENDATION

GRANT subject to the following conditions:-

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

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 amended plans, numbers 04C, 05A, 06C and 07A.

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 in accordance with Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

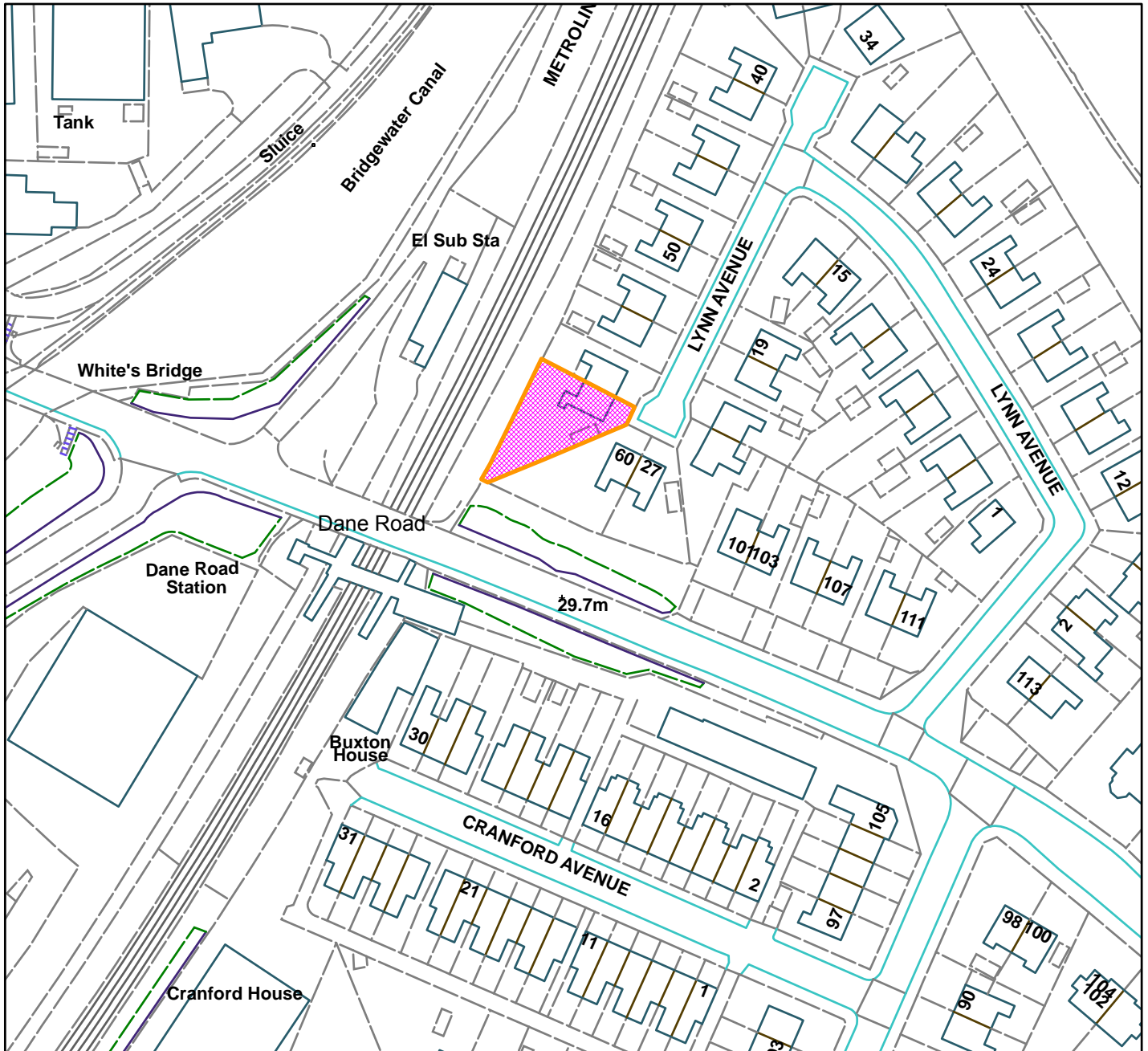
4. Prior to the occupation of the proposed development, two on-site parking spaces must be provided in accordance with the approved plan No. 17048 04C and retained thereafter.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies [L4 and L7] of the Trafford Core Strategy, Supplementary Planning Document 3 - Parking Standards and Design and the National Planning Policy Framework.

PDS



58 Lynn Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/10/2017
Date	02/10/2017
MSA Number	100023172 (2012)

Application for various external alterations to the properties to include: the replacement of existing uPVC porches and flat roofs with timber framed, brick clad porches with new doors and pitched roofs; erection of bay extensions to front elevations at ground floor; new cladding infill panels to the front elevations to replace existing tile hanging; demolition of the rear outbuildings and repairs to the fencing; reroofing of main roofs, with installation of new pitched roof to 'flyover' bedrooms; closing in of balconies on Bollin Court and new pitched roof to its entrance lobby.

The Rivers Estate, Stretford (Old Trafford) 1-12 Thames Court, 1-22 Trent Court, 1-9 Tamar Court, 1-9 Dean Court, 1-24 Weaver Court, 1-6 Bollin Court, 1-10 Avon Court, 1-17 Welland Court Old Trafford M15 4BZ

AGENT: AEW Architects

APPLICANT: Trafford Housing Trust

RECOMMENDATION: GRANT

This application is required to be determined by the Planning and Development Management Committee as a result of the number of representations received exceeding six.

SITE

The former local authority estate of 92 properties known as the 'Rivers Estate' now operated by Trafford Housing Trust (THT). It is set around several cul-de-sacs on a chamfered oblong area of land bounded to the south by Stretford Road, Johnson Street and Trafford Place; to the north by City Road; to the east by the angled Lucy Street; and to the west by the car park of the Old Trafford Community School and two terrace rows of new houses on Eastnor Close and City Road.

The majority of the housing stock comprises a mixture of terraced, semi-detached and linked detached two-storey houses with pitched roofs - set around an estate where houses front onto communal grassed areas with footpaths and lighting, and back onto a series of cul-de-sacs serving the communal car parks. Some buildings resemble two storey houses but host flats (Thames Court (12 flats), Dean Court (6 flats), and maisonettes 23 & 24 Weaver Court, 1&2 and 21&22 Trent Court). Centrally within the estate sits a three storey pitched roof building, Bollin Court, home to 6 flats.

The housing dates from the 1960s and 1970s, comprising shallow pitched roofs, exposed brickwork, hung fascia tiles, flat roof porch canopies and short height window frames. There are 8 different property types on site, comprising flats, maisonettes and houses, all with minor variations to their external appearances. Some of the properties have undergone single storey flat roofed rear extension / front porch enclosures.

Most original windows have been re-fitted with upvc at some point with private rear garden fencing comprising either 1m high timber hit and miss fencing or 1.8m high close boarded timber. The public areas of the estate have been upgraded on at least one previous occasion as is evidenced by the street lighting and green railings that enclose the communal grassed and tree areas and flank estate pathways. TV aerials and satellite

dishes are scattered around the estate on individual properties. 4-9 Dean Court has a mono pitch roof.

PROPOSAL

Permission is sought for various external alterations to the properties as follows:

- **Porches & Roofs:** Removal of existing uPVC, flat roof structures with timber framed, brick clad porches (approx. 0.5m deeper), new colour upvc doors and pitched roofs; re-roofing of whole estate, new pitched roof to existing flat roofed 'flying bedroom'
- **Cladding:** Removal of hung tile on front elevations, provision of new cladding infill panels of varying pastel shades;
- **Glazing:** Replacement of windows throughout with new white uPVC. 0.5m projecting bay(widths 1.8m-3m) to be added to the front of most houses adjacent to the new porch;
- **Rear Outbuildings:** Demolition of the miscellaneous rear attached and detached outbuildings and making good of rear elevations, provision of new sheds in rear gardens (some of these sheds are permitted development);
- **Rear Fencing:** New 2m high hit-and-miss timber fencing to rear gardens of all plots excluding 23,24 Weaver Ct and the Bollin Ct flat block.

Bollin Court Flatted Block: Infilling of open balconies and addition of projecting group window frames on principal elevations, with replacement of existing render with Cedral Panelling or similar within the frames. Restyling of extant entrance extension with sloped roof, partly recessed panelling and replacement of windows throughout with new white upvc.

Works will be phased as follows.

Phase 1 - Trent Court;

Phase 2 - 1-9 Lucy Street;

Phase 3 – Weaver Court;

Phase 4 - Tamar & Bollin Courts; and

Phase 5 – Thames, Avon and Welland Courts and Welland Close

While the application seeks permission for the above works to the whole estate, certain properties are in private ownership and, if granted, it will be up to the respective homeowners of these properties to decide whether or not to authorise THT to carry out the works at their addresses or to pursue private means to complete the work. They can of course opt to have no work done and leave their property as it is.

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; and

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 - Design

PROPOSALS MAP NOTATION

Priority Regeneration Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

None relevant for the estate as a whole. Individual properties have a variety of historical extensions and structures.

APPLICANT'S SUBMISSION

The agent has confirmed that: THT will be completing a number of public consultation exercises with all residents of the estate prior to any planned works commencing. The agent has further explained that they are exploring a number of options on how to undertake the works on properties not owned by them – including ones where costs saved by building joined porches etc (rather than attaching a new structure to an existing one) could be passed on to private owners. The agent concludes by highlighting THT's view that it will be more visually harmonious for the estate if the works are carried out comprehensively rather than in a piecemeal fashion, but will ultimately respect the decisions of the private owners in respect of their properties and make good any built connections.

CONSULTATIONS

Public Protection (Land Contamination) Officers raise no concerns in respect of contaminated land. No remedial conditions necessary.

REPRESENTATIONS

Six objections were received (from properties not owned by THT), raising the following concerns:

- Some properties now belong to private owners, not THT;
- Some residents don't require the porch work to be done and do not expect to pay for it;
- Don't want own outbuilding demolished as is a useful store and utility room;
- Rear outbuildings add financial and space value to house and should be kept and reroofed on sustainability grounds
- Have internally modified to incorporate space to main house;
- Object to loss of rear outbuilding unless a replacement is provided;
- Replacement rear sheds and paving stones will provide only limited unsecured storage;
- Existing window styles limit the options for replacement;
- Hit & Miss fencing not as private as own boarded fence;
- Fencing is in need of replacement in places;
- No objection to pitched roof over flat roofed 'fly-over' bedroom;
- Homeowners have not been made aware of costs associated with development;
- More consultation needs to be done by THT

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. This application seeks to regenerate this estate in a Priority Regeneration Area. The Principle of Development is thus supported.

DESIGN AND APPEARANCE

2. 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*".
3. In relation to matters of design, Policy L7 of the Core Strategy states development must:
 - Be appropriate in its context;
 - Make best use of opportunities to improve the character and quality of an area;
 - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
4. The alterations to modernise this estate will refresh the tired exteriors of the houses and flats and create a more contemporary street scene and visually attractive residential estate.
5. The proposed fenestration alterations and ground floor bay projections are considered visually acceptable, as is the closing of the small balcony spaces on Bollin Court on security and amenity grounds. The removal of the hung tiles and replacement with cladding in a range of pastel colours (one colour per house), and a ridged roof porch is welcomed and will refresh and add some identity to the

otherwise identical and utilitarian 1960s exteriors still common across the Rivers Estate. This will bring the development visually in line with the other recent upgraded THT estates to the south of Stretford Road and north of City Road and improve the quality of the built environment residents' experience.

6. The tidying up of rear elevations, removal of the rear additions and provision of new garden sheds would go some way to improving rear amenity and outlook from the rear windows. While it is understood that not all properties are in THT's ownership, and that it will be for individual owners to determine whether to authorise/arrange for the works to be undertaken, this fact in isolation is not a material consideration in determining the proposal.
7. The position of the single storey garden sheds have been indicated but appearance and height have only been implied by 3D axonometric drawings. This allows for some scope for personalisation of these structures by way of final design and colour. The only dimension not specified on plan is their height- and so this should be restricted by condition (maximum 2.3m) to prevent overly dominant structures from being built. The need to restrict further Permitted Development structures is not considered necessary. In any event, most, but not all of the gardens face adopted vehicular highways to the rear and the erection of outbuildings in those are already restricted by the General Permitted Development Order (GPDO).
8. With regards materials, details will need to be submitted in respect of roof tiles, brickwork, windows and frames, which can be covered by condition. However, flexibility should be applied to the colour range of proposed front elevation renders so that residents/THT/owners can choose from a range of colours approved by condition at this stage. This would override the indicative colour assignments on the submitted plans, and allow for resident personalisation without the need for further council approval or variation of details.
9. The scheme is considered acceptable in design terms and would satisfy the aims of Policy L7.

RESIDENTIAL AMENITY

10. Some owners-occupiers have objected on the grounds that the removal of their attached and detached outbuildings will impact negatively on their personal amenity within their homes and gardens. This matter is a moot point as the proposed works can only take place, even if planning permission is approved, with their express consent as private homeowners. The granting of planning permission does not override their rights as property owners.
11. Planning permission runs with the land / property, not the owner. The applicant has followed the requirements of the Planning Act 1990 (as amended) and served notice B on all other owners of properties within the redline boundary plan. If this proposal is granted permission, then that decision does not alter the ownership of the premises. If any part of the consent is then implemented within the statutory 3 year time limit for commencement, a private owner could, under current case law, opt to implement the same works at their own leisure and expense at any point in the future. THT will not undertake works to a property they do not own without the necessary authorisation and / or payment.

12. In any event, while there would be some loss of utility space resulting from the removal of the small rear additions, the replacement porches would be built to modern building regulations standards, with porches offering between 0.8m² -1.5m² of additional space compared to the original rear outbuildings. The new ground floor bay-window extensions would comprise between 1m² and 3m² of additional internal living space at the front of the house.
13. The amenity impacts resulting from the bay and porch extensions would not be harmful to neighbouring properties and would be sympathetic to the proportions of the existing buildings – porches roughly 0.5m deeper than the existing porches and the bays 0.5m further forward than the existing front wall. Windows in the porch would not be forward enough to afford any sort of view back in to the attached frontage windows in adjacent properties. There would be no impact on privacy, nor unacceptable impacts on the degree of daylight, sunlight or outlook enjoyed by properties across the estate.
14. The enclosure of the small balconies on Bollin Court is acceptable as the spaces will form part of the enclosed habitable space, able to perform an ancillary utility function without compromising the security of each flat from climbing criminals.

SECURITY AND DESIGN

15. The estate has already been subjected to some of the principles of designing out crime by way of the fencing to enclose gardens and new lighting and the proposals to alter the fencing to the rear gardens would bring the remaining aspects of the estate forward to a compatible standard.

CAR PARKING

16. There are no proposals to change the existing vehicle car parks on the estate.

A NOTE ON OWNERSHIP

17. While the application seeks permission for the above works to all of these addresses, certain properties are in private ownership (as detailed on Ownership Certificate B, of the application form) and, if granted, it will be up to the respective homeowners of these properties to decide whether or not to authorise THT to carry out the works at their addresses or to pursue private means to complete the work.

CONCLUSION

18. 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 following submitted plans:

S9689-AEW-00-PSE-DR-A_007 (Phased Street Elevations Phase 1 & 2)
S9689-AEW-00-PSE-DR-A_008 (Proposed Street Elevations Phase 3&4)
S9689-AEW-00-PSE-DR-A_009 Proposed Street Elevations – Phase 5.pdf
S9689-AEW-01-EP-DR-A_130_House Type 1- Existing Floor Plans -Elevations
S9689-AEW-01-PP-DR-A_131_House Type 1- Proposed Floor Plans- Elevations
S9689-AEW-02-EP-DR-A_132_House Type 2- Existing Floor Plans - Elevations
S9689-AEW-02-PP-DR-A_133_House Type 2- Proposed Floor Plans - Elevations
S9689-AEW-02A-EP-DR-A_134_House Type 2A - Existing Floor Plans – Elevations
S9689-AEW-02A-PP-DR-A_135_House Type 2A – Proposed Floor Plans – Elevations
S9689-AEW-03-EP-DR-A_136_House Type 3- Existing Floor Plans – Elevations
S9689-AEW-03-PP-DR-A_137_House Type 3- Proposed Floor Plans – Elevations
S9689-AEW-04-EP-DR-A_138_House Type 4- Existing Floor Plans
S9689-AEW-04-EP-DR-A_139_House Type 4- Existing Elevations
S9689-AEW-04-PP-DR-A_140_House Type 4- Proposed Floor Plans
S9689-AEW-04-PP-DR-A_141_House Type 4- Proposed Elevations
S9689-AEW-05-EP-DR-A_142_House Type 5- Existing Floor Plans
S9689-AEW-05-EP-DR-A_143_House Type 5- Existing Elevations
S9689-AEW-05-PP-DR-A_144_House Type 5-Proposed Floor Plans
S9689-AEW-05-PP-DR-A_145_House Type 5-Proposed Elevations
S9689-AEW-06-EP-DR-A_146_House Type 6-Existing Floor Plans
S9689-AEW-06-EP-DR-A_147_House Type 6-Existing Elevations
S9689-AEW-06-PP-DR-A_148_House Type 6-Proposed Floor Plans
S9689-AEW-06-PP-DR-A_149_House Type 6-Proposed Elevations
S9689-AEW-07-EP-DR-A_150_House Type 7-Existing Floor Plans
S9689-AEW-07-EP-DR-A_151_House Type 7-Existing Elevations
S9689-AEW-07-EP-DR-A_152_House Type 7-Existing Elevations
S9689-AEW-07-PP-DR-A_153_House Type 7-Proposed Floor Plans
S9689-AEW-07-PP-DR-A_154_House Type 7-Proposed Elevations
S9689-AEW-07-PP-DR-A_155_House Type 7-Proposed Elevations
S9689-AEW-08-EP-DR-A_156_House Type 8-Existing Floor Plans
S9689-AEW-08-EE-DR-A_157_House Type 8-Existing Elevations
S9689-AEW-08-PP-DR-A_158_House Type 8-Proposed Floor plans
S9689-AEW-08-PE-DR-A_159_House Type 8-Proposed Elevations
S9689-AEW-00-TP-DR-A_012_House - flat type plan
S9689-AEW-00-TP-DR-A_010_Existing Boundary Treatments
S9689-AEW-00-TP-DR-A_011_Proposed Boundary Treatments

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

3. Notwithstanding any indicative depictions on submitted plans of the render colours for the areas of hung-tiles being removed - the finished colour of the render on each building exterior shall comprise one of the colours from the approved Cedral Cladding Colour Options schedule of render colours on drawing number S9689-AEW-00-CC-DR-A_013. P1.

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

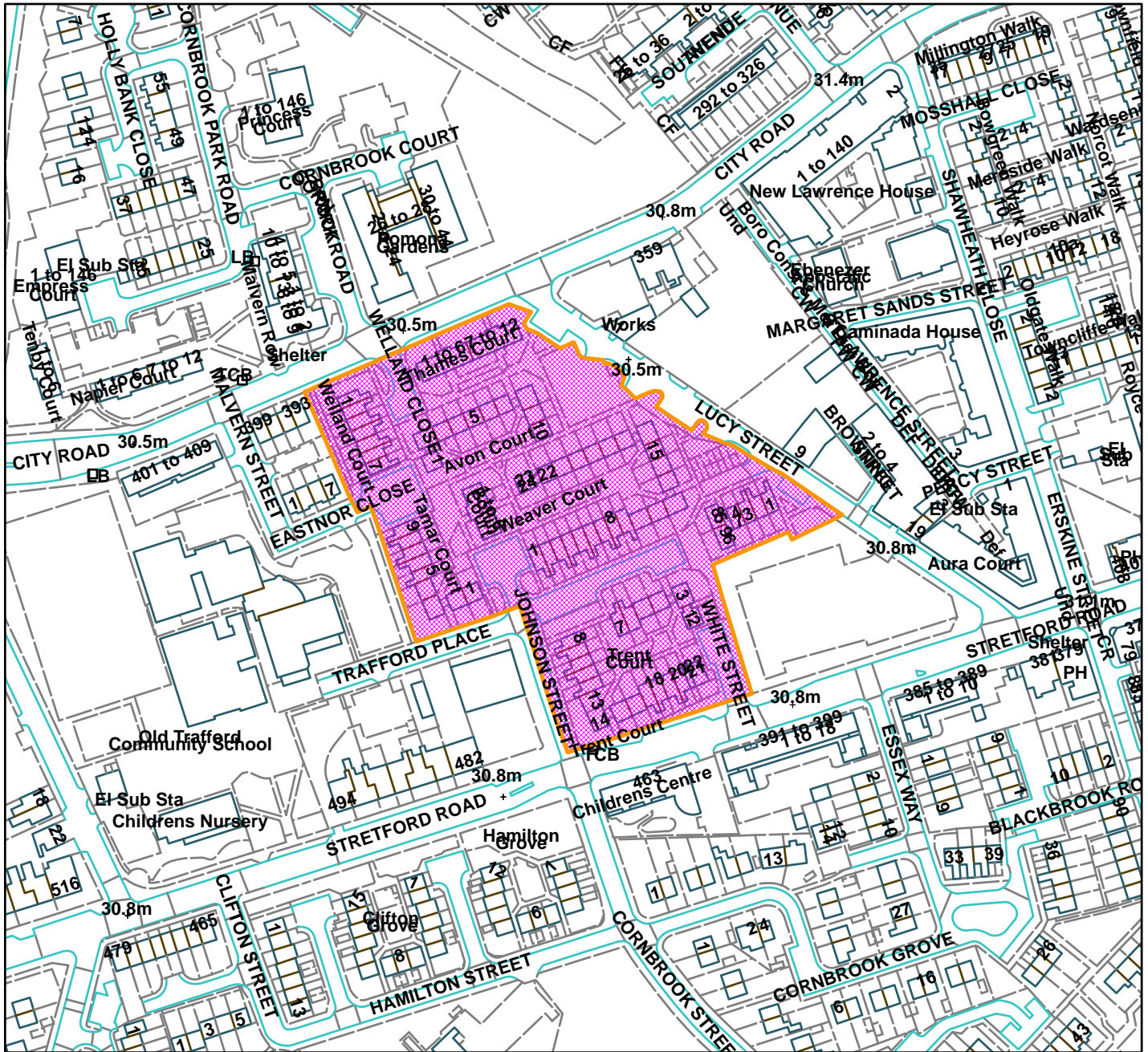
- 4 Notwithstanding the indicative details shown on the approved plans, none of the ancillary garden sheds to be erected on individual plots shall exceed a maximum height of 2.3m when measured from the ground level immediately adjacent to each of the structures.

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

FG



1-12 Thames Ct, 1-22 Trent Ct, 1-9 Tamar Ct, 1-9 Dean Ct, 1-24 Weaver Ct, 1-6 Bollin Ct, 1-10 Avon Ct, 1-17 Welland Ct
 Old Trafford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/10/2017
Date	02/10/2017
MSA Number	100023172 (2012)