

**WARD:** Broadheath

**90597/OUT/17**

**DEPARTURE: No**

**Outline application for the erection of a two storey detached dwelling (consent is sought for access and layout with all other matters reserved).**

Land Adjacent to Station Cottages, Manchester Road, Altrincham

**APPLICANT:** Iconic Developments Ltd

**AGENT:** Trinity Architecture & Design Ltd

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

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**The application is reported to Planning and Development Management Committee as 6 or more objections have been received in respect of the application.**

### **SITE**

The application site is located on the northwest side of Manchester Road (A56) to the west of a row of two storey terraced dwellings known as Station Cottages. To the rear of the site runs the dis-used railway line. The area of land is currently overgrown, with a number of trees and vegetation lining the boundaries of the site.

Station Cottages are considered to be non-designated heritage assets.

The wider surrounding area is mixed with residential and commercial properties along Manchester Road.

The application site is designated Protected Open Space, and adjacent to a wildlife corridor which runs along the railway line.

### **PROPOSAL**

Outline planning permission is sought for the erection of a two storey detached dwelling. Consent is sought for access and layout with all other matters reserved (appearance, landscaping and scale).

#### **Access**

The proposed access to the development would be via the existing access from Manchester Road to the front of the Station Cottages.

#### **Layout**

The scheme is for the creation of one house located at the end an access road with turning head along with the formation of three parking bays for the existing cottages.

Two parking spaces are proposed for the new dwelling adjacent to the south boundary of the site.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes  
L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

## **PROPOSALS MAP NOTATION**

Protected Linear Open Land  
Protected Open Space  
Adjacent to wildlife corridor

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

PG1: New Residential Development (2004)  
Revised SPD1: Planning Obligations (2014)  
SPD3: Parking Standards and Design (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**

86066/OUT/15 – Outline application for the erection of a two storey detached dwelling. Application withdrawn 9 September 2015.

### **1 Station Cottages**

H/41225 – Formation of new vehicular access to Manchester Road  
Approved with conditions 25 October 1995

## **APPLICANT'S SUBMISSION**

An Open Space Policy Statement, Ecology Report and Design and Access Statement have been submitted with the application.

## **CONSULTATIONS**

**Local Highway Authority** – No objection.

**Lead Local Flood Authority** – Conditions are recommended in relation to SUDs, porous material for hardstanding, infiltration test on land proposed for a soakaway and submission of full drainage details.

### **United Utilities:-**

#### **Drainage**

A public sewer crosses the site and UU may not permit building over it. An access strip will be required width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

#### **Water**

The level of cover to the water mains and sewers must not be compromised either during or after construction.

**GMEU** – The Phase 1 Habitat Survey was conducted on 18<sup>th</sup> November 2016, which is outside the optimum time to conduct such a survey, however given the nature of the site GMEU are satisfied that the results would not be significantly different if they were undertaken at the optimal time of the year. GMEU are therefore satisfied with the survey effort.

**Network Rail** – Network Rail is aware of issues with noise and vibration for adjacent and neighbouring residents to the railway line that residents of dwellings adjacent or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. Mitigation measures and conditions are therefore recommended to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

## **REPRESENTATIONS**

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

- Adverse impact on visual amenity from residents of Lindsell Road and Station Cottages;
- Overlooking and loss of privacy;
- Disruption from building works;
- Impact on highway safety;
- Lindsell Road was made one way only at the top section for the reason of reducing traffic flow onto Manchester Road so to add further traffic from a very obscured entrance would seem a backward step;
- Noise from cars coming and going and additional parking spaces;
- Out of date ecological survey;
- Applicant appears to have changed their mind with regard to providing a nature reserve;
- The status of the applicant is concerning in that the legal entity, Iconic Developments Ltd, does not exist which raises the question as to the validity of the application and rights to the planning consent should it be given;
- Loss of open space contrary to policy;
- Concerns regarding siting over a sewer and potentially preventing access;
- Inadequate room to allow the passing of a vehicle and access the cottages at the same time;
- No indication regarding orientation of dwellings;
- Adverse impact on the enjoyment of adjacent private gardens;
- Insufficient light to proposed dwellings;
- Adverse impact on wildlife;
- The title documents contain an absolute restriction that says the site can't be developed within 7m of the old BR land yet the proposed house is only about 3-4m from the rear boundary. The proposal is in breach of that title condition. Is it

likely that BR would seek to enforce that condition and therefore the planning application could be immaterial?

- Concerns regarding Japanese Knotweed and lack of remediation;
- Doubtful anyone will see the benefit of the loss of the public open space;

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. Paragraph 49 of the NPPF indicated that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
2. Paragraph 14 of the NPPF indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
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 this planning application 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. Policy L1 of the Core Strategy seeks to release sufficient land to accommodate a minimum 12,210 new dwellings (net of clearance) over the plan period up to 2026. The development should also be considered against the provisions of Policy L2 in terms of its ability to meet identified housing needs within the borough.
5. Policy L1.7 sets out an indicative target of 80% of new housing provision to use brownfield land and buildings over the Plan period.
6. The proposal is for the erection of 1 no. dwelling on greenfield land. Policies L1.7-L1.9 of the Trafford Core Strategy apply.
7. Specifically, Policy L1.7 sets an indicative target of 80% of 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).
8. The first priority cannot relate to this proposal because the site does not sit within either the Regional Centre or Inner Area. Therefore the application will need to be considered against the second and third points of Policy L1.7.
9. The proposal does not comply with Policy L1.7 as it does not fall within Altrincham Town Centre. The site is however located in a sustainable location. The site is situated along the main A56 corridor, with frequent bus services to Altrincham Town Centre. As stated in the Greenfield Land Statement submitted with the application, *"It is a sustainable urban area greenfield location with excellent public transport links, as well as cycle infrastructure, and it is highly likely that the future residents of a house on this site will use Altrincham Town Centre frequently for its retail, leisure and/or commercial offer. Furthermore, linked trips into the Town Centre including for onward travel through the busy transport interchange are likely."* 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. As such the principle of the development is considered to be acceptable and in accordance with the Development Plan and the NPPF.
10. Other main issues for consideration are the impact on the protected open space, impact on heritage asset, design parking and highways and ecology.

### Loss of Open Space

11. 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.
12. 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.

13. 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;
- Protecting and improving the quality of open space and outdoor sports facilities so they are fit for purpose;
- Securing a network of high quality play spaces and activity areas that are easily accessible to children and young people close to where they live;
- Establishing a clear hierarchy of greenspace sites with provision of Borough Parks, Town Parks, Neighbourhood Parks and Local Parks to serve communities appropriately;
- Establishing a clear hierarchy of leisure and sports facilities based on 3 types of provision across the Borough;
- Making the best use of community buildings, schools and other suitable assets to provide facilities and promote participation in a range of leisure activities; and
- Securing provision of cemetery and burial space in line with projected needs and improve the quality of existing sites;

14. Accordingly developers will be required as appropriate to demonstrate how their development will protect, and encourage the use of Trafford’s open space and sports/recreation facilities.

15. The combined areas of the site and the disused railway provide a small area of greenspace in an otherwise residential area. Information provided in the supporting documents indicates that historically the site has been in use as allotments although it is not clear when this use ceased. A large proportion of the site that is located within the original designation of protected open space has

since been taken over by garden extensions to properties on Lindsell Road although no planning records can be found relating to this change of use of the land. The remaining site is not used as public recreational land as it is in private ownership and it is considered that due to its elongated shape and siting adjacent to private dwellings that the probability of this land being used in any meaningful way as public open space is low.

16. 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”*), mitigation of the loss of the area to be given over to the dwelling and hardstanding is an important factor. This mitigation should take the form of enhanced landscaping to the remaining area and also having regard to the adjacent wildlife corridor.
17. The submitted Ecology Report implies mitigation in the form of the hedgerow and wildlife area. The report identifies four main opportunities for strengthening the ecological network in this area which will provide some benefit to the green infrastructure of the area. These opportunities are to:
  - i. Retain or replace existing trees and enhance the age and diversity around the site with new tree planting;
  - ii. Seek opportunities with neighbouring property owners to improve the ecological connectivity of the site with sites of ecological value in the vicinity;
  - iii. Consider the incorporation of natural features on site in any future development scheme to add to the habitat diversity and allow connectivity through wildlife corridors;
  - iv. Consider other opportunities for species conservation such as the erection of nests boxes for bird species, and bat boxes.
18. In addition to the proposed ecological mitigation, it is also considered that a financial contribution towards the supporting existing open space within the borough would further mitigation for this loss, this would be secured by way of S106 legal agreement. This would be consistent with the recent approach taken on application 91951/FUL/17 (Former Bowling Green, Albert Place, Altrincham).
19. 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 contribution would be used to enhance the quality at the nearest available site. 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 £7,720.65. 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.

20. The development would result in an loss of open space, however it is considered that adequate mitigation can be sought through planning conditions relating to the ecological enhancement of the site and a financial contribution towards open space. In this regard it is considered that the proposal is acceptable and in accordance with the local Development Plan and the NPPF.

### IMPACT ON NON-DESIGNATED HERITAGE ASSET

21. Paragraph 131 of NPPF states that:

*“In determining planning applications, local planning authorities should take account of:*

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

22. 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.

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

- Be appropriate in its context;
- Make the 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.

24. 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.*

25. It is considered that the proposed new dwelling would be sited a significant distance from the existing Station Cottages and would have no significant impact on the character and setting of this non-designated heritage asset in accordance with Policies R1 and L7 and the NPPF.

## DESIGN

26. The proposed application is in outline, with layout to be considered. The proposed dwelling is sited to the west of Station Cottages and to the rear of gardens of the neighbouring properties on Lindsell Road to the south of the site. The proposed dwelling would be sited at the end of an access road with a turning area and newly created parking area for the existing properties to be positioned adjacent to the cottages.

27. Given the size and shape of the site, the proposed layout is considered to be appropriate subject to its final design. As such the proposal is considered to be in accordance with policy L7 of the Core Strategy.

## RESIDENTIAL AMENITY

28. Policy L7 states that in relation to matters of amenity protection, development must:

- Be compatible with the surrounding area
- Not prejudice the amenity of the future occupants of the development and / or occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

29. 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).

30. These standards advise that for new two storey properties, the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. Private rear garden areas should not be closely overlooked. Distances to rear garden boundaries from main windows should be at least 10.5m for 2 storey houses.

31. The separation distance between the front of the proposed dwelling and the end terrace property closest to the new dwelling (4 Station Cottages) is approximately 29m and therefore exceeds the relevant guidelines to protect privacy and prevent overlooking.

32. The distance from the side of the property to the rear garden boundaries to

properties on Lindsell Road to the south of the site is approximately 4.5m with the distance to the neighbouring buildings themselves being approximately 17.5m. These distances would prevent any habitable room windows at first floor in the south facing elevation and sufficient boundary screening would need to be in place to ensure that any windows at ground floor do not result in close overlooking or loss of privacy. These details can be agreed at reserved matters stage.

33. The proposed new dwelling would have an adequate area of private amenity space to the west of the property.
34. Details of design (appearance and scale) are to be submitted at reserved matters stage. Subject to appropriate details at reserved matters application (including floor plan layout), the provision of one additional dwelling with associated access and parking in this location and its associated comings and goings are not considered to result in any undue impact on the residential living conditions of adjacent properties in accordance with Policy L7 of the Core Strategy.

#### ACCESS, PARKING AND HIGHWAYS

35. 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 operation space.
36. The Local Highway Authority has been consulted on the application and raises no objection.
37. The proposed application is in outline and access is to be considered. The proposed access to the site would utilise the existing access off Manchester Road, in front of station cottages. The proposal would result in a new access road being formed into the site with turning head and car parking for the proposed dwelling and the existing cottages
38. The utilisation of the existing access is considered to be acceptable and the LHA have raised no objection to this stating 6m would be available in front of the cottages providing for safety access to the development. In this regard the access proposed is considered to be acceptable and would not result in harm to highway or pedestrian safety in accordance with L4 of the Core Strategy.
39. The proposal would in principle have space to provide 3 car parking spaces for the proposed dwelling in accordance with the standards set out in SPD3.
40. In addition is considered that principally that the site would be adequately serviced without harm to highway safety. In this regard the proposal is

considered to provide adequate access to serve the proposed development in accordance with Policy L4 of the Core Strategy and SPD3.

## ECOLOGY

41. Policy R2 of the Core Strategy states that to ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate how their proposal will:
- Protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and
  - Protect the natural environment throughout the construction process.
42. The application site is designated as Protected Open Space and the adjacent disused railway line is a Wildlife Corridor. Notwithstanding this, the site currently comprises a mix of overgrown land and bare land that appears to have been used for informal parking/storage. Trees and vegetation line the boundaries of the site. Evidence of fly tipping existed on site at the time of carrying out a site visit.
43. An ecology overview report and Phase 1 habitat survey has been submitted with the report. This concludes that the biodiversity value within the site and the contribution that the site makes to the adjacent wildlife corridor is minimal.
44. The existing boundary planting will be retained and protected in accordance with the submitted Arboricultural Assessment. The Design and Access Statement advises that additional planting is proposed along the site boundaries.
45. GMEU have been consulted on the proposal and detailed comments have been incorporated into the subheadings below.

## Birds

46. The trees and scrub on the site have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). It is therefore recommended that works to trees and scrub, including site clearance should not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person. It is therefore suggested that a condition to this effect would be added to any permission in order to protect wild birds in accordance with Policy R2.

## Trees

47. The trees to the north of the application site should be retained where possible as these form a barrier from the development site and the wildlife corridor. The trees should be protected from the development to prevent damage to the root system. Protection should follow guidelines presented within BS 5837:2012

'Trees in relation to design, demolition and construction.' It is therefore recommended that a condition would be added to any permission granted to ensure full tree protection measures are implemented on site before any works take place.

### Lighting

48. Artificial lighting can affect the feeding and commuting behaviour of bats. Bats will use the wildlife corridor and retained trees to the north of the proposed development for commuting and foraging. It is therefore recommended that any lighting (during and post development) be directed away from any of the retained trees. This would be secured by way of condition should planning permission be granted.

### Invasive Species

49. Although not identified on the recent surveys a small stand of the invasive Japanese knotweed was identified during the 2011 survey by Bowland Ecology, this was located at the entrance of the site adjacent to Station Cottages. If this is still present and any proposed works have the potential to spread this species, it will require treatment and removal by specialist contractors. It is an offence under the terms of the Wildlife and Countryside Act to allow this plant to grow in the wild. Japanese knotweed is also classified under the Environmental Protection Act 1990 as "controlled waste". The act states that controlled waste should be disposed of by qualified contractors within licensed disposal sites. If this species is still present and to be affected by the works the developer would have obligations under this legislation to deal with the Japanese Knotweed correctly and an informative will be included to that effect.

### Biodiversity Enhancement

50. In line with Section 11 of the NPPF, it is recommended that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development;
- Bat boxes
- Bird boxes
- Native tree and shrub planting

### Conclusion

51. Subject to the recommended conditions and informatives, it is considered that the proposal would be acceptable and in accordance with Policy R2 and would provide suitable mitigation against the loss of the designated Protected Open Space in accordance with Policy R5.

## CLIMATE CHANGE AND DRAINAGE

52. 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.
53. In accordance with consultation comments received from the Lead Local Flood Authority and United Utilities, conditions are recommended requiring the submission of a full, detailed drainage design, SUDs scheme, porous material for hardstanding, infiltration test on land proposed for a soakaway and submission of full drainage details.

## OTHER MATTERS

54. A condition requiring a Construction Method Statement to be submitted is considered to be necessary to prevent an undue impact on the adjacent residents during construction of the proposed development.
55. The status of the applicant has been raised by an objection however this is not a material planning consideration.
56. In addition objections raise concern that there are restrictions or covenants on the land. If planning permission is granted this does not bestow a right to build. It is the responsibility of the applicant to obtain any other necessary permission to carry out development or to establish that there is no other reason e.g. covenants which may restrict a right to carry out works. Therefore planning permission can be granted immaterial of any covenants as they are not material planning considerations in the assessment of a planning application.

## CONCLUSION

57. The key benefit of the proposal is the delivery of a new dwelling in a sustainable location. Whilst the proposal would result in the development of a greenfield site and the loss of open space 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.
58. The scheme has been assessed against the development plan and national guidance and it is considered that the proposed development would 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 character of the surrounding area more generally. Subject to securing a financial contribution for the improvement to existing local open space facilities and other ecological improvement to the site, the loss of the open space is considered to

be in accordance with Core Strategy Policy, NPPF Paragraph 74 and SPD1: Contributions.

59. 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 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.

## **DEVELOPER CONTRIBUTIONS**

60. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

61. 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 is recommended.

62. In line with the standards contained in SPD1 a financial contribution of £7,720.65 towards the enhancement of existing open space facilities will be required.

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

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 towards enhancing the quality of existing local facilities to compensate for the loss of protected open space at the application site.

- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -
1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers T11-33 01 Rev D, SCP/15176/ATR02, T11-33 03 and 17-2637 DR01.

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

4. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed



development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

6. 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. The mitigation strategy shall be implemented as approved.

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

7. No external lighting shall be installed on the site during and post construction of the development hereby approved unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall only be lit in accordance with the approved scheme.

Reason: In the interests of amenity and bats and having regard to Policies L7 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

9. 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 dwellinghouse, 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.

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

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

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

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

12. 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 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.

13. 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. Native trees and shrubs shall be used where appropriate.
- 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.

14. No development shall take place unless and until a scheme incorporating opportunities for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. Such measures to include bat bricks and/or tubes within the new development, bat boxes and bird boxes and native tree and shrub planting. The approved details shall be implemented in full prior to the occupation of the dwelling hereby approved and retained as such thereafter.

Reason: To ensure adequate ecological mitigation having regard to Policies R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

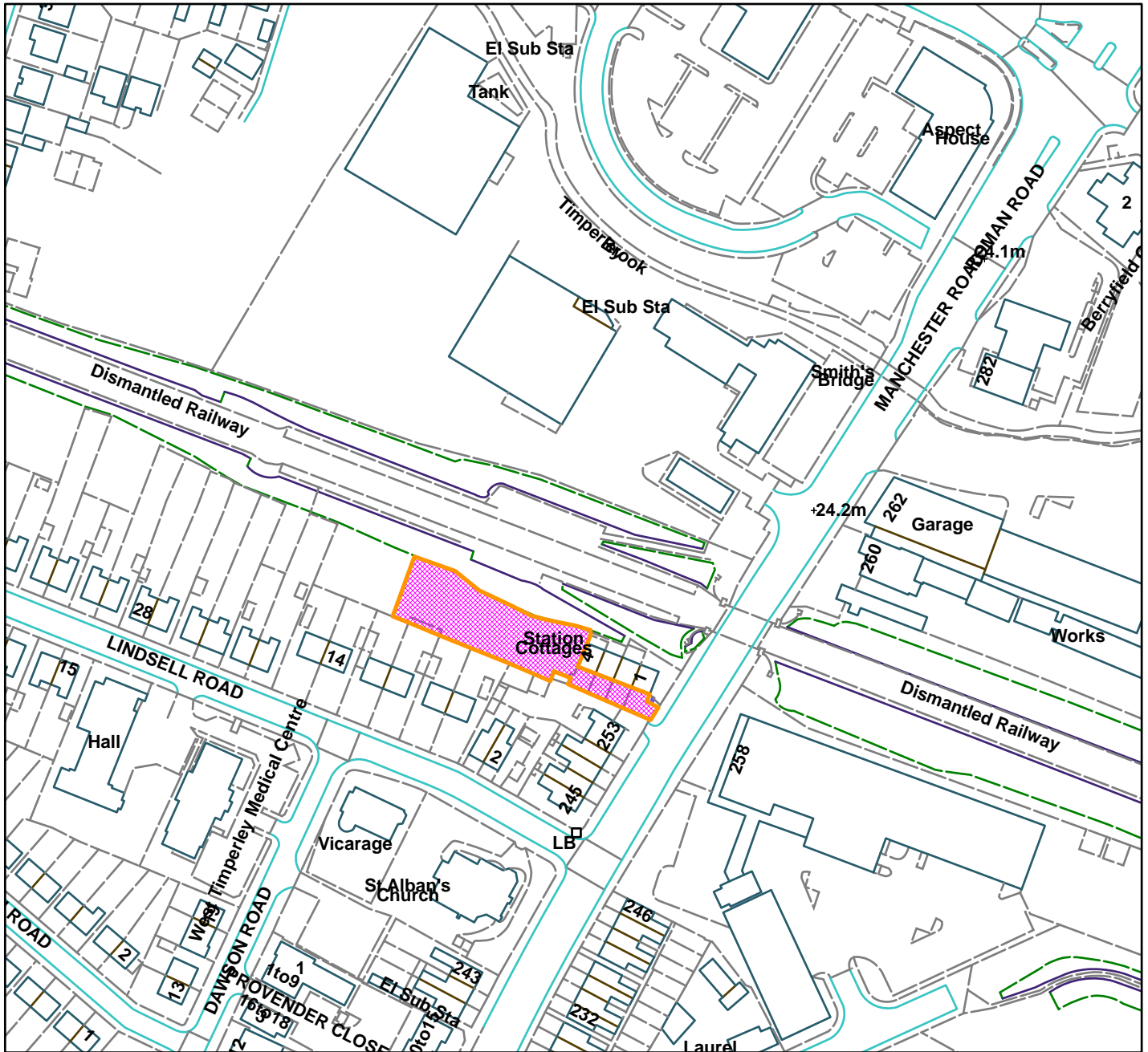
Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

JE

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Land adjacent to Station Cottages, Manchester Road, Altrincham (site hatched on plan)



Scale: 1:1,750

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/04/2018
Date	29/03/2018
MSA Number	100023172 (2012)

**WARD:** Hale Barns

**92767/FUL/17**

**DEPARTURE: No**

**Demolition of existing dwelling and redevelopment of site to provide a new 72 bedroom care home (Use Class C2) together with associated access, car parking and landscaping.**

Great Heys , 74 Bankhall Lane, Hale Barns, WA15 0LW

**APPLICANT:** Octopus Healthcare

**AGENT:** Strutt and Parker

**RECOMMENDATION: REFUSE**

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**The application has been reported to the Planning and Development Management Committee since six or more representations contrary to the Officers' recommendation have been received.**

### **SITE**

This application relates to an angular shaped parcel of land which extends to 0.6 hectares. It is situated on the southern side of Bankhall Lane near to where the residential areas of Hale and Hale Barns converge. The site features a large detached house – known as Great Heys - which is positioned towards the northern part of the site and which is currently vacant. The remainder of the site comprises a generously-sized garden, which includes lawns and established planting, incorporating mature boundary trees and hedgerows (including both woodland and ornamental species). There is also an outdoor swimming pool and a large ornamental pond. A driveway lies in front of the dwelling and a narrow gateway allows vehicular access from Bankhall Lane. The existing dwelling is of typical post-war design. However, it is unusual in its configuration in having a two-storey element at its core and two, single-storey flat roof projections either side. There is a definitive right of way (Footpath no. 3, Hale) which runs along the site's western boundary.

Bankhall Lane in this location, which runs on a broad west-to-east axis, forms the southern limit of the built up area of Hale before leading up, in a north-easterly direction, to Hale Barns. For a large section of Bankhall Lane, development is generally confined to its northern side, although there are some exceptions, including the application site, Bankhall Farm and Hale Nursery. The remainder of the land on the southern side in this location is undeveloped. The effect is that whilst there is further residential development to the site's north which is contiguous to the rest of Hale/Hale Barns, to its south is open pastureland and beyond that the wooded valley of the River Bollin. Similarly, there are undeveloped gaps to the west and east of the site until Hale Nursery and the small residential estate of the Merridale respectively are met. The topography of the area in which the site is situated is gently rolling with a few elevated locations and then with a downwards south-westerly slope towards the River Bollin.

With reference to the Proposals Map accompanying the Development Plan, there are no annotations affecting the site itself. However, there is a conservation area (the South Hale Conservation Area) directly to the site's north which encompasses the residential properties on the opposite side of Bankhall Lane. Furthermore, the land directly to the site's south and west is within the designated Green Belt and it also forms part of a Protected Area of Landscape Character. This area, and incorporating land to the site's east, is also a recognised Wildlife Corridor.

## **PROPOSAL**

The application, which is made in full, proposes the demolition of the existing dwelling and the redevelopment of the site to provide a 72 bed care home together with associated access, car parking and landscaping.

The application is made by Octopus Healthcare who identify themselves as a leading investor and developer of healthcare facilities in the UK. The application submission explains that Octopus Healthcare has entered into an agreement with Care UK who would operate the care home on a leasehold basis. The development is intended to provide care and accommodation for the frail and elderly and with a range of residential, nursing and dementia care services. 24 hour on-site nursing care would be provided and with approximately 25 staff members on site at any one time. That the development is categorised as a Class C2 use - residential institutions - is accepted.

The care home would principally be arranged over two-storeys (and with a part basement). The design approach involves the creation of a series of interlinked buildings, or 'wings', on an irregular alignment. A total of four buildings are proposed with interconnecting glazed links and orientated around a central courtyard. There would be three blocks dedicated to accommodation, each two-storeys in height, and a lower entrance block (one and a half storeys high) which would provide the 'front of house' and staff facilities. The two accommodation blocks towards the site's frontage and the site's south-eastern corner would provide dementia care, whilst the accommodation block towards the south-western corner would provide nursing care (with 36 bedrooms dedicated to dementia sufferers and 36 to general nursing care). The basement would incorporate the entrance block and would extend into part of one of the dementia blocks.

In addition to providing 72 (single) bedrooms (with en-suite facilities), the submitted plans indicate that the development would also include: an entrance and reception area, a visitors café, an activity room, a residents' library, a reading area, a physio/treatment room, a residents' hair and beauty salon, a cinema room, a manager's office, administrative areas, communal lounge areas, communal assisted WCs, quiet lounges, medical stores, cleaning stores, nurses' stations, maintenance rooms, a kitchen, a laundry, a staff room and other staff facilities, and a plant room.

A new vehicular access is proposed; also from Bankhall Lane but to the west of the

existing access. The existing access would be removed. The new access would lead to a car parking area to the front of the building. A total of 26 car parking spaces are proposed, which includes 3 dedicated mobility spaces and a drop off space for deliveries and ambulances. A parking area for motorcycles is also incorporated along with cycle racks and a cycle store.

Communal garden areas would be provided at the centre of the site and also towards the site's southern edge. These would include zones of more formal planting, seating areas, terraces, lawns and a wildflower garden. Ground floor bedrooms would be provided with small private patios whilst there would be communal balconies at first floor level. Existing boundary planting is proposed to be retained, where possible, and reinforced.

The application submission explains that the design philosophy that has been adopted seeks to emulate the scale and appearance of surrounding residential properties. Variations in ridge lines, eaves heights and the use of gable elevations is intended to break up the facades, it is stated. The palette of proposed materials includes a Cheshire facing brick, grey slate, curtain wall glazing, metal standing seam cladding, oak framing, oak coloured window and door details, and an Ashlar sandstone for window cills, headers and surrounds. The applicant estimates that the facility would provide approximately 80 jobs.

## **VALUE ADDED**

During consideration of this application a number of amendments have been made to the scheme. These can be summarised as:

- A lowering in height of the dementia blocks by 1.5 metres (achieved through the excavation of land);
- The relocation of the bin store;
- The relocation of the cycle store;
- An uplift in car parking spaces from 23 to 26;
- The provision of more landscaping between the car park and the building;
- Illustrating that the proposed car park would operate as a shared surface with level access and no raised kerbs;
- The installation of a green retaining wall towards the site's eastern boundary (and also including some of the southern boundary) to accommodate the new change in levels;
- An enhanced level of replacement planting to the eastern boundary and within the garden areas; and
- The relocation of a balcony on the northern dementia block.

## **DEVELOPMENT PLAN**

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



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

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

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

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

None

### **PROPOSALS MAP NOTATION**

None affecting the site

### **SUPPLEMENTARY PLANNING GUIDANCE**

SPD1 – Planning Obligations  
 SPD3 – Parking Standards and Design  
 SPD5.21 – South Hale Conservation Area Appraisal and Management Plan  
 SPG4 – Residential Care Homes and Nursing Homes for the Elderly  
 SPG30 – Landscape Strategy

### **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)**

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

## **RELEVANT PLANNING HISTORY**

None

## **APPLICANT'S SUBMISSION**

The applicant has submitted the following documents in support of the application (in addition to plans and drawings):

- Planning Policy Statement;
- Design and Access Statement;
- Heritage Statement;
- Landscape and Visual Impact Assessment;
- Transport Statement (and with a subsequent transport note to respond to the highways submission of the Hale and Bollin Residents Group);
- Framework Travel Plan;
- Preliminary Ecological Appraisal;
- Great Crested Newt Survey;
- Bat Roost Assessment;
- Bat Activity Survey;
- Drainage Strategy;
- Flood Risk Assessment;
- Statement of Community Involvement;
- Tree Survey with accompanying Arboricultural Impact Assessment and Tree Constraints Plan (and with later updates); and
- Geo-technical Phase 1 Contaminated Land Report.

In addition, a series of documents which make a case for a need for the development have been submitted, as follows:

- Comprehensive Planning Need Assessment (and with a subsequent update);
- Care Needs Assessment; and
- Care Needs Analysis.

## **CONSULTATIONS**

**Greater Manchester Ecology Unit** – No objection, subject to conditions (including to request a method statement for bat disturbance, and to restrict works to trees/vegetation to periods outside of the breeding bird season, and with a further advisory note)

**Greater Manchester Police Design for Security** – No objection, subject to condition (to ensure that the design principles set out in the submitted Crime Impact Statement are adhered to)

**Lead Local Flood Authority** – No objection, subject to conditions (including to request details of the full drainage design, and to request details of a sustainable drainage scheme)

**United Utilities** – No objection, subject to conditions/informative (including to request separate foul and surface water drainage systems, and details of a sustainable drainage scheme, and with some advisory notes)

**Trafford Clinical Commissioning Group** – Object (their comments are described in the Observations section of this report)

**Trafford Council Local Highway Authority** – No objection, subject to conditions/informative (including to request details of the site access, to require the provision of a service management plan, to request a full travel plan, and cycle parking details, and an advisory note to protect the public right of way)

**Trafford Council Pollution and Licensing (Contaminated Land)** – No objection, subject to conditions (including to request a site investigation and risk assessment, and a subsequent verification report)

**Trafford Council Pollution and Licensing (Nuisance)** – No objection, subject to conditions (including to request a noise impact assessment, to limit the noise level of installed plant and machinery, to control any installed ventilation/extraction system, to control any external lighting, to request an environmental management plan relating to the construction phase, and to control hours of construction)

**Trafford Council Children, Families and Well-being** – Object (their comments are described in the Observations section of this report)

## **REPRESENTATIONS**

Consultation undertaken on behalf of the local planning authority, including a second round following the submission of scheme amendments, has produced the following responses from residents:

**Objection** – 262 letters of objection have been received, which raise the following points (in summary):

Objection in Principle:

- The impact of this development on community health care services needs to be considered;
- There are already numerous care homes in the wider Altrincham area and many of these have vacancies due to residents being unable to afford the fees;
- A dementia-focussed home needs to be located in an affordable location;
- The value of the location would prove very expensive for care provision;
- This application does not address the need for community care provision;

- The erection of an exclusive development in a semi-rural residential area is not the solution;
- The elderly need care which is more central and has better access to emergency services, workers and visitors;
- This seems to be a duplication of the offer at the Sunrise home nearby which has vacancies;
- It is considered unfair that the people of Trafford have to support neighbouring Councils' needs for care homes; and
- The applicant has not demonstrated the specific need for bed spaces in Trafford.

#### Residents' Amenity:

- The design would provide a substandard level of care for its residents;
- There would be no outdoor space to provide patient stimulation;
- Residents in these homes typically do better when connected to communities and normal life;
- Visitors wishing to escort patients for a walk would be challenged by the narrow footpath;
- The site is too remote and residents would be isolated from the community;
- As many rooms as possible have been squeezed onto the site which would not help the residents and which is highly unethical;
- Residents would be confined to the inside of the home; and
- Dementia patients are best cared for in smaller groupings of family size.

#### Landscape:

- The development would take away valued Green Belt land;
- This is a sensitive spot near to the River Bollin;
- The building would completely dominate the surrounding green area;
- There are uninterrupted views down to the river;
- Many dog walkers and hikers like this area;
- This is an area of peace and tranquillity;
- The development would violate recreational activities associated with the River Bollin and the country walk along the public right of way;
- The development would detract from the natural beauty of the area;
- The Bollin river and the surrounding woodland is very important to the local community; and
- The Bollin Valley and its environs are a Trafford asset.

#### Design/Visual Amenity:

- The development is extremely large in size;
- This would represent over-development of the plot;
- The uplift from the existing dwelling to the massive care home development is disproportionate;
- There is nothing of this scale in the area;
- Very little land around the building would be left;
- The development would not fit with the local setting;

- This design is not at all aesthetically pleasing;
- The development would fill the plot and would ruin what is one of the nicest gardens in the area;
- A 5,000 sq ft single residence would be replaced with a 40,000 sq ft building;
- The size and mass of the new building would not be concealed by shrubbery; and
- The applicant has not provided any scaled drawings from which to ascertain the height.

#### Heritage Impact:

- The density of development would have a negative impact on the character of the adjoining conservation area;
- The development would blight existing conservation area properties;
- The conservation area is made up of low density development;
- Whilst the site is outside of the conservation area, the character of the conservation area should be preserved;
- There are listed buildings in the area that would be impacted upon; and
- The existing building contributes to the character and diversity of the conservation area.

#### Highways:

- There is a genuine safety reason to refuse this application;
- The amount of car parking is grossly inadequate;
- A development like this should have parking on site for at least 80 cars;
- Overspill parking would occur along Bankhall Lane;
- The development would generate excess traffic which this area cannot cope with;
- Bankhall Lane is narrow, is on a hill and contains a bend at the site access;
- The nursery next door has had the effect of creating a one lane road due to on-street parking;
- There are already a number of 'near miss' traffic accidents daily;
- There is no space along Bankhall Lane to allow for any widening of the highway;
- This development would be very dangerous to both drivers and pedestrians;
- There are no traffic calming measures along Bankhall Lane and cars frequently exceed the speed limit;
- Bankhall Lane is a country lane;
- There will be a number of deliveries per day for food and linen supplies and then waste collection;
- Children at the nearby nursery who regularly use the narrow footpath would be put at risk;
- Bankhall Lane already requires careful negotiation as a road user;
- The visibility for vehicles leaving the site would be very dangerous;
- The development would increase the danger to the many cyclists who use the road;
- Residents with dementia going for an unauthorised walk presents a serious safety concern;

- There would be no let-up in traffic from this 24 hour, seven days a week development;
- Service vehicles would have to reverse onto a blind bend;
- Mud on the roads during the construction process would cause an even greater risk;
- The staff required to service a 72-bed care home would be considerable and the majority would come by car;
- The prospect of old people crossing the road is extremely dangerous;
- Current road users regularly travel over the central white line in both directions;
- The submitted Transport Statement is poorly prepared;
- The vehicle tracking drawings are incomplete;
- Bankhall Lane is used as a cut through from Arthog Road to Ashley Road; and
- The amendment does not in any way mitigate the highway safety problems posed by this development.

#### Unsustainable Location:

- This area is not supported by public transport;
- There are no bus routes past the site, the nearest train station is 1.5 miles away, and the nearest Metrolink stop is over 2 miles away;
- Staff with late/early shift changes would certainly not travel by bus;
- All visitors, staff and suppliers would be car-borne;
- The footpaths by the site are narrow and cannot support pushchairs or wheelchairs;
- There are no local amenities in walking distance;
- This is completely the wrong place for a care home; and
- Care homes should be located where they are accessible.

#### Wildlife Impact:

- The development would have a negative effect on birds;
- There are bats, tawny owls and many small mammals in the area;
- Wildlife would be under threat from loss of habitat and road mortality;
- Great Crested Newt habitat would be removed;
- Aquatic life within the River Bollin would be damaged; and
- The land is contaminated by Himalayan Balsam.

#### Miscellaneous:

- The development would involve the loss of 19 trees and areas of hedgerow;
- The disadvantages of this development far outweigh the advantages;
- This is a commercial development in a residential area;
- The site should remain as a residential dwelling;
- This development would cause noise and light pollution;
- The proposed balconies would overlook nearby houses;
- The removal of the application site from the South Hale Conservation Area was done without proper consultation;
- The development would result in a loss of value of surrounding real estate;

- A development of this magnitude would require improvements to the local infrastructure, including drains and electricity supply;
- This development could cause flooding in the area;
- The fire risk must be considered to be a major problem;
- There has been no appraisal of alternative, better suited locations;
- No Environmental Impact Assessment has been undertaken;
- There is contamination in and around the site;
- The development would lead to a deterioration in levels of air quality;
- The applicant has not completed the application form correctly;
- No assessment has been made of the impact of car emissions;
- No assessment of the noise impacts of the development has been undertaken;
- Approval of this application could set a precedent which would result in a fundamental change in the character of this area;
- There would be a loss of views from neighbouring properties;
- Many of those expressing support for the application live well outside of the area;
- The objections made previously still stand; and
- The amended plans make no difference.

These objections include representations from Councillors and the chair of the Trafford Ramblers Group.

In addition to the above, the Hale and Bollin Residents Group has appointed a planning consultant, a highways consultant and a landscape architect to independently review the application submission and to submit professional representations on its behalf. The additional points raised within these representations include:

- The proposal is contrary to the Trafford Core Strategy and contravenes a number of policies;
- The proposal does not constitute sustainable development;
- The measures suggested in the Framework Travel Plan are not sufficient to address the limited accessibility of the site;
- The proposed development would result in a six-fold increase in built floorspace
- There is limited scope to create a safe access;
- The submitted ecology survey recommends that a bat licence is obtained from Natural England. That means that the applicant must demonstrate that there is no satisfactory alternative to the proposal. However, this has not been done;
- The scale of the development triggers a requirement for affordable provision, but this has not been considered;
- There are several judgements within the submitted Landscape and Visual Impact Assessment that have served to underestimate the degree of harm arising;
- On-street parking associated with the nearby nursery results in approximately 6 cars parked near the school (on Bankhall Lane) and more on adjacent roads;
- Visibility splays have been calculated on a dry weather approach speed, which is inappropriate;

- The trip rates used to calculate the quantum of traffic are considered to be inaccurate;
- No car parking analysis has been undertaken to demonstrate that there would be sufficient spaces within the proposed car park; and
- The proposed point of access/egress, the internal access road, and the turning areas are not of sufficient dimensions to accommodate service vehicles.

Furthermore, the Residents Group's package of representations also includes a letter from the University Hospital of South Manchester (Wythenshawe) which raises the following points (in summary):

- The development should be rejected from a healthcare standpoint;
- There is a need for affordable care in Trafford, particularly in the northern part of the Borough;
- The development, which has high top up fees, would be at the furthestmost southern edge of Trafford, outside the community, with negligible outside space and zero access for patients;
- There are four similar homes within six miles which have vacant beds; and
- This development would have an adverse impact on the provision of affordable care by reducing the available staffing.

**Support** – 36 letters of support have been received, which raise the following points (in summary):

- The people of the Hale area have to realise that they will all need care when they get old;
- As a society we need to provide facilities for the care of those who are unable to look after themselves;
- The impact that this development would have on Bankhall Lane and residents' lives has been exaggerated;
- This site is suited to this development since there are no immediate neighbours;
- This proposal is a good idea since it would help the community;
- The development would generate new jobs;
- People are living longer and need help;
- Dementia is an increasing problem;
- The designs are good;
- There are not enough care homes in the area; and
- We are privileged to live in such an attractive area and this should not prevent us from accommodating these facilities.



## **OBSERVATIONS**

### THE PRINCIPLE OF THE DEVELOPMENT

#### Introduction

1. The site comprises an existing residential property set within substantial grounds and located within, albeit it on the edge of, the built up area of Hale/Hale Barns. The definition of previously developed land within the NPPF excludes private residential gardens in built up areas. Thus, it cannot be claimed that the site comprises brownfield land. That being the case, it is acknowledged that the site sits within a settlement boundary, is already in a form of residential use (Use Class C3 - dwellinghouses), and that its redevelopment in part may be acceptable in principle.

#### Housing Land Supply

2. Central government's ambitions of significantly boosting the supply of housing are embodied in the NPPF. As part of this, paragraph 47 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. Within the Trafford Core Strategy, Policy L1 sets out the required scale of housing provision over the plan period to 2026 (a minimum of 12,210 new homes), whilst allied Policy L2 is clear that all new residential proposals will be assessed for the contribution that will be made to meeting the Borough's housing needs. This proposal involves the demolition of one residential unit and the erection of a 72 bed care home in its place. Although the proposal is for a form of residential institution, advice in the NPPG is clear that local planning authorities should count housing provided for older people, including Class C2 developments, against their housing requirement. It further advises that the ability of development proposals for homes specifically for older people to potentially free-up under-occupied local housing for other population groups may also weigh in their favour.

3. Therefore, the ability of this development to contribute to meeting housing supply targets is important. However, this is amplified in the context of this Council not presently being able to demonstrate a five year supply of deliverable housing sites. Indeed, latest housing land monitoring indicates a supply of approximately 3 years. This current state of play adds another dimension to the assessment of these proposals since paragraph 49 of the NPPF is engaged. This has the effect of rendering relevant policies for the supply of housing out-of-date if a five year supply cannot be demonstrated. In turn, paragraph 14 sets out the consequences of this for the decision-taking process: *where a 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 significant and demonstrably outweigh the benefits.*

4. The inference is that the absence of a five year housing land supply should be given significant weight by the decision-maker, and outwardly this is a development which carries a number of benefits by virtue of it being able to contribute to housing supply

targets as well as delivering specific and specialist accommodation for the elderly. That the number and proportion of older people is on the increase across the UK is commonly well-documented. In response, Policy L2 recognises that this Borough, reflecting the national picture, has an ageing population that will lead to specific accommodation needs. Thus, it supports the provision of some new housing for older person households (and with 'approximately 500' units identified, 4% of the overall housing requirement).

5. It would seem, therefore, that the application proposal may be commendable in a number of ways, particular in it seeking to address the accommodational and care needs of a vulnerable population group that is growing in number, and indeed several public expressions of support to the application have been received on this basis. Despite this, however, neither Trafford's Clinical Commissioning Group (CCG) nor the Council's Children Families and Well-being (CFW) Service are able to back this proposal. The reasons for this are numerous and include financial, locational, and design concerns as well as objections to the care home model on offer. That these concerns have been raised, their extent and their implications, have proven significant, even in the context of paragraph 14 of the NPPF and its implications for decision-taking.

#### The Clinical Commissioning Group's Position

6. From its perspective the CCG, which has responsibility for planning and commissioning health care services for the Borough, recognises that there could be some benefit in encouraging this type of investment in Trafford, and particularly that which is seeking to provide specifically for dementia patients. It is understood that the CCG typically welcomes early engagement with potential care home developers and operators regarding emerging schemes in order that their requirements and expectations regarding the development and its operation can be factored in. Evidently there are examples where this has worked successfully within the Borough. It is understood that, in the case of Bankhall Lane, some engagement was undertaken. However, at the outset the CCG expressed a number of deep-seated concerns, including regarding the basic matter of the site's suitability for a care home development.

7. The importance of locating new development in accessible locations is a fundamental principle of good planning and is central to the concept of achieving sustainable development, as advocated by the NPPF. It is reflected in the Core Strategy, including by means of Policy L2 which is clear that new housing should be appropriately located in terms of access to existing community facilities as well as public transport options. Siting residential institutions in isolated locations has long been accepted as a mistaken policy approach and not in the interests of patient/resident well-being. This is recognised in an adopted Supplementary Planning Guidance (SPG) document, which originally dates back to 1991 although with subsequent revisions (SPG4: Residential Care Homes and Nursing Homes for the Elderly). This acknowledges the importance of siting accommodation for the elderly in locations that allow them to easily maintain links with the rest of the community and the services that they require. The continued

importance of this principle is being recognised as part of the preparation of the Land Allocations element of the Trafford Local Plan (which will sit alongside the Core Strategy). The emerging document, which was subject to consultation in 2014 and with preparation now resuming in line with the aspirations of the Greater Manchester Spatial Framework, contains a specific recommended policy (Policy HO3) to guide the location and design of residential accommodation for older persons. The development principles that such proposals are expected to adhere to include the siting of such facilities close to local services and amenities and in places that are easily accessible by a range of transport modes.

8. It is regrettable, therefore, that the application site does not conform with this important principle. Whilst it is accepted that this is not a very remote, rural location, it is nonetheless at the absolute periphery of the built-up area of Hale/Hale Barns. Amenities in walking distance are extremely limited. There is a small collection of shops at the junction of Park Road/Arthog Road to the site's north-west but these are very restricted in their number and offer and in any event are positioned 0.5 miles away. Whilst Hale District Centre does contain a wide range of shops and facilities and does function as a successful community hub, this is double the distance, and is thus not regarded as being within easy reach on-foot, especially for the elderly and infirm. Moreover, the footways to Bankhall Lane in proximity to the application site are particularly narrow and therefore are not inviting or suitable for those who may have impaired mobility. In turn there is the issue of the site's remoteness from public transport. The nearest bus stop is positioned on Arthog Road, 400 metres from the site. However, it is understood that the frequency of the service is only one per hour and even less at weekends. Whilst the Metrolink would provide a far more regular service (including later into the evening and at weekends) the nearest stop is over two miles away (in Altrincham), and even Hale train station is one mile away.

9. This fundamental limitation of the site has been raised by the CCG. That the site is not more centrally located would manifest itself in a number of problems, the CCG considers. These include that staff would not be able to rely upon public transport when working more unsociable hours, and the general inability to attract the necessary levels of low-skilled staff due to the lack of affordable public transport options (which in turn undermines the applicant's claims regarding the scheme benefits of employment creation). Furthermore, the advantages for patient well-being of a location with good levels of community activity would not be realised. Beyond the geographical shortcomings of the site, the CCG has further concerns. These are generally attributed to the care home model that the applicant/operator is seeking to deliver, which the CCG does not regard as reflecting current best practice guidance. Firstly, the size of the development is considered to be too big. It has been explained that it is generally acknowledged that a facility with approximately 62 beds is at the upper limit of acceptability and that an operation larger than that would not deliver clinical, person-centred care. The proposed development seeks 10 additional spaces beyond this accepted threshold. Secondly, the format of the proposal serves to further suggest that it is not sufficiently focussed on the overriding function of delivering high quality care, according to the CCG. The incorporation of features such as a cinema room and a

visitors' café are unnecessary and merely support the applicant's intentions of delivering a high-end physical environment. The inclusion of these facilities would purely serve to inflate care fees without any resultant uplift in patient care, and on-site provision is not an adequate replacement for being able to access these amenities in a local, community setting, it is stated. Associated with this, therefore, the CCG has expressed concern that the development is targeted towards a very high-end market and it would not deliver affordable care that would be accessible to all. Finally, the inadequacy of the amount of garden space for the needs of the residents has also been referred to. Thus, it is evident therefore that there is a significant mismatch between what the application proposal would deliver and what the CCG regards as being suitable in meeting patients'/residents' needs and delivering best practice.

### The Children, Families and Well-being Service's Position

10. Meanwhile, the CFW Service's objection is predicated on the direct financial burdens that could be placed on the public purse as a result of the application scheme. Discussions with the CFW Service have drawn attention to a number of challenges facing the public sector as a result of the existing care home market in Trafford. It is understood that there are already over 60 registered care homes (including residential, nursing and dementia care) across the Borough. These are traditional institutional homes where residents pay a weekly fee for the care they receive. Trafford, and particularly the southern part of the Borough, is seen as an attractive place to live and enjoy the latter stages of life. Thus, it witnesses an influx of population, from across Greater Manchester, Cheshire and beyond, who seek to utilise the older persons' accommodation that the Borough offers. However, the cost of this care is, on average, markedly higher than in other parts of the sub-region. For example, 'bed rates' per week within a Trafford care home (including local authority places) can be up to £500 higher.

11. A further problem arises due to the amount of 'self-funders' in Trafford. Self-funders are those care home residents who pay for their own care due to having sufficient personal capital. However, when a self-funding resident's funds are exhausted then it falls to the local authority to step in. The financial implications of this are significant in Trafford in view of the number of care home places together with the high fee rates. The expectation is that the resident will stay in the home that he/she selected - that is unless it can be demonstrated that their care needs have changed - and there is no guarantee that reduced local authority rates will be forthcoming. The model for catering for the needs of the Borough's frail and elderly population that is encouraged by the CFW Service is one in which people are supported and cared for in their own home for as long as possible, in line with national best practice, and this has resulted in a reduction in the number of beds commissioned. The opportunity that this model affords is reflected in Policy L2, with this policy in actual fact providing no direct support for the provision of new institutional-type care homes, other than the new form of 'extra care' accommodation which in itself is based upon a form of independent living.

12. In view of this picture, the CFW Service has very legitimate and acute concerns regarding the effects of this development which would introduce a further 72 beds to the care home market. It is envisaged that the majority of residents attracted to the development would be self-funders. Furthermore, as has already been explained, the development proposals, with the inclusion of a cinema room, a physio and a visitors' cafe, are reflective of a particularly high-end and exclusive residence such that expected fees would be at the upper end of the scale, even for Trafford. Moreover, there is some expectation that the development would attract residents from outside of the Borough, particularly given its location at the very southern tip of Trafford, close to both the motorway network and the administrative boundaries with Cheshire East, Manchester and Warrington. Indeed, one of the assessments of need that has been submitted in support of the application identifies an intended catchment area which extends to include Lymm, Knutsford, Wilmslow and Gatley. Whilst fully acknowledging its own social care responsibilities, it is apparent to the CFW Service that the development could serve to encourage more frail, elderly people with complex needs to relocate to the Borough, and this would not be financially sustainable given the nature and cost of the accommodation on offer. The implications of this are exacerbated by the scale of this development, which would become one of the largest care homes in Trafford.

#### The Need for Additional Care Homes

13. Whether there is a need for more care homes in Trafford is a matter that the CCG and the CFW Service are somewhat in disagreement on. The CFW Service is of the opinion that there is already a decent supply of care homes within the Borough to cater for Trafford's demographics. The CCG is more open to the prospect of new provision, particularly for specialist dementia care, but only where it would reflect current best practice guidance and would deliver accommodation that would be both affordable and inclusive, and in an appropriate and accessible location. Importantly, however, both are in agreement that there is no requirement for high-end provision of the type proposed, that the market for this in south Trafford is already catered for, and that to allow this development to proceed could jeopardise the prospect of more affordable care coming forward.

14. That there is in fact a need for the care home proposed is a repeated claim of the applicant, and a number of assessments have been submitted to support this position. That occupancy levels are high within Trafford's existing care home facilities, and above the national average, has been referred to. However, data regarding vacancy levels is a matter which is reviewed weekly by the CFW Service. They have confirmed that there are presently 42 vacant nursing bed spaces (which includes some dementia spaces but excludes general residential space) in the Borough. The CFW Service regards this as an indication that there is more than an adequate supply of beds to meet the needs of the existing population. Indeed, this level of vacancy could absorb more than half of the claimed unmet need that the application proposal seeks to address. There is no evidence of waiting lists, for example, which would be an indicator of an acute shortfall in provision.

15. Furthermore, this pool of supply is expected to increase once other planned developments are factored in. Construction work commenced in December 2017 on the implementation of planning permission ref. 87733/FUL/16, which relates to a three-storey 40-bed care home development on Bowfell Road in Urmston. There are other planning 'commitments', including a 24-bed extension to Flixton Manor Nursing Home, Flixton (ref. 88398/OUT/16) and a new 60-bed development (which would also be operated by Care UK) on Washway Road, Sale (ref. 90923/FUL/17). The strategic development of Trafford Waters (ref. 85282/OUT/15) also incorporates a new care home of up to 150 beds although this is a proposal which is pending a decision (following a resolution to grant by the Planning Committee) and thus it cannot be treated as a true commitment. Further to this, there are other recent developments (at various stages in the planning/construction process) for other forms of senior living. This includes 'extra care', 'assisted living' or sheltered-housing type developments, which are more expressly supported by Policy L2. This form of accommodation typically involves residents purchasing or renting a new home or apartment (often with a requirement for them to be aged 55 or over), whilst still having access to a degree of care and support. Examples include a 51 unit development on Crofts Bank Road, Urmston which is under construction (ref. 81258/FUL/2013), a completed development of 81 apartments on Shrewsbury Street, Old Trafford (ref.83156/FUL/2014), a new operational 71-bed extra care facility in Atkinson Road, Sale (ref. 78436/FUL/2012), and a 56 apartment scheme on Moorside Road, Flixton which is also at the construction stage (ref. 85087/FUL/15).

16. Therefore, in seeking to come to some conclusion regarding need, and certainly in a planning sense, the effect of all these developments in combination - for both care homes and retirement villages - is that the 500 unit figure put forward in Policy L2 has in fact already been exceeded. This is when taking into account completed and committed development, i.e. excluding the 150 bed scheme at Trafford Waters. Moreover, this situation has arisen by 2018, which is only part way through the plan period. That this is the case supports the CFW Service's position regarding the existence of an adequate stock. Therefore, despite the overall unfavourable housing land supply, the Council has in fact surpassed its requirement in planning terms when it comes to catering for older persons accommodational needs. In this situation, whilst the proposal would indeed contribute to the wider housing land supply figure, it is considered that the weight to be afforded to this contribution is more limited than would be the case if this were a development for standard housing.

## Conclusions

17. The requirement, as it arises within the Borough, has therefore already been met. Whilst the applicant maintains that there is a need - or market demand - for the proposal, it is evident that this need, or a large part of it, is not arising from within the Borough. In seeking to facilitate the increased delivery of new homes, it is accepted that the NPPF does not set a cap on the amount of housing that each local planning authority ought to plan for. Housing targets should be based on minimum requirements, and even the achievement of a five year housing land supply should not act as a barrier

in positively determining other applications for housing in sustainable locations. The same may apply in respect of some additional care home accommodation, if it conformed to best practice principles, was suitably located, and sought to target the affordable sector. However, it has been demonstrated that this proposal fails in all these respects, and it is considered that there could be real, negative implications – chiefly for the public sector – in encouraging a saturated high-end market. That the proposal does not maximise the opportunity to secure high-quality clinical, person-centred care is also a major concern, along with the site's poor accessibility credentials.

18. That housing applications should be considered in the context of the presumption in favour of sustainable development, as advised by the NPPF, is fully acknowledged. However, despite there being no five year housing land supply in Trafford and despite the balance being in favour of applications for housing in such a scenario, it is considered that the consultation responses of the CFW Service and the CCG are important material considerations which should be applied to the planning balance and which serve to significantly moderate the extent of the wider benefits claimed. With doubt cast over the ability to successfully and sustainably fill the expected new job posts, the residual benefits would appear to be confined to the general housing land supply contribution.

#### IMPACT ON HERITAGE ASSETS

19. The site lies adjacent to the South Hale Conservation Area. There is also a Grade II Listed Building 170 metres to the site's west. An eighteenth century house formally referred to as Bank Hall, this now accommodates Hale Nursery. Protecting and enhancing the historic environment is an important component of the NPPF. The appropriate conservation of heritage assets forms one of the Core Planning Principles that underpin the planning system, according to the NPPF. Any planning decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the relevant policies within the NPPF and the Development Plan. In this case, it is the impact upon the conservation area which is considered to be of most significance. In relation to the listed building, the separation distance between the application site and Bank Hall together with the effects of boundary planting and the intervening green field are considered sufficient in combination to protect its setting. A different conclusion has been drawn, however, with regard to the conservation area.

20. The South Hale Conservation Area was designated in 1986. The site is located just outside of it. Bankhall Lane forms one of the conservation area's southern boundaries and thus buildings directly opposite the site on the northern side of Bankhall Lane are incorporated. In fact, the application site had – up until February 2017 – also been included within the conservation area. However, some boundary changes have recently been made, covering both extensions and deletions, in accordance with the recommendations of a systematic review exercise. The explanatory document, which forms part of a wider conservation area appraisal and which has the status of a supplementary planning document, justifies the specific exclusion. It explains that parts

of Bankhall Lane, and extending into Rappax Road (including the Merridale estate), contain pockets of mid to late 20<sup>th</sup> century development that are not of sufficient quality or historic or architectural character to warrant continued inclusion in the conservation area. Indeed, it is accepted that the existing residential property on the application site, which is typical in its design of the 1960s era, is of limited architectural or historic value, although it nonetheless displays some bygone charm.

21. The relevant document referred to above is the South Hale Conservation Area Supplementary Planning Document, identified as SPD5.21. This SPD is in two parts: a conservation area appraisal document and then a management plan, dated March 2017. Both have been closely reviewed in considering the implications of the proposed development for the conservation area, together with the applicant's submitted Heritage Statement. This is when having regard to the principles advocated in the NPPF together with the requirements of Policy R1 (Historic Environment) of the Trafford Core Strategy. Indeed, Policy R1 expressly refers to the importance of ensuring that new development proposals preserve or enhance a conservation area *and its wider setting*. In further summarising the important elements of the NPPF with regards to the historic environment, the document refers to 'heritage assets', which are defined as: *a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage asset*. It continues that the term heritage asset includes designated heritage assets (such as conservation areas, for example) and non-designated heritage assets. It is the conservation of heritage assets in a manner appropriate to their 'significance' which is the focus of the NPPF, and with this significance defined as: *the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence but also from its setting*. When determining planning applications, local planning authorities are advised on the need to assess the particular significance of the heritage asset(s) which may be affected by the proposal and the impact of the proposal on that significance.

22. Accordingly, the conservation area appraisal document and its definition of significance for South Hale, which is a little over a year old, has been consulted. The document explains that the special character of this conservation area derives from a number of elements. This includes: houses set in gardens which are characterised by a variety of mature trees and shrubs; a low-proportion of these gardens given over to hard-standings and with space afforded around properties; tree-lined streets and on-street planting; a general feeling of spaciousness; the compatibility of natural and man-made features; and with the undulating landscape creating a semi-rural feel. That the area provides a habitat for wildlife is also referred to, along with the fact that the conservation area is largely residential in character.

23. Notwithstanding the site's exclusion from the conservation area, principally in view of the building it accommodates, it is considered that it too possesses some of these important qualities. This includes the ample size of the plot relative to the house which it surrounds, that the existing dwelling is set back from the street scene, that its garden contains many mature trees of diverse species, that the dwelling is obscured by



established planting, and that there is an overriding sense of space. Similarly, these factors combine to give the site a semi-rural ambiance, which is in fact enhanced on the application site in view of its location at the absolute limit of the residential area and encircled by fields (on three of its four sides). The site is also residential in nature. It is thereby considered that the application site presently serves to support the significance of the conservation area by continuing some important characteristics and by extending the ability to appreciate that significance.

24. However, it is considered that the development proposed would erode many of these characteristics and that the unity with the adjacent conservation area would be undermined. The extent of the application site's resultant material change in character is such that harm to the significance of the conservation area would arise, it is considered. The cornerstone of the problem is the amount of development that is proposed on site. One dwelling, albeit large, would be replaced by a 72-bed care home which would support a considerable amount of ancillary floorspace as part of the overall offer. In seeking to limit the development to a maximum of two-storeys, the effect is a sprawling floorplate which would occupy a substantial portion of the site and which would extend close to the site's southern, eastern and western boundaries. Areas of the site not accommodating built development would in turn be transformed into hard-standings to allow for a widened site access, a vehicular circulation zone, car parking, outdoor terraces, and pathways around the building's perimeter. The effect is that only a small portion of the site would be left as garden. This contrasts markedly with the existing situation in which the garden is of an impressive size and quality and where there is a high ratio of hard to soft landscaping.

25. It follows that a number of trees and shrubs within the site are proposed to be felled as part of this development to facilitate either the building or site access works. The main area of loss is in the centre of the site encircling the ornamental pond, where there are a number of attractive and varied species which are generally in good health and vigour. Indeed, the latest Arboricultural Impact Assessment refers to the complete loss of 16 trees or tree groups and the partial loss of a further tree group. New areas of hardstanding are also proposed within the root protection areas of some retained trees. It is accepted that the majority of trees to be felled are located within the site's interior, that many of the existing boundary trees can be retained together with the boundary hedging, and that mitigation planting is proposed at the site's boundaries to fill any gaps. However, the number, quality and variety of trees presently on site are a vital feature in continuing the character of the conservation area and in giving it a semi-rural feel, and indeed the trees at the site's heart are visible from the adjacent public footpath if not from Bankhall Lane. Mitigation planting at the site's boundaries is of course welcomed, however, there are concerns that this would not exhibit the same level of maturity, quality and depth, certainly in the short term, thereby prejudicing the ability of the site to contribute to the general greenness of the conservation area.

26. The closest part of the site to the conservation area is the frontage to Bankhall Lane. The conservation area appraisal document defines the residential property directly opposite this frontage (Glenside, 67 Bankhall Lane) as a specific positive

contributor to the significance of the conservation area. The vehicular entrance to Bankhall Lane is presently formed by a narrow, low-level gate. Its narrowness and simple form, coupled with the presence of mature trees at the site's frontage, further contributes to the overriding semi-rural characteristic. This is further influenced by the restricted width and winding nature of Bankhall Lane in this location. Only glimpsed views of the existing dwelling are available, and likewise with Glenside, and the effect is one of privacy and seclusion. However, the application proposal would involve the closure of the existing access and the creation of a new, widened bell-mouth access further to the site's west. This widening, which is a necessity in order to provide safe and suitable access for a much more intensively-used operation, and with some corresponding tree loss, would serve to open up the site. This would render the new built form, which is already appreciably larger than the existing dwelling, much more conspicuous. The view into the site, even with some mitigation planting, would be of an enlarged hard-standing and an over-sized building behind. Furthermore, it is reasonable to assume that any care home operator would wish to erect some signage at the site's entrance for the purposes of advertisement and direction, along with some external lighting. Plainly this would be evident from Bankhall Lane, including from within the conservation area and close to an identified positive contributor. The cumulative effect would be a visual shift from residential to a much more commercial character.

27. A late amendment has been made to the proposal involving the lowering in height of the two dementia blocks in the eastern part of the site by 1.5 metres. This would be achieved through the excavation of land, and thus without any resultant reduction in floorspace or genuine decrease in building height. This intervention with the site's ground levels would necessitate the provision of a retaining wall towards the eastern boundary and extending across the southern boundary. It is considered that this amendment has not made any meaningful, positive change since the overall distribution and expanse of development remains unchanged. Moreover, in actual fact it is considered to be a rather contrived and artificial solution; it would introduce additional hard engineering works and would interfere with the natural and undulating nature of the area, which again would run counter to certain special qualities of the conservation area.

28. Overall, it is considered that the proposed development is quite dramatically at odds with some defining characteristics of the South Hale Conservation Area. Whilst the application site is no longer located within it, nonetheless it possesses some of its central features associated with spaciousness, seclusion, semi-ruralness and the incorporation of mature planting, and thus successfully functions as its setting. The extent to which the application proposal would fail to uphold important principles of the conservation area is considered to be significant. In view of the site's proximity to the conservation area and the degree of unity with it, the effect of the proposed development would be a general erosion in special character which would serve to harm the significance of a heritage asset. This harm is derived from the increased scale, mass and spread of the development, the effect of this overdevelopment on the site's landscaping, and the prominence and alteration of the land use which would be less characteristic of the area.

29. The NPPF acknowledges that there can be levels of harm to the significance of a heritage asset. In this case, the degree of harm has been categorised as *less than substantial* rather than the alternative of *substantial*. Where less than substantial harm has been concluded it is necessary to weigh the harm against the public benefits of the proposal. However, as has already been explained, there are genuine concerns regarding the principle of this development, with the effect that any residual public benefits are in fact extremely limited, even when allowing for the implications of paragraphs 14 and 49 of the NPPF. Accordingly, it is considered that the less than substantial harm to the significance of a heritage asset, which should be given great weight in the decision making process, is not compensated for by wider public benefits and thus the proposal is considered contrary to Policy R1 of the Trafford Core Strategy as well as the NPPF.

## VISUAL AMENITY AND LANDSCAPE IMPACT

30. One of the core planning principles of the NPPF (paragraph 17) is that plans and decisions should recognise the intrinsic character and beauty of the countryside. Further to this, paragraph 109 explains that the planning system should contribute and enhance the natural and local environment, including by protecting and enhancing valued landscapes. Within the Trafford Core Strategy, this objective is articulated by means of Policy R2 (Natural Environment). This policy restates the importance of protecting and enhancing landscape character and of recognising the value of the Borough's countryside assets, including not only their immediate location but also their surroundings. This policy is supported by Policy L7 (Design) which is clear that new development should be appropriate to its context and should appropriately address matters such as scale, density and massing when having regard to the character of the area.

31. That the application site would undergo considerable physical change as a result of this development, which would cause harm to the historic environment, has already been documented. However, it is considered that further policy conflict arises when the impact of this change in character on the natural landscape is considered. With reference to the Proposals Map, the site adjoins an area of protected landscape character. Simultaneously, this area is also in the Green Belt. It follows that an evaluation of the effect of the proposal on this landscape has been undertaken on the applicant's behalf and submitted in the form of a Landscape and Visual Impact Assessment (LVIA), and this has been carefully reviewed. A rebuttal of this LVIA has also been submitted as part of an objecting representation. Whilst the LVIA seeks to suggest that the application proposal would successfully integrate with its surroundings and that there would be no noticeable change in visual amenity or landscape character, this is an opinion that is not accepted.

32. The site is located in an area of transition between the residential area of Hale/Hale Barns and rural Cheshire. It sits separately from the main residential area on the northern side of Bankhall Lane and protrudes into an area of otherwise open fields.

There are other isolated examples of this incursion along the south side of Bankhall Lane, including Hale Nursery. However, despite this irregular pattern of development, it is understood that there are no intentions for wholesale release of land in this location as part of the ongoing preparation of the Land Allocations element of the Trafford Local Plan. On the contrary, this swathe of greenfield land is regarded as performing an important function in acting as a green buffer to the wooded River Bollin valley further beyond.

33. Indeed, the text accompanying Core Strategy Policy R2 cross-refers to an adopted supplementary planning guidance (SPG) document (SPG 30: Landscape Strategy, September 2004). This sets out the character of particular countryside landscapes across Trafford, corresponding with the annotation on the Proposals Map. The SPG classifies the open land between the application site and the River Bollin as wooded claylands. Key features of this landscape type, it is explained, include a gentle, rolling topography, an ancient wooded landscape, the restriction of views as a consequence of hedgerows and trees, and poorly draining soils. In general terms these Wooded Claylands occupy the fringe areas on Trafford's boundaries. However, this is not to suggest that the countryside surrounding the site has an urban fringe appearance. Rather, it is an attractive and sensitive green finger between the developed areas of Hale/Hale Barns and the wooded river valley to the south, and of course it has been specifically recognised for its landscape character by development plan policy. That the site itself does not directly form part of this landscape is accepted, nevertheless it is considered that it does contribute to the wider perception and appreciation of it. This is akin to the conservation area coherence that was referred to, and in this case is as a consequence of the dispersed and low-density pattern of development that exists on site, that the site's boundaries are defined by hedgerows and trees, that this vegetation serves to restrict views, and the general peace and tranquillity of the location.

34. The SPG refers to the importance of new development making a positive contribution to landscape quality and character, thereby supporting the aims of Policy R2 and Policy L7. However, in this case it is considered that the application proposal would cause appreciable harm to the adjacent countryside. Again, this originates from the amount of development proposed for the site. The extensive footprint of the proposed care home building has repeatedly been referred to. It is considered that the design approach involving the provision of four component blocks exaggerates the overall sense of scale and mass. The development would significantly reduce the amount of intervening space between the buildings on site and the plot boundary. Moreover, the development would extend further southwards within the site than the existing dwelling, and thus much closer to the neighbouring landscape. The resultant density and the general pattern of development would not be consistent with the prevailing landscape character. It would have an unacceptable suburbanising effect on the site and its surroundings and would present a hard and abrupt built up edge which would not transition well with the adjacent countryside. This contrasts markedly with the present very generously-sized plot relative to the existing dwelling, and with the rear garden and space to the west of the house currently providing an important visual break from development, including before the adjacent footpath is reached. Trees on site

would also be lost which, in addition to contributing to conservation area character, also presently emphasise the site's connection with the adjacent rural landscape.

35. It is accepted that the site benefits from natural screening in the form of mature boundary vegetation. Some of this would be lost, although some compensatory planting is proposed. The LVIA suggests that the establishment of screen planting would offer further visual containment over time. However, doubts have already been expressed regarding the ability of replacement planting, certainly in the short term, to make adequate recompense for the depth and quality of existing on-site landscaping. Moreover, it is not considered that the approach of relying upon screening to soften the visual impact of such a large development, which is fundamentally unsuitable to its context, is appropriate.

36. It is also acknowledged that views into and over the site are typically restricted as a consequence of hedgerows and trees and the general topography of the area. These serve to create the impression of a generally enclosed landscape and thus long range and open views into and across the site are not readily available. The effect is that the visual change that the site would undergo would largely be experienced over a localised area. However, the development would undoubtedly create noticeable change to the site and its surroundings, as has previously been referred to. These changes would be felt from Bankhall Lane and from residential properties to the west of the site, as well as from the adjacent public footpath, and possibly from the River Bollin and also from the east towards Hale Nursery. The implications of this for Bankhall Lane and the conservation area have already been documented, and many of the concerns regarding the establishment of a more commercial character at the site are considered equally at odds with the objectives of landscape policy. The impact on the experience of the footpath is considered most undesirable since this is presently an attractive and popular recreational route which quickly leads users from built up Hale/Hale Barns into the peaceful countryside environment of the River Bollin valley. The retention of some boundary planting would continue to enclose the footpath route, however it is considered that the proximity and length of the building's elevations at the western boundary would delay the impression of reaching the countryside (when walking southwards) and would generally dilute the route's rural attributes.

37. This discussion has focussed upon the impact of the proposal on landscape character. However, to reiterate, the site also adjoins the Green Belt. That Green Belt policy is a policy for controlling urban growth, and that it is exceptionally restrictive in its approach to new development, is well-known. However, since the application site is located outwith, albeit adjoining, the Green Belt, the principles of inappropriate development cannot directly be applied. However, this adjacent designation serves to underline the openness and function of the surrounding landscape (in Green Belt terms) and the general sensitivity of the wider area.

38. For the avoidance of doubt, it is commented that the architectural design solution that has been adopted, including the fenestration details and choice of materials, is not specifically objected to under the terms of Policy L7. Rather, it is the scale, bulk and

general spread of development which is considered most inappropriate, including for the conservation area, the surrounding landscape and generally in visual amenity terms.

39. Thus, the application site commands a sensitive, transitional landscape location. The level of development proposed represents overdevelopment of the site which would be visually perceived as extending into the surrounding countryside and towards the River Bollin. The change in character that would take place, including to established planting and with a move towards a more commercial appearance, would undermine the site's visual harmony with the adjacent landscape. Moreover, the proposal would diminish the value of the adjacent footpath as a recreational and rural route. It is maintained that the site warrants a low density transition to the adjoining countryside. The findings of the LVIA, that adverse landscape and visual effects would be limited, is thus not accepted. Accordingly, the proposal is considered contrary to Policy R2, Policy L7 and the NPPF on the premise that the proposal has not taken account of the landscape value of the application site and nor its relationship with its countryside surroundings. That this conclusion has been reached supplements the other adverse impacts that would arise, which further weighs against finding in favour of the development despite the implications of paragraphs 14 and 49 of the NPPF.

## ECOLOGICAL MATTERS

40. As part of the planning system's role in contributing to and enhancing the natural and local environment, the NPPF advises that this includes minimising the impacts on biodiversity. A number of principles for local planning authorities to adopt when decision-taking are put forward in the interests of conserving and enhancing levels of biodiversity. This includes refusing planning permission where significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, and encouraging the incorporation of biodiversity enhancements in and around new developments.

41. At the Development Plan level, this matter is covered by Policy R2 (Natural Environment) of the Trafford Core Strategy. This requires applicants for planning permission to demonstrate that their development proposals will protect and enhance the biodiversity value of a site and its surroundings. That the site has potential biodiversity value seems a reasonable conclusion given the matters covered in this report to date. The conservation area appraisal document refers to South Hale, as part of its overview of its essential features, as providing a habitat for wildlife and being characterised by the sound of birdsong. Furthermore, with reference to the Proposals Map, the site is surrounded on three of its four sides by an identified Wildlife Corridor. In turn, the application proposal has the potential to impact upon biodiversity in a number of ways, including through the demolition of an existing vacant building, through tree and vegetation removal, and by generally altering the characteristics of the site and bringing about a more intensive level of use and activity.

42. It follows that the application submission includes a number of important ecological studies, including a broad-spectrum ecological appraisal, a Great Crested Newt survey,

a preliminary bat roost assessment, and subsequent bat surveys, which have been analysed by the Greater Manchester Ecology Unit (GMEU). The consultation response concludes that the ecological impacts of the proposed development would generally be benign, although with a requirement for all works to trees and shrubs to take place outside of the breeding bird season. However, there is a significant exception. The bat assessments that have been undertaken have identified the presence of a bat roost in the existing building which would be demolished. All species of bats and their roosts are protected under UK and European legislation. It follows that a licence would be required from Natural England to derogate the terms of this legislation before any works could commence that may disturb bats. Before a licence can be granted, however, three tests must be satisfied. One of the tests is purely ecological in its focus and the GMEU is satisfied that this could be met. This is on the basis that the impact on the bat roost in this case would not be detrimental to the wider maintenance of this species at a favourable conservation status. However, the other two tests are land-use planning related. These are: the development is for the purpose of preserving public health or public safety, or other imperative reasons of overriding public interest including those of a social or economic nature and with beneficial consequences of primary importance for the environment; and there is no satisfactory alternative.

43. In response, it has already been stated that there are legitimate concerns regarding the nature and format of this proposal in principle. Whilst it may seem that the provision of specialist care and accommodation for elderly people with complex and challenging needs could be categorised as a form of development which would preserve public health and safety, an analysis of the detail of this proposal has not concluded in its favour in this regard. It follows that there is no case of an overriding public interest which would support this development, and in fact both social and economic disadvantages have been identified. Furthermore, on the contrary, adverse consequences for the environment have also been recognised. Additionally, and to the extent that there is a need for further care home provision, it is reasonable to assume that there are more satisfactory alternatives to this development which would be more affordable and less exclusive in their offer, more centrally located, more community-focused, and more engaged in delivering high quality nursing care in accordance with industry standards, whilst not carrying with them the same adverse effects on the historic and natural environment.

44. In view of the situation regarding two of the three tests, it is the officers' view that there is a reasonable prospect of Natural England not granting a licence to otherwise allow the development to proceed lawfully. Therefore, it is considered that the proposal does not accord with Policy R2 of the Trafford Core Strategy in so far as there are no exceptional circumstances to justify the ecological impact.

## HIGHWAYS IMPACT

45. The NPPF explains that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability objectives. Accordingly, paragraph 34 advises that planning decisions should ensure

that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development proposals that generate significant amounts of movement should be supported by a Transport Statement/Transport Assessment, it continues. However, development should only be prevented or refused on transport grounds where the *residual cumulative impacts of development are severe*, it advises (paragraph 32). Within the Trafford Core Strategy Policy L4 (Sustainable Transport and Accessibility) contains similar requirements. This emphasises the importance of prioritising the location of development to the most sustainable areas which are accessible by a choice of transport options. Furthermore, the policy is clear that planning permission will not be granted for new development that is likely to have a significant adverse impact on the safe and efficient operation of the local highway network, unless appropriate transport infrastructure improvements and/or traffic mitigation measures are secured.

46. The highways implications of the proposed development have been closely scrutinised by the local highway authority (LHA), and all representations received on this issue have been carefully reviewed, including the submission on behalf of the residents group. Whilst the amount of traffic generated by the proposed care home development would self-evidently surpass that associated with one residential dwelling, the LHA is satisfied that this uplift in traffic could be safely absorbed by the local highway network (and without any requirement for infrastructure improvements or highways mitigation). It follows that the LHA is comfortable with the methodologies and assumptions embodied in the submitted Transport Statement. Further to this, the means of accessing the site – incorporating the new point of entry/egress from Bankhall Lane – is considered appropriate in that it would provide a visibility splay of at least 2.4 x 51 metres to the east and west. Whether sufficient vehicular manoeuvrability has been factored into the layout of the car parking/servicing area has also been carefully considered, and with swept path drawings/tracking diagrams requested and reviewed. However, the LHA is content that all manoeuvres (including by refuse vehicles) could be successfully and safely undertaken within the site, even by the longest vehicle that could be expected to enter it. To secure this, however, it is recommended that a condition is imposed which would have the effect of controlling vehicle size (in the form of a wider 'service management plan').

47. On the issue of car parking the LHA is also comfortable. The level proposed meets the maximum standards for this type of development (Use Class C2), and when in this type of location (regarded as Area C, the least accessible), as set out in the Supplementary Planning Document (SPD) 3: Parking Standards and Design (February 2012), it is explained. This is 1 space per 5 beds. The amount of mobility spaces is also considered acceptable, and likewise the proposed provision of cycle and motorcycle parking. The consultation response also records that there is no adverse vehicular conflict anticipated between the application site and Hale Nursery in view of the separating distance.

48. That the site is not in the preferred location for a new care home development in terms of it being divorced from any community hub, and with prospective care home



workers unable to easily draw upon a range of public transport services, has been set out in earlier sections of this report. This reflects the comments of the CCG and guidance in SPG4 (Residential Care Homes and Nursing Homes for the Elderly) as well as the emerging Trafford Land Allocations Policy HO3. Of course, the importance of directing new development in order that it can maximise the use of sustainable transport modes, in order to prevent car-reliant development, is central to the NPPF's aspirations and is also expressed in Policy L4. Whilst the LHA acknowledges that the development could perform better in accessibility terms, the consultation response does not support the refusal of the application proposal – with reference to a direct Policy L4 conflict - on this basis. This is in recognition that this is not an extremely remote location, that the amount of traffic generated would not be immense in transport terms, that some opportunities do indeed exist for the site to be accessed by public transport, and with a travel plan used to further encourage sustainable travel options (to be conditioned). For the avoidance of doubt, the apprehensions of the CCG on this issue are still regarded as warranted as part of a package of concerns regarding the suitability of this proposal. It is simply the case that a reason for refusal on *transport sustainability grounds alone* is not considered justifiable, in following the advice of the LHA.

49. Overall, and with reference to the NPPF benchmark in paragraph 32, the LHA is satisfied that the development would not have *severe* highways impacts. It follows that to refuse the application on transport grounds is likely to be difficult to successfully defend at any subsequent appeal, the LHA has stated. There are considered to be no legitimate reasons for officers to conclude differently, despite the level of objector concern on highways matters, and thus the proposal is considered compliant with Policy L4.

## RESIDENTIAL AMENITY

50. Policy L7 of the Trafford Core Strategy is clear that development proposals must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of an overbearing impact, overshadowing, overlooking, visual intrusion, or noise/disturbance. In considering the amenities of the residents of the development itself, whilst some concerns have been raised as part of the wider 'in principle' debate regarding aspects of this proposal which may not ideally reflect industry standards (including regarding the amount of outdoor amenity space and the potential for isolation), it is not considered that living conditions would be below standard to the extent that would warrant a separate residential amenity reason for refusal under the terms of Policy L7. Indeed, on the contrary, that the development would deliver an attractive, internal environment in many ways has already been referred to. Each resident would be provided with a decently proportioned en-suite bedroom and then with available access to a wide range of support facilities. In addition, it is noted that the development has been designed to reduce the potential for overlooking between the care home blocks. Whilst the eastern outlook from the dementia wings would be somewhat compromised by the excavation works and the provision of a retaining wall (associated with the building height reduction), and with

some potential loss of light, it is not considered that the resultant effect would be too unreasonable.

51. The impact of the proposal on nearby residential properties within Policy L7's parameters has also been considered. However, the land to the south, west and east of the site is not developed and the carriageway of Bankhall Lane separates the site from the residential properties to the north (and then with 'Glendale' set back from the road frontage). As such, it is considered that - notwithstanding the amount of development proposed on site - there would still be sufficient separating distance to prevent issues such as overbearing impact, overshadowing, overlooking or visual intrusion becoming too problematic in residential amenity terms to the extent that day-to-day living would be unduly prejudiced.

52. With regard to the noise impact of the development, it is recognised that SPG4 (Residential Care Homes and Nursing Homes for the Elderly) specifically acknowledges that the activity associated with a care home can cause undue nuisance to neighbouring residents. This can be as a consequence of the increased vehicular usage of the site, including by larger delivery vehicles, visitors, staff, and in medical emergencies which could occur around the clock. There is also the fact that this site has some noise sensitivity in that it is situated in an area which has been specifically recognised for its peace and tranquillity, and thus existing background noise levels are likely to be low. Accordingly, the Noise Nuisance team within the Council's Environmental Health Service had been consulted to advise on this issue. However, the consultation response confirms that they are satisfied that the level and type of noise and activity that would be generated would still be within reasonable limits for this residential area and that a statutory noise nuisance would not occur. In the context of this professional opinion it is not considered appropriate to refuse the application on these grounds. Nonetheless, the consultation response advises on the need for a number of noise-controlling conditions. This includes the submission of a noise assessment to cover both the construction and operational stages of the development in order to precisely understand the noise implications and whether subsequent noise attenuation would be warranted. Further recommended conditions include restricting the hours of construction, the provision of a construction management plan (which would include measures to minimise the impact of any construction-related noise and vibration), and limiting the noise levels of any installed plant and machinery. Overall, the proposal is considered acceptable when having regard to the impact on residential amenity, for both prospective occupiers and surrounding residents.

## OTHER ENVIRONMENTAL HEALTH MATTERS

53. The NPPF advises local planning authorities to ensure that planning decisions prevent both new and existing development from contributing to, or being put at risk from, unacceptable levels of soil, air or water pollution or land instability. Within the Trafford Core Strategy this objective is covered by Policy L5 (Climate Change), which states that development that has potential to cause adverse pollution (of air, light, water

or ground) will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.

54. Again, advice has been sought from the Council's Environmental Health Service on a number of these issues. Taking account of the submitted site environmental survey which supports the application, the consultation response confirms that there are no overriding concerns regarding the presence, and risk, of land which is contaminated. However, a condition is recommended which would serve to request further site investigation before the commencement of development, and subsequent remediation if necessary, which is a standard approach.

55. No concerns have been raised regarding the potential for the development to lead to a deterioration in levels of air quality, although there is an expectation that the submitted construction management plan would include measures to control the emission of any dust and dirt from the demolition and construction processes. Similarly, and notwithstanding general concerns previously raised regarding the effect that external lighting (in addition to wider changes) could have on the character and appearance of the area, the consultation response advises that there is no evidence that the proposed development would lead to actual light pollution. Nonetheless a condition has been recommended which would require that any external lighting to be installed would be designed and erected to prevent light nuisance occurring. Therefore, the proposal is considered compliant with Policy L5.

## FLOODING AND DRAINAGE

56. The NPPG, in supporting the NPPF, defines flood risk as being: *a combination of the probability and potential consequences of flooding from all sources, including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.* The applicable policy in the Trafford Core Strategy is Policy L4 (Climate Change) which explains that development will be controlled in areas at risk of flooding, having regard to the vulnerability of the proposed use.

57. The application is accompanied by a Flood Risk Assessment, FRA, (and an accompanying drainage strategy) which has been reviewed by the Lead Local Flood Authority (LLFA). The FRA confirms that the site is located in Flood Zone 1, which means that it is exposed to the lowest annual probability of river or sea flooding (a less than 1 in 1,000 risk). As a consequence, there is no need for the sequential or exceptions tests - set out in the NPPF and designed to direct development away from areas which are at risk of flooding - to be applied. Whilst the FRA identifies that there is some potential for secondary flood sources, in the form of surface water flooding and sewer flooding, the FRA records that this risk (which is 'low' in any event) could be adequately managed through the use of a small number of minor flood risk management techniques. The effect, it is stated, would be to reduce the low risk to 'negligible'.

58. The LLFA has confirmed that it is satisfied with the FRA and its conclusions, including the preliminary drainage strategy. However, conditions are recommended, including to request a detailed drainage design and to require the continued development of a sustainable drainage system for the site. United Utilities, as water authority, has also expressed a position of no objection, although they support the imposition of a sustainable drainage condition and a further condition to ensure that surface water drainage would not be combined with foul drainage. It follows that there are no reasons to refuse the application on flood risk grounds and the proposal is considered compliant with Policy L5.

## **OTHER PLANNING CONSIDERATIONS**

59. The purpose of this section of the report is to wrap up any remaining matters, including issues that have been raised in the letters of representation which have not been addressed to date.

60. The Greater Manchester Police has confirmed that the development has been designed in a way that reduces the opportunities for crime. However, a condition has been recommended in order that further design features would be incorporated at the detailed design stage, in accordance with the principles advanced in the submitted Crime Impact Statement.

61. There is no evidence that this development would put the area's electricity infrastructure under strain, and in any event this would not be a reason to refuse the application. Whether the development is satisfactory in terms of meeting the necessary fire regulations would be a matter covered by building regulations. The development does not trigger a requirement for affordable housing since it falls within the C2 (residential institutions) Use Class rather than C3 (dwellinghouses). Having reviewed the work undertaken at the time, it can be confirmed that the Council followed all necessary consultation procedures when amending the boundary of the South Hale Conservation Area. The proposal does not fall within a category of development where there is a requirement to consider whether Environmental Impact Assessment would be justified. Officers are satisfied with the quality and breadth of the application submission and consider that sufficient information has been submitted to enable the application to be determined. Finally, the impact of the development on property values in the area is not a planning matter. Any remaining issues raised in representations which have not been specifically identified have nonetheless been duly examined but are not considered determinative.

## **DEVELOPER CONTRIBUTIONS**

62. The proposed development would not be liable to the Community Infrastructure Levy (CIL) given its Class C2 (residential institution) use.

63. The development would be required to incorporate specific green infrastructure (tree planting and landscaping) on site, in accordance with the requirements of

Supplementary Planning Document (SPD) 1: Planning Obligations (July 2014). This would be in addition to any compensatory planting.

## CONCLUSIONS

64. The application site is located at the fringe of the residential areas of Hale/Hale Barns and at the southern extreme of built up Trafford. The proposal involves the replacement of an existing vacant detached dwelling with a new care home (Use Class C2) which would provide nursing care for the elderly as well as offering specialist dementia places. The care home would incorporate 72 beds and a wide collection of other patient and visitor facilities. The provision of this type of facility would appear to have some merit in principle in catering for the needs of a growing ageing population. It would also contribute to the Borough's housing land supply. This is an obvious and important benefit in accordance with the ambitions of the NPPF, particularly given that Trafford's current housing land supply is below the required five year threshold. That this is the case has some implications for decision-making and the effect is a 'tilted balance' in support of residential applications *unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits*. However, in this case it is considered that there is indeed a significant counterweight. This is attributed to the receipt of objections from both the CCG and the Council's CFW Service with both expressing genuine and deep-seated concerns. These concerns are numerous and are associated with the proposal's high-end philosophy and its lack of focus on delivering affordable, inclusive and patient-centred care. Further concerns are associated with the site's poor location in sustainability terms and the lack of opportunities for residents/patients to successfully integrate with the local community. Moreover, there are the direct financial obligations that could arise given that the care home model is based on attracting self-funders, and with additional burdens placed on the Borough's primary and secondary health care services associated with a potential inflow of population. Finally, in actual fact, when the supply of delivered and committed elderly persons accommodation is scrutinised, planning targets identified in the Core Strategy have already been met.

65. This package of objections is considered to represent an important material consideration which weighs against the proposal, even in the context of the unfavourable housing land supply. Furthermore, adverse physical impacts of the proposed development have been found. These are rooted in the amount of development that is proposed on site, the extensive floorplate, and the general change in the site's character that would occur. Harm to the significance of the adjacent conservation area has been found on this basis, and whilst this is considered *less than substantial* when having regard to NPPF terminology, this level of harm is considered sufficient to result in development plan conflict given that it is not adequately compensated for by the wider public benefits, for reasons previously explained. In addition, it has been concluded that the site's landscape sensitivity has not been fully recognised in seeking to overdevelop the site and that further, landscape harm would occur. Finally, that a direct impact upon a recognised protected species would arise has been a further finding and with this not regarded as justifiable given the mounting

policy conflicts and the attrition of reasons to support the proposal. For these reasons it has been concluded that the cumulative adverse impacts of the development would *significantly and demonstrably outweigh the benefits*. The proposal is not regarded as contributing to the achievement of sustainable development and is considered contrary to Trafford Core Strategy policies R1, R2 and L7, and the South Hale Conservation Area Supplementary Planning Document, together with the NPPF.

66. In other respects the application has been found to be acceptable (including in highways terms), although with conditions required to provide further safeguards. However, nonetheless, the application is recommended for refusal and with three reasons for refusal advanced.

### **RECOMMENDATION:**

**REFUSE** for the following reasons:

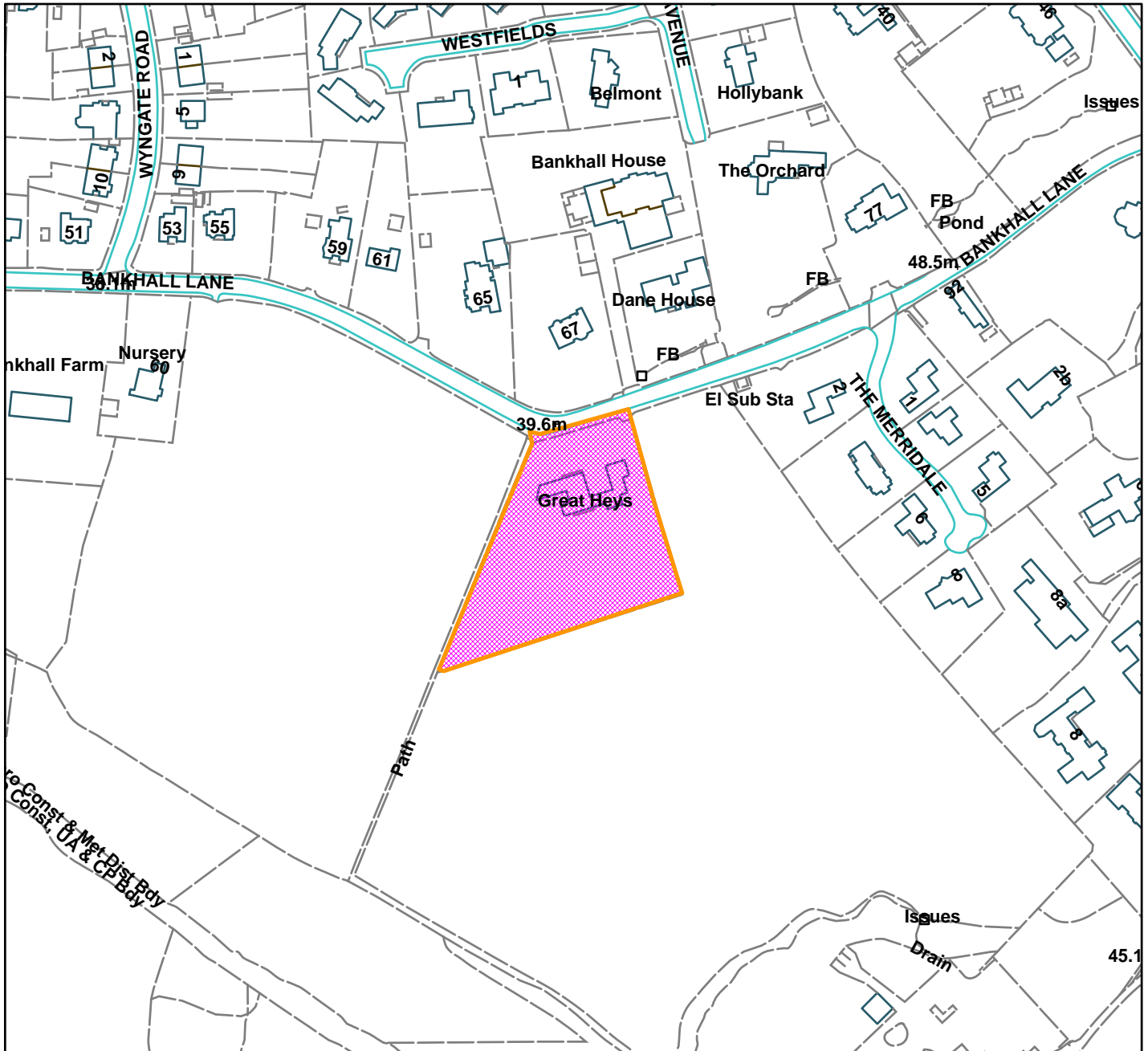
1. The proposed development, by reason of its scale, density, mass and use change, would fail to preserve or enhance the character and appearance of the adjacent South Hale Conservation Area and would lead to less than substantial harm to the significance of this designated heritage asset which would not be outweighed by the public benefits of the development. It is thus considered contrary to Policy R1 of the Trafford Core Strategy, the South Hale Conservation Area Supplementary Planning Document (SPD5.21), and the National Planning Policy Framework.
2. The proposed development, by reason of its scale, density, mass and use change, would be inappropriate to the site's semi-rural context. It would thus cause appreciable harm to the character, appearance and enjoyment of the surrounding countryside landscape and would have a detrimental impact on the visual appearance and character of the street scene and the surrounding area. It is thus considered contrary to Policy R2 and Policy L7 of the Trafford Core Strategy, and the National Planning Policy Framework.
3. Available information indicates that protected species are present on site and would be disturbed by the proposed development. It is not considered that the planning merits of the proposed development sufficiently justify the resultant impact to protected species. As such, the proposal is considered contrary to Policy R2 of the Trafford Core Strategy, and the National Planning Policy Framework.

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BB



Great Heys, 74 Bankhall Lane, Hale Barns (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/04/2018
Date	29/03/2018
MSA Number	100023172 (2012)

**WARD:** Sale Moor

**93334/HHA/18**

**DEPARTURE: No**

**Erection of a two storey side extension and associated external alterations.**

144 Broad Road, Sale, M33 2DF

**APPLICANT:** Professor Yang Zhang

**AGENT:**

**RECOMMENDATION: GRANT**

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**The application is reported to the Planning and Development Management Committee as the application has received six or more objections contrary to officer's recommendation.**

**SITE**

The application concerns a detached house located on the south side of Broad Road. It is one of a development of 6 detached houses erected following the grant of planning permission H/44700 in 1997. Immediately to the east and south are other dwellings erected as part of the same development and to the west and opposite are other dwellings.

There are two mature Lime trees in the front garden which are covered by a Tree Preservation Order, although consent was granted in January 2017 (89906/TCA/16) for the felling and replacement of one tree, together with the crown lifting to 5 metres and the reduction in height by 3 metres of the other tree.

**PROPOSAL**

The proposal is to erect a two storey side extension in line with the front and rear building lines of the existing dwelling. It will be 10m in depth and project 5.05 m to the side of the property. The distance to the side boundary will be between 3.2m and 4.4m as the boundary is not parallel with the side of the dwelling. The proposal will enlarge the property from a four bedroom dwelling to one with five bedrooms and an enlarged open plan living space at ground floor. The extension will be designed to reflect the existing front gable with matching materials of brick and tiles.

The increase in floor space of the proposed development would be approximately 83 m<sup>2</sup>.

**DEVELOPMENT PLAN**

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



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

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

L4 – Sustainable transport and accessibility

L7 – Design

### **PROPOSALS MAP NOTATION**

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**

89906/TCA/16 Works to protected trees, specifically the felling and replacement of one Lime tree, together with the crown lifting to 5 metres and the reduction in height by 3 metres of one Lime tree – Approved subject to conditions including provision of one replacement tree (Ornamental Thorn or similar) – 10.01.2017

H/63269 Erection of a two storey side extension to form additional living accommodation Approved 20/12/05

H/62251 Erection of a two storey side extension to form additional living accommodation Refused 19/7/05 on the grounds that the proposal would have a detrimental effect upon the wellbeing and stability of two mature protected limes.

H/44700 Erection of 6 x 4 bedroomed detached dwellinghouses with integral garages following demolition of existing bungalow, associated new access and landscaping works. Approved 18/12/97

## **APPLICANT'S SUBMISSION**

None

## **CONSULTATIONS**

**Local Highway Authority** - The means of access and servicing is as existing. There is an SPD3 requirement of 3 spaces which can be achieved. The LHA have no objection to the application on highway grounds.

## **REPRESENTATIONS**

2 letters of representation has been received from neighbouring properties and a further letter submitted on behalf of 6 neighbouring properties and raising the following issues:-

- Should relate more closely to existing following the brickwork detailing
- Windows on the front should mimic the existing frame colour and arched head detail
- Barge board and gable pinnacle should follow through as existing
- There could potentially be 5 cars at the property increasing the level on on-street parking and resulting in increased noise levels. Broad Road is busy in the morning with evening and rush hour and school traffic. Proposal could impact upon other residents entering and leaving their properties and decrease highway safety.
- Loss of light to No 142 Broad Road
- Overlooking from new windows in side of property and large upstairs glass façade.
- Over-development of site.
- Trees at front have a TPO on them.
- Application doesn't indicate if leaseholders have given permission
- Property could subsequently be converted to multiple occupancy.

## **OBSERVATIONS**

### **Policy**

1. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Paragraph 56 of the NPPF states 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. Paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

2. 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 and;

3. SPD 4: A Guide for Designing House Extensions and Alterations offers the following relevant guidance in respect of side extensions:

3.1.1. Side extensions can have a prominent visual impact on the appearance of your dwelling and they can remove gaps from the street scene that help define the local character. Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not:

- Appear unacceptably prominent,
- Erode the sense of spaciousness within an area
- Detract from a dwelling's character.
- Adversely affect the amenities of neighbouring properties.

4. Paragraph 3.1.2 advises that Proposals for two storey side extensions or first floor additions will normally be acceptable with regard to the following:

- Extensions should be in keeping with the prevailing pattern of residential development and should not erode the amount of space surrounding the dwelling.
- A gap of a minimum of 1m should be retained between the side elevation of an extended property and its side boundary, to retain the impression of space to the side of the dwelling. This is particularly important within a row of closely spaced detached or semi-detached houses.
- Projection of eaves or details such as guttering into this required separation distance must be minimal to achieve a satisfactory 1m visual gap at first floor.
- An extension which results in a detached house being sited close up to the boundary on both sides at two storey height is likely to appear unduly cramped and out of character with the area.
- In more spacious areas, considerably more room is likely to be required at the side so as to retain the character of the area in terms of typical spaces between buildings and the amount and quality of landscaping.
- Extensions should not be taller than the existing property or extend above the main ridge line of the property.
- The eaves level of the extension should correspond with the original house.

5. Paragraph 3.1.7 advises that all side extensions should have regard to the following aims:

Proposals should be proportionate and complementary in height and width to the size of the original dwelling

- Generally, side extensions that are over half the width of the original property can appear prominent in relation to the main dwellings. Side extensions should not be so wide that they detract from the original dwelling
- Extensions should be in keeping with the prevailing pattern of residential development and not erode the amount of space surrounding the dwelling.
- Roof designs should complement the existing roof and should not consist of awkward roof detailing.

- Flat roofs and contrived roofs will not be looked upon favourably by the Council due to the potential visual impact.
- Side extensions that are out of character with the original style and scale of the dwelling, e.g. irregularly shaped or contrived, will not be looked upon favourably by the Council.
- The front wall of an extension should not usually be flush with the front wall of the house as the tothing of old and new brickwork usually looks unsightly. A set back of as little as half a brick length will allow a neat join.
- Extensions should not project forward of the front elevation
- The architectural style, materials and window design should match and complement the original house.
- Side windows in neighbouring properties should not be unacceptably overshadowed.

6. Paragraph 3.1.6 advises that an existing direct through route to the rear garden should be retained.

### **Design and Appearance**

7. Paragraph 3.1.7 of SPD4 advises that side extensions should generally not be so wide that they detract from the original dwelling and should not appear unduly prominent. The proposed extension will be 5.05m wide and this reflects the width of the existing gable. It is noted that the previously approved extension (H/63269) proposed an extension 4.16m wide. In this case it is considered that the design will reflect the existing property such that the overall visual appearance will be one of a larger property rather than an extended dwelling. The 3.2m -4.2m which will be retained to the side boundary will be typical of the area and will ensure the proposal does not unduly impact on the spaciousness of the area. It will also ensure that the proposal does not result in an overdevelopment of the site. The minimum of 3.2m retained to the side boundary provides access to the rear of the property.

8. The design of the proposed extension with the matching gable, decorative bargeboards, brick course and windows to match the existing dwelling will, subject to the use of a matching brick and tiles, provide a satisfactory appearance to the development. The proposed development would therefore be acceptable in terms of design and visual impact and would comply with Policy L7 of the Core Strategy and the Council's SPD4 guidelines.

### **Amenity**

9. There is an existing porch window and kitchen window in the side elevation of No. 142 Broad Road at ground floor level and an obscure glazed window at first floor. There is an existing fence 1.8m high separating the two properties and the windows already face the two storey side elevation of the existing dwelling at a distance of approximately 11.1m. Outlook from the kitchen window is already constrained by the boundary fence. It is considered that, given that a distance of 6.1m would be retained between the

kitchen window and the side elevation of the extension, the proposal would not result in an unacceptable loss of light or outlook to or unacceptable overbearing impact on that property.

10. A proposed window at first floor level in the side elevation of the extension facing No. 142 Broad Road has been removed from the proposal to prevent any overlooking and loss of privacy. The existing fencing will provide adequate screening to the proposed ground floor windows.

11. Two first floor bedroom windows would be formed in the rear elevation of the extension and a double height glazed façade would also be formed within the existing rear elevation of the property. A distance of approximately 8m would separate the extension from the rear boundary with No. 53 Skaife Road. The Council's guidelines would normally require 10.5m unless adequate screening is provided. The house is at right angles to No. 53 Skaife Road and the proposal will not result in windows directly facing each other. Whilst the extension would increase the number of windows with views of the rear garden of that property, the proposed rear windows will be on the same plane as the existing rear windows and, although the rear boundary is not completely parallel with the rear elevation of the dwelling, they will not be significantly closer to the rear boundary than the existing windows. Screening will be provided at ground floor level by the 1.8m high fence (including trellis). It is also noted that the proposed double height glazed façade will be in the existing part of the dwelling and could be undertaken under permitted development rights. In any case, this is a double height space and will therefore not result in overlooking at first floor level and will replace an existing first floor bedroom window in the same position. It is therefore considered that the proposed development will not result in significant additional overlooking of No. 53 Skaife Road over and above the existing situation.

12. Neighbour's concerns regarding future changes of use of this property to a House in Multiple Occupancy and whether permission from the freeholder has been received are not material to the determination of this application. Planning permission would be required for a change of use to a HMO.

13. It is therefore considered that the proposed extension would not have an unacceptable impact on the residential amenity of neighbouring properties and would comply with Policy L7 of the Trafford Core Strategy in this respect.

## **Parking**

14. Parking for a minimum of three cars will be retained at the front of the property. The proposal would therefore be in accordance with the standards as set down in the Trafford Core Strategy and would not be detrimental to road safety or result in an undue loss of amenity to other road users. The proposal would therefore comply with Policies L4 and L7 of the Core Strategy in this respect.

## **Trees**

15. There are two mature Lime trees in the front garden which are affected by a tree preservation order namely Borough of Sale Tree Preservation Order (No.46) – Broad Road / Skaife Road, although consent was granted in January 2017 (89906/TCA/16) for the felling and replacement of one tree, together with the crown lifting to 5 metres and the reduction in height by 3 metres of the other tree. Trees that stood close to the northwest boundary of the site at the time that the TPO affecting the property was made (1962), no longer exist.

16. Condition 3 attached to the planning consent for the tree work (89906/TCA/16) states that 'One replacement tree, Ornamental Thorn (*Crataegus prunifolia*), or similar, is to be planted within 30 days of the felling'. It is recommended that a condition requiring the submission and implementation of a landscaping scheme is attached to any planning permission.

17. Due to the restricted nature of the site, development may put the other lime tree at risk from the effects of soil compaction caused by the movement of heavy plant around the site and other construction activity. As the tree obviously survived the construction activity that took place during the construction of the existing house, it should be possible to build the proposed extension if the tree was to be adequately protected with temporary protective fencing and ground protection. It is recommended that a Tree Protection Plan (TPP), compliant with British Standard 5837: 2012 – 'Trees in relation to design, demolition and construction – Recommendations should be attached to a grant of planning permission.

## **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.

## **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 plans submitted on the 4th March 2018.

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

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

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

4.(a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

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

5. No development shall take place until a Tree Protection Plan, compliant with British Standard 5837: 2012 – 'Trees in relation to design, demolition and construction – Recommendations', has been submitted to, and approved in writing by, the Local Planning Authority. No development or works of site preparation shall take place until all measures identified in the Tree Protection Plan have been implemented and all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with the approved Tree Protection Plan. The measures approved in the Tree Protection Plan and 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.

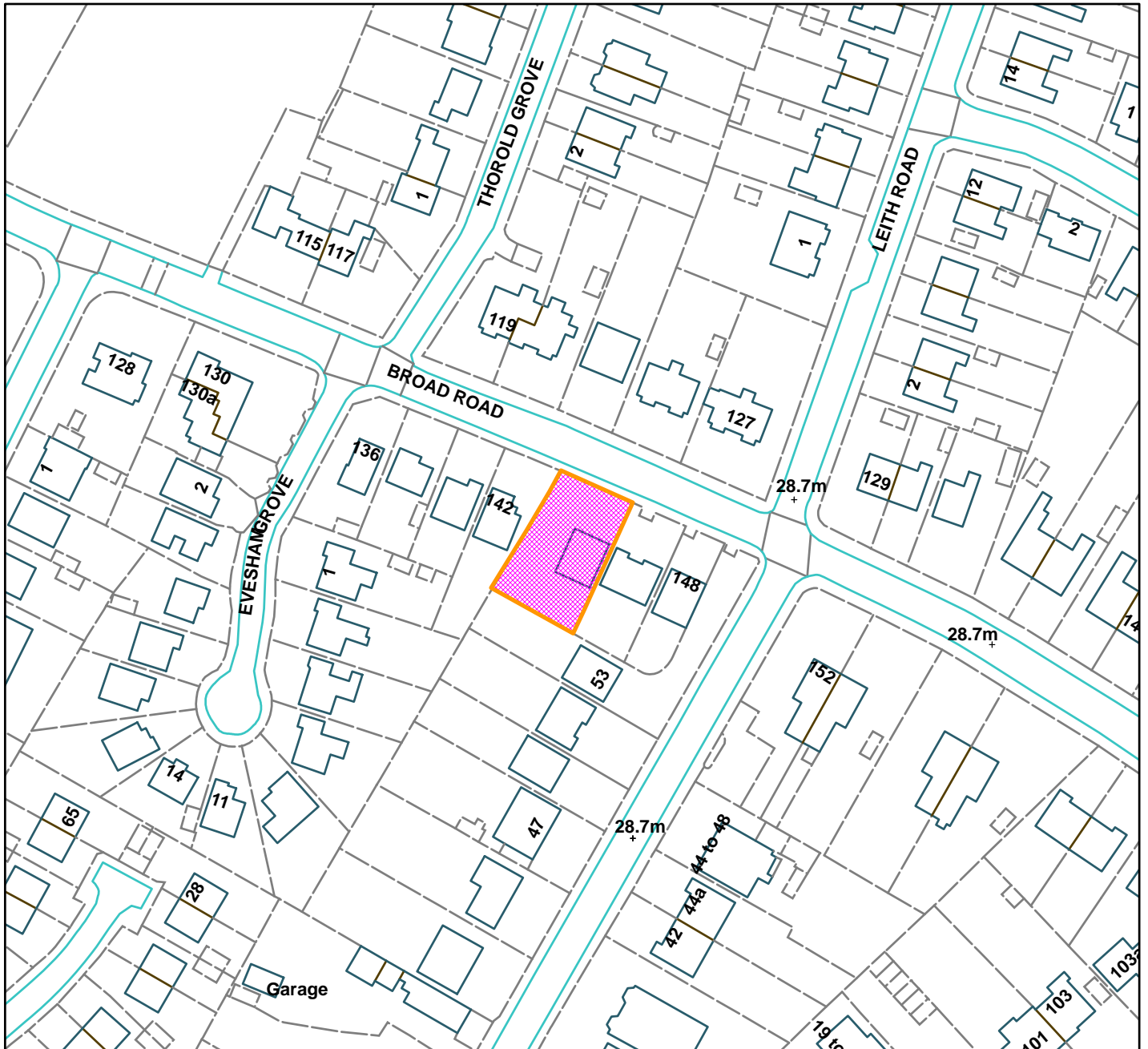
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144 Broad Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/04/2018
Date	29/03/2018
MSA Number	100023172 (2012)

**WARD:** Urmston

**93723/HHA/18**

**DEPARTURE: No**

**Erection of a single storey front extension.**

46 Cumberland Road, Urmston, M41 9HR

**APPLICANT:** Mr & Mrs Davies

**AGENT:** None

**RECOMMENDATION: GRANT**

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**This application is reported to the Planning and Development Management Committee as the applicant is an employee of the Council.**

**SITE**

The application site refers to a two-storey, semi-detached property, located on the northern side of Cumberland Road, Urmston. The external appearance consists of red brick, partly rendered with white uPVC windows and tiled roof. The dwelling and others within the locale feature a circular window above the existing porch and below a cat slide roof, with a two-storey hipped element located to the rear, as well as a double height bay window on the front elevation. A combination of hard and soft landscaping is located to the front of the property, enclosed with a low brick boundary wall. The surrounding area is residential in nature.

**PROPOSAL**

Planning permission is sought for the erection of a single storey front extension, which would replace the existing timber framed porch. The proposal seeks to create a shower facility and porch. The proposed would project between 1m and 2m from the front elevations, and would have a width of 3.5m. The roof form would comprise of a pitched roof, partly hipped. A single door and circular window would be present on the front elevation. All proposed materials would match existing.

The drawings also illustrate a single storey rear extension; however, as annotated on said drawings, the rear extension is to be constructed under permitted development and as such is not to be considered as part of this application.

The increase in floor space of the proposed development would be 4 m<sup>2</sup>.  
The total floorspace of the proposed development would be 4.8 m<sup>2</sup>.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

## **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards & Design

SPD4 – A Guide for Designing House Extensions & Alterations

## **PROPOSALS MAP NOTATION**

None relevant to this application

## **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**

No recent planning history relevant to this application

## **APPLICANT'S SUBMISSION**

No additional information submitted as part of the application

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None received to date

## **OBSERVATIONS**

### **DESIGN AND APPEARANCE**

1. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
2. 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; 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.
3. With regard to front extensions, paragraph 3.7.1 of the SPD4 states: The space between the front of a dwelling and the street is important in defining the character of the street scene. Porches and front extensions should not disproportionately erode this space and should be designed to respect the character and style of the host dwelling and the surrounding area.
4. The proposed development would be visible from the public domain. It is noted that numerous examples of front extensions are present within the locality, albeit of varying styles, scales and form. Of particular note is the recently constructed front extension at no.26, which was granted planning permission on 23.05.2017 (reference: 91033/HHA/17), as the design of the proposed development is very similar.
5. The proposed extension would extend between 1m-2 from the front elevation, and would retain a distance of 5m from back of pavement, The roof form would be pitched (with an eaves height of 2.4m, rising to 3.4m at its apex), the front elevation includes a circular window and the proposed materials would match the existing, therefore the proposed is considered to reflect the character and appearance of the existing building and surrounding area.
6. Given the above reasons, it is considered that the proposed development would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF requiring good design.

## **RESIDENTIAL AMENITY**

7. In relation to matters of amenity protection, policy L7 of the Core Strategy states development must: be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
8. The proposed extension would create a porch and shower room, therefore would not introduce any habitable windows facing or towards any neighbouring properties and would not result in any harm to privacy.
9. The front extension is small in scale as such is considered to have limited impact on neighbouring properties. The proposal would not appear unduly overbearing or result in harmful overshadowing.
10. Given the scale, location and nature of the proposed development; it is considered the proposed development would not result in an unacceptable overshadowing, appear overbearing or result in any undue loss of privacy to neighbouring properties and therefore is in accordance with Policy L7 of the Core Strategy, and the Council's SPD4 guidance.

## **ACCESS, HIGHWAYS AND CAR PARKING**

11. The resultant dwelling would not have an increase in bedrooms nor is there a sufficient loss of hardstanding to alter the existing parking arrangements. Therefore the proposed development is considered acceptable in terms of highway safety.

## **DEVELOPER CONTRIBUTIONS**

12. No planning obligations are required.

## **CONCLUSION**

13. The proposed development is considered to be an appropriate addition to the host property, it would not result in harm to the character and appearance of the application site or wider area, nor would it result in harm to the residential amenity of neighbouring and adjoining residential property. The proposal is considered acceptable in regards to its impact on the local highway network and is therefore considered to be in compliance with the Trafford Core Strategy Policies L4 and L7 and NPPF.

## **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 submitted plans, titled: EXISTING AND PROPOSED ELEVATIONS and PROPOSED GROUND FLOOR PLAN.

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

- 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.

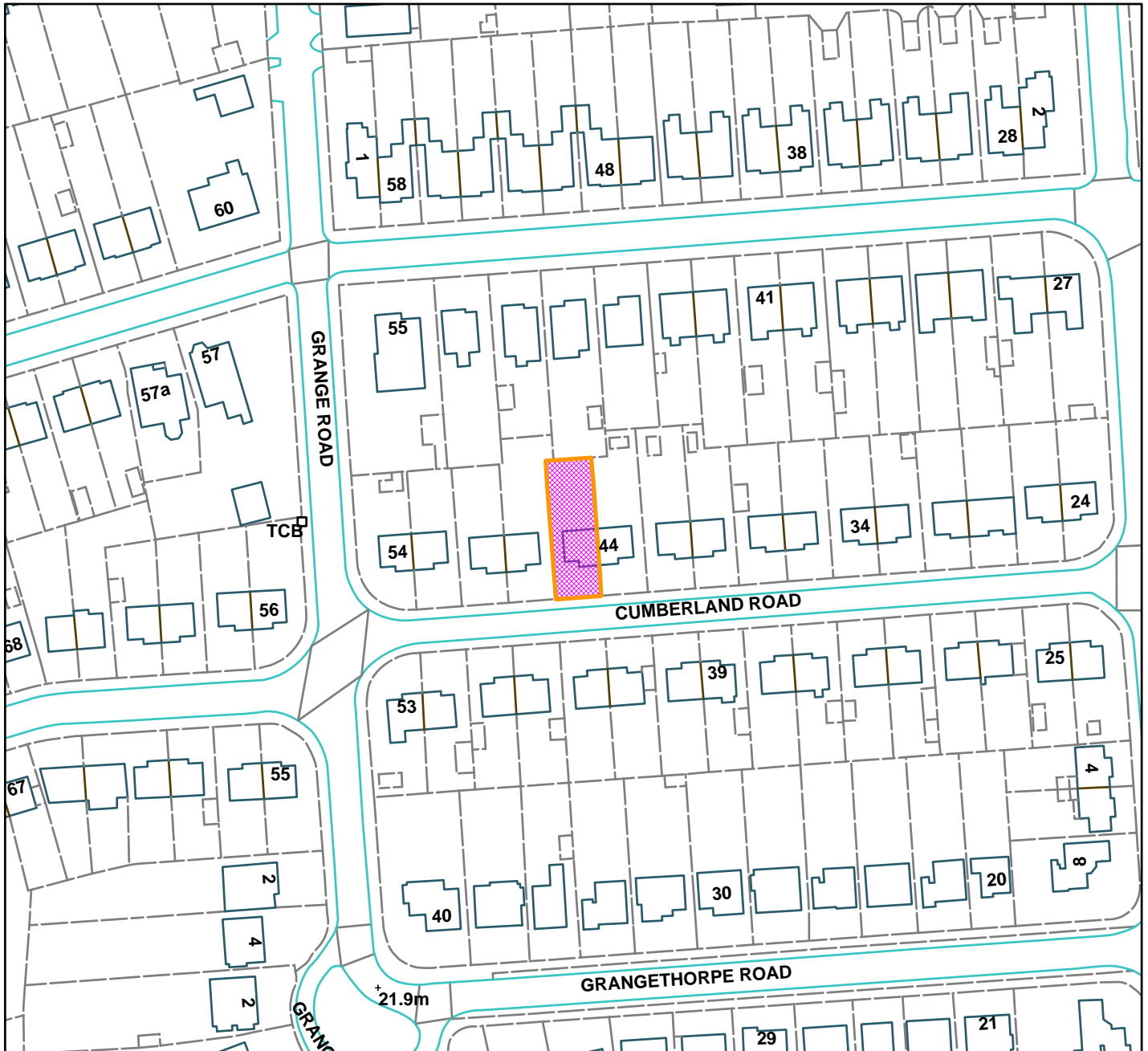
Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning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

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46 Cumberland Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/04/2018
Date	29/03/2018
MSA Number	100023172 (2012)

**WARD:** Priory

**93744/HHA/18**

**DEPARTURE: NO**

**Erection of a two storey side extension with single storey rear extension new front porch. (Revision of application 93020/HHA/17).**

133 Arnesby Avenue, Sale, M33 2WH

**APPLICANT:** Mr Badgujar

**AGENT:** Cube Design Solutions

**RECOMMENDATION: REFUSE**

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**The application has been reported to the Planning and Development Management Committee because the application has been called-in by Councillor Western for the reason that the proposed development has maintained the requisite distance to the side boundary for a two storey extension.**

### **SITE**

The application site comprises a two storey, semi-detached property with gabled roof, located on the eastern side of Arnesby Avenue at its junction with Stapleford Close. The immediate area is predominantly residential and to the west of junction 6 of the M60. The property has a driveway to the front for 1no. parking space, and a detached garage and space that is accessed via Stapleford Close towards its rear.

The property is bounded by a low level wall to its southern and western boundaries fronting the highways, with a row of mature trees including Blue Cedar and conifers planted behind the boundary wall along the southern/side boundary adjacent to Stapleford Close.

Immediately to the rear of the rear boundary, there is a substation, with properties along Stapleford Close being staggered away from the highway moving eastwards.

No.135 Arnesby Avenue is located on the other side of the junction and has single storey side and rear extensions, with a low wall rising to a 1.8m fence along its northern/side boundary fronting onto Stapleford Close.

### **PROPOSAL**

The applicant proposes the erection of a two storey side extension that would be 3830mm in width and 7945mm in depth with both the front elevation and first floor rear elevation being aligned with the existing property. A single storey rear extension with lean to roof across the entire width of the proposed dwelling, retaining 200mm between it and the boundary with No.131 is also proposed. A Juliet balcony is proposed at first floor level to the rear of the two storey side extension, accessed via inward-opening



French doors with a width of 1.9m and with a small flat roof area to the rear of it to accommodate the glazing. The balcony would sit in a cut out of the pitched roof of the proposed rear extension.

A porch with pitched roof is proposed in front of the existing front door. This would project by approximately 1.2m in front of the principal elevation of the dwelling and be approximately 1.9m in width.

The application has been amended to omit the previously proposed rendering of the property and to reduce the size of the flat roof area to the rear of the Juliet balcony. The external appearance of the proposed development would be constructed in brickwork to be of a similar appearance to the existing dwellinghouse.

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

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design.

L4 – Parking

## **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards and Design

SPD4 – A Guide for Designing House Extensions & Alterations

## **PROPOSALS MAP NOTATION**

None

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

None

## **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**

93020/HHA/17 - Erection of a two storey side with single storey rear extension with new front porch and rendered throughout. Withdrawn.

H16985 – Stapleford Close, fronting 133 Arnesby Avenue – Demolition of garage and erection of a detached dwelling house – Refused 3rd November 1982

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None received

## **OBSERVATIONS**

### **Principle of Development**

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. Therefore, the proposed development is acceptable in principle, subject to it complying with the requirements and limitations of Policy L7 of Trafford's Core Strategy in addition to SPD4.

### **Design and Appearance**

2. Paragraph 17 of the NPPF states that planning should always seek to secure high quality design. 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. 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.

4. There are several key overlapping considerations as highlighted in SPD 4. Section 3.1 relates to side extensions and states within 3.1.1 that *“Side extensions can have a prominent visual impact on the appearance of your dwelling and they can remove gaps from the street scene that help define the local character. Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not:*

- *Appear unacceptably prominent,*
- *Erode the sense of spaciousness within an area*
- *Detract from a dwelling’s character.*
- *Adversely affect the amenities of neighbouring properties.*

5. In addition, Section 3.3 focusses on corner properties and states:

*“Extensions on corner properties, between the side of the house and the road, can appear unduly prominent and obtrusive, particularly if they come forward of the general line of the fronts of neighbouring properties. Extensions in these locations should not be visually over-dominating or disrupt the sense of openness between the properties and the street scene”.*

6. This is supported by Section 3.3.2 whereby:

- *“Each case must be considered individually, however a proposal is more likely to be acceptable if:*
- *There is plenty of space between the property and the back of the pavement on the road and the extension only takes up a small proportion of this space, which in most cases will not be more than 50% of the garden*
- *The proposal is in keeping with the building line and does not appear overdominant in the street scene*
- *There is sufficient space left between the extended property and the back of the pavement to maintain the character of the surrounding area*
- *If the extension is set back from the front corner of the house*
- *If the extension is single storey rather than two storey*
- *The design of the proposal helps to minimize the visual impact on the street scene”*

7. Section 3.3.3 continues:

*“As well as satisfying the above criteria, generally, a minimum separation distance of 2m must be maintained between the edge of any single storey extension and the site boundary. These minimum separation distances may need to be exceeded however for two storey extensions or to safeguard the prevailing spacious character, and in any case will take into account the building line and extent of side garden remaining”.*

8. The design and appearance of the proposed two storey side extension would include windows and doors of a similar design to the existing building. Its width (3830mm) would be significantly more than half of the existing property (5900mm), and as such, it is considered that this would be disproportionate in its size, scale and massing and would create an imbalance in the pair of semi-detached dwellings to which it relates. The proposed two storey side extension would also be in a highly visible location within the streetscene. Whilst this element would maintain a 2 metre separation distance between it and the side boundary in common with Stapleford Close, there would not be a set back at either storey from the principal elevation, nor would the proposed development's roof ridge be set lower than the main building to mitigate its appearance. In addition, the corner property on the other side of the junction at No.135 is extended at ground floor only which contributes to the spaciousness of this part of the highway. The two storey side extension proposed would project approximately 3.8m forward of the closest property, No.1 Stapleford Close within the established building line and would also take up significantly more than 50% of the existing space between the dwelling and the side boundary.
9. The proposal is considered to result in an erosion of this spaciousness to the side of the host dwelling due to its siting and height. As such it would result in an unacceptable impact upon the streetscene, appearing overly dominant and out of keeping with the established building line along Stapleford Close and enclosing the available spaciousness at the junction with Arnesby Avenue. This reduction in spaciousness, notwithstanding the retention of some semi-mature trees within the curtilage of the application site, would be harmful to the character and appearance of the application site and the immediate area that is characterised by uniform properties for the most part.
10. Overall, it is considered that the proposed two storey side extension would not be in keeping with the streetscene and would reduce the existing spaciousness at the junction of Stapleford Close and Arnesby Avenue to such an extent that it would appear cramped and incongruous to the wider residential area to which it would relate. As such the proposal is

considered not to be in compliance with Policy L7 of the TBC Core Strategy or the additional guidance within SPD4.

11. With regard to the single storey rear extension, while this element would be visible within the streetscene, it is considered to be subservient to the host dwelling due to its massing and single storey nature. Therefore this part of the proposal is considered acceptable.
12. The proposed extension is proposed to be erected using similar brickwork and roof tiles to the existing dwelling. The immediate area of Arnesby Avenue, Ravenstone Drive, Caldbeck Avenue and Oulton Avenue is a crescent of properties of similar design, with any alterations being predominantly brickwork to be similar to the original dwellings. The scale and massing of the proposed extension and its proximity to the side boundary would result in the development appearing disproportionate to the existing dwelling and thereby create an imbalance in the appearance of the pair of semi-detached dwellings to which it would relate and would result in a cramped appearance that would be out of keeping with the spacious character of the street scene. This development, within such a sensitive location at a junction within the streetscene, would appear visually overdominant and incongruous to its setting. The appearance of the proposed development would thereby be contrary to the general principle within section 3.3.2 of SPD4 that “The design of the proposal helps to minimize the visual impact on the street scene” and would be contrary to Policy L7 of the Core Strategy and guidance in the NPPF.

### **Residential Amenity**

13. In relation to matters of amenity protection Policy L7 of the Core Strategy states development must:
  - Be compatible with the surrounding area; and
  - Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
14. With regard to privacy, SPD 4 states:

*“2.15.2. Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable, unless there is adequate screening such as significant mature evergreen planting or intervening buildings.”*

*“2.15.3. Window to window distances of 21m between principal elevations (habitable room windows in properties that are directly facing each other) will normally be acceptable as long as account is taken of the fact that the facing properties may need, in fairness to be extended also.”*

15. The rear first floor French doors would be approximately 15.3m from the rear boundary fence and therefore in excess of the recommended minimum distance of 10.5m within SPD4. As there are no habitable windows at ground or first floor level within the side elevation of this property, there would be no significant impact on the privacy of current and future occupiers of 1 Stapleford Close that is set behind a substation that is between it and the rear boundary of the application site. If planning permission were to be granted, it is recommended that, notwithstanding the fact that the immediately adjacent flat roof area has been reduced to a minimum, a condition should be attached to ensure that this would not be able to be used as an external balcony to ensure that privacy of immediate neighbours is protected.
16. The proposed windows within the first floor front elevation would relate to an ensuite and therefore would not cause any detrimental harm to properties facing the dwellinghouse along Arnesby Avenue. No first floor windows are proposed in the side elevation and therefore there would be no undue overlooking of 135 Arnesby Avenue on the opposite side of Stapleford Close.
17. With regard to the projection of the rear extension, SPD 4 states:

*“3.4.2. The most common situation where harm may be caused to the neighbouring property is in the instance of terraced and semi-detached properties however these guidelines also apply to detached properties. Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).”*
18. The proposed rear extension would project 3m and be set off the boundary with No.131 that has a single storey rear extension that projects approximately 2.4m from its main rear elevation. As such, the proposed development would be in line with SPD4 that would allow the principle of projecting 3m further than the existing rear extension of the connecting property subject to design and residential amenity etc.

19. The proposed development would thereby not cause undue overlooking, loss of privacy or overbearing impact to the occupiers of the connecting property 131 Arnesby Avenue or 1 Stapleford Close to the rear or to properties on the opposite side of Arnesby Avenue or Stapleford Close. The proposed development would thereby adhere to the recommendations contained within SPD4, Policy L7 of the Core Strategy and the NPPF in this respect.

## **PARKING**

20. The proposed development proposes to retain 3no. off-street car parking spaces and thereby would comply with the guidance within SPD3: Parking Standards.

## **DEVELOPER CONTRIBUTIONS**

21. The proposed development will increase the internal floor space of the dwelling by less than 100m<sup>2</sup> and therefore would not attract any developer contributions.

## **CONCLUSION**

22. The proposed two storey side extension would be of a disproportionate width in relation to the existing dwelling and would unbalance the pair of semi-detached properties to which it relates. The extension would also reduce the existing spaciousness at the junction of Stapleford Close and Arnesby Avenue to such an extent that it would appear cramped and incongruous. The proposed development would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area. As such the proposal is considered not to be in compliance with Policy L7 of the TBC Core Strategy, guidance within SPD4 and guidance within the NPPF.

## **RECOMMENDATION:**

**REFUSE** with the following reasons for refusal:-

- 1) The proposed development, due to its size, scale, height, massing and siting in close proximity to the side boundary with Stapleford Close, would result in a cramped form of development that would be out of keeping with the spacious character of the street scene. The proposed development would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area. As such, the proposals would be contrary to Policy L7

of the Trafford Core Strategy, the Council's adopted SPD4: A Guide for Designing House Extensions and Alterations and guidance in the NPPF.

- 2) The proposed development, due to its size, scale, massing and width, would represent a disproportionate addition to the existing dwellinghouse and would create an imbalance in the appearance of the pair of semi-detached properties to which it would relate. The proposed extension would therefore have a detrimental impact on the character of the existing property and the visual appearance and character of the street scene and the surrounding area. As such, the proposal would be contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted SPD4: A Guide for Designing House Extensions and Alterations and guidance in the NPPF.

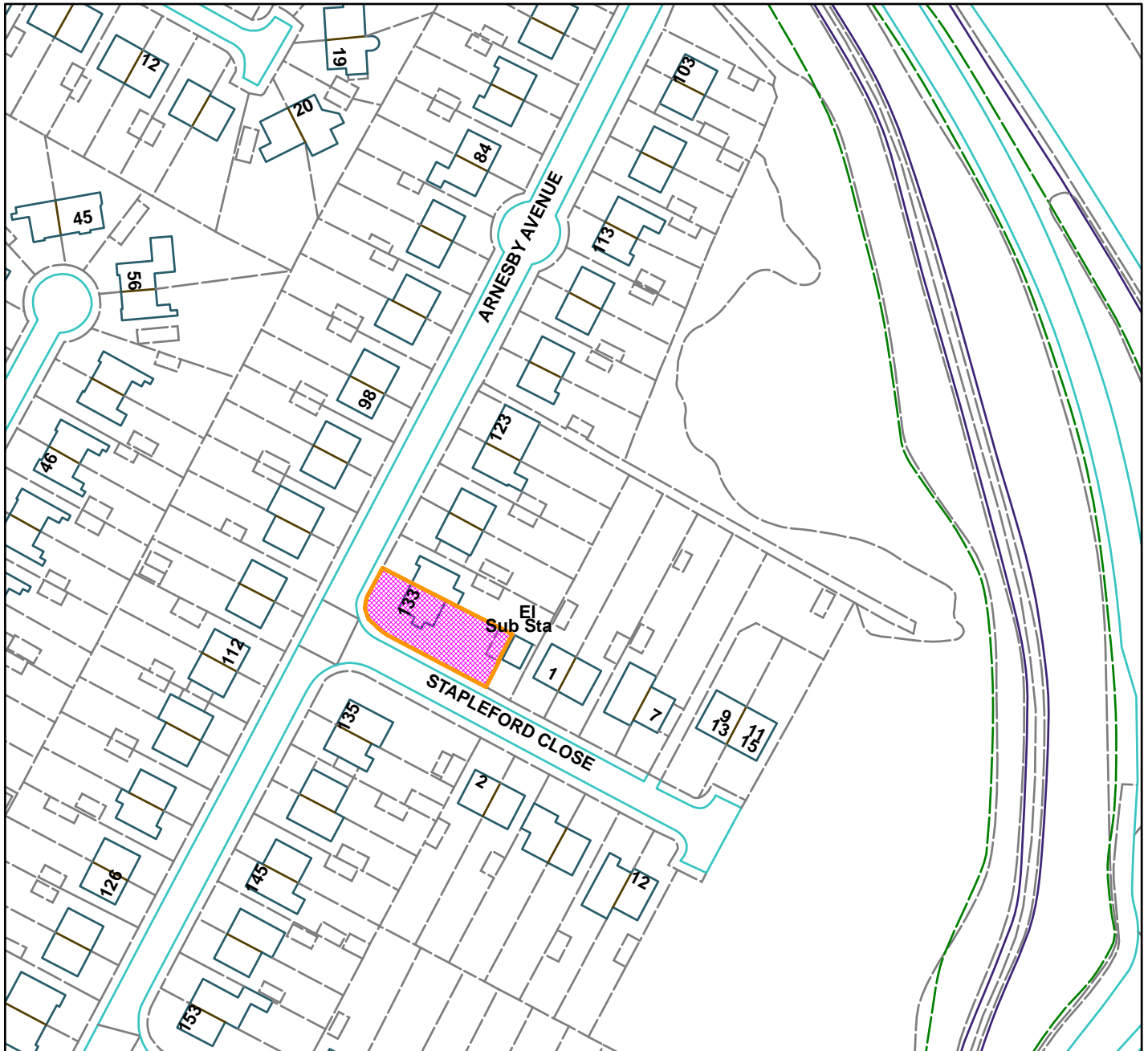
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133 Arnesby Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
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