

WARD: Hale Barns

93024/FUL/17

DEPARTURE: No

Erection of 4no self contained apartments with associated parking and landscaping.

Pepper House, North Road, Hale Barns,

APPLICANT: LMO Property Limited

AGENT: Emery Planning Partnership Ltd

RECOMMENDATION: GRANT

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

SITE

The application site comprises of an infill plot on the south east side of North Road. The site was previously occupied by a two storey detached dwellinghouse and single storey detached garage, known as Pepper House, both of which were demolished in March 2016. The site was created in the mid-1980s following the subdivision of the garden to Greenacres, which lies to the north west of the site. The surrounding area is residential, characterised by large spacious detached properties of varying styles.

Access to the site is from North Road via a long driveway to the south of Greenacres. A public footpath linking Rappax Road and Bollinway lies to the south of the site.

The site is located within Sub Area C of the South Hale Conservation Area.

PROPOSAL

The application proposes the erection of a part single, part two and part three storey building that would form four self-contained apartments. The development would comprise of 2no. three bedroom apartments at ground floor, 1no. two bedroom apartment at first floor and a three bedroom duplex apartment that would be situated at first and second floor level. An integral garage providing four car parking spaces would be provided at ground floor level and each apartment would benefit from recessed terraces or balconies. A large communal garden would also serve the development centrally and to the south of the site. Four further car parking spaces and bin storage would be provided to the north east of the site.

The proposed development would also include the replacement of the existing front gate across the driveway entrance with a new 2.2m high solid oak timber gate that would be recessed 6.3m from the front boundary of the site with North Road.

Added Value

The proposed development has been reduced in size, scale and massing and the external elevations have been amended to provide a more sympathetic development, taking into account the surrounding area and proximity of neighbouring residents. The internal layout has been amended to ensure a loss of privacy would not occur to neighbouring properties and gardens. The parking area, bin storage and proposed landscaping have also been amended to reduce the impact on neighbouring properties and gardens.

Floorspace

The total floorspace of the proposed development would be 821.77m².

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport & Accessibility
L5 – Climate Change
L7 – Design
R1 – Historic Environment
R2 – Natural Environment

PROPOSALS MAP NOTATION

South Hale Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV21 – Development in Conservation Areas

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

OTHER RELEVANT LEGISLATION

Planning (Listed Buildings and Conservation Area) Act 1990

RELEVANT PLANNING HISTORY

95231/FUL/18 - Erection of a part single, part two storey detached dwellinghouse with associated landscaping and car parking – Currently under consideration.

85698/FUL/15 - Demolition of existing dwelling and erection of replacement dwelling with associated works – Approved with 27/07/2015.

H/19806 – Erection of detached private double garage and construction of driveway - Approved with conditions 02/07/1984.

H/19082 – Erection of detached dwelling house - Approved with condition 09/02/1984.

H/02484 – Erection of a House or Bungalow - Approved with conditions 15/01/1976.

APPLICANT'S SUBMISSION

The applicant has submitted a Design and Access Statement, a Planning Statement, a Heritage Statement, an Arboricultural Impact Assessment, a Development Study, a Massing Study of the surrounding area and a Precedent Study. The information provided within these documents is discussed where relevant within this report.

CONSULTATIONS

LHA – No objections, comments are discussed in full in the observations section below.

PRoW - A definitive right of way, footpath No.5. Hale, runs adjacent to the southern boundary of the development. The proposed development does not appear to affect the definitive rights of way, however a condition is recommended requiring approval of the type and location of boundary treatment adjacent to the public right of way to ensure that it is not narrowed or adversely affected. The right of way should remain open for public use during the construction where possible. If a temporary closure or diversion is required for safety reasons, a Temporary Traffic Regulation Order is required.

LLFA – No objections. A condition for a sustainable urban drainage scheme is recommended.

United Utilities – No objections. Standing advice is provided, including that 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. A separate meter supply should be provided to each unit.

REPRESENTATIONS

A total of 18 letters of objection have been received from 8 neighbouring properties on North Road and Rappax Road. Five of these letters were in response to a re-consultation relating to the final set of amended plans. A summary of the objections and concerns raised from all of the representations received are: -

- The development is in total conflict with the architecture of the surrounding properties and the Conservation Area guidelines.
- The proposed 4 family apartment block, overdeveloping the plot of around half an acre is not answering the description for the Conservation area, which is “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”. (Point 1.2.1. from Conservation Area Guideline).
- The proposed building is out of proportion with its size in comparison with the surrounding properties.
- The dominant building material in Zone C (of the Conservation Area) is brick, mainly red and brown. Sandstone is also used predominantly for decorative detailing.
- Do not believe that cramming in four dwellings on to a single site would preserve or enhance the special character of the area. It is hard to see how the development will harmonise with the properties in the immediate area.
- The site was backland and as detailed in the Conservation guidelines, it is important not to over develop backland as it is rarely possible to do so without damaging the characteristics of the area.
- The Design and Access Statement is untrue in describing the height of the development as matching the heights of the majority of dwellings around.

- Surrounding properties have classical roofs, on spacious landscaped plots and mature trees. No one can stand on these roofs, sunbathing or partying as shown on the plans, the proposed terraces would destroy their privacy.
- Large parts of the roof would be covered with metal sheets, which will create incredible noise from rainfall and is more conducive with a factory roof.
- The boundary landscaping on the revised plans still does not screen the size of the development overlooking their property.
- The roof study is fundamentally flawed as it does not identify 3 storey properties that have basements and therefore only 2 stories above ground level and those three stories by virtue of an attic conversion and therefore not full 3 storey height.
- It is likely that there would be at least two cars per apartment. The parking provision would be four spaces and four garages, there is no provision for any visitor parking, which will mean that any visitors are likely to park on North Road. North Road is a private road, we do not wish to see many cars parked here.
- The driveway is narrow only allowing traffic in one direction and has a bend with no visibility towards the end. Whilst cars will be waiting they will experience noise and exhaust fumes right by their property and garden.
- The light pollution from the exiting driveway is of great concern. The proposed driveway is dangerous, unprofessional and unworkable.
- The owners on North Road have to maintain the road at their own expense and imagine that construction traffic will cause a lot of damage to the road, which the other owners will have to make good later.
- It is ridiculous that the planning statement has stated that significant weight should be had to the contribution the site would make in addressing the identified housing shortage. There is little evidence to suggest that there is any shortage at this particular level of the market. It is likely that the properties would be sold in the region of over £1 million. This is hardly addressing the need for more affordable housing and is aimed at a small and niche market.
- Concern that the development would set a dangerous precedent, altering the character of the road.
- As North Road is a private road, due to the number of refuse bins needed, the owners would not be able to legally place their bins outside their property for emptying without trespassing on adjoining landowners unless they blocked the entrance to the site.
- Gaining access to the site requires wear and tear to Rappax Road, which is maintained by Rappax Road residents.
- Welcome the development of the site that is poorly maintained, but do not agree to the revised proposals.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
2. Policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus these development plan policies are 'out of date' in NPPF terms. Paragraph 11(d) of the NPPF is therefore engaged.
3. The application proposes the erection of a building that would comprise of four apartments, 3no. three bedroom apartments and 1no. two bedroom apartment. The site was previously occupied by a single dwellinghouse, which has now been demolished and is located in a predominantly residential area. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target as expressed in Table L1 of the Core Strategy. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
4. Although the site was previously occupied by a dwellinghouse, this was demolished the redevelopment of the site did not immediately take place. As such the site is considered to be greenfield land, as identified by the NPPF. The proposal would therefore need to be considered in light of Policies L1.7- L1.8 of the TC Core Strategy. Specifically, Policy L1.7 which sets an indicative target of 80% of new housing provision within the borough, to be built upon brownfield land. In order to achieve this target, the Council details within the Core Strategy that it will release previously developed land and sustainable urban area greenfield land in order of priority. The first priority which details the release of land within regional centres and inner areas for new development of housing does not apply within this case, due to the location of the site. Therefore the application will need to be considered against the second and third points of Policy L1.7.
5. In this instance it is considered that the application site is located within an established residential area and is considered to be within a sustainable location, sited close to public transport links and local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size, density and tenure to meet the needs of the community.

6. In terms of Policy L2 the application is for family housing and therefore is compliant with L2.4. It is noted that the proposed site is not identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). Paragraph 11 of the NPPF indicates that plans and decisions 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.
7. 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. The proposal would see the creation of four new additional dwellings, which will contribute to the Council's ability to meet its overall housing land target. Additionally there is also likely to be a small economic benefit during the construction phase of the proposal. It is therefore considered that although the application site is classed as greenfield land, on balance the proposal satisfies the tests of Policy L1.7 and relevant policies within the NPPF. The application site is situated within a sustainable location and the development would also make a positive contribution to the Council's housing land targets, as set out within Policy L1 of the Core Strategy and would also increase the provision of family homes within the area, in accordance with Policy L2 of the Core Strategy.

DESIGN / IMPACT ON SOUTH HALE CONSERVATION AREA

8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area" in the determination of planning applications.
9. National guidance in the NPPF requires that local planning authorities take into account the particular significance of the heritage asset when considering the impact of a proposal to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. (para. 190).
10. Para. 192 indicates that when local planning authorities are determining planning applications, they 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.

11. Paragraph 193 states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
12. Paragraph 194 states that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within its setting) should require clear and convincing justification.”
13. Paragraph 196 of the NPPF advises that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.”
14. Further to the above Policy R1 of the TBC Core Strategy advises that Trafford’s historic environment makes a major contribution to the attractiveness and local distinctiveness of the Borough. Heritage assets are buildings, monuments, sites, or landscapes of historic, archaeological, architectural or artistic interest whether designated or not. The significance, character, and appearance of these heritage assets are qualities that will be protected, maintained and enhanced. Furthermore, developments within the historic environment preserve or enhance the character and appearance of these areas.
15. Paragraph 124 of the NPPF states that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. Paragraph 130 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”.
16. Policy L7 of the Trafford Core Strategy states that “In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”.
17. The application site is situated within the South Hale Conservation Area (SHCA), which is classified as a Heritage Asset as set out in the NPPF. The proposal

should therefore be considered against the guidance set out in the South Hale Conservation Area Appraisal (SHCAA) and the South Hale Conservation Area Management Plan (SHCAMP), which were adopted in March 2017.

The Significance of the designated heritage asset

18. Significance is defined in the NPPF as *'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'*
19. The application site is identified within the appraisal as falling within Sub Area C Character Area. The SHCAA defines the character of Zone C of the Conservation Area as being:

"...centred on the top of the hill, encompassing, the eastern section of Bankhall Lane and Hilltop and the western section of Bankhall Lane to No 59. The majority of the houses are again spacious Edwardian properties. There are also inter-war and modern dwellings. There are some examples of large detached Victorian houses, but these are rare in this Zone. Numerous 1930s properties along Broadway and Broad Lane have been demolished and new development has taken place, creating pockets of modern character. Many of the properties are set back from the street line and obscured by the high boundary treatments and mature planting. These areas are now deleted from the Conservation Area."
20. The SHCAA also identifies in paragraph 4.3.79 that "All of the properties within this Character Zone are residential apart from Halecroft, the scale and massing of the buildings varies throughout the Character Zone. There are a combination of single storey, two storey detached and semi-detached properties, some with attics. Very few properties rise to three storeys. Some of the Victorian, Edwardian and 20th – 21st century properties are of a very grand scale."
21. Paragraph 4.3.82 states that "Traditionally the properties had low walls of stone or brick, surmounted by hedges of holly or other shrubs. There are still examples of this form of boundary treatment and it contributes to the semi-rural character of the area. Most openings are framed by substantial gateposts, which are generally set flush with the line of the wall. In some cases the posts have been retained but the entrance set back. Many boundary treatments and gateposts are now of a modern design, in brick or rendered concrete. These are not always of an appropriate design for the Conservation Area."
22. The application site is confirmed within the SHCAA as being a neutral contributor to the heritage asset that is the South Hale Conservation Area but is bounded by Positive Contributors, Greenacres and Fairways, situated on North Road. It is considered that any proposed development on the site should at least preserve and preferably enhance the character and appearance of the Conservation Area.

Proposal and Impact on Significance

23. The specific policies of the South Hale Conservation Area Management Plan that relate to this proposed development are as follows:-

Policy 11

Garage doors should be of timber and side-hung.

Policy 13

Preferred roof materials should be slate (Welsh or Westmorland) or clay tiles, as appropriate to the building's context. Other natural materials may be acceptable subject to size, colour and patina.

Policy 20

Gate openings should not be widened or re-positioned unless it can be proven that access is unsafe. Where gate openings are to be widened or re-positioned on the grounds of highways safety, Trafford Council will require the applicant to submit a highway consultant's report to demonstrate highway safety implications.

Policy 23

Boundaries which border a public footpath should be well-maintained. The characteristic low boundary wall with supplementary planting is the preferred treatment in these locations.

Policy 36

The Council will seek to maintain and enhance existing tree cover in the area together with established boundary planting. New planting should be in character with other planting in the area.

Policy 39

Any new development should take inspiration from the established architectural styles within the Conservation Area. Appropriate features, materials and detailing are to be integrated into the design (see 2.2 of this Management Plan and the extended discussion in the accompanying Appraisal). Modern design is not prohibited within the Conservation Area but should be sympathetic to its historic context; have regard to appropriate siting, of a high standard; of an appropriate scale and proportions; and use appropriate, high-quality materials.

Policy 41

Any new or altered driveways should normally be curved rather than straight in order to minimise direct views into the site and to ensure that the character of glimpsed views of buildings is retained. For drives and hardsurfaced areas, porous surface materials that complement the character of the area will be required.

24. Paragraph 4.3.80 of the SHCAA states that *“The plot sizes throughout the area also vary and there are examples of irregularly shaped plots, where modern infill development has taken place.”*

Consideration of impact on the significance of the Conservation Area and the visual amenity and character of the area

25. The application site is now a cleared vacant site. The original dwellinghouse, ‘Pepper House’, was demolished in March 2016, following planning permission being granted in July 2015 for the demolition of the dwelling and the erection of a new contemporary designed dwellinghouse (ref: 85698/FUL/15). The erection of the new dwelling did not subsequently occur after the demolition works and this planning permission expired in July 2018. A new planning application for the erection of the same proposed replacement dwelling has recently been submitted by the applicant and is currently under consideration (ref: 95231/FUL/18).
26. The proposed development would comprise of a part single, part two storey and part three storey contemporary building that would have a flat roof with render and shuttered concrete finish on the walls. Timber cladding is also proposed to break up and provide interest on the external elevations along with timber doors and large glazed windows and openings. Recessed garden terraces and balconies are also proposed to provide depth to the building as well as private amenity spaces for the future residents.
27. The proposed building would have a maximum height of 8.05m where it is two storeys and 10.15m where it is three storeys.. The development would form an ‘L’ shape with a lower single storey section to the south east of the site. The single storey element would measure 3.95m high. The maximum height of the proposed development would only be 0.5m higher than the maximum height of the dwellinghouse previously granted planning permission on the site (85698/FUL/15) and would be 1.4m higher than the original dwellinghouse. This is not considered excessive when considering the heights of other dwellings in the surrounding area. .
28. The application site is surrounded by large detached, predominantly two storey properties with pitched roofs. Fairways, which is situated to the south-west of the site entrance is a part two storey, part three storey property and Brackenhurst, situated to the south-west of the site, is a three storey property. Due to the contemporary design of the development, incorporating a flat roof, the height of the building at three storeys would not be significantly higher than neighbouring two storey houses. The highest point of the proposed building would be 0.15m higher than the main ridgeline of Greenacres and 2 Somerfords, which are large two storey houses adjoining the site to the north-west and south-west and 0.85m lower than the main ridgeline of Fairways and The Red Lodge, which are also two storey properties adjoining the site. The development would also have a maximum height that is 1.85m lower than the main ridgeline of the neighbouring

property Brackenhurst. The adjoining property Roby House to the east of the site is a considerably lower property than many of the houses in the surrounding area and as such the two storey element of the proposed development would be situated in line with the main ridgeline of Roby House and the three storey element would be 2.15m higher. A distance of approximately 102m would lie between the proposed development at two and three stories high and Roby House. It is therefore considered that the proposed development would not appear unduly large or out of context with regards to height and massing in the surrounding area. Furthermore, although the massing would be greater than the previous house or the previously permitted development (85698/FUL/15), it is considered that the proposal would not have an unacceptable impact on the spaciousness of the Conservation Area.

29. It is recognised that the proposed development would result in a very modern contemporary designed building within the Conservation Area. Neighbouring properties surrounding the site are of varying designs, albeit of a more traditional design. The SHCAA notes in paragraph 4.3.84 that “There are a variety of architectural styles within this Character Zone, reflecting the different ages of buildings and development of the area”. Policy 39 of the SHCAMP also states “Modern design is not prohibited within the Conservation Area but should be sympathetic to its historic context; have regard to appropriate siting, of a high standard; of an appropriate scale and proportions; and use appropriate, high-quality materials”. It is also noted that a modern contemporary house was previously permitted on the site in recent years (85698/FUL/15).
30. It is considered that, in the context of the application site, where the proposed dwelling would not be seen in close juxtaposition with the surrounding more traditional houses, and having regard to the contemporary design of the previous permission (85698/FUL/15), the proposed design would be acceptable and would not have a detrimental impact on the visual amenity of the area or the character or significance of the Conservation Area.
31. The proposed building would have an external finish of render with shuttered concrete sections, including elements of shuttered concrete that would be painted to match the colour of the render. The SHCAA notes in paragraph 4.3.83 that within this area “Many buildings, both historic and modern are partially or fully rendered”. This part of the Conservation Area fits this profile as the neighbouring properties Greenacres, 2 Somerfords and Brackenhurst are fully rendered and Fairways, 5 Rappax Road, North Field, North House and Red Lodge are partially rendered. It is therefore considered that the proposed material finishes of the development would not adversely impact on the character of the Conservation Area.
32. The application includes the erection of a new vehicular entrance gate to the front of the site, which would comprise of a 2.2m high solid oak timber gate that would be recessed 6.3m from the front boundary of the site with North Road.

The recess would allow for cars to pull safely off the road whilst the gate electronically opens. It is noted that many neighbouring properties on North Road and Rappax Road have large gates at least 2m high on their front boundaries and the adjacent property Fairways has front gates that have an arch detail resulting in a minimum height of 2.2m and a maximum height of 2.8m. The proposed gates would also replace existing iron gates that lie along the front boundary of the site, which also have a minimum height of 2.2m. The proposal would also entail the retention of the existing sandstone wall along part of the front boundary of the site, which is a common feature of the SHCA. It is therefore considered that the proposed front boundary treatment would not be out of character with the existing street scene and would not adversely impact on the character of the Conservation Area.

33. In conclusion, it is not considered that the development would result in harm to the significance of the heritage asset that is the South Hale Conservation Area. The site is identified in the SHCAA as a neutral contributor and it is not considered that the development proposed would adversely affect the features which provide the Conservation Area's overall significance and special interest as set out in either the SHCAA or SHCAMP documents. It is therefore considered that the development would preserve the character and appearance of the Conservation Area.

34. In arriving at this recommendation, considerable importance and weight has been given to the desirability of preserving this designated heritage asset. It is also considered that the design of the overall development is acceptable in visual amenity and design terms and thus would also not adversely impact on the existing street scene and character of the surrounding area. Overall the proposals are considered to be in compliance with Policies L7 and R1 of the Core Strategy and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

35. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.

Impact on Greenacres

36. Windows are proposed on the northern elevation of the development facing Greenacres at ground, first and second floor levels. A distance of approximately 6.09m increasing to 12.6m would lie between these windows and the common boundary with Greenacres. The first floor windows situated closest to this boundary would be secondary windows and as such it is recommended that they are obscure glazed. A single window proposed at second storey level would

serve a bathroom and therefore is also recommended to be obscure glazed. A principal bedroom window is proposed at first floor level facing the boundary with Greenacres. A minimum distance of 9m increasing to 12.6m would lie between this window and the common boundary. A group of large mature conifer trees lie along the boundary with Greenacres, which are situated within the neighbour's ownership. It is also noted that Greenacres is positioned towards the front of the site facing North Road and is approximately 25m from the common boundary with the application site. It is thus considered that no undue overlooking or loss of privacy would occur to the occupants of this neighbouring property.

37. Four car parking spaces and a bin store area would be situated to the north-east of the site, close to the common boundary with Greenacres. The application proposes the provision of a planting bed between the parking spaces / bin store and the common boundary. It is also proposed to provide additional tree planting along the boundary to infill any exposed parts of the boundary. A minimum distance of approximately 22m would also lie between the rear elevation of Greenacres and the parking / bin store area. A landscaping condition is recommended to ensure that high quality mature landscaping is provided along this boundary of the site.
38. It is noted that the creation of four apartments on the site would result in an increase in traffic driving along the driveway that would be situated to the side and rear of Greenacres. A minimum distance of approximately 5.5m increasing to 21m would lie between the main dwellinghouse of Greenacres and the proposed driveway. Planting is also proposed adjacent to the common boundary with Greenacres (additional to existing mature planting within the site of Greenacres) and the driveway, which would help to soften any impacts. Due to this relationship, it is also considered that the level of traffic generated by the proposed development would not be of a significant amount that would result in undue noise and disturbance to the residents of Greenacres.
39. It is therefore considered that there would be no undue impact on the amenity of the occupiers of Greenacres.

Impact on Roby House

40. The proposed building has been staggered in height, resulting in the element closest to Roby House being only single storey. The two storey element would be situated further away from this neighbouring property than the two storey dwellinghouse that was previously situated on the site and the second storey element is also set a further into the site. A minimum distance of 4.65m would lie between the single storey element and the common boundary with Roby House; a distance of 8m would lie between the two storey element and this boundary and 9m to the three storey element. A minimum distance of 38.3m would lie between the rear elevation of Roby House and the proposed development. Dense mature planting also lies within the curtilage of Roby House along the

common boundary with the application site, which would screen many views of the proposed development. No windows are proposed at first or second storey level on the east elevation facing the common boundary with Roby House. It is therefore considered that the proposed development would not have an overbearing impact or result in a loss of privacy to the property and garden of Roby House.

41. The proposed integral garage providing four car parking spaces would face towards the common boundary with Roby House. The proposed further external four car parking spaces would also be situated close to the north-eastern part of the boundary with this neighbouring property. As such it is noted that the proposed development would result in an increase in vehicular movements to the eastern side of the site, close to the common boundary with Roby House. A 1.3m deep planting bed is proposed east of the site between the proposed driveway and the boundary. Roby House benefits from a large garden, resulting in a distance of approximately 33m lying between the property and the common boundary with the application site. It is therefore considered that the vehicular movements resulting from the proposed development would not result in undue noise and disturbance to the residents of Roby House.

Impact on Forest Lodge

42. Forest Lodge is located to the south of the site separated by a public footpath. A large proportion of the habitable room windows and recessed balconies would be situated on the south elevation of the proposed building, facing towards Forest Lodge. A minimum distance of 20.5m would lie between the first floor windows / balconies and the southern boundary. This distance would increase to 22.4m at second storey level. The proposed development and Forest Lodge would be situated at angles not directly facing each other, resulting in a minimum distance of approximately 34.8m lying between the rear elevations of Forest Lodge and the first and second floor habitable room windows/ balconies of the proposed development. A minimum distance of 9m would lie between the nearest ground floor terrace and the southern boundary and 22m would lie to the nearest rear elevation of Forest Lodge. Mature planting also lies along the southern boundary of the site, which would screen many views of the development from Forest Lodge.

43. It is therefore considered that the proposed development would not unduly impact on the property and garden of Forest Lodge.

Impact on Brackenhurst

44. Brackenhurst is situated to the south-west of the site and is accessed off Rappax Road. A minimum distance of approximately 52m would lie between the proposed development and the rear elevation of this neighbouring property. This distance would be across private gardens which benefit from extensive mature

planting. It is therefore considered that the proposed development would not unduly impact on the amenity of this neighbouring property and garden.

Impact on 2 Somerfords

45. Like the application site, 2 Somerfords is also an infill plot, which is accessed off Rappax Road and lies to the west of the application site. A minimum distance of 6m would lie between the proposed building and the common boundary with this neighbouring property and a minimum distance of 19.2m would lie between the proposed development at ground and first floor level and the north-eastern elevation of 2 Somerfords. A minimum distance of 28.5m would lie between the terrace proposed at second storey level and this neighbouring property. A window is proposed at first floor level on the western side elevation facing towards 2 Somerfords, which is proposed to be obscure glazed.

46. It is therefore considered that the proposed development would not unduly impact on the amenity of the neighbouring property and garden of 2 Somerfords.

Impact on Fairways

47. Fairways is situated to the north-west of the site, adjacent to the driveway entrance, fronting North Road. A minimum distance of 40m would lie between the proposed building and the main dwellinghouse of Fairways. There are no windows within the proposed development that would be angled towards this neighbouring property.

48. It is noted that the creation of four apartments on the site would result in an increase in comings and goings along the driveway that is situated adjacent to the common boundary with Fairways. A minimum distance of approximately 13m would lie between the main dwellinghouse of Fairways and the proposed driveway. Planting is also proposed adjacent to the common boundary with Fairways and the driveway, which would help to soften any impacts. Due to this relationship, it is also considered that the level of traffic generated by the proposed development would not be of a significant amount that would result in undue noise and disturbance to the residents of Fairways.

49. It is therefore considered that, subject to appropriate conditions, the proposed development would be acceptable in terms of impact on the residential amenity of neighbouring dwellings and would comply with Policy L7 of the Core Strategy in this respect.

ACCESS, HIGHWAYS AND PARKING

50. The site would be accessed from North Road via an approximately 60m long access road, which other properties have rights of access over. Four parking spaces would be provided within an internal garage with four additional external

parking spaces. The Local Highway Authority has raised no objections in principle.

Access

51. Access arrangements are proposed to be maintained via the existing access from North Road, an unadopted road. The boundary gates are proposed to be amended to a sliding gate which is proposed to be set back approximately 6m from the back of footway which is acceptable.
52. The proposed access is 4.5m wide which is adequate to allow two vehicles to pass, the access road narrows down to 3.1m which is not wide enough for simultaneous access and egress. A passing place is provided approximately 30m after the access road narrows down, however, from the proposed passing place the drivers forward visibility is substantially obscured by the proposed building line which could compromise pedestrian and highway safety within the site, noting that there is no segregated pedestrian pathway proposed.
53. SPD3 states that a single driveway is required to be 3.1m and the proposed driveway now meets this standard. However, any manoeuvring within the site as a result of this will not have any implications for the public highway. The applicant has stated that traffic on the access drive will be regulated by a traffic light system, which the LHA has confirmed as acceptable. A condition should be applied to ensure that the traffic light system is installed and retained.

Parking

54. The proposals require two car parking spaces per flat to meet the car parking standards set out in SPD3.
55. The proposals include a quadruple garage sized 11m width x 6m length. There is an aisle width exceeding 6m behind the garage which is acceptable.
56. An additional four car parking spaces are proposed that are 5m x 2.5m in dimension or 3.1m x 5m, however, the proposed aisle width in front of the spaces is just 3.4m wide and therefore may impede access and egress. The parking layout does not therefore fully comply with SPD3 as the aisle widths fall short of the required 6m and as such the use of four of the parking spaces could be restricted. However, the LHA note that each site is assessed on its own merits and in this case the proposed driveway is a substantial distance from the adopted highway (noting that North Road is not adopted highway) and therefore consider that the proposal is unlikely to pose a danger to highway safety. It is therefore considered that on balance, that whilst the parking layout does not fully comply with SPD3, it would only be likely to impact on the amenity of future occupants of the development and would not be of a level to justify a refusal.

Cycle Parking

57. The applicant has submitted a plan showing the provision of a cycle store to the north-west of the site, adjacent to the external parking area. However, full details of the proposed cycle store have not been provided, therefore a condition should be applied to request the full details of the cycle parking store.

Refuse and Recycling

58. Refuse and recycling facilities have been relocated within the site and are now accessible. The proposed bin store at the site entrance exceeds the distance advised in Manual for Streets within section 6.8.9 which sets out that residents should not be required to carry waste more than 30m to the storage point. A further bin store is therefore provided close to the building, adjacent to the external parking area, which is more useable for the residents on a day-to-day basis and would just require the bins to be relocated to the front of the site once a week.

Public Rights Of Way

59. A definitive right of way, footpath no 5, Hale runs along the southern boundary of the proposed development site, which would be unaffected by the proposed development. An informative would need to be added to state that the right of way should remain open for public use during construction if possible or, if necessary, the developer should seek temporary closure or diversion of the path during the construction of the works, through a Temporary Traffic Regulation Order.

TREES

60. The mature trees within application site are covered by a Tree Preservation Order (area A1 of TPO075) and the remaining trees are protected by the South Hale Conservation Area. The applicant has submitted an Arboricultural Assessment, which identifies the proposal would entail the removal of three trees / group of trees, T3: a Sycamore tree situated along the south western boundary adjacent to the driveway; G4: a group of Conifer, Pine and Hawthorn trees situated adjacent to the north-eastern boundary upper corner and G6: a group of Conifer, Holly, Pear, Cherry and Willow situated adjacent to the south-western boundary lower corner. The removal of the sycamore, T3, is considered to be acceptable because it is of poor form and in decline. G4 and G6 are mixed species groups, primarily of conifer and are both of poor form and of low value. Their removal is therefore also considered to be acceptable. It is recommended that a tree protection condition should be attached.

DRAINAGE

61. The application site is located within Flood Zone 1 and is located within a Critical Drainage Area. The Lead Local Flood Authority has confirmed that the proposed works would not cause a flood risk to the development or the surrounding area. A condition is recommended requiring the submission of a sustainable urban drainage scheme.

DEVELOPER CONTRIBUTIONS

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

63. The development would be required to incorporate specific green infrastructure (tree planting and landscaping) on site, in accordance with the requirements of Policy L8 of the Trafford Core Strategy and revised Supplementary Planning Document (SPD) 1: Planning Obligations (July 2014). This would be in addition to any compensatory planting. In order to secure this, a landscaping condition is recommended.

CONCLUSION

64. Policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus these development plan policies are 'out of date' in NPPF terms. Paragraph 11(d) of the NPPF is therefore engaged. Although the site is classified as greenfield land the proposal would provide four apartments in a sustainable location.

65. The proposed development is also considered to be acceptable in regards to the impact on the South Hale Conservation Area. There are consequently no protective policies in the Framework which provide a clear reason for refusing the development proposed. The impact on residential amenity, visual amenity and is acceptable in terms of highway safety and parking provision. It is therefore considered that the proposed development would comply with Policies L1, L2, L4, L5, L7, R1 and R2 of the Core Strategy and the adverse impacts of the development would not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

RECOMMENDATION:

GRANT subject to the following conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers. 7419-al(020)001 Rev. P01, 7419-al(05)002-01 Rev. P05, 7419-al(05)002-2 Rev. P05, 7419-(05)010 Rev. P05, 7419-al(05)011 Rev. P05, 7419-al(05)012 Rev. P05, 7419-al(05)013 Rev. P05, 7419-(05)020 Rev. P06, 7419-(05)021 Rev. P06, 7419-(05)022 Rev. P05, 7419-(05)023 Rev. P06, 7419-al(05)040 Rev. P08, 7419-al(05)060 Rev. P02,

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

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

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

4. (a) Notwithstanding the details submitted to date, none of the residential units hereby approved shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include new ornamental tree-planting, any proposed changes to existing ground levels, means of enclosure and boundary treatment, including full details of the boundary adjacent to the adjoining public right of way (footpath No.5 Hale), hard surfaced areas and materials, planting plans specifications and schedules (including planting size, species and numbers/densities), existing plants to be retained, and shall show how account has been taken of any underground services.

(b) The landscaping works shall be carried out prior to the first occupation of the approved dwellings.

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

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

5. None of the residential units hereby approved shall be occupied until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

6. The car parking, servicing and other vehicular access arrangements shown on the approved plan 7419-al(05)040 Rev. P08, to serve the development hereby permitted, shall be made fully available prior to the first occupation of any of the residential units hereby approved and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

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

7. Notwithstanding any details shown on 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 residential units, 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.

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

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

9. No development shall take place until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of the dwellings hereby approved.

Reason: To prevent pollution of the water environment having regard to Policies L5 and L7 of the Trafford Core Strategy.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the residential unit shown as apartment 2 on the approved plans shall not be occupied unless and until timber fins have been provided on the north-west elevation to provide permanent screening as shown on the approved plan number 7419-al(05)002-01 in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority. The timber fins shall be retained as such thereafter.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the second storey window on the north west elevation and the first floor window on the south-west elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which

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

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

12. The flat roof areas of the building hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on those roofs (other than as shown on the approved plans) unless planning permission has previously granted for such works.

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

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

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

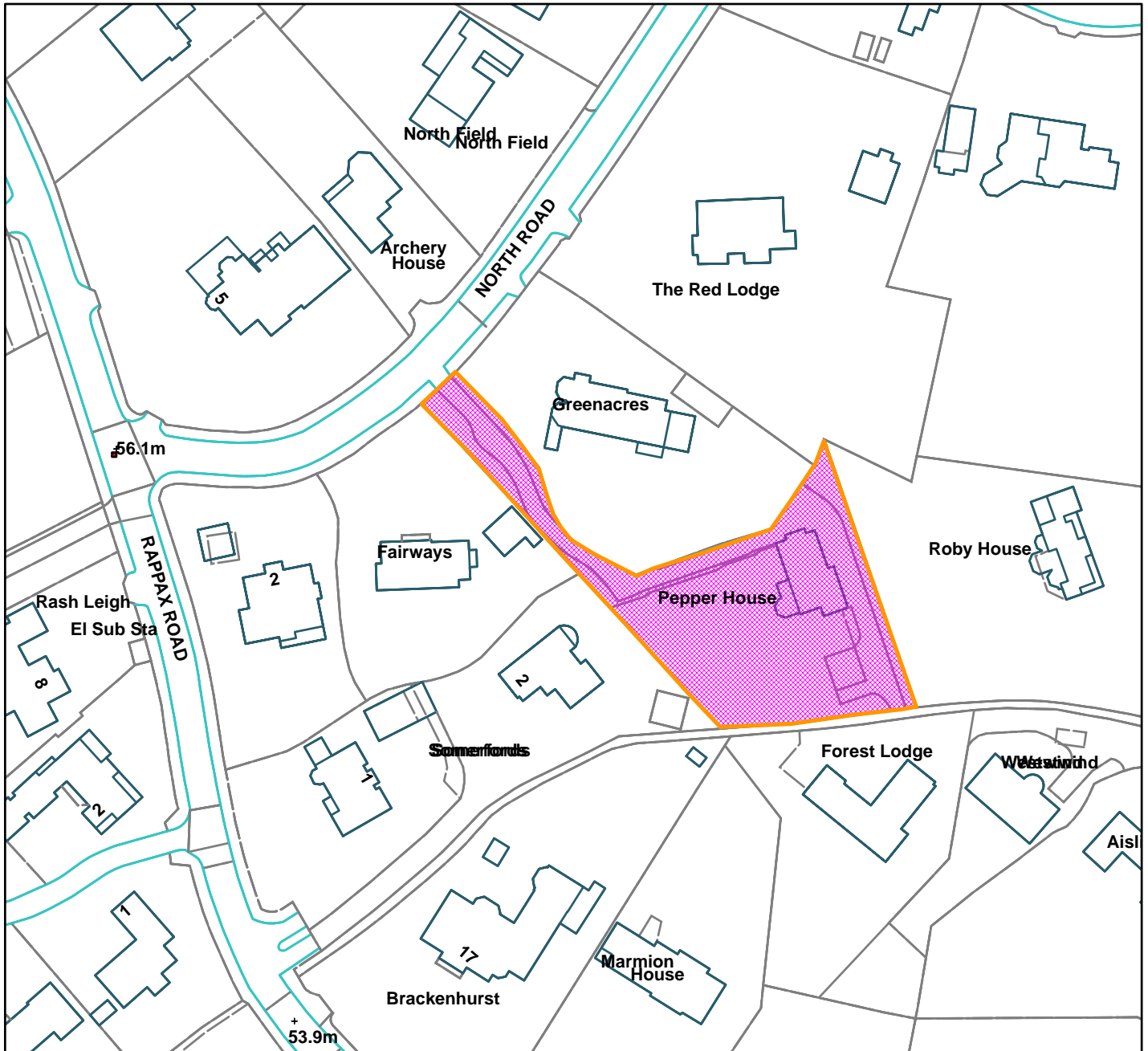
14. None of the residential units hereby approved shall be occupied unless and until a traffic light system has been installed on the access road in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The approved traffic light system shall be retained and maintained in working order thereafter.

Reason: In the interests of highway safety, having regard to Policy L7 of the Trafford Core Strategy and guidance in the NPPF.

VW



Pepper House, North Road, HaleBarns (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	11th October 2018
Date	01/10/2018
MSA Number	100023172 (2012)

Change of use of existing former petrol station to hand car wash (jet wash) and alterations to the existing fencing to include a new sliding security gate for site egress, erection of an acoustic steel frame barrier and extension to existing canopy and acoustic wall.

178 Washway Road, Sale, M33 4AH

APPLICANT: Mr Kocabas

AGENT: Mr Foulkes

RECOMMENDATION: GRANT

This application is to be determined by the Planning and Development Management Committee as there have been 6 or more representations contrary to the officer recommendation.

SITE

The application relates to a single storey former petrol filling station building and associated forecourt and canopy fronting Washway Road. There is an existing vehicular access with gates from the southern corner of the site and the rest of the forecourt is currently enclosed by fencing. At the time of the most recent site visit at the end of September 2018 the forecourt and adjacent pavements areas along Barwick Place were being used for vehicle storage / car parking.

To the north is an access road leading to No. 176 to the rear which is a two storey commercial building occupied by a number of businesses. The building is to the rear of the former petrol filling station building with a small courtyard area in between. There is also a vehicular access to the courtyard from the south between No's 178 and 180 Washway Road.

Beyond the access road to the north is No. 174 Washway Road which is occupied by McCarthy's bakery at ground floor level. There are extensions / outriggers to the rear with side facing windows. The upper floors of the property are occupied as a flat.

There are commercial premises to the east on the opposite side of Washway Road – Johnson the Cleaners and Sainsbury's local.

No. 180 Washway Road is a large rectangular building with a long side elevation extending up the northern side of Barwick Place that appears to have been most recently occupied by a flooring warehouse. On the southern side of Barwick Place are

terraced houses fronting north. No. 1 Barwick Place faces the property at No. 180 Washway Road directly and faces the application site obliquely.

No's 182-186 Washway Road is a single storey commercial building fronting Washway Road. The north-eastern side elevation facing the site is blank except for an opaque door.

There are residential properties further to the west but these are largely screened from the site by No's 176 and 180 Washway Road.

The area is mixed commercial and residential in character.

PROPOSAL

Permission is sought for the change of use of an existing former petrol station to a hand car wash (jet wash). The application proposes alterations to the existing fencing on site to include a new sliding security gate at the proposed egress. A canopy extension with acoustic steel framed barrier to the side is proposed at the north-eastern side of the forecourt and an acoustic wall is proposed at the southwestern side of the forecourt.

Value Added: - A revised site layout and amended acoustic report to reflect improved acoustic mitigation measures, and a noise and traffic management plan has been submitted.

There would be no increase in floorspace as a result of the application.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

W1 – Economy

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DHCLG published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The revised 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

91566/FUL/17 – Change of use of existing former petrol station to hand car wash (jet wash) and alterations to the existing fence to include a new sliding security gate for site egress and acoustic barriers – Refused 22.03.2018

7652/COU/2011 - Change of use of premises from petrol filling station (sui generis) to car sales (sui generis) and retention of existing boundary fence – Finally disposed of 2017

74993/FULL/2010 – Retention of use of premises for operation of a car sales business (sui generis) – Refused 2010

H/66764 - Erection of temporary galvanised Paladin steel mesh fencing to a maximum height of two metres – Approved 2007

H/49070 - Change of use from petrol filling station to car hire business – Withdrawn 2000

H/44322 - Removal of pumps and tanks and change of use from petrol filling station to motor car sale and display – Approved 1997

H/13847 - Demolition of half of existing service station, conversion to self-service petrol filling station, installation of 10,000 gallon underground storage tank and erection of canopy – Approved 1981

APPLICANT'S SUBMISSION

The applicant has submitted the following information in support of the application which will be referred to as necessary within this report:-

- Environmental Noise Survey
- Noise and Traffic Management Plan

CONSULTATIONS

LHA – No objections subject to appropriate conditions including a temporary permission in the first instance. Comments are discussed in more detail in the Observations section of the report.

Pollution and Housing (Nuisance) – No objections subject to appropriate conditions including a temporary permission in the first instance. Comments are discussed in more detail in the Observations section of the report.

Lead Local Flood Authority – No objections subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

United Utilities - No objections subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

REPRESENTATIONS

The following comments were received in relation to the application as originally submitted:

Cllr Rigby:- Is concerned about the impact on the amenity of residents on Barwick Place.

Considers that for too long this site has been detrimental to the streetscene of Washway Road and this proposal does little to make this site acceptable for such a prominent position. Other sites of concern along the A56 have recently benefitted greatly from appropriate development.

Neighbours: Objections were received from or on behalf of the occupiers of 13 separate addresses in relation to the scheme as originally submitted. Grounds of objection summarised below:

Parking and Highways Issues

- Concerns about the increase in traffic leading to queueing on an already busy road (A56) compromising highway safety and the free flow of traffic. In particular vehicles turning across the A56 from the Manchester direction into Barwick Place. This can be seen at other car washes close to main roads.
- Disruption to access and egress to the pavement and road for Barwick Place residents due to queueing traffic, parked cars and cars turning around – particularly dangerous for mobility scooter users and children
- No staff parking – already limited parking in the area
- Barwick Place is a private road and increased traffic will result in wear and tear
- Traffic management is insufficient and relies on a dedicated member of staff placing cones across the site and this is highly unlikely to happen. Even if it did it would cause cars to slow down on the A56 which is dangerous.
- Proposed perimeter cladding would cause a dangerous blind spot for vehicles leaving the site
- The traffic management measures are not compatible with the noise mitigation measures as waiting vehicles are shown where the retractable structure is

Noise and Amenity

- Increase in noise will be disruptive for residents. The canopy and acoustic wall do not solve problems onto Barwick Place and any acoustic doors would need to be at least 3m high and tight fitting to be effective and would require constant manning.
- Fails to deal with previous reasons for refusal -the use of a retractable acoustic barrier is not practical
- Do not believe that only one jet wash would be used when the plans show two lanes of traffic
- Additional fumes and pollution from cars sitting with engines running detrimental to air quality
- Acoustic screening is overbearing and would have an impact on visual amenity for residents.
- Unsuitable site for a car wash – too small
- Water spray will affect pedestrians

Impact on Street scene

- The acoustic barriers create an aesthetic blot on the street scene and if more substantial acoustic walls were installed around the site this would present a prison like appearance to the A56. The A56 is a main corridor through Sale and this would be out of keeping with the area.
- Signage is tacky and out of place
- The Vine across the road is a listed building

Drainage and Contamination

- Inevitable increase in surface water
- How will trade effluents or waste be disposed of and contamination avoided?
- Will the sustainable drainage systems proposed remove contaminants – dirty water should not be allowed to escape into the road drainage system which is already inadequate

Other Matters

- Sale has a number of car washes and does not need this.
- The proposed change of use is from 'petrol station' but petrol pumps were removed from the site approximately 15 years ago and the site has subsequently only been used for the sale and storage of cars.

4 letters of support have been received from local businesses.

Following the submission of an amended site layout, management plan and acoustic mitigation measures a neighbour re-consultation was carried out.

Cllr Rigby: - Comments summarised as follows:

Acoustic mitigation will be unsightly and will have limited ability to prevent noise pollution to houses

Uncertain of the benefit of the Traffic Officer. As a civilian what control will the officer have? The proposed site is too small with only 2 spaces for waiting vehicles and drivers on the A56 will have slowed or stopped before realising they can't access the site, causing congestion.

Drivers may also seek to park on Barwick Place causing an obstruction on this narrow road.

12 objections received as a result of the re-consultation summarised as follows:

- Do not consider the noise and traffic mitigation information negates the highway safety, congestion or noise issues previously raised
- Unlikely any of the measures will be implemented or enforced. The number of mitigation measures highlights the unacceptability of the use.
- Car wash will be busier at the weekend when it will cause more nuisance.
- The application proposes using private land outside the application area as a waiting area which prevents access to the business's to the rear and queuing into the private single width road that provides access to houses and 180 Washway Road.
- If the traffic flow was reversed and access obtained directly from Washway Road this would prevent the access to 180 being blocked and the potential for accidents.
- The traffic management proposals are not workable or practical. The suggested 3m high wall impacts on existing vision splay lines creating highway conflict areas and intensification of existing highway crossovers. Drivers turned away from the

business would have to reverse on to the A56 or drive the length of Barwick Place to turn around, blocking access and causing highway safety issues.

- The proposed acoustic mitigations (walls and canopy) would be unsightly and out of keeping with the area to the detriment of residents and the streetscene
- The situation has been exacerbated recently as vehicles are being parked on the pavement adjacent to the site.
- Concerns about drainage, contaminated water and fumes

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The site is not allocated for any specific use in the development plan proposals map and appears to be used at the present time for the storage of motor vehicles. Former uses of the site include as a petrol filling station and car sales (sui generis). Given the long established commercial use of the site on a main road frontage there is no objection in principle to the proposed change of use to a hand car wash (sui generis).
2. Para 80 of the Revised NPPF states: *'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.'*
3. Notwithstanding this the proposal does however also need to be in compliance with other relevant policies of the Trafford Core Strategy in relation to highways and parking, residential and visual amenity and drainage considerations.

IMPACT ON RESIDENTIAL AMENITY

4. A previous application for a jet wash business on the site was refused in March 2018 91566/FUL/17 as the applicant had failed to demonstrate that noise generated by the proposed use could be adequately mitigated in a satisfactory manner to prevent material detriment to living conditions of surrounding residential properties.
5. Policy L7 states that 'In relation to matters of amenity protection, development must:
 - Be compatible with the surrounding area; and
 - Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
6. Policy L5.13 states *'Development that has potential to cause adverse pollution, noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measure can be put in place.'*

7. Residents have raised concerns about the impact of the car wash on amenity as a result of noise and disruption and fumes and pollution. They are concerned that the proposed acoustic measures will not prevent noise nuisance and may not be operated and maintained in a correct manner and that more than one jet wash would be used when the plans show two lanes of traffic. Concerns have also been raised that the proposed acoustic screening measures may be overbearing and impact detrimentally on visual amenity for residents.
8. As set out under the 'consultations' section, the Pollution and Housing section has considered the application. They have not raised concerns regarding pollution as a result of fumes and the previous historic use of the site as a petrol station is noted and cars would turn their engines off when being washed.
9. They have however commented on the amended site layout plan, amended environmental noise survey and management plan submitted in relation to the potential for noise and disturbance. Having considered these documents the Pollution and Housing section have stated that they indicate that the operation of a jet car wash facility could take place without nuisance or disamenity occurring. This follows detailed discussions with the applicant and his consultants.
10. This is based on the revised site layout which brings the jet wash operation further towards the existing building on the site so as to benefit from the shielding effect of the existing building and proposed acoustic screening either side of the forecourt. A condition would be required restricting the operation to the layout shown requiring the area to be marked out on the ground. Conditions would also be required to ensure that only one jet wash machine was operating at any given time and only between the hours of 09:00-17:00 Monday to Saturday and 09:30-16:30 on a Sunday.
11. The car vac and jet wash plant would be housed within a suitably ventilated plant room within the existing building on the site and this would be subject to a condition restricting noise levels from the building.
12. In the revised scheme a previously proposed retractable acoustic barrier has been replaced with a 3 metre high section of wall at the southwestern end of the forecourt and a canopy extension and associated acoustic steel framed barrier to the north-eastern side of the forecourt. The wall, in combination with the existing warehouse building on the northern side of Barwick Place, would provide adequate acoustic screening for residential properties on Barwick Place based on the proposed area of operation of the jet washing activity on the forecourt. Concrete kerb barriers would be installed on the forecourt to prevent cars forming a third lane close to the road frontage of the site, funnelling them into the area close to the existing building. The canopy extension and associated steel framed barrier on the north-eastern side of the forecourt would adequately mitigate noise from the jet wash to the flat on the upper floors of No. 174, Washway Road.

13. It is noted that the proposed acoustic screening; a 3 metre wall on the western side and a canopy extension and metal sheeting on the eastern side are significant structures. However due to their siting and relationships with adjacent residential uses it is not considered that they would be unduly overbearing or result in a loss of light or outlook for residents, particularly given the existing structures on site and on immediately adjoining sites.
14. The proposed wall on the western side would be 3 metres high, would extend for 5 metres and would be approximately 3 metres away from the southern side wall of the warehouse building at 180.
15. The proposed canopy extension would be in front of the existing building and would be no higher than the existing canopy. The properties immediately to the rear are occupied by commercial businesses. The main impact of the proposed canopy extension and metal side wall would be on 174 Washway Road, the side elevation of which adjoins the access road running along the north-eastern side of the forecourt. At present there is a significant fence approximately 1.8-2 metres high along this boundary.
16. The height of the canopy and metal wall in combination would be 4.4 metres and would therefore only impact on outlook from the ground floor level of No. 174, Washway Road. In addition the nearest part of 174 Washway Road would be over 5 metres away from this canopy extension with an intervening access road to the businesses to the rear. The ground floor of No. 174 Washway Road is in commercial use and the nearest window in the main side elevation is obscure glazed. The associated residential unit is at first floor level. It is not therefore considered that the proposed canopy extension and associated side wall would impact materially on light or outlook to the residential flat at No. 174, Washway Road.
17. It is considered that the applicant has demonstrated that adequate mitigation measures can be put in place to prevent adverse noise pollution to nearby residents. Conditions will be required to ensure that the mitigation measures are put in place prior to the use commencing and are retained and managed in an acceptable manner. It is noted that a temporary one year permission is recommended to assess the operation of the jet wash however it is considered more reasonable to grant a temporary 18 month permission in the first instance in order that the applicant has time within that period to install the required mitigation measures before the operation of the use commences.

DESIGN AND IMPACT ON THE STREETSCENE

18. 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

19. Objectors to the scheme have commented that the site is already detrimental to the street scene of the A56 and that these proposals will make the situation worse with the proposed acoustic screening measures.

20. The main physical alterations to the site proposed on the plans as part of this application comprise the installation of an acoustic wall on the western side and a canopy extension and associated metal sheet wall on the eastern side together with some alterations to the existing fence and gates.

21. At the present time the site is being used for vehicle storage and the site and immediate surrounding area is covered in parked cars and vans. There is no obvious ongoing activity at the site and it currently detracts from the street scene.

22. The proposed 3 metre high acoustic wall would be at the southwestern end of the forecourt but would be set back significantly from the front boundary of the site with the pavement of the A56. It would extend out from the southern corner of the existing building at the rear of the site for 5 metres and would be approximately 3 metres away from the southern side wall of the warehouse building at 180. For these reasons it is not considered that the wall would be unduly intrusive in the street scene and subject to an appropriate brick it is considered that its appearance would be acceptable.

23. The proposed canopy extension would extend out 2.8 metres to the northeast of the existing canopy over the forecourt but would be set back 3.1 metres from the existing canopy frontage on the A56. It would be sited in front of the existing building on the site. The associated side wall would be colour coated profile metal sheeting with a length of 8.8 metres and height of 3.4 metres. Due to the setback from the main canopy frontage the north-eastern side of the metal acoustic barrier would not be prominent in views of the site from the north as it would be largely screened by No. 174, Washway Road. The inside of the acoustic barrier would be visible in views from the south but this would be viewed across the site and underneath the canopy. Provided it was suitably colour coated, goosewing grey has been indicated and this would reflect the material on the adjacent warehouse building, it is not considered that it would be obtrusive in the street scene.

24. It is noted that the site has been vacant for some time and does not contribute positively to the street scene at the present time. In view of the siting proposed and the existing commercial appearance of the site it is considered that the visual impact of the proposed acoustic structures in the locations indicated would have an

acceptable impact on the street scene under the provisions of Policy L7 of the Core Strategy.

25. For clarification the Vine Public House on the opposite side of Washway Road is not a listed building as stated by one objector. No signage has been approved at the site and permission for any signage associated with this use would need to be sought if required under the advertisement regulations.

HIGHWAYS AND PARKING

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

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

27. Concerns have been raised by the objectors about the impact of queueing traffic waiting to access the site on the A56 and on residents and businesses who use Barwick Place. The proposed access is via the southwestern corner of the site off the A56 Washway Road which is a busy main route through Sale but this is as per the existing established access arrangement to the forecourt area. The new egress would also be onto Washway Road at the north-eastern corner.

28. The main concern raised is that traffic for the jet wash would stand, waiting to access the car wash area, causing traffic obstruction on Washway Road and Barwick Place and resulting in consequent highway safety and congestion problems. However as a result of the concerns identified by the LHA at the time of the previous application the applicant has submitted a revised site layout plan with a Traffic Management Plan for the operation of the car wash. This shows an amended 2 lane arrangement on the forecourt area.

29. The 'traffic management' would involve traffic cones being placed across the site entrance once both lanes and the waiting spaces are full with any further vehicles being advised that the site is full and asked to return later to avoid any queuing out on to the main road or across the side road. One member of the team would be specifically tasked to 'triage' incoming vehicles - to direct the vehicle into either one of the lanes, or a designated waiting space or if no space is available waving them on so there is no blocking of Barwick Place or queuing out onto the A56.

30. The LHA consider that the revised 2 lane layout and access and egress arrangements are satisfactory and note the previous established uses of the site which are material to the consideration of this proposal. Therefore subject to a condition requiring compliance with the traffic management statement the LHA would not object to a temporary permission for a 12 month period in order that the operation of the business on the flow of traffic on the A56 can be monitored. Again it

is considered that for the reasons previously stated an 18 month permission would be more reasonable.

31. Concerns have been raised regarding the impacts of staff parking on surrounding streets. However the site is in a sustainable location on a mini bus route and there are areas of parking available on the forecourt in areas not accessible by customers which could be utilised if required.
32. On this basis it is considered that the proposal would be considered in accordance with Policy L4 of the Core Strategy.

FLOOD RISK AND DRAINAGE

33. Issues raised by objectors in relation to drainage issues are noted however the Lead Local Flood Authority and United Utilities have considered the application and comment that drainage matters can be dealt with via appropriate conditions. The LLFA comment that the proposed works will not cause flood risk to the development or the surrounding area and that the development is satisfactory for approval subject to a drainage scheme being submitted via condition with a maximum surface water discharge of 5 l/s.
34. United Utilities have commented that foul and surface water should be drained on separate systems. They also comment that all fuel and chemical storage tanks must have adequate bund walls without outlets and the bund must be capable of holding more than the largest tank within it. Discharges from yard storage areas, vehicle washing areas, loading and unloading areas and any other areas likely to be contaminated by spillage should be connected to the foul sewer. They may be regarded as trade effluents and may require the formal consent of United Utilities. If this proposal results in a trade effluent discharge to a public sewer, the applicant will need Trade Effluent Consent to discharge to the Public Sewer. The applicant must discuss this with United Utilities to establish if consent is required and an informative is recommended accordingly.
35. With regard to spray hitting pedestrians on the basis of the revised site layout it is considered that the jet wash would be far enough away from the pavement to prevent this from happening.

OTHER MATTERS

36. The issue of wear and tear on Barwick Place which objectors state is a private road owned by the residents and adjacent businesses is not a planning matter. The impact of the proposal on private rights of access across the site is also not a planning matter and no existing areas of movement to adjacent businesses would be permanently blocked by the proposals.

37. Objectors have stated that Sale does not need another car wash facility; however the need for the proposed business is not a relevant planning matter.

CONCLUSION

38. On balance and given the existing established use of the site and on the basis of the acoustic mitigation measures and traffic management plan submitted it is considered that the operation of the car wash is unlikely to result in significant impacts on the amenity of neighbouring residential properties or to result in a highway safety issue. A temporary 18 month permission will allow the operation of the business to be monitored, in particular in relation to the impact on traffic on the A56 and noise levels. On this basis the proposal is considered to be in accordance with Policy L7 of the Core Strategy and would bring back a vacant and underused site in a prominent location on the A56 back into use. As such, the application is recommended for approval subject to the conditions listed below.

DEVELOPER CONTRIBUTIONS

39. Not required

RECOMMENDATION: GRANT subject to the following conditions: -

1. This planning permission is granted for a limited period expiring on 12th April 2020 when the use hereby permitted shall be discontinued.

Reason: To enable the Local Planning Authority to assess the effect of the proposed development on the amenities of the surrounding area, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, 801-01-210P Rev F and 801-01-220P Rev E.

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

3. The development hereby permitted shall not be brought into use until a validation report prepared by an acoustic consultant has been submitted to and approved in writing by the Local Planning Authority which demonstrates that all the required remedial measures have been installed in compliance with the approved noise mitigation scheme.

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

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the wall, canopy, powdercoated steel framed barrier and gates 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.

5. 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.

6. No development shall take place unless and until full details of a Sustainable Drainage Scheme, which shall include maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted shall include evidence of third party agreement to connection and discharge to their network if such agreement is required. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

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

7. 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.

8. The development hereby permitted shall not be brought into use until the concrete kerb barriers shown on 'ground floor plan as proposed' drawing no. 801-01-210P Rev F have been installed on the forecourt in accordance with the approved plans. These kerb barriers shall be retained thereafter in the approved location.

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

9. The premises shall only be open for trade or business between the hours of: 09:00-17:00 Monday to Saturday and 09:30-16:30 on a Sunday.

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

10. The use hereby permitted shall be operated in accordance with the traffic management information set out on drawing no. 801-01-210P Rev F and in the Noise and Traffic Management Plan by S Ava dated 6 July 2018 at all times that the use is operational.

Reason: To ensure that vehicles attracted to or generated by the proposed development are properly managed to ensure the free flow of traffic on adjacent roads having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. The use hereby permitted shall be operated in accordance with the noise management information set out in the Noise and Traffic Management Plan by S Ava dated 6 July 2018 at all times that the use is operational.

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

12. No more than one jet wash machine shall be present on site at any time.

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

13. All Car vac plant and jet wash plant shall be located within a suitably ventilated plant room within the main building as shown on plan ref. 801-01-210P Rev F received on 1st August 2018. The rating level (LAeq,T) from all fixed plant and machinery within the plant room when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".

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

14. Jet washing activity shall take place only within the area within the dotted line on plan ref. 801-01-210P Rev F received on 1st August 2018. This line shall be permanently marked out on the forecourt in paint in the location shown and this line shall be retained and maintained thereafter.

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

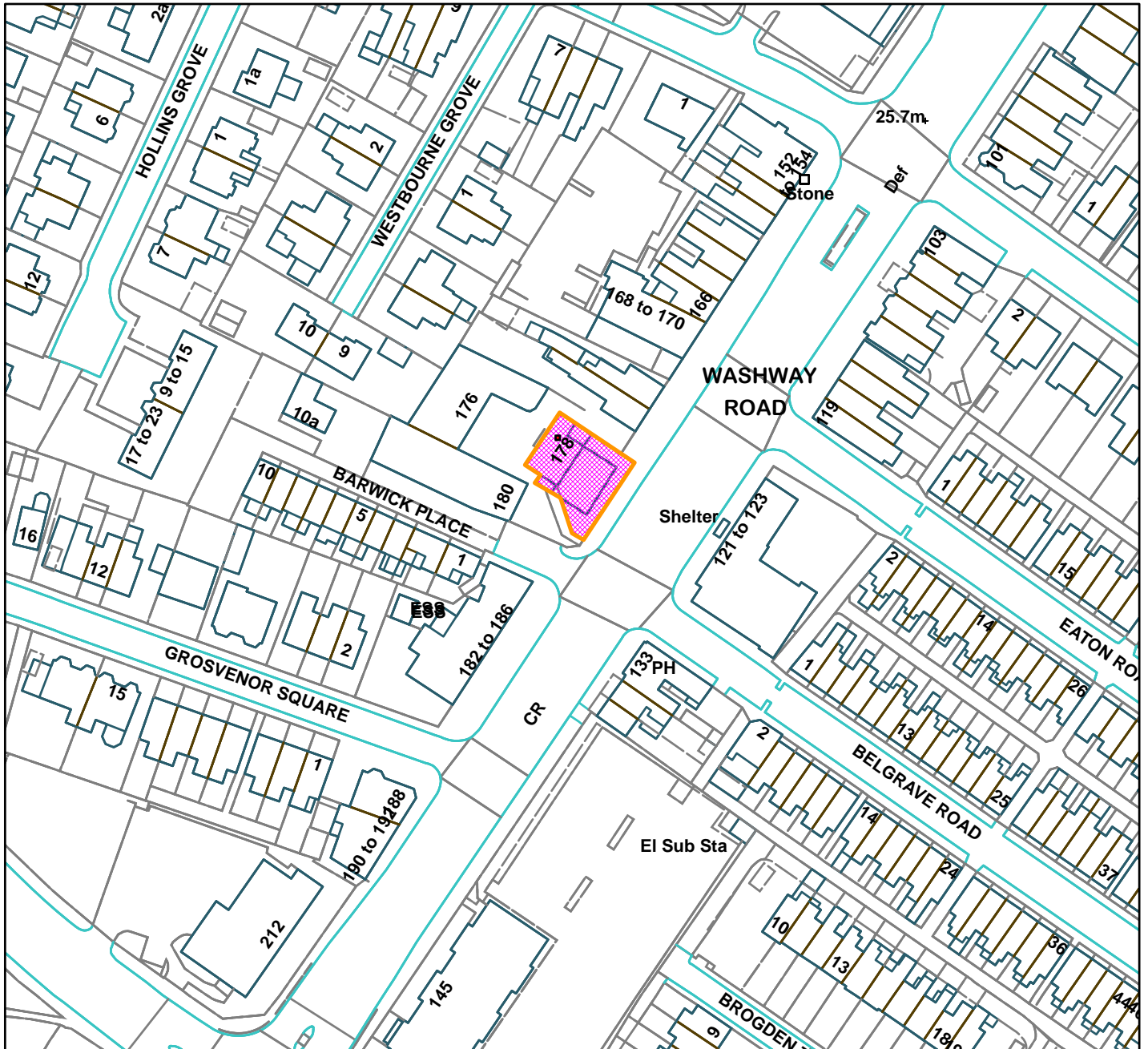
15. The development hereby permitted shall not be brought into use until the physical acoustic mitigation measures (wall and canopy extension) have been installed in accordance with the requirements of the AB Acoustics report (amended August 2018 and submitted on 3rd September 2018 and the approved plans 801-01-210P Rev F and 801-01-220P Rev E. These measures shall be retained and maintained thereafter while the use is operational.

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

JJ



178 Washway Road, Sale, M33 4AH (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	11th October 2018
Date	01/10/2018
MSA Number	100023172 (2012)

Change of use of existing public house (Use Class A4) to a residential dwelling (Use Class C3).

Bay Malton Hotel, Seamons Road, Altrincham, WA14 5RA

APPLICANT: Mr Choudhary

AGENT: Holborow & Ormesher

RECOMMENDATION: GRANT

BACKGROUND

This application was previously included on the agenda for the meeting of the Committee held on 13 September 2018. At that meeting Members resolved to defer the application '*...for clarification to be sought regarding a query relating to the site's listing as an Asset of Community Value*'. This matter is addressed at paragraphs 16-21. The report has also been redrafted throughout for clarity and to incorporate information which was contained within the Additional Information Report for the 13 September meeting.

SITE

The application relates to the Bay Malton Hotel, Altrincham; a presently vacant public house. Situated on the edge of a predominantly residential area, the application site has residential dwellings sited to its southern, northern and eastern sides. To the west of the site lies open land. The wider site itself comprises of the main Bay Malton Hotel itself, a moderate sized detached Edwardian building sited on the south-eastern corner of the site. The building fronts Seamons Road, which runs along the site's eastern boundary.

Immediately to the north of the hotel lies an open terrace, and a customer car park, which is accessed via Seamons Road, and a large open bowling green/beer garden. There is also a detached bin store, enclosed by timber fencing to the western side of the main hotel building. The whole of the site is situated within Trafford's designated Green Belt.

The building, given its Arts and Crafts style and relative architectural merit is considered to be a non-designated heritage asset.

PROPOSAL

The application is for the change of use of the application site as a whole from its use as a Public House (A4) to a standalone single detached dwelling (C3).

The application would see no external alterations to the main public house building. The existing car park would be altered to form a private drive and the existing beer garden would form part of the site's private garden amenity space.

The works would also include the erection of a new front boundary wall along Seamon's Road, alongside the erection of new access gates and pillars.

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

R3 – Green Infrastructure

R4 – Green Belt, Countryside and Other Protected Open Land

PROPOSALS MAP NOTATION

Green Belt

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the Revised National Planning Policy Framework (NPPF) on 24th July 2018. 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

88137/FUL/16 - Application for the relocation of car park and extension of hard paving to Beer Garden – Appeal Dismissed – 26.07.2016.

85835/FUL/15 - Erection of a single storey side and single storey rear extension, alongside other external alterations. Alterations to the existing beer garden, erection of new raised terrace area and bin store. Alongside alterations to the existing car park to provide additional spaces and the creation of a new access point – Approved with conditions – 16.02.2016.

H/54767 - Extension of existing car park to provide an additional 27 spaces (total 57 spaces) and formation of new vehicular access to Seamons Road. Closure of existing vehicular access to Seamons Road – Refused – 30.09.2002.

APPLICANT'S SUBMISSION

- Design and access statement
- Greenbelt impact statements

CONSULTATIONS

Local Highway Authority:

The Local Highways Authority has raised no objection in principle, whilst acknowledging that no visibility splay has been indicated on the submitted plans and given the height of the proposed front boundary treatment, this will may well be restricted. Therefore this and the need for a new footway across the frontage of the site will need to be provided/secured by way of condition.

Lead Local Flood Authority:

Raise no objections to the development proposals.

Pollution and Licensing (Noise and Nuisance):

Raise no objections to the development proposals.

REPRESENTATIONS

Neighbours: A total of 20 neighbours submitted representations in reference to the proposals and raised the following areas of concern:

- Loss of Public House is a loss of a local community asset
- No benefit to local area from the development
- There is scope for the site to be reused as a Public House
- Loss to local economy

One representation, anonymously sent, makes allegations in respect of pre-determination of the application by Members of the Committee

A total of 7 neighbours have also written in support of the proposals.

OBSERVATIONS

Principle of Development

1. Paragraph 11 of the NPPF requires a decision maker to consider whether, *'there are no relevant development policies, or [the development plan] policies which are most important for determining the application are out of date'*. In this particular case, it is considered that the most important policies for determining this application are in relation to Green Belt. The adopted Core Strategy policy relating to Green Belt is compliant with and reflective of NPPF policy and is therefore up to date. The development plan is silent on the subject of the Asset of Community Value but there are otherwise a number of relevant development plan policies. The proposal should therefore be considered against the development plan, (albeit the NPPF remains an important material consideration) and where it accords with the development plan, approved without delay.

Housing Land

2. The site is located within Altrincham and is unallocated on the UDP Proposals Map. The site comprises a single part three-storey detached Public House building whilst the remainder of the site is open, forming a car-park and beer garden. The planning unit is, as a whole, considered to be previously developed land.
3. The application would see the creation of a single dwelling house through the change of use of the site. It should however be noted, the site in its current form, already comprises a residential use, across its first and second floor levels. This residential accommodation was ancillary to the main use of the building as a

Public House. This does not, by itself, follow that the principle of the use is acceptable (albeit the main report does conclude that it is, for other reasons).

4. The proposals need to be considered in light of Policies L1 - L1.8 of the Trafford Borough Council Core Strategy. Policy L1.4 states the Councils target for new housing will be achieved through a variety of means, including conversions and sub-division. Policy L1.7 sets out an indicative target of 80% of new housing provision to be built upon brownfield land; and states that in order to achieve this the Council will release previously developed land and sustainable urban area green-field land, with land within the regional center and inner areas as a priority. The first priority which details the release of land within regional centres and inner areas for new development of housing does not apply within this case, due to the location of the site. Therefore the application will need to be considered against the second and third points of Policy L1.7.
5. With reference to Policy L1.7 the application site is located within a well-established mixed use area and is considered to be within a sustainable location, close to public transport links and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Altrincham Place Objective ALO1, in terms of effectively managing high levels of residential development pressure within the area.
6. In terms of Policy L2 the application is for a large family dwelling. The proposals therefore remain in compliance with policy L2.2 of the Core Strategy, as the dwelling would remain of a sufficient size to accommodate the residential use proposed and remains appropriately located in what is considered a sustainable location, close to public transport links and other local amenities. Policy L2.7 further states the need for a mix of dwelling types and sizes within the borough in order to meet varying housing needs, which the proposal would again help to meet.
7. The Council does not, at present, have a five year supply of housing land. The proposal would lead to the creation of a new dwelling, which would contribute (albeit in a minor way) towards the Council's ability to meet its overall housing land target.
8. The scheme will deliver a three bedroom house providing family sized accommodation, contributing towards the creation of a mixed sustainable community. The proposed dwelling therefore complies with Core Strategy Policy L2.6 and is considered acceptable in this regard. As such the proposed development is considered to be in accordance with policies L1 and L2 of the TBC Core strategy.

Impact on Green Belt

9. The whole of the site, including the main Bay Malton building itself, car park, beer garden and outdoor terrace lies within the defined Green Belt.
10. The purposes of the Green Belt, as outlined within the National Planning Policy Framework, Paragraph 134 is:
 - to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
11. Paragraph 143 of the NPPF states *that 'inappropriate development is, by definition harmful to the Green Belt and should not be approved except in special circumstances'*. Exceptions to this (i.e. development which would be deemed 'appropriate' in the Green Belt) are set out in Paragraphs 145 and 146 of the NPPF. These include, relevant to this application *'the re-use of buildings provided that the buildings are of permanent and substantial construction'* and *'material changes in the use of land'*. These types of development are not deemed inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
12. Core Strategy Policy R4 Green Belt, Countryside and Other Protected Open Land, indicates at R4.1 - The Council will continue to protect the Green Belt from inappropriate development. R4.2 New development, including buildings or uses for a temporary period will only be permitted within these areas where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purposes of the Green Belt set out in national guidance by reason of its scale, siting, materials or design or where very special circumstances can be demonstrated in support of the proposal.
13. It is considered that the proposed development constitutes appropriate development within the Green Belt. The application proposes the reuse of the existing Bay Malton building but does not involve any additions to the buildings in terms of extensions or alterations. Although vacant, and becoming dilapidated, the building is of permanent and substantial construction. The areas of hardstanding proposed in carrying out the change of use will be more limited than existing.
14. The applicants propose the erection of a new front boundary wall, with railings above and stone pillars, together with the erection of new access gates. These would be erected to a modest height of 1.5m, with the gates and pillars increasing to a length of 1.8m. This proposal is limited in its scope and ancillary to the material change of use of the land and building. It is not considered to

result in any harm to character or spaciousness within the site or the wider Green Belt. Furthermore it should be noted that a 2m fence forming the rear boundary of the site, currently exists on site and as such this element of the works is also considered to be acceptable.

15. Nevertheless, the building and site is of such a scale that the utilisation of householder permitted development rights once the building is occupied could lead to the erection of extensions and outbuildings which would not be deemed appropriate development in the Green Belt and which would not preserve its openness. A condition removing these permitted development rights is therefore included within the recommendation. With this mitigation in place it is considered that the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt.

Loss of Asset of Community Value:

16. On 5 April 2017, the application site was listed as an Asset of Community Value by the Council. The reasons given on the decision notice included:

(ii) The Bay Malton is currently derelict however its recent use as a public house has furthered the social interests of the local community by providing a place for the local community to socialise and partake in recreational activities including crown green bowling and by being a meeting venue for community groups.

(iii) It is realistic to think that the Bay Malton would be brought back into use within the next five years due to planning permission being in place and the intention of the owners to actively look into bringing the pub back into use and that it will therefore again further social well-being and social interests of the local community.

17. It appears that the owners changed their minds and rather than bring the pub back into use they served a notice to dispose of the site on the Council dated 4 October 2017. The Council duly notified the Community Group that nominated the site to be listed. It is unknown whether a Community Group registered their interest and made a bid for the site, however it was subsequently sold to the applicant on 27 April 2018 following a moratorium period.

18. Paragraph 92 of the NPPF states that in order to “*provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should ... guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs (Bullet point c)*”.

19. It is acknowledged that the site is currently listed as an Asset of Community Value and that this listing may be a material consideration in the making of planning decisions. The weight to be given to the ACV listing, as with all material

considerations, is a matter for the decision maker, provided that decision is rational and reasonable. Local Authorities are required to remove an asset from the list as soon as practicable after a relevant disposal, in this case, the sale to the applicant on 27 April 2018. However, the site has yet to be removed from the ACV List and therefore a decision must be made giving due weight to that fact. The Council's legal officers are currently exploring the possibilities of de-listing the site and any update following the publication of this report will be set out in the AIR or reported verbally as appropriate.

20. Previous appeal decisions have noted that "*the primary purpose of ACV listing is to afford the community an opportunity to purchase the property, not to prevent otherwise acceptable development*".
21. Although the loss of this Asset of Community Value is regrettable, the site was sold in compliance with the requirements for an ACV to an individual rather than a community group and as such this loss, in this case, is considered to be acceptable notwithstanding the advice in the NPPF. The building has not been in use as a public house for a number of years, despite planning permission being granted for its renovation, and it seems unlikely that it would return to this use even if planning permission were to be refused for this development. It should also be noted that this is not a case where the building comprises the only community facility in an isolated settlement. The site is on the edge of the built up area of Altrincham, and there are a number of public houses and other community facilities in the vicinity, including a recently constructed public house on Sinderland Road and close by in Altrincham town centre.
22. The Public House had a bowling green that was referred to in the decision notice for the ACV listing. The Council's Local Plan Evidence Base 2017 includes a Playing Pitch Strategy Assessment Report that identifies all the existing bowling greens in the borough. It does not identify the bowling green at the Bay Malton Hotel but acknowledges that "*there may be disused greens attached to public houses which have not been located*".
23. It concludes that there is a sufficient supply of outdoor bowling greens to accommodate current and future demand across Trafford. There are a total of 15 greens in the south of the Borough, 30% of the borough total, including a green listed at John Leigh Park. It is therefore considered that having regard to the available evidence base, the loss of the disused bowling green at the Bay Malton Hotel will not have a material impact on the provision of bowling greens within the area. It would not be reasonable, therefore, to object to this proposal on that basis.
24. For these reasons, it is considered that in this particular case, although the ACV listing is a material consideration, the weight that can be afforded to it is minimal and it should not prevent otherwise acceptable development proceeding.

Design and impact upon non-designated heritage asset

25. Para 197 of the NPPF details that when dealing with a planning application for a non-designated heritage asset, the impact of the proposals upon the significance of the non-designated heritage asset, should be taken into account when 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.
26. 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.
27. The main Public House is considered to be a non-designated heritage asset, given its historic and architectural interest, as an Arts and Crafts property, with bay windows, timber detailing and prominent gabled ends. The current works as proposed are considered to have a positive impact upon its setting, as the development proposals would bring this currently vacant site back into use and ensure its long term retention. The works would see no external alterations to the main building and as such would see its original features and detailing retained.
28. The applicants propose the erection of a new front boundary wall, with railings above and stone pillars, together with the erection of new access gates. These would be erected to the site's southern side boundary, fronting Seamons Road. The proposed front boundary wall would have a height of 0.75m, with railing above. Stone pillars would also be erected with a height of 1.5m. The front boundary would then taper northwards to create new access, increasing to a height of 2.5m. The proposed form, style and scale of boundary treatment is considered acceptable. Details of the proposed materials will however be secured by way of condition, as would full details for the proposed access gates design.
29. The current proposal would see no external alterations to the main building itself, and would see the erection of a new front boundary wall and access gates. The proposals are considered to be of acceptable size and scale and as such are found to be in compliance with policies L7 and R4 from the TBC Core Strategy and the relevant policies within the NPPF.

Residential Amenity

30. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.

Overlooking:

31. The application proposals would not see the erection of any new window or door openings.

32. The site is bound to by residential units to its south and west, while to the north and east of the site lies open land.

33. The applicants propose the existing ground floor openings, sited within the dwellings south facing side elevation to be used to serve a main habitable room. The Councils guidelines detail that in such instances a 21m separation distance should be retained between two interfacing dwellings, in order to avoid overlooking. In this case the interfacing distance would be far short of this distance, at 7m. In this case, it is considered that this is an existing building, the nature of the previous use and that other dwellings within the area have similar interfacing distances, this relationship is considered acceptable and is not considered to result in any new undue loss of amenity for existing neighbouring land users.

34. The site's rear boundary is formed from a 1.8m brick wall, with soft landscaping present to the rear of this and as such the ground floor rear facing openings are not considered to result in any new undue amenity concerns; above and beyond the existing situation on site. At first floor level only bathroom windows would be sited to the rear elevation of the building and these will be conditioned to be fitted with obscure glazing and as such are also considered acceptable.

35. The first and second floors of the site were previously used as residential accommodation. The current proposals would therefore see a residential use reinstated and as no further openings are proposed, this element of the works is also considered not to result in any new amenity concerns.

Overbearing and visual intrusion:

36. The proposed change of use would not alter the height of the existing building on site or its foot-print/ scale and as such would not result in any new overbearing harm to neighbouring land users.

Impact on light:

37. The proposed works, given their form are not considered to result in any undue loss of light impacts for neighbouring residential occupiers.

Noise and nuisance:

38. It should be noted that the proposed use of the site as a single residential dwelling, within this existing residential area, is considered to better the level of amenity on offer to neighbouring residents. The proposed use would be much less intensive and as such is considered to be an improvement over the previous/lawful situation on site.

Impact upon local highway network and pedestrian/highway safety

39. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety.

Appropriateness of Access

40. The site has two existing accesses off Seamon's Road to its eastern side. The application proposals would see the southernmost access closed off and the northern most access altered. Full details of this altered access have however not been submitted, and as such will be conditioned for approval as part of any subsequent planning consent. This will include details for the visibility splays proposed, alongside the details of how these were calculated.

Servicing Arrangements

41. Servicing arrangements are to remain unchanged, with service bins being left on the kerbside on Seamon's Road.

Car Parking

42. Sufficient space within the site would be retained for the parking of private vehicles. This would be able to accommodate in excess of 4no. vehicles which is considered to be sufficient for a large family dwelling within this location.
43. Subject to the attachment of the above planning condition, the proposals are considered to be acceptable and are not considered to result in any new undue highway or public safety concerns and are considered to be in line with Policy L4 of the TBC Core strategy and the relevant sections of the NPPF. It should be borne in mind that the site has an existing lawful use as a Public House together with the traffic associated with a use of this nature and therefore there will be a significant reduction in traffic flows to the site.

CONCLUSION

44. Paragraph 11 of the NPPF requires a decision maker to consider whether, *'there are no relevant development policies, or [the development plan] policies which are most important for determining the application are out of date'*. In this particular case, it is considered that the most important policies for determining this application are in relation to Green Belt. The adopted Core Strategy policy relating to Green Belt is compliant with and reflective of NPPF policy and is therefore up to date. The development plan is silent on the subject of the Asset of Community Value but there are otherwise a number of relevant development plan policies. The proposal should therefore be considered against the development plan, (albeit the NPPF remains an important material consideration) and where it accords with the development plan, approved without delay.
45. The proposed development would bring much needed investment to a vacant site within this area of the borough. The loss of the community asset, following its listing as an ACV, whilst a material consideration, is considered to carry little weight given its location and history. The works are not considered to impact upon the character of the site itself or the openness of the Green Belt and the proposal comprises appropriate development within the Green Belt. It is further considered that any development impacts associated with the scheme can be mitigated through the use of planning conditions, where necessary. In accordance with paragraph 11 of the NPPF, it is considered that the proposed development represents a sustainable form of development which complies with all relevant Core Strategy policy. Where the Core Strategy is silent, the development complies with the 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the boundary wall, pillars and gates (including: finish and materials) 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.

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, 1886/18/01, 1886/18/02, 1886/18/03, 1886/18/05, 1886/18/06 submitted to the Council on 18 May 2018 and 1886/18/04A (insofar as it relates to the parking area) submitted to the Council on 12 June 2018.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the first and second floors on the rear elevation facing west shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof) :

* (i) no extensions to the building or outbuildings shall be erected

* (ii) no garages or carports shall be erected within the curtilage of the dwelling

* (iii) no vehicle standing space shall be provided within the curtilage of the dwelling(s)

* (iv) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling

* (v) no means of access or areas of hard surfacing shall be constructed in the curtilage of the dwelling

* (vi) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

Reason: Having regard to the sites location within the Green Belt and to preserve openness having regard to advice within the NPPF.

6. Notwithstanding the development as hereby approved, no above ground works shall take place until full details of the visibility splay and footway for the proposed development has been submitted to and approved in writing by the Local Planning

Authority. The approved scheme shall then be implemented in full prior the development coming into first use and retained as such thereafter.

Reason: In order to safeguard public and highway safety, having regard to Policy L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

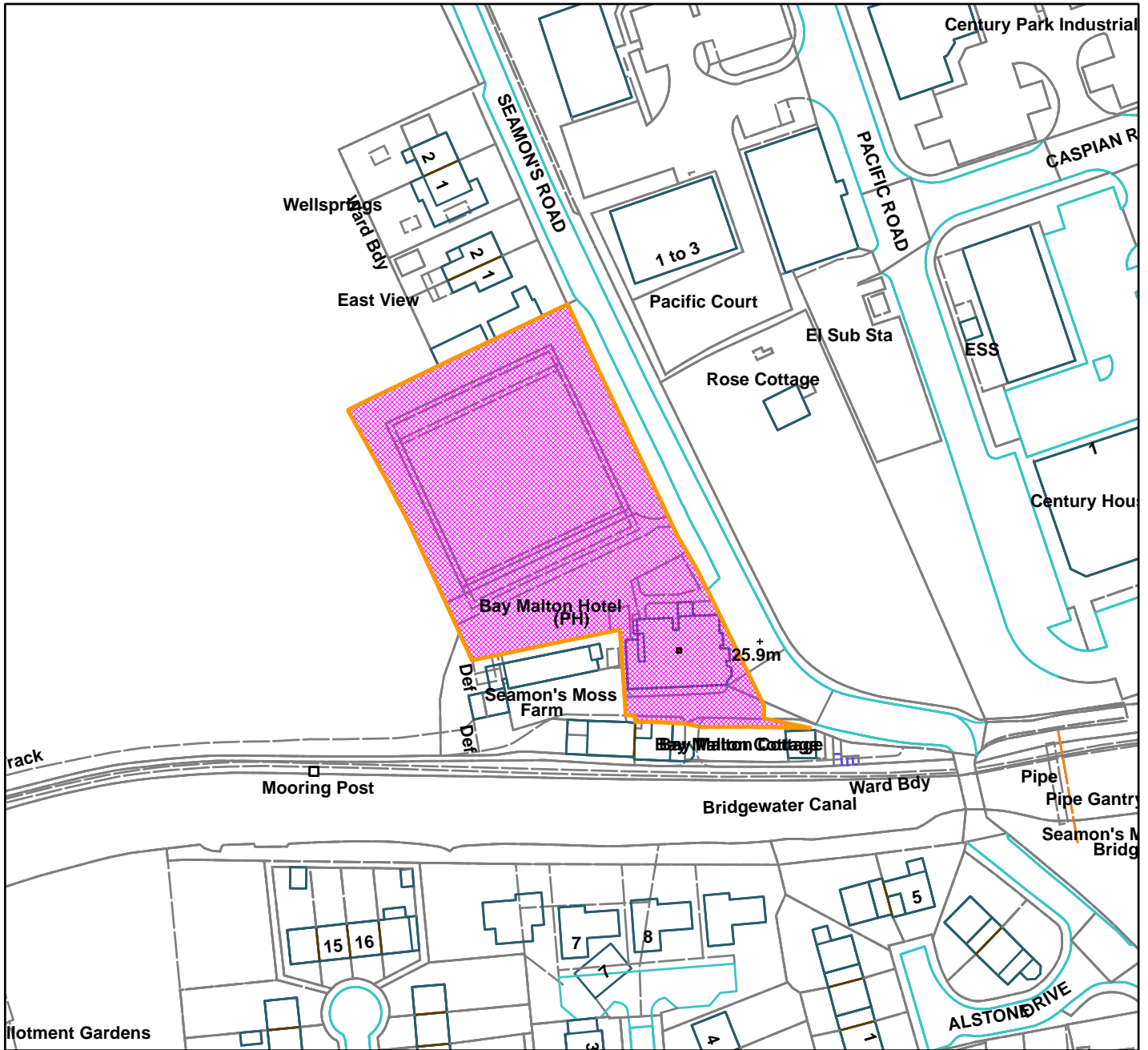
7. Prior to any works taking place on site a plan showing the residential curtilage of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied other than in accordance with the approved details and the residential curtilage, as approved, shall be retained at all times thereafter.

Reason: To define the residential curtilage of the property having regard to its location within the Green Belt and advice within the NPPF.

IG



Bay Malton Hotel, Seamons Road, Altrincham, WA14 5RA (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	11th October 2018
Date	01/10/2018
MSA Number	100023172 (2012)

Change of use from residential 3 bedroom house to 5-bed HMO (house of multiple occupation) together with alterations to front and rear elevations.

7 Box Walk, Partington, M31 4LR

APPLICANT: Manchester Property Group

AGENT: P4B Architecture Ltd

RECOMMENDATION: GRANT

The application has been called in by Councillor Adele New raising concerns that it is an inappropriate form of development.

SITE

The application relates to a two storey mid-terraced residential dwelling, sited to the western side of Box Walk, Partington. Situated within a large residential area, the application site is bound to its north, south and east by other residential dwellings of a similar style and type. To the west of the site lie open playing fields. The application site is presently vacant and has its access directly off Box Walk, sited to its eastern side.

PROPOSAL

The application seeks consent for a change of use for the application site from a single residential dwelling (C3) to form a House of Multiple Occupation (C4).

The application would further see alterations to the dwellings existing window and door openings, sited within its front and rear elevations.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for new homes
L2 – Meeting housing needs
L4 – Sustainable transport and accessibility
L5 – Climate change
L7 – Design

OTHER MATERIAL CONSIDERATIONS

SPD6 – Houses in Multiple Occupation

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DHCLG published the National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

Supporting statement

CONSULTATIONS

Local Highways Authority:

Raise no objections to the development proposals.

Environmental Health - Pollution and Nuisance:

Raise no objections to the development proposals.

REPRESENTATIONS

A local Councillor, Adele New, has called in the application, highlighting the following area of concern:

- Inappropriate development for the area

A further letter, seeking additional information with reference to the proposals, was received on behalf of the Parish Council. This requested details on:

- Who will occupy the proposed HMO
- What impact this will have on the surrounding area
- What alterations will be carried out

These matters are addressed within the below sections of this report. With reference to the identity of any future occupants of the site however, this is not a material planning consideration.

OBSERVATIONS

BACKGROUND:

1. On 8th March 2018, the Councils Planning and Development Management Committee approved an Article 4(1) direction to remove permitted development rights to convert a single dwelling-house (Class C3) into a House of Multiple Occupancy (C4) for the whole of Trafford Borough. Planning permission is therefore now required to convert a dwelling-house to a small/medium House of Multiple Occupancy as well as to convert a property into a large House of Multiple Occupancy, for 7 or more occupants. This Direction was intended to enable the Council to better manage impacts arising as a result of the anticipated influx of students into the Borough, following the arrival of UA92.

2. The Council adopted an SPD in March 2018, Houses in Multiple Occupation - SPD6. The SPD forms part of the Council's overall planning policy framework and provides supplementary guidance for all parties involved in the planning application process for both small/medium and large HMOs. It is a significant material consideration in the determination of this application.
3. The purpose of the SPD is not, however, to prevent the change of use of dwellings to HMOs in all cases. It is intended to assist in determining whether a change of use to an HMO would lead to an overconcentration of such uses, which could have adverse impacts on housing supply and residential amenity.

PRINCIPLE OF DEVELOPMENT:

4. Paragraph 59 of the NPPF states that: "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".
5. Policy L1 of the Trafford Core Strategy seeks to ensure that there is an adequate supply of housing throughout the plan period and that the right kinds of homes are provided in the right locations.
6. Policy L2.1 of the Core Strategy states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy. Policy L2.2 goes on to say that all new development will be required to not be harmful to the character of the immediate surrounding area.
7. Policy 4 of the Council's adopted SPD, Houses in Multiple Occupation - SPD6, states that:

Planning permission will not normally be granted for changes of use to HMOs:

- i) *Where the proportion of HMO dwellings will exceed 10% of all residential properties* within a circle of radius 40 metres** from the application site. This includes all properties where the curtilage of the residential property lies wholly or partly within this radius. Where the circle does not include a minimum of 10 residential properties, the threshold will apply to the 10 residential properties nearest to the application site** located on all frontages of the street (with the same street address).*

or

- ii) *Where it would result in any residential property (C3 use) being 'sandwiched' between two HMOs.*

8. In this case, there are no registered houses in multiple occupation within the vicinity of the site. . As such, neither of the scenarios in the SPD where planning permission for a change of use to an HMO would not normally be granted would be triggered. It would not lead to an overconcentration of this use in the area.
9. The proposed change of use would bring an existing vacant residential dwelling back into use and add much needed investment within this area of the borough. The creation of a House of Multiple Occupancy would further add to the wider mix of housing types within this area of the borough, adding to the existing housing stock on offer. The development would therefore be in compliance with policies L1 and L2 from the TBC Core strategy and policies from the Councils adopted SPD - House of Multiple Occupancy- SPD6. The proposals would further help achieve the government's targets of boosting housing delivery, in a variety of housing types to meet different groups. The principle of the development is therefore considered acceptable.

DESIGN AND STREET SCENE

10. Paragraph 124 of the NPPF states that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work." Paragraph 127 states that decisions should ensure that developments "will function well and add to the overall quality of the area...are visually attractive as a result of good architecture, layout and appropriate and effective landscaping...are sympathetic to local character and history, including the surrounding built environment and landscape setting."
11. 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.
12. The application dwelling currently features 2no. ground floor access doors within its front east facing principal elevation. The application proposes the northern most door opening to be removed and patched up with matching brickwork, matching that of the wider exterior of the house, considered acceptable.
13. To the rear, 2no. existing first floor window openings would be replaced with new uPVC glazing. The proposed openings would be to the same size, scale and finish as existing window openings found elsewhere on the dwelling and as such are considered acceptable.
14. No further external alterations are proposed as part of the development works.
15. It is therefore considered, subject to the attachment of a condition requiring the development works to comply with the approved plans, which also include details

of the proposed materials that the works are acceptable and would be in compliance with policy L7 of the TBC core strategy and the relevant sections of the NPPF.

RESIDENTIAL AMENITY

16. Policy L7 of the Core Strategy states that in relation to matters of amenity development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.

Overlooking:

17. The proposed change in use would not see the erection of any additional window openings being erected within the application site.

18. All existing window openings would be retained, with a single opening sited to the rear of the dwelling, at first floor level, now being proposed to relate to a bedroom as opposed to a bathroom. There lie no dwellings to the rear of the site, as the site is bound by open grounds to its west. The proposed bedroom opening would therefore not hold any new undue overlooking concerns and as such is considered acceptable.

Loss of light and outlook:

19. The proposed development is not considered to result in any undue loss in light or outlook for existing neighbouring occupiers.

Noise and nuisance:

20. The proposed change in use is also not considered to result in any new undue noise or nuisance concerns for existing neighbouring occupiers, above and beyond those that can reasonably be expected from a 3 bedroom family dwelling within this area.

21. The HMO would be occupied by up to 5no. individuals. This would not be too dissimilar from a medium sized family taking up the site and as such the development proposals are considered to be acceptable in this regard. It should further be noted that the Councils Environmental Health Officers have also raised no objections to the development proposals in this regard.

22. The development proposals are not considered to result in any new undue amenity concerns for the residential properties adjacent and close to the application site and as such are found to be in compliance with Policy L7 of the TBC Core strategy.

PARKING AND HIGHWAY SAFETY:

Appropriateness of Access:

23. Existing access to the site is to be retained. This arrangement is considered acceptable.

Servicing Arrangements:

24. No changes are proposed to the existing servicing arrangements of the site.

Car Parking, including disabled provision:

25. The application site does not benefit from any onsite parking provision.

26. It is not considered that a HMO, housing up to 5 individuals, would require a greater number of parking spaces when compared to those of a 3 bedroom family dwelling. The Local Highways Authority has also raised no objections in this regard.

27. The development as proposed is therefore not considered to result in any new undue parking or highway/public safety concerns and as such is considered to be in accordance with policy L4 of the Trafford Borough Council Core Strategy.

CONCLUSION:

28. The proposed change of use would see the formation of a House of Multiple Occupation within an established residential area, sited in close proximity to existing transport links and community facilities. The proposal complies with the guidance in the SPD and would not lead to an overconcentration of this type of use. All other impacts from the development are considered to be acceptable. The development would be in accordance with policies L1, L2, L4 L7 and L8 of the Trafford Core Strategy, the Council's adopted SPD6 and the relevant sections of the 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 materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

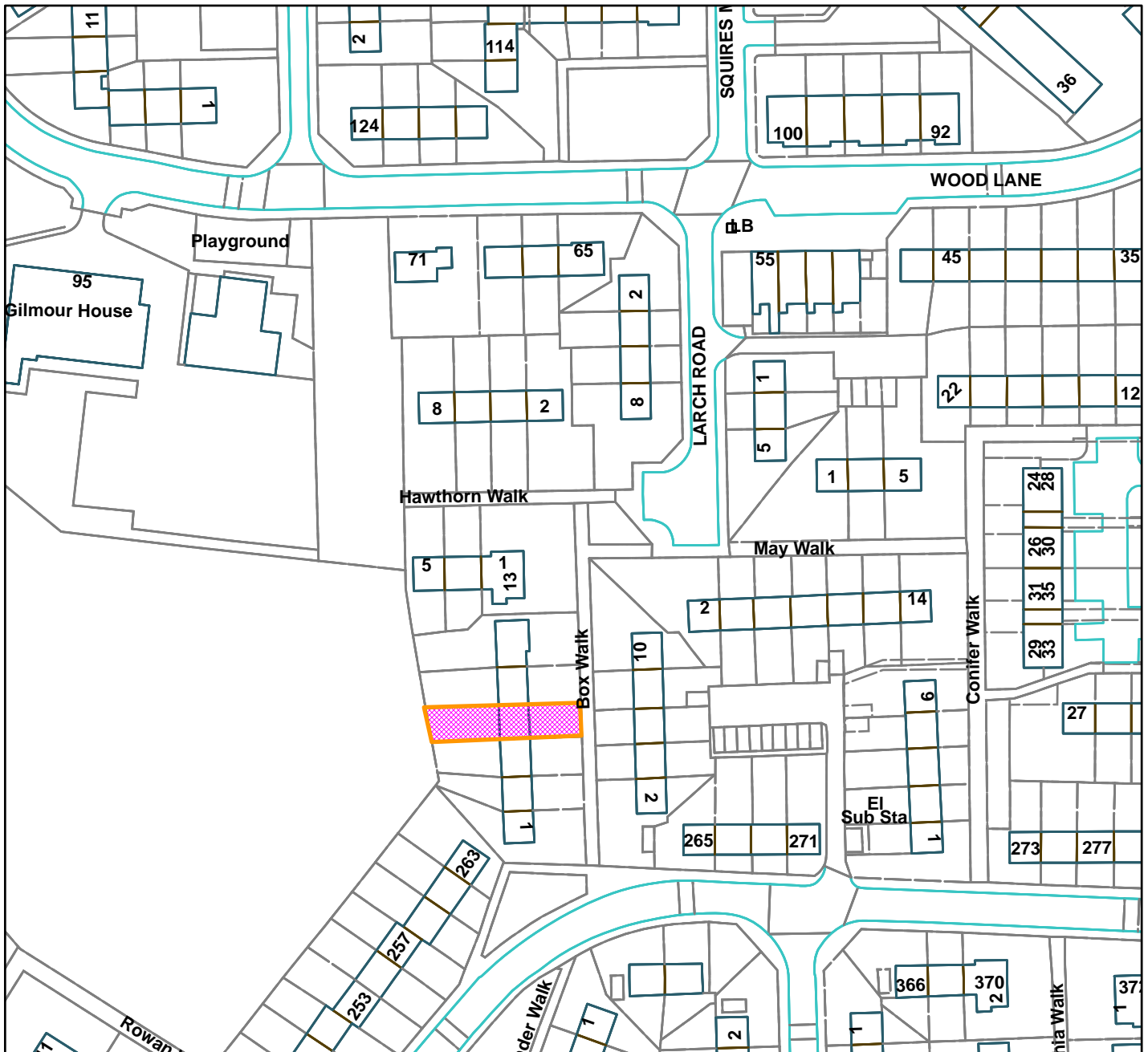
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, reference: 18014-02, 18014-05, 18014-06,

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

IG



7 Box Walk, Partington (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/10/2018
Date	02/10/2018
MSA Number	100023172 (2012)

Erection of single storey side and rear extension.

17 Roebuck Lane, Sale, M33 7SY

APPLICANT: Mr Thwaites

AGENT: Mr Steve Joyce

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee because the applicant is related to an employee of the Council.

SITE

The application site comprises a detached bungalow located along Roebuck Lane. There is a hardstanding and shrubbery to the frontage of the site, with a moderate sized private garden and detached garage existing to the rear. Parking is provided on the hardstanding to the side of the property, with vehicular access taken from Roebuck Lane. The property has extended previously to the rear elevation by way of a conservatory.

Located to the eastern boundary of the site is No 19 Roebuck Lane, a detached bungalow which has extended to the rear by way of a single storey extension. To the western boundary of the site is No 15 Roebuck Lane, a two storey semi-detached dwelling, which has extended to the rear by way of a conservatory. The application site is located within a well-established residential area.

PROPOSAL

This application seeks to erect a single storey side and rear extension, measuring 9.0m in depth, 3.0m in width from the original side of the dwelling, 2.47m in height to the eaves and 3.25m in height to the ridge with a pitched roof. This proposed extension would be set off the common boundary to the east, with No 19, by approximately 0.4m. The proposed extension would be set back from the principal elevation by 6.15m.

The proposal would add one non-habitable, high level window to the front elevation, one habitable room window to the rear elevation and one habitable window to the side elevation, facing west.

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 Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility;
L7 – Design.

SUPPLEMENTARY PLANNING 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.

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the Revised National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

None.

APPLICANT'S SUBMISSION

None.

CONSULTATIONS

None.

REPRESENTATIONS

The application was advertised by way of neighbour notification letters.

No letters were received in relation to this application.

OBSERVATIONS

Design and Visual Amenity

1. The NPPF (2018) states within paragraphs 124 and 130 that: *Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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, taking into account any local design standards or style guides in plans or supplementary planning documents.*
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 and boundary treatment.
3. The proposal is for the erection of a single storey side and rear extension, elements of which will be immediately viewable from the established street scene of Roebuck Lane given the open nature of the frontage of the site.
4. Side extensions can have a prominent visual impact on the appearance of the application dwelling and the wider street scene. They 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 or detract from a dwelling's character. The design of rear extensions should reflect that of the main dwelling in proportion and dimensions. They should also not occupy a disproportionate amount of the rear garden so as to erode the residential character of the surrounding area. These considerations are particular relevant in this case where elements of the side extension will be publicly visible in the public realm.
5. The proposed extension would be single storey in height and would be positioned to the side and rear elevations of the existing dwelling, and would adjoin with the

existing conservatory to the rear. The proposed extension would be 9.0m in depth, and would project to a depth of 5.6m from the original rear wall of the dwelling. Although this projection is in excess of that suggested within the guidance of SPD4, other properties within the immediate area have extended to similar depths. The side projection would be 3.0m in width and therefore would not be greater than half the width of the original dwelling, and set back a considerable distance (6.15m) from the principal elevation of the dwellinghouse. The extension would have an eaves height of 2.47m in height rising to 3.25m in height to the ridge. As such, the proposed use of a pitched roof form and matching materials ensures that the proposal appears in keeping with the existing dwelling, whilst the moderate projection to the side and rear ensures that it is of a scale that appears proportionate to the original dwelling. Sufficient garden space would be retained to the rear of the extension to ensure that the residential character of the area is not unacceptably eroded.

6. There are other examples of extensions in the surrounding locality that benefit from single storey side and rear extensions with varying depths from the rear elevation of the dwelling. Further, the neighbouring property to the eastern boundary, No 19, has extended in a similar way to the rear, with a single storey extension projecting to the same depth as proposed under this application. As such it is not considered that the proposed development would be out of context within the established streetscene or surrounding locality.
7. To conclude, the proposed development is considered to complement the existing dwelling by reason of its design, scale and materials, and therefore it is considered appropriate within its context. As such it is considered that the proposed development would be in accordance with policy L7 of the Trafford Core Strategy, The Council's SPD4 guidelines and government guidance contained within the NPPF requiring good design.
8. Therefore in regards to design, the proposals are acceptable.

Residential Amenity

9. 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.
10. Guidance contained within SPD4 states:

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.

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.

Windows close to a boundary that are likely to cause a loss of privacy, can sometimes be acceptable if fitted with obscure glazing and top-hung opening windows however this would not be acceptable if it was the main window providing light into a habitable room. (Paragraph 2.15.5)

11. The nearest neighbours to the proposed development would be properties No. 15 and No. 19 Roebuck Lane. The proposed development would be approximately 29m from the rear boundary of the application site. Therefore no residential amenity to the rear of the site would be adversely harmed as a result of the proposed single storey side and rear extension.
12. Located to the eastern boundary of the site is No 19 Roebuck Lane, a detached bungalow which has extended to the rear by way of a single storey extension. To the western boundary of the site is No 15 Roebuck Lane, a two storey semi-detached dwelling, which has extended to the rear by way of a conservatory. No. 15 and No. 19 Roebuck Lane are located within similar sized plots and share a similar building line.
13. The proposed development would be located 9.0m from the shared boundary with No 15, and partially behind the existing conservatory to the host property when viewed from No 15. Therefore, it is not considered that the amenities of the occupiers at this address would be harmfully impacted upon as a result of the proposed extension.
14. With regards to No 19, the proposed development would be located 0.4m from the shared boundary to this side. The proposed development would form a pitched roof and therefore would slope away from the shared boundary with No 19. The proposed projection to the rear would be 5.6m from the original dwelling, which would be to the same depth as the single storey extension to No 19. Therefore the proposed extension is considered to be an acceptable depth when considered in relation to the neighbouring property at No 19. The proposed eaves height of 2.47m and ridge height of 3.25m ensures that the amenities of these neighbouring properties would not be affected to a harmful level. Therefore, it is considered that the proposed development, given its scale, location and form, would not adversely harm the occupiers at these addresses with regard to overshadowing, loss of light or an overbearing impact.
15. Furthermore, the proposed development would add new windows to the front, rear and western (side) elevation of the extension, at ground floor level, which would have direct views to both the frontage and private amenity space to the rear of the application site. There is one new side elevation window proposed to the rear extension at ground floor level that would have similar views into the private amenity space of the application site as the existing conservatory windows in situ. This would have views of a shed located within the application site, on the boundary with No 17 and into the wall of the neighbours (No 15) garage/outbuilding, which will ensure neighbour amenity is protected. As such, the proposed development would not result in an undue overlooking or loss of privacy to neighbouring properties.

16. Given the above, the proposed development would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF.

17. Therefore in regards to amenity, the proposals are acceptable.

Parking

18. The proposed works will increase the living accommodation within the dwelling but no additional bedrooms are proposed. The side extension will, however, reduce parking provision to the side of the dwelling and within the garage. The remaining area to the side elevation of the dwelling and frontage of the site, currently laid to hardstanding, will be capable of providing parking provision for a total of two cars, and there is some scope for on-street parking on Roebuck Lane. On this basis, it is therefore considered that the proposed development is acceptable in terms of parking provision, having regard to the Council's adopted SPD3, Parking Standards and Design.

19. Therefore the proposal is considered to be acceptable in parking and highway safety terms.

Community Infrastructure Levy

20. The proposal is for less than 100sqm and would not therefore be liable for the Community Infrastructure Levy (CIL).

CONCLUSION

21. The proposed development is considered to be acceptable in terms of design and visual amenity, impact on residential amenity and parking provision. It is therefore considered that the development would comply with Policy L7 of the Trafford Core Strategy and guidance in the 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 following submitted plans:

- Location Plan,
- Drg. No. GLS03,
- Drg. No. GLS01.

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

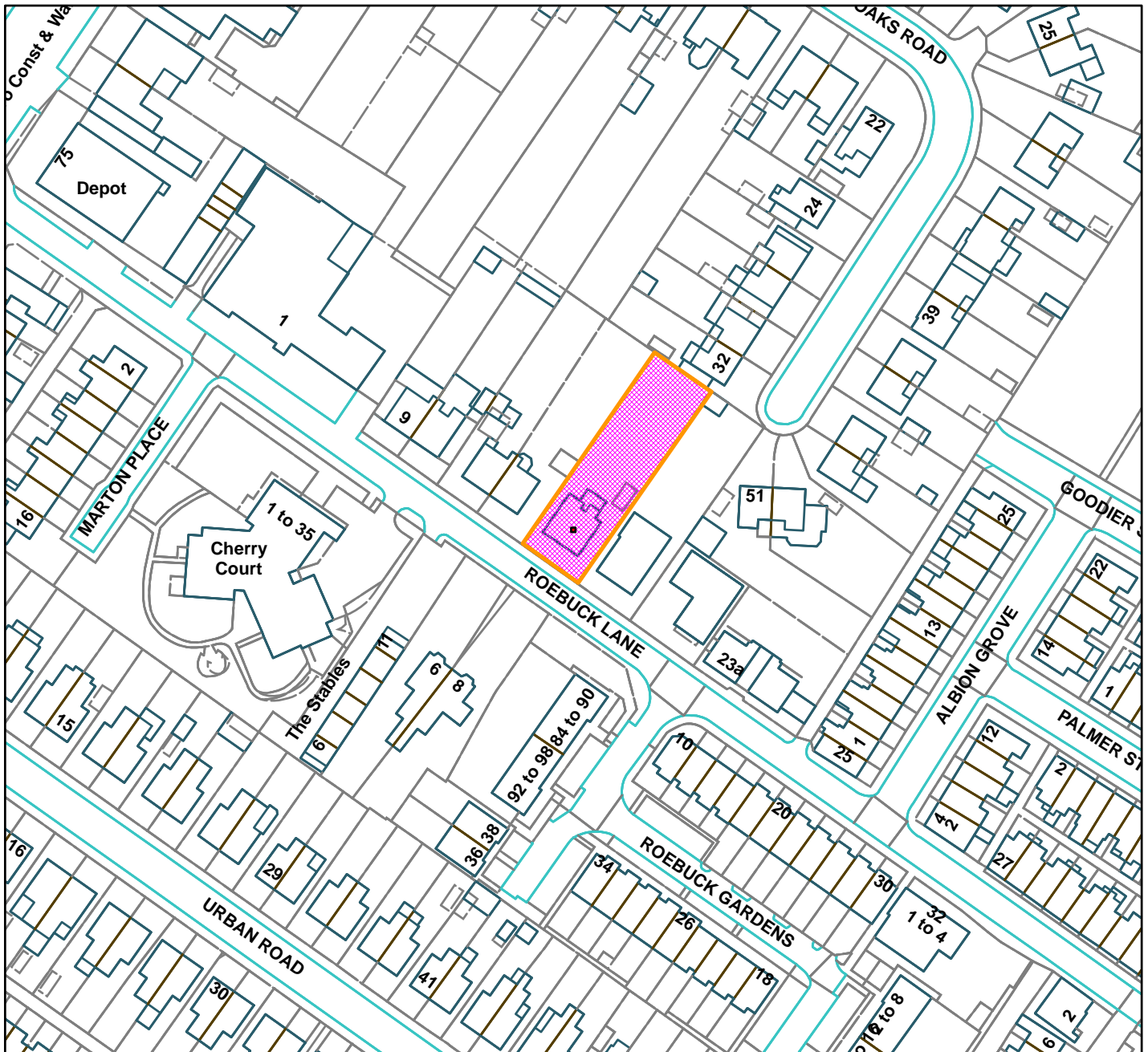
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity 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.

Regional Enterprise Ltd



17 Roebuck Lane, Sale, M33 7SY (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	11th October 2018
Date	01/10/2018
MSA Number	100023172 (2012)

WARD: Gorse Hill

95018/COU/18

DEPARTURE: No

Change of use from office to D1 dental surgery.

554 Barton Road, Stretford, Manchester, M32 9TD

APPLICANT: Circle Dental Care Ltd

AGENT: CRL Architects

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee as the application has received more than six representations contrary to officer recommendation.

SITE

The application site refers to a two storey detached building, located on the northern side of Barton Road. The original building is rendered with a hipped roof above, whilst the two storey side extension comprises of brickwork and a flat roof. Hard surfacing surrounds the site to the rear and side and is enclosed by a 2.1 metre tall metal fence and gate access at the front and side (west). The building is currently vacant but was formerly in use as an office building.

A single storey building is located at the rear of the site, which is currently in use as a beauty salon. It is understood that the occupiers of these premises have no right to park within the application site, however they do have a right of pedestrian access to the front door.

The Circle, allocated as a Neighbourhood Shopping Centre (on the UDP Proposals Map), is located beyond Lostock Court (sheltered housing) to the west. Residential properties bound the site to the north and east and are the predominant use of the wider area.

PROPOSAL

Planning permission is sought for a change of use from office to a dental surgery (D1 Use Class). The proposed development would create 3 no. dental suites (consulting rooms), a sterilisation room, x-ray room, 5 no. store rooms, office, dining, kitchen and WC facilities.

The proposed block plan illustrates car parking spaces for 13 no. vehicles, in addition to cycle parking. The proposed hours of opening are 08:00-19:00 Monday to Friday and

09:00-13:00 Saturday. The proposed number of employees would be 17 Full-time and 4 Part-time.

No external physical alterations are proposed to the building other than the relocation of an entrance door on the front elevation.

Value Added:

- Number of proposed consulting rooms reduced
- Increased number of parking spaces, from 9 to 13.

The total floorspace of the proposed development would be 224 m².

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
L8 - Planning Obligations
W1 - Economy

PROPOSALS MAP NOTATION

No relevant map notations

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the Revised National Planning Policy Framework (NPPF) on 24 July 2018. 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

93831/COU/18 - Change of use from office to D1 dental surgery. Withdrawn 03.05.2018

H/52830 - Erection of a 2.1 metre high fence with gate access to car park to front and side boundary. Approved 11.01.2002

H05322 - Extension to form new p.a.b.x. room to house telephone equipment. Approved 13.05.1977

APPLICANT'S SUBMISSION

The following documents have been submitted with this application:

- Design and Access Statement – this states that the applicants are one of six dental practices taking on new NHS patients out of 33 practices in the Borough
- Dentist Report – Healthwatch Trafford – Experiences and availability of NHS Dentists in Trafford (January 2018)
- Travel Plan 2018
- Chairperson Lostock Community Partnership – letter of support

CONSULTATIONS

Local Highways Authority:

27/09/2018 - No objection with regards to 3 consulting rooms.

06/09/2018 - Previous objection was raised on grounds of highway safety due to insufficient onsite parking provision

Strategic Planning:

No objection with regard to proposals, including loss of employment use

REPRESENTATIONS

The application was advertised by way of neighbour notification letters and a notice displayed near the site.

In addition to the petition, detailed below, a total of 5 individual objections have been received as part of the consultation process. The concerns raised are mostly related to highway safety and inadequate parking. However all concerns raised are summarised below:

Pollution:

- Increased congestion and noise/air pollution
- Additional noise impact

Highways:

- Inadequate/Insufficient parking spaces
- Outstanding traffic/parking issues
- Existing parking on Barton Road and cycle lanes
- Concern for road safety
- Parking spaces shown appear unachievable
- Bins storage is inadequate

Accessibility:

- Less accessibility to disabled – existing surgery can access all 5 surgeries, this one only 3 surgeries on GF
- Greater distance from bus stop (than existing surgery), affecting elderly and disabled who use public transport

Residential Amenity:

- Residential area, inappropriate for commercial enterprise

Principle/NHS:

- Stretford not lacking NHS dental services

A petition with 41 signatures from 35 addresses on Barton Road was also received, which raised objection to the proposals, by responding to the supporting documents. The comments summarised the proposed new location has;

- inadequate parking
- reduced disability access by 40%
- poorer public transport access
- increased risk to public health and safety
- increased congestion and noise/air pollution
- located in an area where there isn't a shortage of NHS dentists
- less potential for expansion than current location
- purely a residential area which is against the Council's unitary plan.

A total of 5 individual letters of support (including one from the applicant) have also been received as part of the consultation process. The reasons for support are summarised as follows:

- valuable health care service since becoming part of the Lostock community/ asset to the community
- provide better service - meet the growing needs of the local residents and children attending nearby schools
- relieve the parking pressure on Lostock Circle
- do not anticipate parking to be an issue –

- offices in use previously were always busy with sales and engineers going in and out
- most people using the facility would arrive on foot, as most dentists serve the local community
- question if existing parking issues should be taken into account as Lostock Court is lacking in a car park
- larger premises with improved access and parking

A petition with signatures from 102 patients was submitted by the applicants – Circle Dental. The petition included a map showing the proposed relocation of the practice as well as reasons of support including 'increase surgery capacity and also improved practice's parking facilities'.

Additionally, a letter of support was received from Councillor Acton and Councillor Cordingley. The reasons for support include:

- The dentist is needed in the area, and the present dentist situated nearby is not suitable in terms of people with disabilities and therefore they need to develop a dentist nearby within the community which will be much more disability friendly.
- The dentist is presently a teaching dentist provider and that will continue at the new proposed building.
- The dentist is committed to working with the Lostock Partnership, who are keen to support the provision.
- The existing patients from the present dentist practice will remain as patients in the new provision.
- Many of the patients use public transport or walk. Similarly this applies to the staff.
- This is a real opportunity to develop a modern dentist on a new site which will provide a much improved facility for patients, particularly so for people with disabilities.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Loss of Employment Use

1. Policy W1 of the Trafford Core Strategy states that in order for Trafford to remain competitive and contribute to the growth of the sub-region's economy it needs to continue to diversify its range of employment types. The aim of this policy is to facilitate the continued modernisation and revival of industrial and commercial activity through the release of sufficient land.
2. Policy W1.12 indicates that in determining applications for non-employment uses on unallocated employment sites (such as the application site), developers will need to

demonstrate that: there is no need for the site to be retained for employment purposes and it is therefore redundant; that there is a clear need for the proposed land use in the locality; that there are no alternative sites, within the locality, to meet the identified need for the proposed development; that the non-employment use would not compromise the primary function of the locality or the operations of neighbouring users; and that the proposed redevelopment is in accordance with other policies in the Development Plan.

3. The application site has an established use as offices, B1 Use Class, which for the purposes of Policy W1 is an 'employment' use. The proposed use as a dental surgery, D1 Use Class, would be a 'non employment use' in terms of Policy W1. The applicant has been actively monitoring the market looking for alternative premises, without success, for the last three years, thereby demonstrating that there is a demand for a site that can accommodate a dental practice in this area.
4. The applicant advises that the building had been only part-occupied for some time with just three of the eight available offices used. It is understood that the building was advertised for a period by the former owners prior to placing it with a professional for sale. It was finally placed in the hands of agents for a formal marketing process both online and through the business – Roger Hannah. It was advertised from 8th August 2017 until December 2017. In that time four offers were received:-
 1. Circle Dental involving change of use to D1
 2. Two from developers with a view to converting to residential under permitted development.
 3. One from a UK charity.

Whilst the building was not marketed for a particularly long period of time, there were no offers to retain the site in traditional employment use, the only offer which retained high end paid employment on the site was that of the applicants.

5. It is recognised that the existing authorised B1 use is categorised as a main town centre use in the NPPF, and it can also be considered as a non-conforming use in an area which is otherwise almost exclusively residential in character. It is considered that the use of the site as a dental practice would not compromise the primary function of the locality in terms of W1.12.
6. It is considered that the applicant has provided sufficient justification to demonstrate the proposed development complies with Core Strategy Policy W1.12 and there is therefore no objection in principle to the use of the site as a dental surgery.

DESIGN AND APPEARANCE

7. In relation to matters of design, Policy L7 of the Core Strategy states development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area

by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.

8. The Council's SPD3: Parking Standards and Design stresses the importance of ensuring that car parking areas are laid out in a manner that does not detract from the character of the area. The proposed development increases the number of parking spaces available on site by allocating 2 no. spaces on the east boundary and 2 no. spaces to the front of the property. The proposed development would retain some landscaping to the front of the parking spaces and therefore should not detract from the character of the area. It is recommended that a condition requiring landscaping details to be submitted is recommended with any permission.
9. There are no proposed external alterations to the building other than the relocation of an entrance door to the front elevation, which is considered to be acceptable in design terms. Thus subject to appropriate conditions, the proposed development would be in accordance with Policy L7, guidance contained within SPD3 and relevant paragraphs of the NPPF.

RESIDENTIAL AMENITY

10. In relation to matters of amenity protection, Policy L7 of the Core Strategy states that 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
11. Policy L5.13 of the Core strategy states: *Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.*
12. The application site is bounded to the north by an existing beauty salon and Nos. 73 and 75 Audley Avenue. Lostock Court bounds the site to the west and No. 550 Barton Road bounds the site to the east. The proposed use would be in operation between the hours of 08:00-19:00 Monday to Friday and 09:00-13:00 Saturday. As such, it is considered that the proposed dental surgery would not unduly harm the neighbouring properties by reason of noise or disturbance.

HIGHWAY SAFETY, ACCESS AND PARKING

13. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety. Furthermore, policy L7.2 states: In relation to matters of functionality, development must:
 - Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;

- Provide sufficient off-street car and cycle parking, manoeuvring and operational space;
- Provide sufficient manoeuvring and operational space for service vehicles, as appropriate;

Appropriateness of Access

14. The proposed access would remain as existing, which has the benefit of two access points either side of the building thereby providing a through car park access. It is understood that the adjacent beauty salon has no rights to the existing parking spaces. It was noted on the site visit that whilst the beauty salon was open, patrons did not park within the car park of the application site.

Servicing Arrangement

15. The proposed bin store would be located within the application site, in the northwest corner of the site and to the front of the beauty salon. The servicing arrangements are kerbside on Barton Road, as existing.

Car Parking & Cycle Parking

16. The proposed plans, as amended, indicate 13 parking spaces, including one disabled space. Cycle parking (3 no. Sheffield Stands) is also proposed to the front. The SPD3 requirements are 1 space per 2 staff members plus 4 spaces per consulting room.
17. The Council's SPD3: Parking Standards and Design, with regard to maximum levels of car parking, requires 1 space per 2 staff plus 4 per consulting room for this particular use. The application form states there are 17 full time staff and 2 FTE staff. The amended scheme proposes 3 consulting rooms. On this basis SPD3 requires 9 spaces for staff and a further 12 spaces for the consulting rooms, giving a total SPD3 requirement of 21 spaces, albeit it should be noted that standards within SPD3 are maximum standards. The application includes provision for 13 parking spaces, including one disabled space. This would result in an under provision of 8 spaces compared to the SPD3 requirement, and an under provision of 9 spaces if the disabled space is discounted from this calculation. The original application proposed the use of 7 consulting rooms; however it was considered that this level of use would have been likely to have resulted in harm to highway safety and on-street parking pressures to the detriment of the amenity of neighbours.
18. The LHA notes that the adjacent service road, which runs parallel with Barton Road between Lostock Court and the application site, could accommodate around 7 parking spaces, although it is acknowledged that parking already takes place in this area. The LHA consider the use of the service road, given its location would not have an adverse impact on highway safety. It is also considered that the use of the

service road will not result in an unacceptable impact on the residential amenity of the occupiers of nearby properties.

19. Additionally, a Travel Plan was submitted with the application, which demonstrates practical measures that the practice can take to minimise possible transport issues. Such measures include a Travel Plan Co-ordinator, staff training and company targets, which encourage walking, cycling, use of public transport and car sharing.

Conclusion

20. Given the above, it is now considered that the level of parking provision is acceptable for the proposed use. Any overspill parking could be accommodated in the service road. Thus the proposed change of use to a dental surgery with 3 consulting rooms is considered acceptable with regard to highway safety and amenity issues resulting from car parking associated with the use, subject to an appropriate condition restricting the use to 3 consulting rooms.

OTHER MATTERS

21. A number of the representations received make reference to the existing dental surgery located a short distance away on The Circle. The comments compare the existing services, such as parking, disability access and public transport access. The existing dentist surgery is outside the scope of this planning application and therefore is not a material consideration in determining this application.

DEVELOPER CONTRIBUTIONS

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

CONCLUSION

24. The proposed development is considered to be acceptable in policy terms and would provide a dental surgery for the use of the local community. The proposed change of use, subject to the recommended conditions, should not harm the residential amenity of local residents or highway and pedestrian safety and is considered to provide adequate parking provision. It is also considered that the proposed development would be acceptable in terms of design and visual amenity. As such, it is considered the proposal is in accordance with the NPPF and Policies W1, L4, L7 and L8 of Trafford's Core Strategy and 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 submitted plans, numbers: '2427 - 002 Rev D', and '2427 - 012 Rev C'.

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

3. a) Notwithstanding the details shown on the approved plans, the use hereby permitted shall not commence 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.

4. The premises shall only be open for business between the hours of: 08:00-19:00 Monday to Friday and 09:00-13:00 Saturday.

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

5. The development hereby permitted shall not be occupied until a scheme for secure cycle storage has first been submitted to and approved in writing by the Local

Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a Dental Surgery with no more than 3 consulting rooms as shown on the approved layout plan, number 2427-002 REV. D, and for no other purposes within Class D1 of the above Order.

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

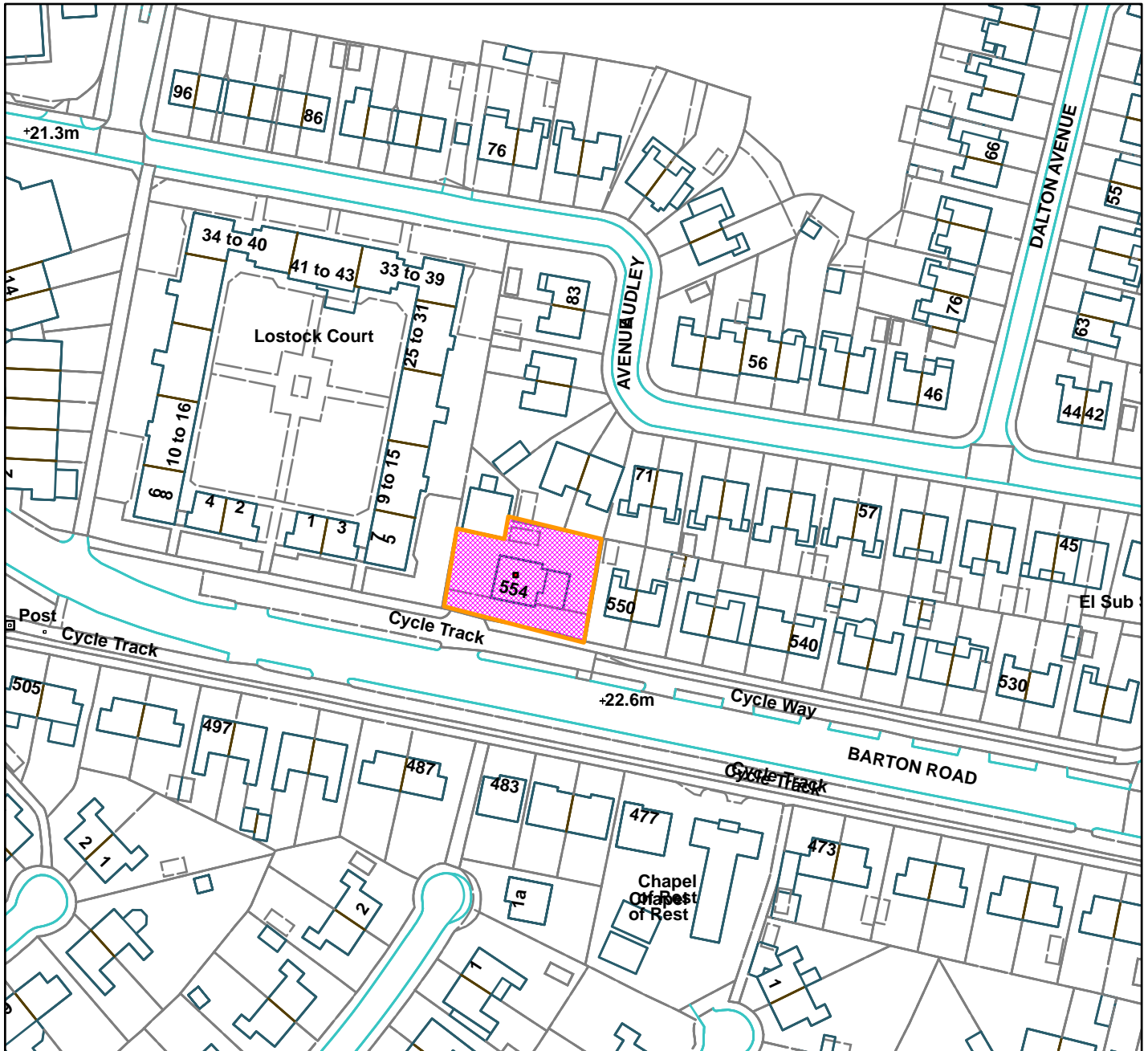
7. Before the premises are first brought into use as a dental surgery, the car parking bays shown on the submitted plan reference 12C shall be marked out on site with white lines, made fully available prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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

LT



554 Barton Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	11th October 2018
Date	01/10/2018
MSA Number	100023172 (2012)

WARD: Hale Central

95133/FUL/18

DEPARTURE: No

Installation of bi-fold doors to replace existing shopfront and awnings.

6 - 10 Victoria Road, Hale, WA15 9AF

APPLICANT: Carroll Design Ltd

AGENT: Carroll Design Ltd

RECOMMENDATION: GRANT

Reported to the Planning and Development Management Committee as the application has received more than six objections contrary to officer's recommendation.

SITE

The application refers to a 2/3 storey Victorian building, which occupies the corner of Victoria Road and Lisson Grove, Hale. The building was originally built as a residential property. The ground floor premises are currently vacant, however were previously in use as a restaurant: Carluccios. The upper floors are in use as offices. The building was extended to the front at single storey in the early 20th Century.

The building is not listed, however the site is located within Hale Station Conservation Area, and within the setting of the Grade II listed Hale Station buildings on the opposite side of Ashley Road. The surrounding area is mixed in character with commercial properties on Victoria Road and residential properties on Lisson Grove.

PROPOSAL

Planning permission is sought for the replacement of the ground floor shopfront windows for new glazed bi-fold doors to the front and side of the single storey front element, as well as replacement awnings.

The proposed bi-folds would be timber painted in Farrow and Ball Clunch. The proposed awnings would be fabric, finished in a taupe colour.

The proposed development has been amended during the course of the application. Amendments include:

- The removal of the proposed side extension;
- Retention of fencing;
- Removal of fixed planters; and
- Reduced number of awnings.

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

R1– Historic Environment

OTHER LOCAL POLICY DOCUMENTS

SPD5.11 Hale Station Conservation Area Appraisal (July 2016)

SPD5.11a Hale Station Conservation Area Management Plan (July 2016)

PROPOSALS MAP NOTATION

Hale Station Conservation Area

Development in Town & District Shopping Centre

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) on 24 July 2018. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

OTHER RELEVANT LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING HISTORY

95132/ADV/18 - Advertisement consent sought for 2no. matching internally illuminated fascia signs and 1 no. non-illuminated valance signage to run along awnings.
Concurrent application

83484/VAR/2014 - Variation of condition 2 of planning approval H/46267 (change of use of ground floor from a mixed use of retail/hot food takeaway (Classes A1 & A3) to a use within Class A3 (restaurant/hot food takeaway) to allow earlier opening hours.
Approved 03.10.2014

83170/FULL/2014 - Alterations to shopfront including new entrance doors, relocation of awnings and installation of external wall lights. **Approved 12.08.2014**

83222/AA/2014 - Advertisement consent for display of 2 no. internally illuminated fascia signs, new branding to relocated awnings, menu box and vinyl sign applied to glazing.
Approved 12.08.2014

H/67888 - Variation of conditions 4 and 5 of planning approval H/64520 to allow amendment to car park access and layout and the provision of acoustic fencing on the rear, side and front boundaries of the car park and side patio area. **Appeal allowed 28.01.2009**

H/64520 - Erection of single storey rear restaurant and kitchen extension, extension to basement, external escape staircase to rear, three storey lift shaft and new bin store and compound to rear. **Approved 25.07.2006**

H/63524 - Erection of single storey rear restaurant and kitchen extension, external escape staircase, 3 storey lift shaft and new bin store and compound to rear. **Refused 18.01.2006**

H/50167 - Change of use of first floor from offices to a restaurant. **Approved 07.12.2000**

H46267 - Change of use of ground floor from a mixed use of retail/ hot food takeaway (classes A1 & A3) to a use within class A3 (restaurant/hot food takeaway). **Appeal allowed - 09.03.1999.**

Condition 2- hours of use –
0900-2300 (Sundays – Thursdays)
0900 – 0000 (midnight Fridays and Saturdays)

APPLICANT'S SUBMISSION

- Design and Access Statement
- Acoustics Report
- Economic supporting information

CONSULTATIONS

Local Highways Authority – Object to the enclosure of external seating on Victoria Road (adopted highway), in addition to the existing footway being narrowed to an unacceptable width.

It should be noted that this element has been removed from the proposed development.

Pollution and Licensing (Nuisance) – No objection, subject to conditions in relation to the bi-folds and outdoor seating area

REPRESENTATIONS

The application was advertised by way of neighbour notification letters, a press advert and a site notice were displayed near to the site.

A total of 17 no. objections were received in relation to the proposed development. The main issues raised are in relation to concerns surrounding increased noise levels, loss of privacy and overlooking, as a result of the proposed side extension and removal of fencing. It is noted that the majority of the objections are no longer relevant since the removal of the proposed side extension from the proposals and the retention of the fencing. . However, all comments are summarised below:

Residential Amenity:

- Loss of privacy/ overlooking concerns – given proposed glazed wall in place of 7+ft fence
- Overbearing and visual intrusion to nearby residential properties
- Increased noise levels –
 - retractable roof is not a solid roof and therefore this will not provide any level of acoustic separation even when closed
 - Increased use of area with vented windows
 - Additional seating

- Bottles crashing, bar and restaurant staff clearing up, drinkers shouting, taxis, doors banging etc.

Conservation Area:

- Unsympathetic and unacceptable design in Conservation Area
- Increased windows, lighting and awnings are intrusive within Conservation Area
- Design does not enhance the area

Highways:

- Restrict use of pavement
- Increased traffic and parking difficulties – due to increased seating capacity
- Rubbish from parked cars

Other:

- Loss of street tree
- Commercial intrusion
 - Change the nature of the road [Lisson Grove] from residential to commercial, due to extending the outdoor dining space

One letter of support was received in response to the proposed development. The detailed comments were essentially in relation to disagreeing with the reasons for objection to the proposal.

Councillor Mrs. Young raised concern with regards to the loss of amenity to the residents both with increased noise should any doors or windows or sky lights /retracted roof be open when the establishment is operating and would urge that there is a condition placed on this that all doors/windows/ roof etc must be securely closed while the restaurant is operating.

OBSERVATIONS

IMPACT ON DESIGNATED HERITAGE ASSET

Policy Summary

1. The application site is within the Hale Station Conservation Area and within the setting of the Grade II listed Hale Station buildings, which are on the opposite side of Ashley Road.
2. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, *“special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area”* in the determination of planning applications.
3. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

4. A number of paragraphs with the NPPF under section 16 are relevant to this application, the most relevant are outlined below:
5. *In determining applications, local planning authorities should take account of:*
 - a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) *the desirability of new development making a positive contribution to local character and distinctiveness. (Para 192)*
6. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. (Para 193)*
7. *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (Para 196)*
8. *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. (Para 200)*
9. Policy L7 states that *'In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment;*
10. Policy R1 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.*
11. The application site is situated within the Hale Station Conservation Area and so should be considered against the guidance set out in the Hale Station Conservation Area Appraisal (SPD5.11) and the Hale Station Conservation Area Management Plan (SPD5.11a).

12. Policy 6 - *Ensure that adaptations to 21st century uses are sensitive to the historic character and appearance of the building; balancing the need for new facilities with the retention of original features, detailing and decorative materials.*
13. Policy 15 - *If the replacement of doors or windows is proposed, whether the existing is of timber or uPVC, any further replacements should be in timber and should represent a significant improvement over the existing. Where windows are replaced, they should respect the size and form of the original opening(s) and glazing bars, and be of an appropriate traditional design. Replacement doors and windows should not detract from the established character of the building.*
14. Policy 31 - *Suitable shop fronts include those with a subtle use of colours and traditional design such as stall risers, thin timber glazing supports, and traditionally glazed window displays. Large display windows should have vertical glazing divisions while architectural features, such as cornices, pilasters, glazing bars and stall-risers should be retained as part of any alterations or repairs. Replacement shop fronts should make use of these traditional features.*
15. Policy 36 - *Fixed and retractable canopies within the Hale Station Conservation Area will need to be carefully designed using traditional materials (plastics are strongly discouraged) and suitable colour-schemes to be considered appropriate. The most appropriate style is a canvas awning that retracts into a slim line box on the building below the first floor building line.*

The Significance of the Designated Heritage Assets

16. Significance (for heritage policy) is defined in the NPPF as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
17. Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
18. The conservation area is formed around the area of Hale Station, which is a collection of Grade II listed buildings and the application site lies within the setting of these buildings. The buildings comprise:
 - Passenger Footbridge
 - East Platform, waiting rooms and canopy
 - West platform building, canopy and (now defunct) signal box.
19. The listing descriptions for the above buildings are as follows:

- a) *Footbridge over railway line. 1880's for Cheshire Lines Committee Wrought and cast iron. Single-span bridge with flights of steps at right-angles to it. The bridge and steps rest on sets of 4 cast iron columns with crocket capitals. The bridge itself has structural wrought iron lattice work parapet walls, the walkway being timber. It was originally enclosed by a roof. (Listing NGR: SJ7698186938)*
- b) *Waiting rooms and platform canopy. 1880's for Cheshire Lines Committee Polychrome brick with stone dressings and slate roof: cast iron canopy with glazed roof. 3-bay single- storey waiting room, 7-bay hipped roof canopy. Stone plinth and eaves band and decorative brick eaves and window impost band. Doors in bays 1 and 4 and sash windows in the others all with brick arched heads. Cast iron canopy columns with crocketed capitals, spandrel brackets with arabesque decoration, hipped glazed roof and pierced wooden valance. (Listing NGR: SJ7698886913)*
- c) *Station. 1862 and 1880's for Cheshire Lines Committee Polychrome brick with stone dressings and slate roof. 5 bays, single-storey the gable taking the angle of Ashley Road and accommodating the signal box. The platform canopy extends 3 bays further to the north. Stone plinth band, advanced central doorway with shouldered lintel opening and jamb colonnettes. 4 windows each with brick arched heads, stone sills and sash windows. Fine ironwork canopy has columns with crocketed capitals, brackets with arabesque spandrel decoration, hipped glazed roof and pierced timber valance. (Listing NGR: SJ7697486907)*

20. The application building is identified in the Conservation Area Appraisal as both a positive contributor and landmark. SPD5.11 considers the building to be in good condition, and that it was likely to have been a 1900s residential dwelling that was converted to retail use as early as the 1930s. *The original house is of five bays with projecting double-height bays at either end, with large six over six sash windows and a rendered rear exterior. The ground floor shop projects out to the pavement edge and is in keeping with the character of the Conservation Area.*

Proposal and Impact on Significance and Visual amenity

21. The proposed development, as amended, would replace the existing shop frontage with painted timber bi-fold doors, in addition to replacing the existing awnings. The proposed bi-fold doors and awnings would be positioned within the existing openings. The existing shopfront located on the right/ south side would be retained and re-painted.
22. The proposed timber bi-fold doors would be of a high quality, traditional material, and would be contained within the existing openings. A condition requiring further details, including joinery drawings, is recommended to ensure satisfactory visual amenity in the interests of the historic environment. The proposed design would reflect the existing shopfront design, given the timber panelling in the lower section. It is considered the proposal would not hide any original or significant

features nor detract from the established character of the building. As such, subject to appropriate conditions, the proposed replacement doors are in accordance with policies 6, 15, and 31 of SPD5.11a, Policy R1 of Trafford Core Strategy and relevant paragraphs of the NPPF.

23. The proposed fabric awnings, as amended, are considered to be of a scale that would not detract from the established features or character of the positive contributor. As such this element would be in accordance with policy 6, and 36 of SPD5.11a, Policy R1 of Trafford Core Strategy and relevant paragraphs of the NPPF.

Consideration of Harm

24. It is considered that the proposed development, given the design, scale and style, and, subject to appropriate conditions, would not result in harm to the character and appearance of the conservation area or the setting of the listed buildings. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the character and appearance of Hale Station Conservation Area and the setting of the 3 no. Grade II Listed Buildings. It is considered that the development would not result in harm to the significance of the identified designated heritage assets and would have an acceptable impact on the visual appearance of the street scene. As such, the proposed development is in accordance with Policies L7 and R1 of the Core Strategy and guidance in the NPPF in this respect.

RESIDENTIAL AMENITY

25. In relation to matters of amenity protection, development must: be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
26. The proposed development involves the opening of existing, fixed shut, shop frontages on the front and side of the building fronting Victoria Road. The closest residential properties are located on Lisson Grove and Millfield Court. The proposed external seating on Victoria Road is subject to a pavement license. It is noted that this license would control the hours of use. The closest opening would be 21m from Millfield Court and 27m from No.3 Lisson Grove. Furthermore, the existing acoustic fence is between the proposed north opening and No.3 Lisson Grove. The Environmental Health Officer reviewed the proposal and has recommended that the proposed bi-fold doors to the front and side are closed at 9pm, the external areas to the front and side is not permitted to be used beyond 9pm, and a Noise Management Plan for this area is submitted. It is considered that, as the external seating area at the front of the premises has been in existence for a number of years, it would not be reasonable to seek to now impose

more restrictive hours on the use of this area or require a Noise Management Plan in relation to this. However, it is recommended that a condition requiring the proposed bi-fold doors to be closed after 9pm is recommended as additional noise spillage could take place from the interior of the building whilst the doors are open.

27. As such, it is considered, the proposed development, subject to appropriate conditions, would not result in an undue increase of noise or disturbance to the nearby residents. Furthermore, the proposal does not now include an extension or any additional windows, therefore it would not prejudice neighbouring occupiers by reason of overbearing, overshadowing or overlooking. Therefore the proposal is not considered to result in adverse harm on neighbouring properties and therefore is in accordance with Policy L7 of the Core Strategy in this respect.

HIGHWAY SAFETY, ACCESS AND PARKING

28. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety. Furthermore, policy L7.2 states: In relation to matters of functionality, development must: incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; provide sufficient off-street car and cycle parking, manoeuvring and operational space; provide sufficient manoeuvring and operational space for service vehicles, as appropriate;
29. The proposed development, as amended, would not affect the highway and as such the proposal is considered acceptable with regard to highway safety. The proposed external seating area is subject to a separate pavement license, and thus not relevant to the making of this decision.

OTHER MATTERS

30. A couple of objections refer to the loss of one tree, which was located on the corner of Victoria Road and Lisson Grove, within the curtilage of the application site. It is understood that this tree was removed before the application was submitted and therefore is a separate matter, which is not relevant to the making of this decision.

DEVELOPER CONTRIBUTIONS

31. No planning obligations are required.

CONCLUSION

32. Considerable importance and weight has been given to the desirability of preserving the significance of the designated heritage assets (the Conservation Area and the listed station buildings). No harm to the heritage assets is considered

to result from the proposed development. As such the development is not specifically restricted by the NPPF. Further, the proposal is considered to be of a design, scale and style, subject to conditions, that is appropriate to the context of the development, which would conserve, and sustain the significance of the Hale Station Conservation Area. The proposal would also not have an adverse impact on neighbour amenity and is therefore compliant with, Policies R1 and L7 of the Trafford Core Strategy, SPD5.11a and the relevant paragraphs of the 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: CIBOHA 1321F.

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

3. Notwithstanding the details submitted, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including joinery details of windows and doors (at a scale of no less than 1:20), and details of the colour and material of the awnings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

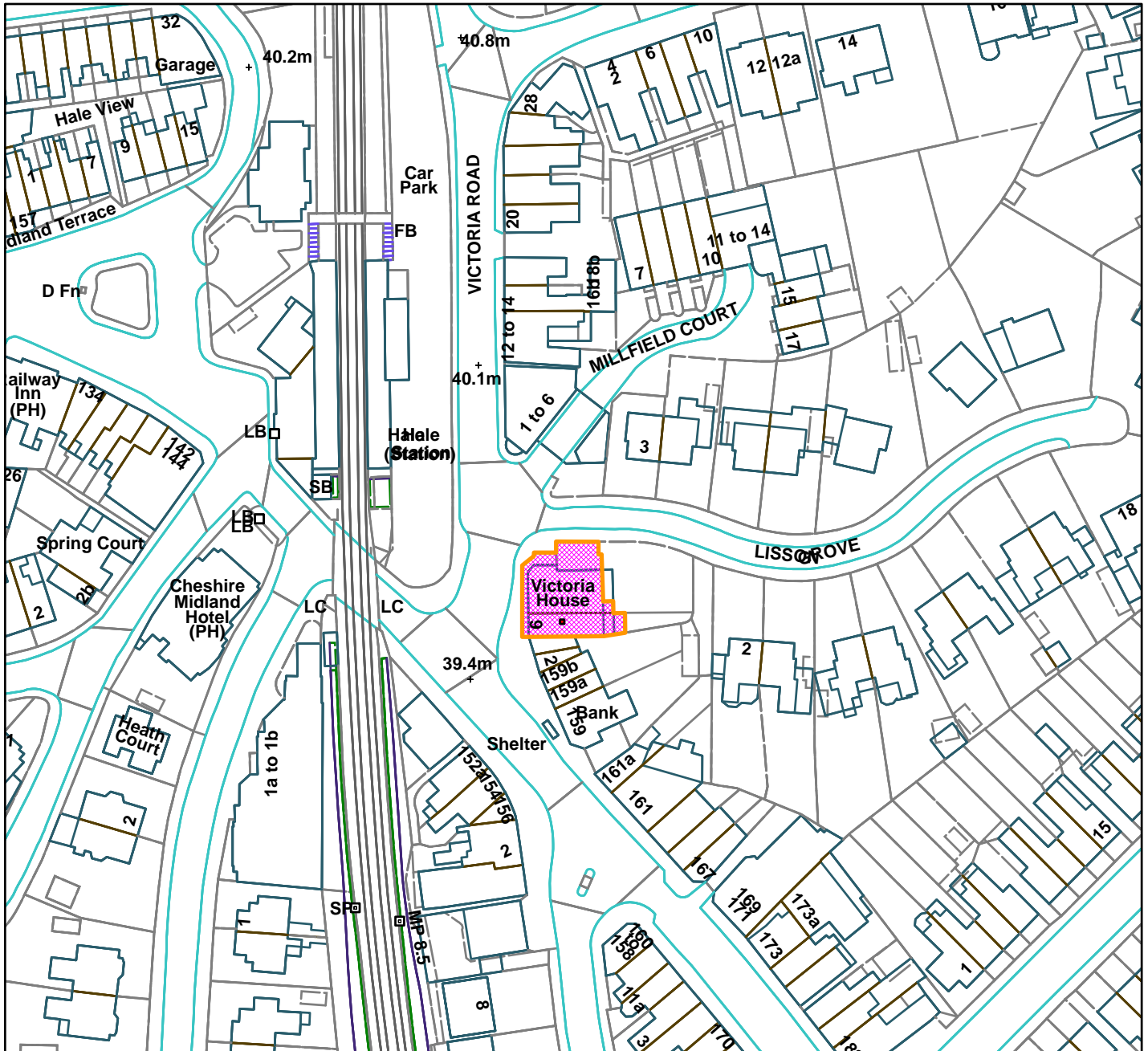
4. The bi-fold doors, hereby permitted, shall not be opened or remain open after the hours of 21:00 on any day.

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

LT



6 - 10 Victoria Road, Hale (site hatched on plan)



Scale: 1:1,250

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Department	Planning Service
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