

WARD: Urmston

93818/FUL/18

DEPARTURE: No

Application for a residential development comprising 9 no. bungalows and 8 no. 'cottage flats' in two 2 storey blocks with associated external works, landscaping and car parking following the demolition of the existing building.

Meadowside, Torbay Road, Urmston, M41 9LH

APPLICANT: Branley Estates Ltd

AGENT: Grays Architecture Ltd

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

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 roughly rectangular 0.48 ha site at the southeastern end of Torbay Road. The main building on the site known as Meadowside is a relatively large, flat roofed, irregularly shaped single storey building which until 2016 was occupied by the Pathways Resource Centre providing services for people with learning disabilities. The main building is largely situated on the eastern half of the site. There are also three container structures on the land in the southwestern corner of the site close to the site boundary. There is metal fencing around the boundaries to the south and west and a mix of timber fencing and vegetation to the houses to the north and east. The rear gardens of 2 storey houses on Torbay Road and Auburn Drive adjoin the site to the north, northwest and east. The southern side and rear boundary of No. 63 Torbay Road adjoins the site to the north of the vehicular access.

The majority of the western half of the site is hardsurfaced as parking or access road but there is a grassed circular area at the centre of the vehicle turning area. There are grassed areas to the north and east of the main buildings.

The hardsurfaced southwestern corner of the site is allocated as Green Belt land.

There is open green belt land to the south and southwest crossed with footpaths and a single track road runs along the southern boundary of the site providing access to properties further along the track to the southeast.

PROPOSAL

Permission is sought for the erection of 9 no. bungalows and 8 no. 'cottage flats' in two 2 storey blocks with associated external works, landscaping and car parking following the demolition of the existing building.

The bungalows are located across the northern half of the site with one bungalow in the southeastern corner and the cottage flats are in the southern half of the site. The maximum height of the buildings is 4.9 metres for the bungalows and 7.6 metres for the cottage flats. The bungalows and cottage flats would have pitched roofs and gable features in the front elevation with materials comprising brick, concrete tile and stone cills.

34 parking spaces are proposed in total, two dedicated spaces for each of the bungalows with the rest arranged in two parking courts either side of the cottage flats including two accessible spaces. In addition to the garden areas for the bungalows and communal gardens for the cottage flats, additional landscaping is proposed to the south of the access road adjacent to Torbay Road.

Value Added: - There have been several iterations of the site layout following officer advice to improve spaciousness, amenity impacts, landscaping and Green Belt impact and access and parking.

The issue of affordable housing requirements was raised on 1st May 2018 by the case officer with an initial financial viability analysis being submitted for consideration by the applicant on 23rd July 2018. Following consideration of this initial assessment and feedback provided by the Council the issue of Vacant Building Credit was raised by the applicant on 23rd August 2018. An updated viability case was made by the applicant's consultant on 15th October 2018, followed by an offer of a commuted sum on 23rd October 2018.

The total floor space of the proposed new dwellings would be approximately 1127 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

- L1 – Land for New Homes
- L2 – Meeting Housing Needs
- L4 – Sustainable Transport and Accessibility
- L5 – Climate Change
- L7 – Design
- L8 – Planning Obligations
- R2 – Natural Environment
- R3 – Green Infrastructure
- R4 – Green Belt, Countryside and Other Protected Open Land
- R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

The majority of the site is unallocated however the southwestern corner of the site has the following designations:

- Green Belt
- The Mersey Valley
- Protection of Landscape Character
- Wildlife Corridor
- New Open Space / Outdoor Recreation proposals

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

- C4 – Green Belt
- ENV10 – Wildlife Corridors
- ENV17 - Areas of Landscape Protection

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

- PG1 New Residential Development (2004)
- Revised SPD1: Planning Obligations (2014)
- SPD3: Parking Standards and Design (2012)

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 DCLG 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

93051/FUL/17 - Erection of 12 no. houses and 12 no. apartments with association external works and landscaping, following the demolition of the existing buildings. – Withdrawn Dec 2017

H/LPA/70950 - Erection of single storey entrance lobby, 3 no. 6.01m high external lighting columns and paladin boundary fencing with vehicular and pedestrian access gates (maximum height of 1.8 metres and 2.4 metres) – Approved 2009

H/LPA/56478 - Erection of 2.4 metre high colour coated railings and gates at various points around the site boundary – Approved 2003

H/36380 - Construction of hardstanding parking areas – Approved 1993

H/22282 - Erection of single storey extension to form bathroom – Deemed consent 1985

H/14533 - Erection of extension to training centre – Deemed consent 1981

APPLICANT'S SUBMISSION

The application is supported by a Design and Access Statement, Financial Viability Analysis, Green Belt Assessment, Arboricultural Statement, Bat Survey and Crime Impact Statement. The documents are referred to as appropriate in the report.

CONSULTATIONS

LHA – No objections subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Strategic Planning, Housing and Growth - No objection in principle. Comments incorporated into 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.

Pollution and Housing (Contaminated Land) – Historical maps show that the site is within 250m from two landfill sites. Also, to the west of the site there is an indication that 'refuse heaps' were present historically. Contaminated land conditions are therefore recommended.

GM Ecology Unit – No objection subject to conditions relating to bats, birds and biodiversity enhancement. Comments are discussed in more detail in the Observations section of the report.

Greater Manchester Police (Design for Security) – Initially requested a Crime Impact Statement. A Crime Impact Statement prepared by GM Police Design for Security has subsequently been submitted and is considered acceptable subject to conditions.

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

REPRESENTATIONS

Neighbours: Objections were received from or on behalf of the occupiers of 6 separate addresses in relation to the original plans and first revised set of plans. Grounds of objection summarised below:

- The proposed 2 storey flats would block existing resident's views of the meadows. The scheme was better when it was all bungalows and maintained an open feel on the meadows.
- Calm, privacy and open views were an important factor when buying their houses
- Terraced bungalows on original scheme would have an adverse impact on outlook from adjacent houses and gardens. Suggest they should be split up to allow more light.
- Bungalows are too close to the rear boundaries and should be pushed back.
- What type of boundary fencing is proposed – need to prevent direct views between existing houses and proposed houses.
- The bungalow at the site entrance would be next to the lounge window and fence at No. 63 Torbay Road. It will block views from and sunlight to this room and should be relocated elsewhere on site.
- Development would add further traffic to what should be a quiet residential area. Traffic calming measures should be considered on Torbay Road – there is already considerable traffic from people accessing the very busy stables.
- No element of affordable housing proposed
- Designs do not take into account HAPPI principles in terms of light, storage or care ready bathroom / bedroom areas.

A neighbour re-consultation has been carried out in relation to the latest revised layout and 2 objections were received objecting to the proposed 2 storey flats in the scheme due to concerns they would result in loss of view and overlooking.

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. Footnote 6 of Paragraph 11 identifies the policies within the Framework relevant to bullet point i. This includes development within Green Belt. In relation to controlling the supply of housing, 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. Analysis later in this report demonstrates that there are no protective Green Belt policies in the NPPF or the Development Plan which provide a clear reason for refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore considered to be engaged.

Green Belt

3. The application site contains a small area in the southwestern corner that has various allocations on the Revised Trafford Unitary Development Plan including Green Belt. It is noted that this area is fenced off from the adjacent road and nearby areas of open space known as The Mersey Valley.
4. Para 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para 144 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
5. Para 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and goes on to list various exceptions to this.
6. This application does not propose any new buildings on the part of the site within the Green Belt and therefore none of the exceptions within para 145 apply. The area of

the site within the Green Belt is currently a hardsurfaced car park and contains container structures for which no historical planning permissions have been identified. The proposed development would result in the removal of the containers and addition of landscaping in this corner of the site reducing the amount of hard standing in this corner. Thus, no operational development is provided for in respect to the Green Belt section of the site. However, the section of the site found within the Green Belt forms part of a wider planning unit, where there will be a material change of use through the grant of planning permission.

7. A material change of use still constitutes development per section 55 of the Town and Country Planning Act 1990. It, therefore, follows that the development in the Green Belt section of the site could constitute inappropriate development. Paragraph 146(e) of the NPPF does allow for material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). However, such development is only appropriate development in the Green Belt where it would preserve the openness of the Green Belt and not conflict with the purposes of including land within the Green Belt.
8. The purposes of the Green Belt are stated at paragraph 134 of the NPPF. Openness is essentially freedom from development. Openness has both a visual and spatial dimension that must be considered.
9. It is considered that the development would improve the openness of the Green Belt when compared to the existing situation and therefore there would be a benefit to the Green Belt in this instance. Indeed, the removal of the containers on the land and the greater landscaping will provide for less visual impacts as compared to the existing baseline and will lead to a greater degree of openness in a spatial sense. Moreover, the dwellings proposed on the non-Green Belt section of the site are considered to have no adverse impact upon the openness of the Green Belt or constitute harm to the Green Belt in any way. It is also noted that the southwestern corner of the site has other allocations on the Revised Trafford Unitary Development plan – Mersey Valley, wildlife corridor, new open space and protection of landscape character. However it should be noted that the site is not publicly accessible and does not form part of the publicly accessible open space in the Mersey Valley. In any event, the proposed open landscaped area in the southwestern corner of the site would be beneficial to the wildlife corridor and landscape character allocations. Accordingly, the proposed development would not cause any harm to the openness of the Green Belt. Rather, it would provide benefits to the openness of the Green Belt.
10. Turning next to the purposes of the Green Belt. Paragraph 134 of the NPPF says:

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*

- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

11. It is considered that the development would not be in conflict with any of the above points a-e owing to the benefits it results in to the openness of the Green Belt identified above, that the scheme would result in less encroachment into the countryside than at present, and the fact the residential curtilages of the proposed properties fall outside the Green Belt area. It can, therefore, be seen that the development would not conflict with the purposes of including land in the Green Belt. It is therefore considered that the development would conform with the NPPF's Green Belt policy as it would be not inappropriate by virtue of paragraph 146(e). Similarly, the development conforms with Policy R4 of the Core Strategy and C4 of the Revised UDP which reflect the NPPF.

Housing Land Supply

12. Para 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites it indicates at bullet point c) that local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

13. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.

14. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the Plan policies seek to deliver.

15. Policy L2 of the Core Strategy, which is entitled "Meeting Housing Needs", states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy. It requires new development to be:

- (a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents;

- (b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure (schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development;
- (c) Not harmful to the character or amenity of the immediately surrounding area and;
- (d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.

16. In the case of this application, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver bungalows and cottage flats and has access to existing community facilities. The site is largely considered to be brownfield land and the site contains a number of vacant buildings and containers and areas of existing hardstanding. It is considered to be in a reasonably sustainable location and the proposed housing is located within the urban area. The principle of the development is therefore considered to be acceptable. Notwithstanding this the development must also be compliant with other relevant policies in the Core Strategy in relation to the impact that the development may have in terms of design, residential amenity, parking and highway safety, ecology and planning obligations which are considered below.

DESIGN AND IMPACT ON THE STREETSCENE

17. 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; and
- Make appropriate provision for open space, where appropriate.

18. The application proposes 9 bungalows, one at the site access fronting Torbay Road, 7 along the northern half of the site and one in the south-eastern corner and 2 blocks of two storey cottage flats (8 flats in total) in the southern half of the site. The new buildings would be arranged around a single access road with turning head at the eastern end.

19. The 2 bed bungalows have a standard pitched roof design with front gables and materials comprising brickwork, concrete roof tiles and stone cills. The bungalows would have a maximum ridge height of 4.9 metres and an eaves height of 2.7 metres.

20. The cottage flats are two storey blocks with four 2 bed flats in each block. The blocks would have pitched roofs and gable features in the front elevations with separate external doors with porch roofs over for each flat in the front and side elevations. Again the materials would comprise brickwork, concrete tiles and stone

cills. The cottage flats would have a maximum ridge height of 7.6 metres and an eaves height of 5.1 metres.

21. It is considered that adequate space is maintained between the bungalows and although the gap between the cottage flats is relatively small (between 0.8 and 1.4 metres) there are large open areas to both sides and adequate spaciousness is maintained across the site.
22. There are 34 parking spaces proposed, two dedicated spaces for each of the bungalows with the rest arranged in two parking courts either side of the cottage flats including two accessible spaces. In addition to the garden areas for the bungalows and communal gardens for the cottage flats, additional landscaping is proposed to the south of the access road adjacent to Torbay Road. A landscaping plan has been submitted which includes 34 trees in addition to areas of shrub planting and grass and it is considered that this area will contribute positively to the surrounding area as well as the development itself.
23. The Police (Design for Security) have raised no objections to the scheme subject to appropriate conditions relating to the recommendations of the Crime Impact Statement.
24. It is therefore considered that the design of the scheme is acceptable and would not result in material harm to the street scene or character of the area in compliance with Core Strategy Policy L7 and the NPPF.

RESIDENTIAL AMENITY

25. Policy L7 states that in relation to matters of amenity protection, development must:
 - Be compatible with the surrounding area
 - Not prejudice the amenity of the future occupants of the development and / or occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
26. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines require, for new two storey dwellings, that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. This would also apply to views from balconies and would need to be increased by 3 metres for any second floor windows / balconies. With regard to overshadowing SPG1 states that 'In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided. A distance of 10.5 metres is usually required between first floor windows and rear garden boundaries. An additional 3 metres is added for each additional floor.

27. Objectors raised concerns about the impact of the proposal on their residential amenity in relation to loss of light, outlook, privacy and view. The original site layout has been significantly amended to provide spaces between the bungalows (which were originally proposed as a terraced block across the northern half of the site) and to set the bungalows further away from the northern boundary of the site which adjoins existing residential properties on Torbay Road. Neighbours were re-consulted in relation to these changes. As a result of the increased spaciousness in the northern half of the site and the need to retain the area to the south of the site access clear of buildings due to the green belt allocation and in order to retain the same number of dwelling units on the site, two storey 'cottage flats' have been added in the southern half of the site.
28. The impacts on the adjacent residential properties are considered in more detail below. The site is adjacent to public open space to the south and a landscaped area to the west with intervening road and therefore the impacts relate to existing houses adjoining the site on Torbay Road to the north and northwest and on Auburn Drive to the east.

Impact on 61 and 63, Torbay Road

29. These two houses are situated to the west of the application site and on the northern side of the existing access road to the Meadowside site. The southern side and rear boundary of No. 63 adjoins the site as does the rear boundary of No. 61.
30. The occupier of No. 63 has raised concerns about the impact of the development on light to, and outlook and views from, the lounge window at No. 63 due to the proximity of bungalow No. 1. The proposed bungalow would be located on the southern side of No. 63 and would be set 1 metre off the common boundary. There is a ground floor window in the side elevation of No. 63 which would be adjacent to the proposed bungalow and would impact on views from No. 63. However there is no right to a particular view from a window. A total gap of approximately 2.8 metres would be retained between the buildings and the bungalow is single storey only with an eaves height of 2.7m and ridge height of 4.9m and it is considered that adequate light would be retained into No. 63. There are also windows in the rear elevation of No. 63 at ground floor level. Bungalow 01 would project approximately 2.6 metres beyond the rear elevation of No. 63 and would be set a metre off the boundary with No. 63. Consequently the impact on light to and outlook from the rear of No. 63 would be acceptable. It is however considered that permitted development rights would need to be removed for future extensions to the rear of bungalow 01 due to the potential impact on No. 63 if bungalow 01 were to be extended to project significantly further to the rear.
31. The northern side elevation of bungalow 02 would be set approximately 17 metres away from the rear of No. 63 and the bungalow is single storey only. The rear elevation of No. 61 would be approximately 14.5 metres away from the boundary

with the site and would look onto the rear garden of bungalow 02. These relationships are therefore considered compliant with Council guidelines in terms of light, outlook and privacy and it is not considered that the proposed bungalow would be overbearing given the height.

Impact on Properties adjoining the northern boundary of the site on Torbay Road

32. There are two storey houses on Torbay Road backing onto the northern boundary of the site. The rear gardens of the properties would back onto the rear gardens of the proposed bungalows in the northern half of the site. A minimum distance of approximately 20 m would be retained between the rear elevations of the houses on Torbay Drive and the rear elevations of the proposed bungalows although this varies due to the differences in the rear building line of the bungalows and the fact that some of the existing houses have ground floor extensions so some gaps are larger. As the bungalows are single storey only with a maximum ridge height of 4.9m it is not considered that they would be overbearing or result in loss of light, outlook or privacy to the existing properties to the north.

33. It is noted that concerns have been raised about the proposed 2 storey cottage flats on the site and the impact they will have on views from properties on Torbay Road. The flats would have a maximum ridge height of 7.6 metres which is not excessively high. As stated above there is no right to a particular view under planning legislation. The proposed cottage flats would be over 45 metres away from the rear elevations of properties on Torbay Road to the north. In addition the cottage flats do not extend the length of the site and there are open areas to the east and west of the cottage flats. It is therefore considered that the proposed cottage flats are fully compliant with Council guidelines in relation to existing properties.

Impact on properties adjoining the eastern boundary of the site on Auburn Drive

34. No's 16-22 (evens) back on to the eastern boundary of the application site. The side wall of bungalow 08 would be approximately 0.5 m off the rear garden boundary of No's 16 and 18 Auburn Drive and would be approximately 17 metres away from the main two storey rear elevation of No. 16 and 18. Given the height of the bungalow with an eaves height of 2.7 metres before the roof pitches away to a maximum ridge height of 4.9 metres it is not considered that it would have an overbearing impact or result in a material loss of light to either the houses or gardens of No's 16 and 18 Auburn Drive.

35. Bungalow 09 is at a 45 degree angle to the eastern boundary of the site with parking and garden areas to the northeast. The eastern corner of the bungalow would be approximately 20 metres away from the main rear elevation of that property. No. 20 would be largely offset in relation to bungalow 09 and opposite the parking and garden area. Again given the height of the bungalow it is not considered that it would have an overbearing impact or result in a material loss of light to either the houses or gardens of No's 20 or 22 Auburn Drive.

36. For the foregoing reasons it is considered that the impacts of the proposal on the amenities of the occupiers of existing adjacent residential properties is acceptable although it is considered that permitted development rights would need to be removed for roof extensions to the bungalows in view of the relatively short rear gardens and potential loss of privacy to neighbouring gardens if rear dormers were to be added at a future point.

Amenity levels for future occupiers of the site

37. The first floor windows in the rear of the existing properties to the north would be in excess of 21 metres away from the main habitable room windows in the northern elevations of the bungalows and in excess of 10.5 metres away from the private garden areas to the rear of the bungalows. The existing properties to the east and west of the site would not look directly onto main habitable room windows in the bungalows

38. It is accepted that some of the distances within the site for future residents are below the guidelines set out in SPG1; for example a minimum distance of 17.5 metres is retained between Bungalow 04 and the first floor windows in the cottage flats opposite. It is acknowledged that this is below the 21 metres normally required by SPG1 and would lead to a level of amenity for future occupiers which would be below that which would normally be expected. SPD1 is however guidance, and can be applied flexibly in appropriate circumstances. It is not considered in this case that any shortfall in separation distances would be so significant that they would have a severely limiting impact on the amenity of future occupiers of the site; who would be aware of such relationships when occupying the properties.

39. With regard to the comments about the HAPPI (Housing our Ageing Populations Panel for Innovation) principles these are not a planning standard and all the main habitable rooms are considered to be of an adequate size and have clear glazed windows. The standard of accommodation for future occupiers of the bungalows and flats is considered to be acceptable.

Amenity Space

40. The Council's SPG: New Residential Development expects most new dwellings, including apartments, to provide some private outdoor amenity space. The Council's Guidelines for new residential development states that around 80 sq. m of garden space will normally be acceptable for 3 bedroom semi-detached houses in an area of similar properties but goes on to states that smaller houses such as small terraced properties may be acceptable with somewhat less. The guidance also advises that estates of houses could have a range of garden space sizes, which helps provide variety to the layout, subject to each house having a reasonable minimum and the average being acceptable and appropriate to the area. 18 sq. m of adequately screened communal area per flat is generally sufficient for the functional

requirements. The proposed development has a variety of private garden sizes for the bungalows all of which achieve the 80 sq. m guideline and the communal amenity area to the rear of the cottage flats exceeds the 144 sq. metres required. In addition to these areas there are general landscaped areas within the site which is also in close proximity to areas of public open space.

Noise, Pollution and Disturbance

41. In view of the scale of the development and proximity of residential properties that could be affected by noise from refurbishment/construction an environmental management plan condition would be required to keep disruption during the construction phase to a minimum for residents.
42. Once built it is not considered that the proposed development of residential units would result in an undue increase in noise, disturbance or pollution other than the usual domestic noise associated with such dwellings. It is noted that the previous use of the site as an adult education centre would also have generated traffic and comings and goings during the day.
43. For the foregoing reasons the impact of the proposed development on residential amenity is considered to be compliant with the Council's adopted guidelines for New Residential Development, Policy L7 of the Trafford Core Strategy.

HIGHWAYS & PARKING

44. Policy L7 of the Core Strategy states development must incorporate sufficient off-street car and cycle parking, manoeuvring and operational space. The car parking standards set out in the Core Strategy specify the requirements which each development will normally be expected to provide, although these are maximums and every planning application is treated on its own merits depending on the circumstances of the site.
45. The LHA have considered the application and have no objections in principle subject to various matters being addressed through conditions and the applicant applying for the relevant stopping up order in relation to areas of redundant highway. The LHA comments are considered in detail below.

Existing Adopted Highway

46. The existing bellmouth on the site is adopted highway. Whilst the proposed access has been amended there still remains a requirement for the area of redundant highway to be stopped up.
47. In addition to obtaining planning consent to stop up adopted highway the Developer must apply to The National Transport Casework Team at the Department for Transport. The Local Highway Authority is consulted by the National Transport

Casework Team as part of the process. Any approval of the stopping up by the LHA will required the developer to provide an alternative turning facility at this location.

48. If planning consent is granted, no part of the adopted highway may be enclosed until the notice relating to the stopping up order announcing that the Secretary of State has made an Order is published. Not only is it an offence to do so, but it may make it impossible for the Secretary of State to make the Order.
49. The Developer will be responsible for meeting the cost of any changes to the existing adopted highway as a result of the development. In this case the works will include, but not be limited to
 - Relocation of BT box and any other services of public utility assets
 - Amendments to kerb, edging and footway as a result of the relocation of the entrance to the site.

PROW

50. A definitive right of way with footpath status, footpath no 30, Urmston, passes to the west and south of the lined application site. The LHA would require a method statement from the developer to demonstrate how safe access will be maintained for the public during construction to be submitted before commencement on site to give the LHA time to comment.
51. The right of way should remain open for public use during construction if possible. Should it be necessary for safety reasons for the applicant to seek temporary closure or diversion of the path during the construction of the works, a Temporary Traffic Regulation Order is required. It should be noted that access is likely to be required at all times to the properties located off the right of way.
52. The developer should put measures in place to ensure the surface of the right of way is not damaged by the development, and should damage occur, carry out repairs to the satisfaction of the LHA.

New Cul-de-sac

53. The LHA note that in addition to being a public footpath, the right of way to the south of the proposed development is a surfaced road, with passing places, which serves two riding stables and associated dwellings and as such has a significant private vehicular use being both domestic cars and large transport vehicles.
54. The current access to this site is from the adopted highway. The developer proposes to relocate the access to the new cul-de-sac not from the adopted highway but from the public footpath with private vehicular rights. The developer must therefore ensure that they hold a right of access and the right to construct any improvements to the right of way.

55. Developments of this nature which are served off public footpaths lead to complaints as the LHA do not have a responsibility to maintain the right of way for vehicular traffic. It is therefore recommended that the new cul-de-sac and the unadopted stretch of Torbay Road, which is to serve as an access to the proposed development, is brought to adoptable standards and offered for adoption as part of a S38 Agreement with the Council. The latest plan shows a carriageway width of 5.5m and a footway width of 1.8m which would be acceptable for adoption. Visibility to the south has the potential to be affected by proposed landscaping to the southwest corner of the development so the LHA request that a visibility splay of 2.4m x 25m is provided to the south with nothing placed within that area higher than 0.600m above the adjacent carriageway/footway. The revised turning head has been tracked and appears to be acceptable. The LHA would again draw the applicant's attention to any refuse strategy if the road is not going to be offered for adoption, (see below).
56. If the cul-de-sac is adopted the LHA would require that the extent of adoption of Torbay Road is adopted and brought up to adoptable standards including lighting. If however the new development (and section of Torbay Road) is not offered for adoption the LHA seek improvements to Torbay Road and ask that the Planning Authority consider if the red line boundary be extended to include Torbay Road improvements.

Refuse Strategy

57. The LHA would again reiterate that if the new proposed road is not offered for adoption then there remains the need for a refuse collection point as the Council's Waste and Refuse team do not take refuse vehicles off the adopted highway and any collection points, either private or communal, must be within 10m of the adopted highway.

Car and Cycle Parking

58. SPD3 requirements are for 2 spaces per dwelling. 2 spaces have been provided for the 9 bungalows and the 8 flats which accords with the SPD3 and therefore is acceptable. No cycle parking is proposed and this will need to be conditioned.
59. In summary the LHA are satisfied that the outstanding issues highlighted above can be conditioned so that details of the access and improvements of Torbay Road, including a visibility splay are to be submitted to and approved in writing by the LPA and thereafter implemented before any of the development is occupied. Also that a Construction Management Plan including the safe access of the footway shall be submitted and approved to the LPA and cycle parking details are submitted.
60. An informative should also be included on the decision notice related to the highway closure which will need to be secured before development commences.

61. On the basis that the LHA have confirmed that they have no objection to the application on highway grounds subject to appropriate conditions and stopping up order the proposal is considered to be compliant with the provisions of Policies L4 and L7 of the Trafford Core Strategy.

ECOLOGY AND TREES

62. A tree constraints plan and accompanying Arboricultural Assessment have been submitted in support of the application and these documents indicate that three moderate quality trees and several low quality trees and shrubs will be removed with only minor impacts on the wider amenity that can be easily mitigated with new landscaping. There are no TPOs affecting this site and therefore the trees could be removed without permission. There would be no objection to the proposed tree works subject to appropriate replacement and additional tree planting on the site.

63. The GMEU have considered the application and note that the surrounding habitat is considered good for commuting and foraging bats. The survey was undertaken on 06/11/2017 and comprised an internal and external inspection of the building. No bats or signs of bats were found during the inspection, however the inspection identified areas on the building which could potentially be used by roosting bats. The GMEU therefore recommend that further survey work, in the form of a dusk emergence or dawn re-entry survey be undertaken at an appropriate time of year and in suitable weather conditions. On this occasion, they confirm that the further survey could be conditioned.

64. The building, together with the trees and scrub on the site, has the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). Therefore a condition requiring demolition and tree works and scrub clearance should not be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have been found to be absent, by a suitably qualified person.

65. In line with Section 11 of the NPPF, the GMEU recommend that biodiversity measures such as bat bricks or tubes, bird boxes and native tree and shrub planting are incorporated into the development and a condition is attached accordingly.

DRAINAGE AND CONTAMINATION

66. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 155 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere. The Lead Local Flood Authority have stated that they do not consider that the proposed works will cause flood risk to the development or the surrounding area and that the application

is therefore satisfactory for approval subject to the drainage scheme being designed and submitted as part of any conditions. Similarly, United Utilities do not object to the application in principle subject to appropriate drainage conditions including foul and surface water being drained on separate systems.

67. In relation to site contamination, historical maps show that the site is within 250m from two landfill sites and there is an indication that 'refuse heaps' were present historically to the west of the site. Contaminated land conditions would therefore be required.

DEVELOPER CONTRIBUTIONS

68. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the moderate zone for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, and apartments will be liable to a CIL charge rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

SPD1: Planning Obligations

69. This supplementary document sets out Trafford Council's approach to seeking planning obligations for the provision of infrastructure, environmental improvements and affordable housing required in relation to new development. Contributions sought through SPD1 will be through the established mechanism of a Section 106 agreement.

70. Affordable Housing – Policy L2 of the Trafford Core Strategy seeks to secure appropriate levels of affordable housing in new developments. For the purposes of affordable housing, the proposal site falls within a 'moderate market' location (not to be confused with the CIL charging zones which differ). In these moderate market locations a 20% affordable housing target would normally be sought, with the flexibility to increase this to a 25% requirement under 'good' market conditions and to decrease it to 10% under 'poor' market conditions. The housing market is still considered to be operating under 'poor' conditions currently; therefore the proposed development would be required to provide 2 on-site units on an affordable basis.

71. Specific Green Infrastructure - In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition could be attached to make specific reference to the need to provide an appropriate number of trees on site as part of the landscaping proposals.

VIABILITY AND AFFORDABLE HOUSING

72. 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.'

73. Paragraph 60 of the NPPF states that 'To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'
74. Paragraph 57 states that 'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.'
75. Policy L1 of the Trafford Core Strategy states that the Council will seek to deliver high quality housing affordable by all sectors of the community by releasing sufficient land to accommodate a minimum of 12,210 new dwellings up to 2026.
76. Policy L2 of the Trafford 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. In order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60/40 market/affordable housing. The Borough is significantly underperforming against the 40% affordable homes target when compared to anticipated delivery at this stage in the plan period.
77. Policy L2 continues by stating that in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. To take into account issues relating to viability the Borough is split into three broad market locations 'hot', 'moderate' and 'cold' and Stretford is identified as falling within a 'moderate' market location. The Council's Revised SPD1 – Planning Obligations states that the normal 20% affordable housing target in 'moderate market locations' will be reduced to 10% in 'poor' market conditions. The Borough is currently experiencing 'poor' market conditions.

78. Policy L2 also sets out that the expected delivery method of affordable housing would be on site; at least 50% of the affordable housing provision will be required to be accommodation suitable for families; the affordable housing element should reflect the overall mix of unit types on the site and a split of 50:50 in the affordable housing units to be provided between intermediate and social / affordable rented housing units. Further detail on mechanisms to secure affordable housing delivery and provision are included in the Revised SPD1 – Planning Obligations.
79. The proposed development of 17 residential units is above the qualifying threshold of ten residential units and this location within the borough is classified as a 'moderate market location'. Advice within the Council's SPD1 document (Planning Obligations July 2014) indicates that the contribution would be 20% (with a flexibility to increase this to 25% under good market conditions or decrease it to 10% under poor market conditions). At the time of the consideration of this report the Borough is still under poor market conditions. The scheme should therefore return 2 on site affordable units under a 10% contribution.
80. The applicant has submitted a development viability appraisal dated 19.07.18 and subsequent updated version dated 15.10.2018 which conclude that no affordable housing contribution could be provided. The applicant's viability appraisal has been independently reviewed by financial viability consultants appointed by the Council.
81. The overriding concern identified by the Council's viability consultants was that the Benchmark Land Value (BLV) for the site (the amount the developer has either paid or undertaken to pay for the site) was too high and had not taken into account the requirements of development plan policies, specifically in this case, the planning obligation requirements in relation to affordable housing provision. The price paid for the land was determined by the applicant alone – there was no reserve set for the site. It is considered that over paying for a development site is part of development risk and is not accepted as justification for an affordable housing provision that is lower than the level that could actually be achieved at the site when an appropriate BLV, consistent with planning policy requirements, is applied. As stated above the weight to be given to a viability assessment is a matter for the decision maker and given the small number of affordable units required it is considered unlikely they could be delivered on site but that there is scope within the development for a contribution towards affordable housing provision to be made.

Vacant Building Credit

82. The applicant has also asserted that the development should benefit from Vacant Building Credit with reference to para 63 of the Revised NPPF.
83. Para 63 states that 'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or

redeveloped, any affordable housing contribution due should be reduced by a proportionate amount 28.'

84. Footnote 28 states: 'Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.'
85. The applicant's consultant states that that 'The critique that the purchase price does not reflect policy requirements arises from a misunderstanding of the policy environment. These buildings are vacant, and at the time of our clients successful bid were entitled to the benefit of the Vacant Building Credit'.
86. They go on to state that 'This guidance is fully applicable to the planning application site at the time it was offered for sale. There was no contrary advice published by Trafford at the time of our clients bid and purchase. It is therefore relevant that our clients proposed development has a floor area smaller than the existing buildings that are to be demolished.'
87. The applicant's consultant states that 'Two scenarios arise from this position
- a) the policy environment was that no affordable housing was required from the site so long as the development was of a smaller floor area than the existing buildings, therefore all the bids made to purchase the land necessarily respected the prevailing planning policies. Accordingly, the purchase price (of £1,002,000) can be seen as an appropriate BLV.
 - b) the RV of any 100% market housing development will be the BLV – such a scheme being of necessity 'policy compliant'.
88. However it is considered that the main consideration is whether the proposal complies with the detailed guidance at paragraphs 21 – 23 of the Planning Obligations NPPG which provides detail on how to apply Vacant Building Credit.
89. Paragraph 23 of the NPPG states 'The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, LPAs should have regard to the intention of national policy and in doing so, it may be appropriate for authorities to consider:
- Whether the building has been made vacant for the sole purposes of re-development.
 - Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.'
90. In this case it is not considered that VBC was required to incentivise the development given the site sold quickly, received a significant number of bids and reached a good price without reserve. It is also noted that the issue of VBC was raised very late into the consideration of the planning application and was not raised as part of the initial viability argument. This indicates that the application of VBC was

an afterthought and not a determining factor in the incentivisation of the development.

91. After advising the applicant's consultant of the Council's view on VBC and the viability case put forward, an offer of a commuted sum of £69,912 has been made by the applicant, based on one shared ownership unit, to be secured by a section 106 agreement with payment being made on occupation of the tenth dwelling. In view of the viability case submitted this is considered acceptable.

PLANNING BALANCE AND CONCLUSIONS

92. 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 a 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.

93. Footnote 7 states 'This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites...'

94. 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.

95. 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.'

96. Para 62 states: 'Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

b) the agreed approach contributes to the objective of creating mixed and balanced communities.'

97. The applicant has argued that VBC should be applicable in this instance however for the foregoing reasons this is not accepted.

98. Significant weight has to be afforded to the benefits of the scheme that would flow from the provision of 17 homes in a reasonably sustainable location, together with the unquantified economic benefits associated with that. There is also seen to be a beneficial impact on the openness of the Green Belt in this location. These benefits must be weighed against the shortcomings of the proposed development, most notably any harm that would result from the lack of affordable housing provision against an identified need and a policy requirement supported by policies in the Council's Development Plan, SPD 1 and the NPPF. The Council has weighed viability in the planning balance and conclude on the basis of the viability arguments made, the contribution offered and the benefits of the scheme outlined above that the shortfall in affordable housing provision has been outweighed by the other benefits of the scheme.

99. In reaching this conclusion, it is also acknowledged that there would be a shortfall in some of the separation distances within the site, when considered against the Council's adopted PG1: Residential Development. Nevertheless, the scale, massing, siting and design of the proposed development pays due regard to its surroundings and would, subject to conditions, have an acceptable impact on highways and ecology.

100. Therefore on balance, it is concluded that the public benefits that may flow from the scheme, including the provision of 17 residential units at a time when the Council does not have a five year supply of deliverable housing sites, and the beneficial impact of the scheme on the openness of the Green Belt, outweigh the harm caused to the Council's identified affordable housing needs and a more limited impact on residential amenity. As the adverse consequences of the development do not significantly and demonstrably outweigh the benefits the proposal passes the test in Paragraph 11 of the NPPF. The application is therefore recommended for approval subject to a legal agreement to secure the commuted sum.

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

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

(i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:

- A financial contribution of £69,912 towards the provision of affordable housing in the Borough

(ii) To carry out minor drafting amendments to any planning condition.

(iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.

(iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -

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

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

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

4230/001 Revision A – Existing Site Plan / Location Plan
4230/101 Revision J – Proposed Site Plan
4230/110 Revision F – Proposed Plans / Elevations – A10-A17
4230/111 Revision G – Proposed Plans / Elevations – B2-B11

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

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

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

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, boundary treatments, bin stores, 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, R3 and C4 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby approved shall not be occupied until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No above ground construction works shall take place unless and until detailed plans and a schedule of necessary highway works (including a timetable for the works) have been submitted to and approved by the Local Planning Authority. The works shall include details of the proposed site access and improvements to Torbay Road including the provision of visibility splays to be submitted and retained thereafter.

Reason: In the interests of highway safety and residential amenity and to ensure a satisfactory relationship between existing and proposed development and having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

7. The development hereby permitted shall not be occupied until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be retained and not be put to any other use than their intended purpose.

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

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

8. The development hereby permitted shall not be occupied until a scheme for secure bicycle 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.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i the parking areas (all within the site) and means of access for vehicles of site operatives and visitors.
- ii. loading and unloading of plant and materials (all within the site)
- iii storage of plant and materials used in constructing the development
- iv wheel washing facilities
- v. measures to control the emission of dust and dirt during construction
- vi. details of hours of construction works / refurbishment works
- vii. erection and maintenance of security hoardings
- viii. a scheme for recycling/disposing of waste resulting from refurbishment and construction works
- ix. measures to prevent disturbance to adjacent dwellings from noise and vibration
- x. a method statement to demonstrate how safe access to footpath no 30, Urmston, will be maintained for the public during construction

Reason: To minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that the impact of the work is minimised from the outset of the development works.

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

- (i) no extensions shall be carried out to the rear of Bungalow 01
- (ii) no dormer windows or roof lights shall be added to the dwellings other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason. To protect the residential and visual amenities of the area, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework

- 11.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.

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

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.

- 13.No development shall take place unless and until full details of a Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning Authority. 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

14. 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.

15. No development shall take place unless and until: (a) A contaminated land Phase I report to assess the actual/potential contamination risks at the site has been submitted to and approved in writing by the Local Planning Authority. (b) Should the Phase 1 report recommend that further investigations are required, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The phase II report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: - human health, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - adjoining land, - groundwaters and surface waters, - ecological systems, - archaeological sites and ancient monuments; (iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework.

16. The proposed development shall be designed and constructed in accordance with the recommendations contained within sections 3 and 4 of the submitted Crime Impact Statement ref. 2018/0568/CIS/01 Version A dated 23.07.18 and these measures shall be retained and maintained thereafter.

Reason: To ensure a safe and secure environment for users in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. Prior to any demolition works first taking place, a further emergence and activity survey for bats shall be conducted at a suitable time of year and by a suitably

qualified person. The results of this further survey and of previous surveys must then be used to prepare a comprehensive method statement giving details of mitigation measures to be taken in relation to bats. Demolition works shall not take place until this method statement has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in full accordance with the approved method statement.

Reason: In order to protect any bats that may be present on the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

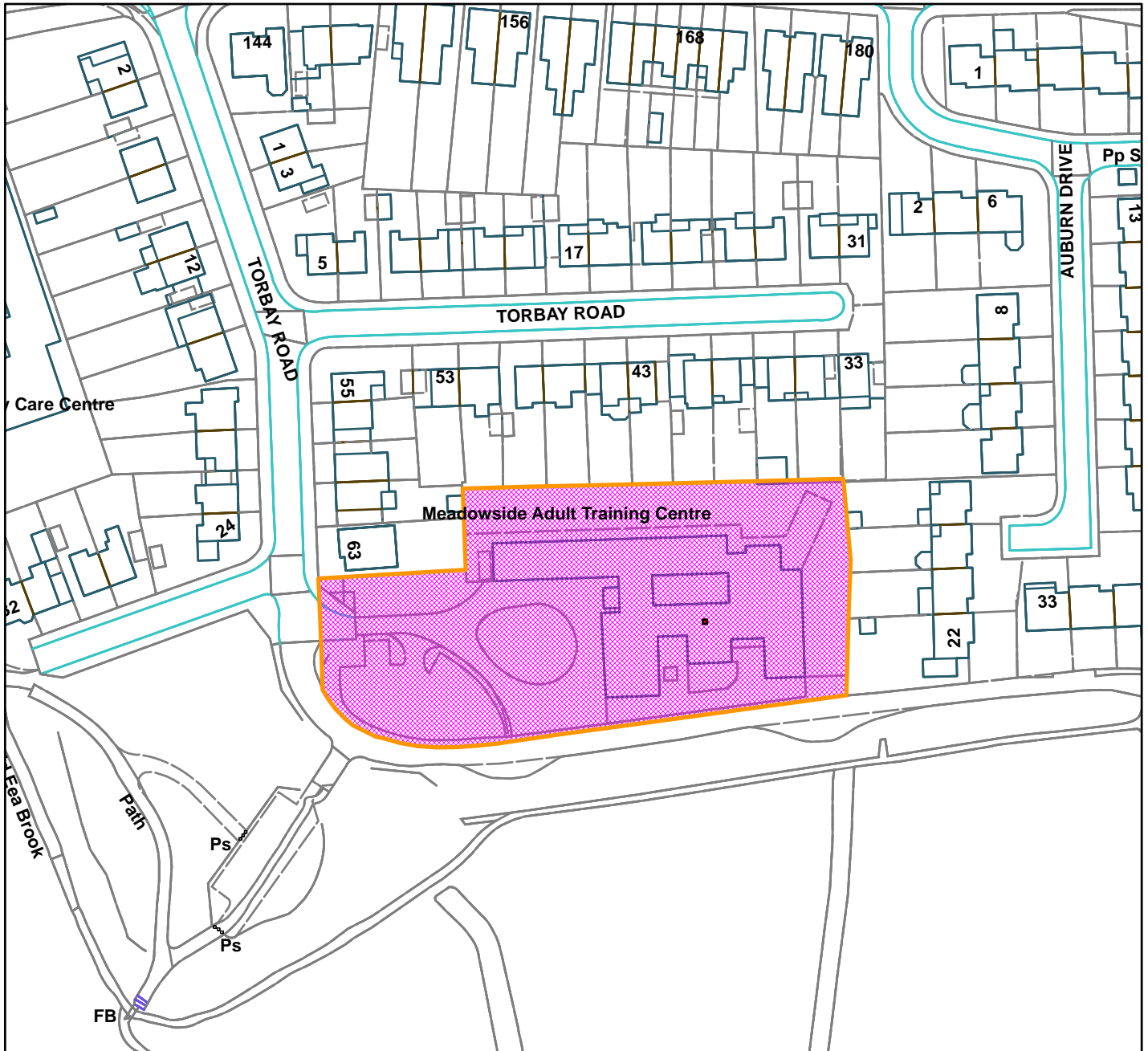
19. Prior to any above ground construction work first taking place, a scheme detailing biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include bat bricks and/or tubes within the new dwellings or bat and bird boxes to be placed on trees on the site, the location and species of which shall be indicated on a site plan. The approved measures shall thereafter be implemented in accordance with the approved details prior to first occupation of the dwellings and retained thereafter.

Reason: In order to protect and enhance the ecology of the site and to mitigate any potential loss of habitat having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

JJ



Meadowside, Torbay Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

WARD: Gorse Hill

94950/FUL/18

DEPARTURE: Yes

Erection of new SEN school with associated infrastructure including access, parking and landscaping.

School Development Site, Audley Avenue, Stretford

APPLICANT: Conlon Construction Ltd

AGENT: Mr Lee Greenwood, Smith & Love Planning Consultants

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation.

SITE

This application relates to a roughly rectangular grassed area of land to the north of Audley Avenue in Stretford. The southern boundary of the site is immediately adjacent to the rear gardens of properties on Audley Avenue and the western boundary is adjacent to those of properties on Dalton Avenue. Land to the north is used as playing fields whilst Barton Clough Primary School is situated just beyond to the north. A pavilion and associated car park is located to the west of the site whilst a petrol filling station is a short distance to the south-west. Junction 9 of the M60 motorway is approximately 160m to the west of the site. The majority of land in the wider area to the south and west of the site is in residential use.

A number of trees are present along the boundaries of the site, particularly to the west and south east. There is not currently any vehicular access to the site itself, with the road immediately to the west forming the access route to Barton Clough Primary School. There is currently pedestrian permeability through the site from the west to Dalton Avenue and Old Hall Road to the east, as well as into the playing fields to the north.

PROPOSAL

Full planning permission is sought for the erection of a new SEN (Special Educational Needs) school for children aged 4-11, along with associated access, parking and landscaping. This is intended to accommodate a maximum of 96no pupils. The proposed building would be a single storey structure with 2,385sqm of floorspace and comprise 15no classrooms, along with associated facilities including a library, hall, staff rooms and hydrotherapy pool. Proposed materials include red and buff facing brickwork walls, a single ply membrane roof, aluminium windows and doors and black uPVC rainwater goods. Green cladding is proposed for the main entrance to the building.

Externally, the application proposes the creation of a car park with space for 55no vehicles, as well as 14no cycle parking spaces. Access to the parking area is proposed to be taken from the existing access road serving Barton Clough Primary School. As part of the application, it is proposed that this road is resurfaced, the central island removed and double yellow lines marked out.

A planting barrier is proposed to the southern boundary whilst other hard and soft landscaping works are to be carried out across the site, including a hard-surfaced play area and other planting. A 2.4m high weldmesh fence is proposed to the site boundary.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

SUPPLEMENTARY AND OTHER RELEVANT PLANNING DOCUMENTS

Revised SPD1 – Planning Obligations
SPD3 – Parking Standards & Design

Planning for schools development – policy statement (August 2011)

PROPOSALS MAP NOTATION

Landfill
Critical Drainage Area
Smoke Control Zone
Protected Linear Open Land
Wildlife Corridor

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 – Protection of Open Space
OSR6 – Protected Linear Open Land

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 DCLG 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)

The DCLG published Revised National Planning Practice Guidance (NPPG) on 24 July 2018. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/LPA/51835: Erection of football pavilion and formation of car park. Improvements to existing access road from Audley Avenue – Approved with conditions 12/07/2001.

APPLICANT'S SUBMISSION

The applicant has submitted the following information in support of the application:

- Air Quality Assessment
- Arboricultural Impact Assessment
- Arboricultural Method Statement
- Construction Management Plan
- Crime Impact Statement
- Design and Access Statement

- Ecological Assessment
- Flood Risk Assessment & Outline Drainage Strategy
- Ground Investigation Report
- Noise Assessment
- Phase I Desk Study
- Planning Statement
- Transport Assessment
- Travel Plan Framework

CONSULTATIONS

Environment Agency: No objection subject to compliance with Flood Risk Assessment and mitigation measures.

Greater Manchester Ecology Unit: No objection subject to conditions and informatives.

GMP – Design for Security: No objection subject to condition.

Lead Local Flood Authority: Further drainage details required.

Local Highway Authority: No objection subject to conditions.

Pollution & Licensing (Air Quality): No objections, conditions recommended.

Pollution & Licensing (Contaminated Land): No objection subject to conditions.

Pollution & Licensing (Nuisance): No objections. Conditions recommended.

Public Health England: No concerns from a public health perspective.

REPRESENTATIONS

Letters of objection have been received from 16no addresses whilst one letter of support has also been received. The letters of objection raise the following concerns:

Loss of green space:

- This land is valuable for residents and should not be lost to development
- Development of land will be detrimental to wildlife
- Children living in the area currently play on the field and is a safe distance from their houses
- The field is greenbelt space and alternative areas should be looked at
- Removal of trees would increase noise from M60
- Dog walkers will have nowhere else to go

Residential amenity issues:

- Loss of light due to large building at rear of properties
- Loss of privacy due to CCTV cameras
- Overlooking into nearby homes from staff and children
- Light pollution
- Noise from use of school would affect local residents

Highway/parking issues:

- Highway safety will be affected – already too many cars and other vehicles causing obstructions on surrounding roads
- Not enough parking for existing residents
- Traffic from BP garage causes danger to school children, staff and parents
- The school will double the traffic coming into the area
- Audley Avenue is a narrow residential street not suitable for heavy traffic and buses
- The junction of Audley Avenue and Barton Road is not big enough to cope with the additional traffic
- Access to the site is not wide enough

Design issues:

- Design and appearance of development is ugly and not sympathetic to the area
- Impact on views from nearby homes
- 8 foot fence would be unsightly
- School is overdevelopment and would be an eyesore

Other issues:

- Land previously used as an industrial toxic waste tip – if land is disrupted this could affect the public and school children
- Air pollution needs to be considered
- Reduction in property values
- More waste will be created from proposed school – more rats
- Disruption to wildlife
- Development will create a fire hazard – no allowance for an escape route
- Impact of construction work on stability and safety of local houses
- Many properties may have an acquired right of way/easement
- Disruption during construction works from noise, dust and dirt

The letter of support notes the following:

- Many parents with children with SEN would benefit from the school being in this area as his child had to travel to Timperley.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Paragraph 11(d) of the NPPF requires a decision maker to consider whether *'there are no relevant development plan 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 the most important policies for determining this application are in relation to open space and green infrastructure. The adopted Core Strategy policies relating to these matters (R3 and R5) are compliant with and reflective of NPPF policy and are therefore up to date. The proposal should therefore be considered against the development plan, albeit the NPPF remains an important material consideration.
2. The application site is defined as 'Protected Linear Open Land' on the Revised Unitary Development Plan Proposals Map. The original UDP policy itself has been replaced by Core Strategy Policy R3 and ultimately by the Land Allocations DPD. Core Strategy Policy R3 seeks to develop an *"integrated network of high quality and multi-functional green infrastructure (GI)"* and lists a number of assets which this network is intended to encompass, including 'open and amenity space'. The policy also lists a number of aims relating to the protection and enhancement of this network. Whilst this policy does not specifically seek to restrict development on this land, it is important that any such development has regard to its aims and intentions.
3. Policy R5.1 of the Core Strategy seeks to ensure the provision and maintenance of a range of good quality, accessible, play, sport, leisure, informal recreation and open space facilities. Policy R5.2 states that the Council will seek to protect existing open space, secure the provision of areas of open space and outdoor sports facilities and protect and improve the quality of open space and outdoor sports facilities so they are fit for purpose. Policy R5.4 goes on to say that development which results in an unacceptable loss of quantity of open space, sport or recreational facilities, or does not preserve the quality of such facilities will not be permitted. The supporting text of Policy R5 defines an 'unacceptable loss of open space, sport or recreation facilities' as being that which leads to a loss in quantity which could not be replaced with an area of equivalent or better quality in a suitable location to meet present and predicted future demand.
4. Paragraph 97 of the NPPF states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
5. It should be noted that this land does not constitute a playing field, however it is considered to be 'open space' for the purposes of the above policies. It is acknowledged that Core Strategy Policy R5 differs from part b) of the above NPPF policy in that this requires better provision in terms of quality, rather than both quality and quantity. Officers are satisfied however that this policy is broadly consistent with the NPPF, albeit better reflecting the specific circumstances within Trafford regarding the supply and development potential of areas of open space. It is therefore considered that the proposal should be assessed against the provisions of Policy R5 in respect of the potential loss of open space.
6. The proposed development will represent a loss in quantity of open space and in accordance with Policy R5, it is necessary to consider whether this could be replaced with an area of 'equivalent or better quality in a suitable location to meet present and predicted future demand'. The applicant has proposed that mitigation for the loss of this open space through an off-site contribution to improve adjacent local provision could be provided. The applicant's Planning Statement notes that *"such monies could be used to improve facilities at Lostock Park or other areas of open space in line with current Council priorities and in accordance with Policy R5 and the related SPD"*.
7. This contribution has been calculated based on the land within the application site constituting 'semi-natural green space' as described within the Council's adopted SPD1. The Council's Strategic Planning Section confirms that this is an appropriate approach given the nature of this land and is based upon the formula contained within the Council's former SPD1 Planning Obligations – Technical Note 4: Green Infrastructure and Recreation. The applicant has concluded that this results in a contribution of £17,887, however Officers note that this is based upon the gross internal floorspace of the proposed building rather than the site area. Given that the financial contribution is intended to mitigate against the loss of publicly accessible semi natural greenspace, the figure should in fact be based upon the whole of the site area as this is the amount of open space which would be removed from general public access. A figure calculated on this basis would be approximately £90,000. The applicant advises that the contribution currently offered is the maximum which can be made within the budget for the project and consequently there is a

shortfall in the level of mitigation which can be offered. As such, the acceptability of this will need to be weighed in the planning balance.

8. Given that no specific scheme of mitigation or improvements has been identified for this contribution, other than it would be spent on the upgrade of open space and wildlife/biodiversity features at Lostock Park, and as there is a shortfall in the level of financial contribution, it cannot be concluded that the above contribution will result in 'equivalent or better quality in a suitable location to meet present and predicted future demand' as required by the Core Strategy. This loss of open space is therefore also at odds with the overarching aims of Policy R3 given the resulting impact upon the Borough's green infrastructure network. It is therefore considered that it cannot be concluded that the proposed development accords with the development plan in this respect.
9. As set out in section 38(6) of the Planning and Compulsory Purchase Act 2004, it is necessary to consider whether in circumstances where a proposal does not comply with the development plan, there are material considerations which indicate that planning permission should be granted.
10. Policy L3 of the Core Strategy states that the Council will secure improved access to education, training and advice centres to/from the Regeneration Areas. This goes on to say that outside any identified Regeneration Area, the ability of a development proposal to provide facilities that would be of significant benefit to one or more of the identified regeneration areas, would be a material consideration in the determination of that application.
11. Paragraph 94 of the NPPF states that *"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education"*. This goes on to say that LPAs should *"give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications"*.
12. The 2011 policy Statement 'Planning for schools development', issued by the Secretary of State for Education and the Secretary for Communities and Local Government sets out a number of principles which should apply in relation to the development of state-funded schools. This expresses, amongst other things, a presumption in favour of the development of state-funded schools and states that *"a refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority"*.
13. The applicant, within their Planning Statement advises that The Orchards School is currently located at a site in Urmston, where it has been open since

2016. The school is stated as requiring a site and building which can cater for pupils with Speech, Language and Communication Needs (SCLN) and Profound Multiple Learning Difficulty (PMLD), however the current accommodation is unsuitable for this purpose and is expected to be demolished in the near future. The Statement goes on to say that the school needs to relocate to a purpose-built facility at the earliest opportunity so that existing and future pupils can benefit from accommodation suited to their needs, whilst also benefiting school provision in Trafford as a whole.

14. The Planning Statement also explains that following a review of Trafford's SEN provision in 2012, the Council's Executive Committee resolved to pursue the creation of a new primary SEN facility in the north of the Borough. Following on from this, the Council's 'Special Educational Needs and Disability Policy' of 2015 seeks to ensure that the needs of children with identified SEN requirements are met in a timely and effective way and confirms the need for a new specialist primary school.
15. Whilst there is no planning requirement to necessarily consider alternative sites for development, the submitted Planning Statement includes an appraisal of alternative sites to demonstrate the suitability of the site chosen. This considers 15 no alternative sites within the surrounding area and sets out reasons why these are not deemed to be suitable. The proposal is considered to contribute towards the aims of Core Strategy Policy L3 in that it will secure improved access to education from Regeneration Areas in the north of the Borough in particular and will represent a facility that would be of significant benefit these areas. The Council's Education section has advised the applicant that a potential alternative site at the site of Lostock College would not be pursued and whilst they have some concerns about the suitability of the Barton Clough site, they accept that this is the most viable option at this time.
16. In accordance with the above policies, the acceptability in principle of the creation of a new SEN school has been robustly demonstrated. Officers consider that a clear need for such a facility at the local level has been appropriately demonstrated whilst national policy contains a strong presumption in favour of new school development generally.
17. These benefits and other material considerations will be weighed in the planning balance of the development later in this report, in the context of the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine whether planning permission should be granted.
18. A number of representations state that the land is well-used by dog walkers, children and other local residents and object to its loss for development. Officers acknowledge that this is a valued piece of green space for many local

residents and the harm caused by the loss of this has been taken into account when weighing the scheme in the planning balance.

RESIDENTIAL AMENITY

19. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way”*.

20. The closest residential properties to the application site are those on the northern side of Audley Avenue and those on the western side of Dalton Avenue. These directly back on to the application site and many, particularly those on Audley Avenue are at a higher ground level than the site itself.

Overlooking, overbearing and overshadowing impacts:

21. The proposed development is not considered to result in any direct overlooking of surrounding residential properties due to the single storey scale of the building, distance to these dwellings and the proposed boundary treatments. The proposed building itself would be approximately 10m to the eastern boundary at its nearest point and 11m to the southern boundary, although only a set of doors and no windows are proposed in the part of the east elevation closest to the boundary. As noted above, a 2.4m high boundary fence would provide some level of screening and an appropriate landscaping scheme could ensure that screening is provided to avoid any overlooking from the building or surrounding outdoor areas.

22. The proposed building is also far enough from any neighbouring garden or dwelling to ensure there is no unacceptable overshadowing or overbearing impact, particularly given its single storey scale.

23. Concerns have been raised in representations that there will be a loss of privacy for surrounding properties due to the installation of CCTV cameras. A plan has been submitted to show the location of proposed CCTV cameras and Officers are satisfied that these have been situated to ensure there is no detrimental impact on residential amenity as a result. A condition requiring the submission of details of columns for these CCTV cameras should be attached to any consent issued in order to assess their design and appearance.

Noise and disturbance:

24. Parts of the proposed outdoor play areas serving the school would be adjacent to the rear gardens of surrounding residential properties. It is

considered that the inclusion of fencing and landscaping features will serve to limit impacts from noise on these neighbours to some degree. It is also noted that additional noise will only be generated at certain times of day and only within school hours during term time. Furthermore, as noted in the applicant's Planning Statement the more intensively used outdoor areas (such as the multi-use games area and the access/drop off point) are located to the north of the site, away from the dwellings whilst the Council's Pollution and Licensing section has not raised any concerns in this respect.

25. It is common and indeed often appropriate for schools to be located adjacent to and within residential areas. Given that the times during which there is the potential for disturbance to occur are limited, together with the nature of the proposed use, it is not considered reasonable for the application to be refused on this basis.
26. With regard to noise-related impacts on the school itself, an Acoustic Design Note has been submitted which provides an initial assessment of how the school can be designed to achieve indoor noise targets of relevant guidelines. The report recommends that a scheme of alternative ventilation would be required to provide summertime and intermittent boost cooling without opening windows. The Council's Pollution and Licensing section has advised that a condition should be attached to any consent issued requiring the submission of this information for approval.
27. Pollution and Licensing also advise that a further assessment should be submitted prior to the first use of the development to ensure that noise impacts of fixed plant and equipment would be acceptable and in accordance with relevant national standards. In addition, it is recommended that all waste and recycling collections, deliveries and servicing only take place between 07.00 and 21.00 on Monday to Saturday.
28. Subject to the above conditions, the proposed development is considered to be acceptable with regard to matters of noise and disturbance and in accordance with the provisions of Core Strategy Policy L7 and the NPPF.

Air Quality:

29. The application is accompanied by an Air Quality Assessment which concludes that the development is unlikely to have significant effects on local air quality, whilst construction phase mitigation measures will ensure that dust impacts are not significant.
30. The Council's Pollution and Licensing section has been consulted and advises that the submitted assessment is acceptable and follows appropriate national standards and guidelines. The existing site's air quality complies with national objectives and should not result in adverse conditions for those

attending the new school. With regard to the construction phase, Pollution and Licensing advises that the submission of a Construction Management Plan prior to commencement of development. Pollution and Licensing also recommends that a number of electric vehicle charging points are provided as part of the development. The applicant has however advised that these cannot be provided within the budget for the project, and given that there is no policy requirement for these to be incorporated within the scheme, Officers are satisfied that the scheme can be considered acceptable without the provision of these facilities.

31. Subject to the Construction Management Plan condition, the proposed development is considered to be acceptable with regard to matters of air quality.

DESIGN AND APPEARANCE

32. 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”*.
33. 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”*.
34. The single storey scale and linear form of the school building is considered to be appropriate in this location, helping to minimise its prominence from surrounding public viewpoints whilst also reducing its potential impact on residential amenity. Similarly the siting of the building does not raise any particular concerns from a design perspective and is not considered to impact unacceptably on the character and appearance of the area. Whilst a number of trees are to be removed to facilitate the development, particularly along the western boundary, it is considered that an appropriate landscaping scheme can be secured by condition which will serve to provide screening to the car park and the building itself.
35. The detailed design of the building is also deemed to be acceptable given its location and the nature of its use. The proposed materials are relatively

simple with red brick comprising the main facing material and buff brick used to provide some level of elevational variation. The submitted Design and Access Statement notes that the 'ordered, uncomplicated design promotes a calm environment for children on the Autistic spectrum who require minimal external stimuli'. In this context, the application is considered acceptable in this respect.

36. The other external works proposed within the site boundary are deemed to be acceptable in terms of their design and appearance. The proposed detailed landscaping scheme ensures that aspects of the development such as the car park, fencing and bin store are appropriately screened in the interests of minimising their visual impact.
37. Given the above, the proposed development is considered to be acceptable in terms of its design, appearance and impact on the character of its surroundings.

HIGHWAY MATTERS

38. Policy L4 of the Trafford Core Strategy states that *"when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way"*.
39. Paragraph 109 of the NPPF notes that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

Car parking:

40. The Council's adopted SPD3: Parking Standards and Design includes maximum car parking standards for both D1 Primary and Secondary schools and D1 disabled day care facilities. Both sets of standards are referred to in the applicant's Transport Assessment and it is therefore considered reasonable to take an average of the two standards to calculate the parking requirements of the development.
41. In relation to Primary and Secondary schools in this location, SPD3 seeks to ensure that a maximum of two car parking spaces per classroom are provided. Classrooms are defined as including any teaching space within a school, including gyms, science rooms and drama study rooms. On this basis, this relates to a maximum requirement of 48no spaces, based upon the

submitted floor plans. It appears that the applicant's Transport Assessment incorrectly refers to the number of staff to calculate the SPD3 requirement.

42. In relation to disabled day care facilities, SPD3 seeks to ensure that a maximum of one car parking space per member of staff is provided. On the basis that 60no staff would be employed at the school, this relates to a maximum requirement of 60no spaces. With regard to disabled parking spaces for disabled day care facilities, SPD3 requires either 3no bays or 6 per cent of the total parking capacity, whichever is greater. SPD3 states that the requirements for a school use will be determined on a case-by-case basis.
43. Taking an average of the two standards therefore generates a maximum car parking requirement of 54no spaces, at least 4no of which should be disabled bays. The proposed plans indicate that the scheme would be in line with these standards with 55no car parking spaces being provided within an off-street parking area, 4no of which would be disabled bays.
44. Part of the car park utilises 'double banked' parking spaces (20no spaces) and the Transport Assessment notes that the school will be required to write their own management plan to control the use of these spaces. The LHA advises that that a car park management strategy should be put in place and submitted to the LPA for approval to ensure these spaces can be managed effectively. The LHA also advises that these spaces should be lengthened to 10m total to ensure that there is adequate space for tandem parking that isn't bumper to bumper. Officers consider that this can be covered within the management strategy to be submitted.
45. The Transport Assessment anticipates that 10no minibuses and 8no taxis/private vehicles will provide transport for all 96no students at the school. A drop-off area is proposed within the site boundary to the north of the school building which would also function as a multi-use games area within school hours. This area would be able to accommodate 4no minibuses at any one time and their departure/arrival is not anticipated to clash with the arrival/departure times of staff members. The part of the car park adjacent to the minibus parking area is intended to be used as a minibus holding area which could accommodate up to 6no minibuses without the need for any reversing movements within the car park area. The TA notes that occasions when there are more than 10no minibuses on site at one time can be accommodated by stacking vehicles within the car park to the south of the drop-off area.
46. The LHA considers that with an appropriate servicing management and car parking strategy, areas of car parking could be coned out at school pick up and drop off times to ensure that all vehicles can stack within the site and exit in forward gear. On this basis, the proposals are considered to be acceptable in this respect.

47. Letters of objection raise concerns that there are already too many cars parked on roads in the surrounding area. A proposed development should not however be expected to address pre-existing issues and the application has adequately demonstrated that the situation will not worsen in this respect, given the level of parking proposed and the drop-off/pick-up strategy set out above.
48. The supporting information submitted with the application is deemed to provide adequate justification for the level of parking proposed and this is considered to be sufficient to accommodate the demand generated by the development. As such, there is not considered to be an unacceptable impact through 'overspill' parking on surrounding roads and therefore no material detriment to accessibility in the area to warrant a refusal of permission on these grounds.

Access and impact on highway network

49. The application proposes the following improvements to highways near to the site:
- The widening of the junction of Audley Avenue/Barton Road to ease the movement of vehicles egressing Audley Avenue onto Barton Road
 - The creation of a yellow box junction on Audley Avenue
 - The widening of the junction of Audley Avenue and the school access road to enable two minibuses to safely pass each other at this junction
 - Central reserve on school access road reduced in size and drop-off bays created
50. A Transport Assessment (TA) has been submitted to accompany the application which examines the likely impact of the development on the surrounding highway network and upon highway safety. This provides a number of recommendations, including the works set out above.
51. The TA concludes that the proposed school will generate some additional vehicular trips on the highway network in the immediate vicinity of the proposed site. The additional trips will have a negative impact upon the Barton Road/Audley Avenue junction, but the junction is expected to retain residual capacity even when the additional traffic is included, and traffic flows are projected forward to 2022.
52. Minor widening of the Barton Road/Audley Avenue junction has been recommended, primarily to ensure traffic exiting the adjacent petrol filling station does not block access into Audley Avenue. This would serve to improve the capacity of the junction by 2-3% in the AM peak hour. Heavy Goods Vehicles exiting the petrol filling station onto Audley Avenue are stated

as occasionally blocking traffic flows into Audley Avenue. Because of the increase in minibuses performing this turn into Audley Avenue, the widening works at the Barton Road/Audley Avenue junction are further recommended.

53. The TA notes that two of the six road traffic collisions resulting in person injuries within the study area in the past 5 years have occurred at the junction of Barton Road/Audley Avenue. A contributory factor in one of these collisions was the lack of manoeuvrability for vehicles exiting the petrol filling station. This issue is expected to be resolved by the minor widening works proposed at the junction.
54. The existing access road (from Audley Avenue) will provide access for the new Orchards School, as well as continuing to provide access to Barton Clough School and the adjacent playing fields and car park. The TA recommends the minor widening of the access road junction with Audley Avenue in order to better accommodate the swept path of minibuses. Furthermore, the existing grassed central island is proposed to be removed to improve traffic flow and to better accommodate service vehicles.
55. A *School Travel Plan* is also recommended in the interests of reducing the current numbers of vehicles generated on the network. This should be conditioned with any consent issued.
56. Subject to the proposed improvements listed above, the LHA advises that there are no objections to the proposed development subject to these works being implemented under a section 278 agreement.
57. Representations raise concerns that the access road and surrounding streets are not wide enough to accommodate vehicles attracted by the proposed development. Officers and the LHA are satisfied that the proposed improvements to roads and junctions set out above will ensure that the development can be appropriately accommodated in this respect. Similarly Officers are satisfied that these improvements will ensure that traffic from the adjacent petrol filling station will not cause unacceptable danger to school children, school staff and parents.
58. Given the above, the proposed development is considered to be acceptable with regard to access arrangements and its impact on the highway network. A 'Grampian' style condition should be attached to any consent issued requiring the implementation of the recommended highway improvement works before the development being first brought into use.

Cycle parking:

59. SPD3 states that one cycle parking space per five staff members plus one space per three students should be provided. Supporting information

indicates that 60no staff will be based at the proposed school and up to 96no students. This relates to a total requirement of 44no cycle parking spaces.

60. The proposals include the provision of parking space for up to 14no bicycles in the form of a covered lockable shelter for 10no bicycles within the secure area of the proposed school and 2no uncovered cycle stands on the pedestrian footpath within the school grounds. These are intended to be available for use by both staff and visitors to the school.
61. The submitted Transport Assessment (TA) concludes that the site is reasonably well served by pedestrian and cycling infrastructure, with wide footpaths on the majority of roads in the local area. It acknowledges that the level of cycle parking provision is below the standards set out in SPD3, however it considers this to be appropriate due to the nature of the disabilities and special educational needs of the students at the proposed school. The TA also notes that there is very little likelihood that any of the students will walk or cycle to the school, and that only 3no staff at the school are expected to cycle to work.
62. The LHA advises that the proposed cycle parking provision is appropriate for the intended use and the application is considered to be acceptable in this respect.

Summary:

63. The comments made by local residents in relation to highway matters have been considered, however the development is deemed to be in accordance with local and national planning policy, would not impact unacceptably on highway safety and the 'residual cumulative impacts' on the road network are not considered to be 'severe' (as set out in NPPF paragraph 109). As such, the proposed development is considered to be acceptable in this respect.

SECURITY AND SAFETY

64. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.
65. A Crime Impact Statement (CIS) has been submitted alongside the application and notes that the layout of the proposed scheme is considered acceptable in terms of security and safety, subject to a number of issues being addressed. These recommendations are as follows:

- Shared car park should be enclosed with secure 2.4m high fencing and gated. Otherwise, measures should be incorporated within western facades of building to prevent damage and unauthorised access.
- During the day, the car park should be well overlooked from the building or covered by a CCTV system.
- The main entrance to the building must be accessible to visitors and parents/carers at all times of the day, without having to enter/pass through a secure play space. Secure access controls are essential.

66. Greater Manchester Police's Design for Security section has been consulted and has recommended that a condition is imposed to reflect the recommendations within the CIS. A condition to this effect shall be attached to any consent issued and on this basis, the proposed development is considered to be acceptable with regard to matters of security and safety.

TREES AND LANDSCAPING

67. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Issues associated with the loss of open space are considered earlier in this report and as such, this section deals specifically with the impacts on trees and proposed landscaping works.

68. The application is accompanied by an Arboricultural Impact Assessment (AIA). This confirms that no trees within the site are protected by a Tree Preservation Order (TPO) and that 15no individual trees and 5no tree groups would need to be removed as part of the development proposal. The AIA recommends that Tree Protection Measures are implemented in relation to the trees being retained, whilst replacement planting for the trees to be lost should be provided.

69. The application is also accompanied by a detailed landscaping scheme showing the number, species and location of replacement trees and other specific green infrastructure to be provided. An Arboricultural Method Statement (AMS) has also been submitted which details measures to be implemented when carrying out works affecting trees within and adjacent to the site.

70. The Council's Tree Officer has confirmed that the AMS is fully compliant with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' and that no further information is required in this respect, subject to this being provided to the site manager before works commence on site. A condition has also been recommended requiring the AMS to be implemented in full.

71. With regard to the AIA, Officers consider that appropriate explanation and justification has been provided for the trees to be lost as a result of the development. A number of trees are to be lost within the western and southern part of the site, although many individual trees and groups closest to the southern boundary are to be retained.
72. The submitted landscaping scheme includes the planting of several standard semi-mature and heavy trees within a landscaped strip adjacent to the western boundary of the site, which is considered to represent appropriate mitigation for those being lost from this area. Several standard heavy trees are also proposed adjacent to the southern boundary of the site which, together with the trees being retained, will provide a good level of screening to many adjacent residential properties.
73. A number of fruit and multi-stem trees and also proposed along the northern boundary of the site, helping to soften the impact of the development to some degree in views from the north. Other landscaping works include wildflower turf, shrub, structure and sensory planting within the site and adjacent to site boundaries, as well as hedge planting to the northern and eastern boundaries and the use of climbing plants to provide screening to the bin store. In summary, the applicant advises that the following landscaping will be provided:
- 31 no trees
 - 226m of native hedging (167m native mixed species hedge and 59m of beech hedge)
 - 360sqm of wildflower meadow
 - 112sqm of woodland
 - Approximately 95sqm of orchard space
 - Up to 31sqm of food growing space (in planters)
74. Overall, Officers consider this to represent a good quality landscaping scheme which will serve to soften the visual impact of the school building as far as reasonably practicable. The proposed development is therefore considered to be acceptable in this respect.

ECOLOGY

75. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, paragraph 175 of the NPPF states that *"if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*.

76. The application is accompanied by an Ecological Assessment dated November 2016 and an update to this dated July 2018. The original assessment concludes that the site in general is of low ecological value with the most significant features for wildlife being areas of plantation woodland and scattered trees. All buildings (those near to the current site) and trees are stated as having negligible potential to support roosting bats whilst two invasive species were identified on site. The assessment recommends that works on site are undertaken outside of the bird nesting season and that biodiversity enhancement measures are considered.
77. Given the age of the original assessment and changes to the scope of the proposed scheme, the 2018 document has been produced to provide an update on the state of the site in ecological terms. This notes that the conclusions and recommendations of the original assessment remain valid, the only additional issue being that a further invasive species was identified on site.
78. The Greater Manchester Ecology Unit (GMEU) has been consulted and advises that there are no objections to the application subject to a number of conditions and informatives being attached to any consent issued. These are in order to ensure appropriate protection and mitigation relating to bats, birds, trees and the removal of invasive species. Biodiversity enhancement is also recommended through native tree and shrub planting within the site, which can be secured by the implementation of the submitted landscaping scheme.
79. Given the above, the proposed development is considered to be acceptable with regard to matters of ecology.

FLOODING AND DRAINAGE

80. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 163 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere.
81. The application site falls partly within Flood Zone 1 and partly within Flood Zone 2 as defined by the Environment Agency, having a low-medium probability of flooding. The site also falls within a Critical Drainage Area. The proposed use of the development is classed as ‘more vulnerable’ for the purpose of flood risk, however as set out in National Planning Practice Guidance, this is an appropriate form of development within Flood Zones 1 and 2.

82. The Environment Agency (EA) has been consulted and does not raise any objections to the application. The EA response notes that the submitted Flood Risk Assessment (FRA) identifies the position of Longford Brook and the proposed new buildings avoid the culvert route. It notes that the development must proceed in strict accordance with the FRA and identified mitigation measures.

83. The Lead Local Flood has confirmed that it is reasonable for suitably worded planning conditions to be imposed to ensure that the detailed drainage design is submitted and considered prior to being implemented on site. On this basis, the proposed development is considered to be acceptable with regard to matters of flooding and drainage.

OTHER MATTERS

Contaminated land:

84. The application is accompanied by a 'Phase I Geo-Environmental Desk Study' as well as a Ground Investigation Report.

85. The Council's Pollution and Licensing section has been consulted and notes that the site investigation has shown elevated levels of contaminants in made across the proposed development site, potential asbestos containing material across the site and the presence of a former landfill site. These situations present a risk to the health and safety of future occupants. The report has advised that remediation of contamination will be required to make the site suitable for use and that landfill gas protection measures will be required within any buildings developed. Further investigation of asbestos containing material across has been recommended as being required.

86. A condition has been recommended requiring a survey of asbestos material across the site and the submission of a contamination remediation strategy. Subject to an appropriately worded condition, the proposed development is considered to be acceptable with regard to matters of contaminated land.

External lighting:

87. The applicant has submitted a plan showing the location and intensity of external lighting within the site. This is considered sufficient to ensure that there is no harm to residential amenity through excessive light levels and that this does not cause disturbance to bats and other wildlife which may be present in the surrounding area. Subject to a condition requiring the submission of final details of lighting columns to be used, the proposed development is deemed to be acceptable in this respect.

Developer contributions:

88. For the purposes of the Community Infrastructure Levy (CIL), the proposed development would fall within the category of 'public/institutional facilities' for which the charging rate is £0/sqm. As such, no CIL is payable.
89. A contribution of £17,887 towards off-site open space improvements within Lostock Park will be required within a Section 106 Agreement as part of any consent issued. The need for this is explained elsewhere in this report.

Other representations:

90. Most of the concerns raised by local residents have been addressed in the appropriate sections of this report above, however a number of other concerns not covered are considered below.
91. It should be noted that the site does not fall within the Green Belt and as such, concerns relating to impacts on the Green Belt are not material to the consideration of this application.
92. With regard to potential disruption to local residents during the construction phase, this is not a matter for which permission can reasonably be refused, given that some level of disturbance would be expected as part of any development. A condition will however be attached to any consent issued requiring the submission of a Construction Method Statement in order to ensure potential impacts during construction are minimised as far as possible.
93. The potential impact of the development on nearby property values is not a material matter for which planning permission can be refused. Issues associated with residential amenity have however been addressed in the relevant section above.
94. Other representations suggest that properties backing on to the site may have an acquired right of way or easement across this land due to it being used for an extended period of time. This is not something which has been established and the means for doing so would fall outside of the scope of the planning process. As such, this is not something for which planning permission could reasonably be refused.
95. A further representation raises concerns that the proposed development will generate more waste and as a result, more rats in the area. Most new developments will generate some level of waste and there is no evidence in this case to suggest that this would be a particular issue.
96. Fire safety is a matter dealt with through Building Regulations and as such, is not something to which detailed consideration should be given at the planning

stage. Other concerns relate to the impact on the stability of nearby properties, however there is no evidence before Officers to suggest that this will be a particular issue in this instance.

PLANNING BALANCE AND CONCLUSION

97. The proposed development will result in the loss in quantity of open space. Given that no specific scheme of mitigation or improvements has been identified for this contribution, other than it would be spent on the upgrade of open space and wildlife/biodiversity features at Lostock Park, and as there is a shortfall in the level of financial contribution, it cannot be concluded that this contribution will result in 'equivalent or better quality in a suitable location to meet present and predicted future demand' as required by the Core Strategy.
98. This loss of open space is therefore also at odds with the overarching aims of Policy R3 given the resulting impact upon the Borough's green infrastructure network. It cannot therefore be concluded that the proposed development accords with the development plan in this respect. The loss of this area of green space will also represent a moderate degree of harm to local residents, many of whom consider this to be a valuable piece of land for children and dog walkers in particular.
99. All other relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals are acceptable with regard to matters including residential amenity, its design and appearance and highway impacts and therefore accord with the development plan in all other respects.
100. In the context of section 38(6) of the Planning and Compulsory Purchase Act 2004, it is considered that material considerations, specifically the strong presumption in favour of new school development within the NPPF and the need for a school of this type within this part of the Borough, indicate that planning permission should be granted. These material considerations are deemed to be so significant as to outweigh the policy conflict identified above and harm to users of the site. Any residual harm can be mitigated through the use of suitable planning conditions. As such, the application is recommended for approval subject to the completion of a Section 106 Agreement relating to a contribution towards off-site open space improvements in Lostock Park and the conditions listed below.

RECOMMENDATION

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure a contribution of £17,887.00 towards the provision of off-site open space improvements within Lostock Park.
- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions (unless amended by (ii) above):

Conditions:

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

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

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

Plan Number	Drawing Title
17-107-110 (Rev A)	Proposed GF Plan and Roof Plan
17-107-111 (Rev C)	Elevations
17-107-112 (Rev A)	Sections 01-03
0496-PL1-Z1-GF-DR-L-0120 (Rev P03)	Site Masterplan
0496-PL1-Z1-GF-DR-L-0121 (Rev P01)	Access and Circulation
0496-PL1-Z1-GF-DR-L-0220 (Rev CP05)	Detailed Hard Landscape/Fencing/General Arrangement Plan Sheet 1 of 2
0496-PL1-Z1-GF-DR-L-0221 (Rev CP06)	Detailed Hard Landscape/Fencing/General Arrangement Plan Sheet 2 of 2
0496-PL1-Z1-GF-DR-L-0300 (Rev CP05)	Tree Retention/Removal Plan
0496-PL1-Z1-GF-DR-L-0310 (Rev CP04)	Planting Plan Sheet 1 of 2
0496-PL1-Z1-GF-DR-L-0311 (Rev CP03)	Planting Plan Sheet 2 of 2
ORC-PPL-00-00-DR-MEP-0003 (Rev T0)	Proposed External Services Layout
ORC-PPL-00-00-DR-E-0006 (Rev T0)	Proposed External Lighting Layout

ORS-SHD-00-ZZ-DR-C-0101 (Rev P8)	Proposed Drainage – General Arrangement
ORS-SHD-00-ZZ-DR-C-0110 (Rev P2)	Sewer Diversion – General Arrangement
ORS-SHD-00-ZZ-DR-C-0112 (Rev P1)	Sewer Diversion – Site Location Plan

R

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

3. No development shall take place unless and until the following has been submitted to and approved in writing by the Local Planning Authority:
 - i) A survey of the extent, scale and nature of asbestos-containing material across the development site and an assessment of the potential risks to future site users from asbestos-containing material
 - ii) An appraisal of remedial options and proposals of the preferred option(s) to form a remediation strategy for the site

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is first brought into use.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers having regard to Core Strategy Policies L5 and L7 and the National Planning Policy Framework. These details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in risks to site operatives.

4. No drainage works 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.

5. No drainage works shall take place unless and until full details of the Sustainable Drainage Scheme, which shall include a maintenance and management plan for the site, have been submitted to and approved in writing by the Local Planning

Authority. The approved scheme shall be implemented during the course of the development, and thereafter managed and maintained in accordance with the approved details.

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

6. The development shall be carried out in full accordance with the submitted Construction Method Statement, produced by Conlon Construction.

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

7. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with the Arboricultural Method Statement (TEP October 2018). 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 as detailed within the Arboricultural Method Statement.

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

8. Construction work shall be limited to the following hours:

07.30-18.00	Monday - Friday
08.00-13.00	Saturdays

No demolition or construction work shall take place on Sundays and Bank Holidays.

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

9. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for

bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.

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

10. The development hereby approved shall be carried out in accordance with the submitted external material details, shown on drawing number 17-114-503, dated October 2018.

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.

11. (a) The hard and soft landscaping works shown on the approved plans shall be carried out in full prior to first occupation of the development hereby permitted, or within the planting season immediately following first occupation.
(b) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

12. The development hereby approved shall not be brought into use unless and until the highway improvement works identified within the submitted Transport Assessment (ref. ORCHAR-FC-HAC-00-CA-TR-001) have been completed in accordance with a detailed design scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway impacts of the development are appropriately mitigated in the interests of highway safety and the free-flow of traffic, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby approved shall not be brought into use unless and until a Car Park Management and Servicing Strategy has been submitted to and

approved in writing by the Local Planning Authority. The submitted strategy shall include the following information:

- Details of how minibus arrivals and departures will be managed
- Details of refuse and recycling servicing arrangements
- A plan to show the tandem parking spaces lengthened to a total of 10m
- A management plan for the operation of the tandem parking spaces

The approved strategy shall be implemented at all times thereafter.

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

14. The development hereby approved shall not be brought into use unless and until a full Travel Plan, which shall include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

15. The site shall only be lit in accordance with the submitted lighting scheme (ref. ORC-PPL-00-00-DR-E-0006 (Rev T0)). No external lighting shall be installed within the site unless and until a scheme for lighting columns has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

16. The development shall be carried out in accordance with the CCTV camera details shown on submitted drawing number ORC-PPL-00-00-DR-MEP-0003 (Rev T0). No CCTV cameras shall be installed within the site unless and until a scheme for CCTV camera columns has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

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

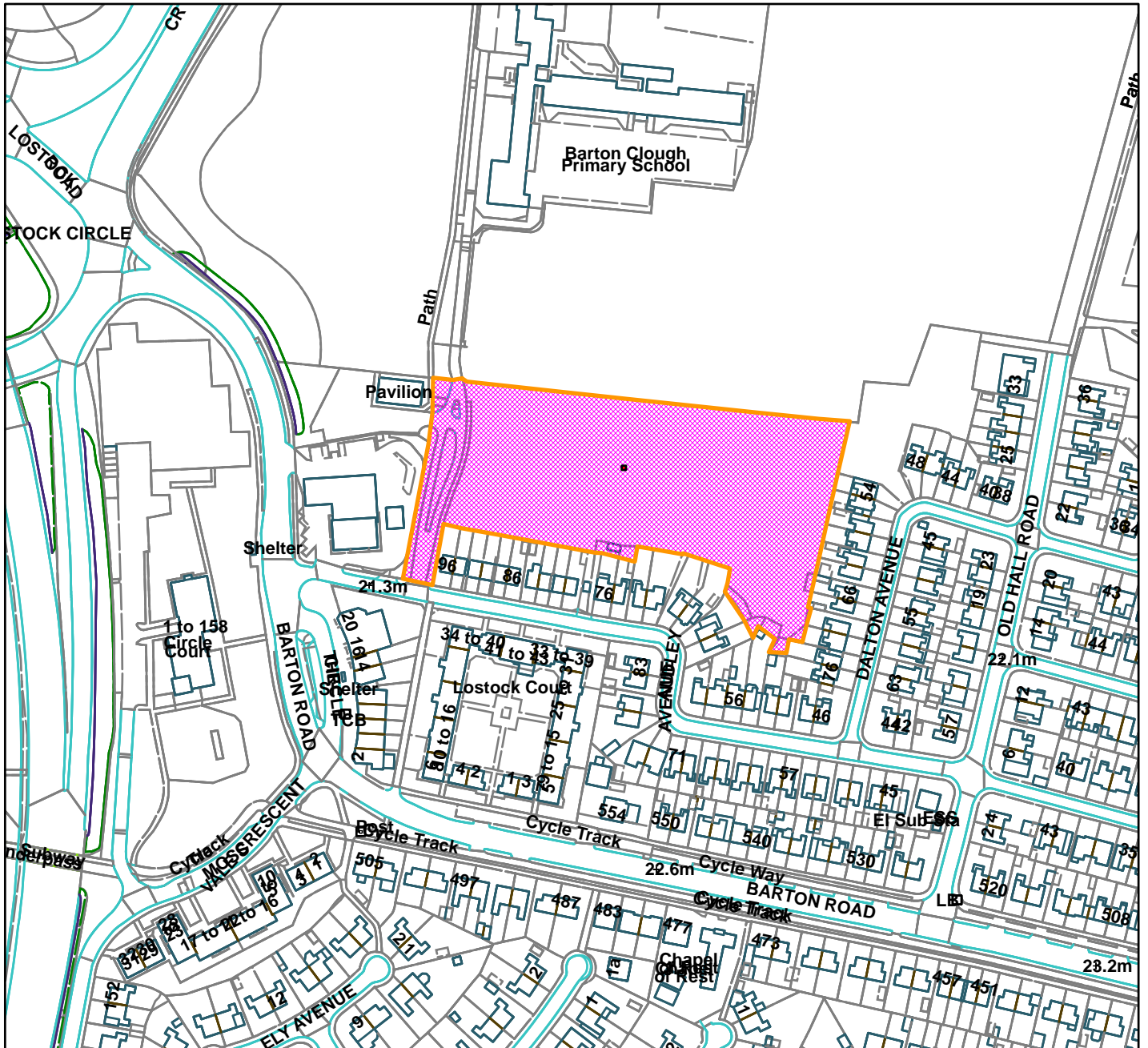
17. The development hereby approved shall be designed and constructed in accordance with the physical security specification contained within section 4 of the submitted Crime Impact Statement dated 22/11/2017 (URN:2017/0843/CIS/01) and retained thereafter. For the avoidance of doubt, the requirements of this condition do not include aspects of security covered by Part Q of the Building Regulations 2015, which should be brought forward at the relevant time under that legislation.

Reason: In the interests of crime prevention and the enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

JD



School Development Site, Audley Avenue, Stretford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

WARD: Broadheath

95168/HHA/18

DEPARTURE: No

Alteration of side extension roof from flat to pitched and other external alterations.

8 Lowton Road, Sale, M33 4LD

APPLICANT: Miss Wooldridge

AGENT:

RECOMMENDATION: GRANT

The application is presented to the Planning and Development Management Committee as the applicant is an employee of Trafford Borough Council.

SITE

The application relates to a two storey semi-detached dwelling, sited to the north of Lowton Road, Sale. It sits at the corner of Lowton Road and Blackthorne Drive with access from Lowton Road. Situated within a large residential area the application site has other residential dwellings, of a similar style and type, sited to all sides. The application dwelling features a hipped roof design and has previously been extended at single storey level, in the form of a flat-roofed attached garage, sited to the dwellings western most side. Parking for two vehicles is provided to the front of the property.

PROPOSAL

The application proposes the alteration of the existing side attached garage's flat roof to a hipped roof, alongside other external alterations to facilitate the use of the garage as incidental living accommodation. The conversion of the garage to incidental living accommodation does not by itself constitute development.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 – Design

L4 – Transport and Accessibility

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

None

CONSULTATIONS

Cadent Gas (National Grid) – raise no objections to the development proposals.

REPRESENTATIONS

None

OBSERVATIONS

1. 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.”
2. At a local level, the relevant extracts of Policy L7 of the Core Strategy 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.
3. The application dwelling has previously been extended in the form of a single storey side extension with a flat roof design. This currently serves as a garage/storeroom. The applicants propose to convert this space to form additional living accommodation.
4. The proposals would see the erection of a new 3 pane window opening within the existing garage’s front elevation, with the wider garage opening in-filled using matching brickwork. To the garage’s side elevation, an existing window opening would be reduced in size and an existing door would be amended to form a single pane window opening. The applicants further propose the erection of a lean-to roof above the existing garage and porch, with a ridge height of 3.3m.
5. The proposed materials would match those used on the main dwelling and the proposed openings are also considered to be in keeping with the main dwelling.
6. The proposals would see no change in foot-print for the existing garage and as such are not considered to have an undue impact upon the spacious nature of the site itself or that of the wider street scene.
7. It is therefore considered, subject to a condition requiring the use of matching materials, the proposed development would positively enhance the application site, without detriment to the site itself or the wider street scene. The proposals are therefore considered to be in line with policy L7 of the Trafford Borough Council Core Strategy and the relevant sections of the NPPF.

RESIDENTIAL AMENITY

8. 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.
9. A single window opening is proposed within the converted garage's front elevation. This would achieve a distance in excess of 21m from the properties on the opposite side of Lowton Road and as such would be compliant with the Council's adopted SPD4 householder extension guidelines. New openings are also proposed within the garage's side facing elevation onto Blackthorne Drive. These would be screened by semi-mature planting and a 1.8m fence along the boundary with Blackthorne Drive. The increase in height brought about by the new pitched roof would not be overbearing or visually intrusive. The development proposals would not therefore have an adverse impact on the amenity of neighbouring properties.

PARKING AND HIGHWAY SAFETY

10. SPD3: Parking Standards and Design for Trafford states that for a three bedroom dwelling in this area, two off-street parking spaces are required. The site currently accommodates parking for two vehicles within its front drive and this would remain.
11. The development as proposed is therefore not considered to result in any material parking or highway/public safety concerns and as such is considered to be in accordance with policy L4 of the TBC Core strategy.

COMMUNITY INFRASTRUCTURE LEVY

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

CONCLUSION

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

RECOMMENDATION: GRANT subject to the following conditions

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

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

2. The 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.

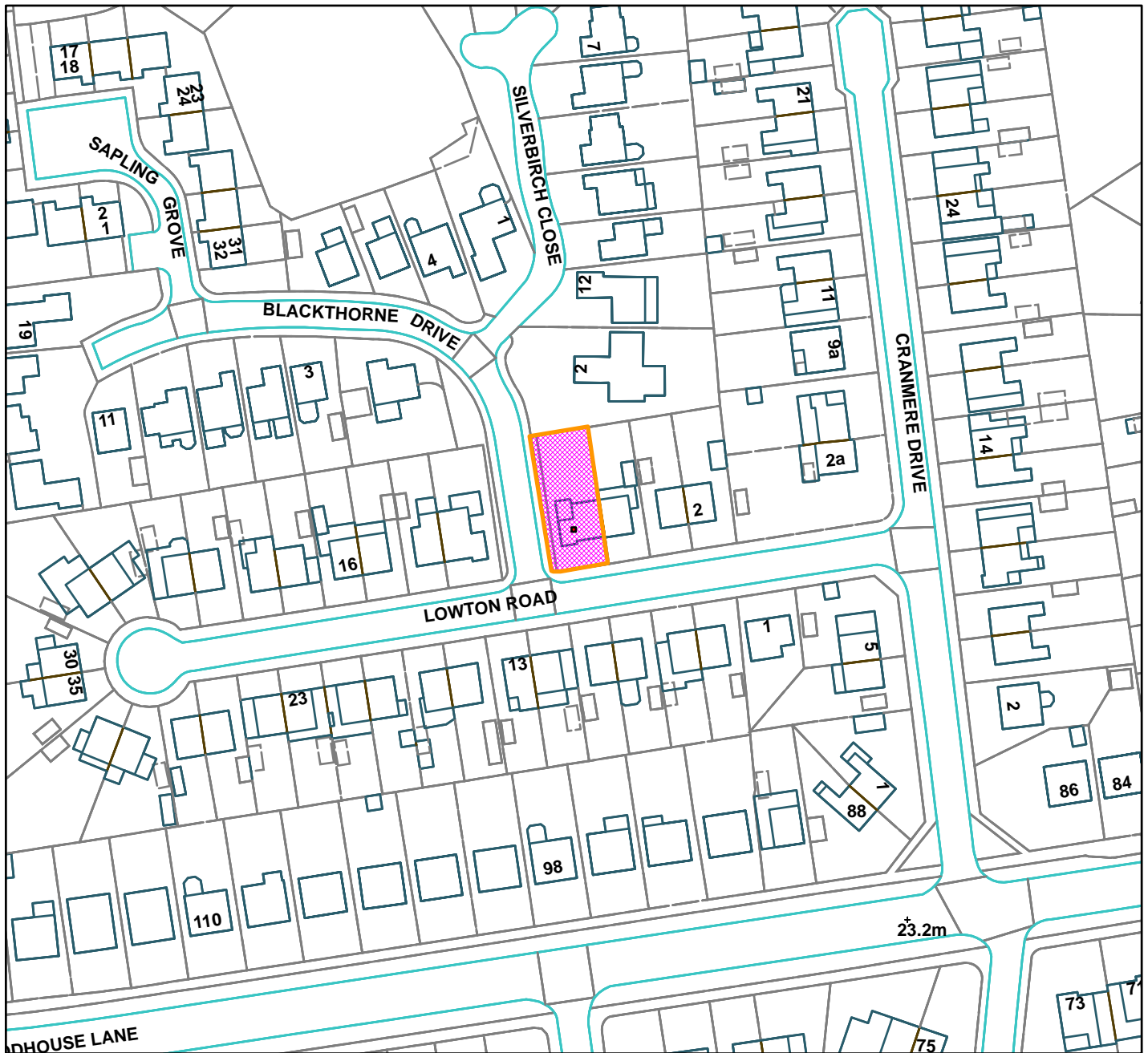
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, reference: 07-002 Rev. A.

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

IG



8 Lowton Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

WARD: Broadheath

95257/VAR/18

DEPARTURE: No

Application for variation of condition 2 and removal of condition 5 on planning permission 89143/FUL/16 (Demolition of existing general industrial unit (B2) to allow for the erection of four terraced dwelling houses (C3).) To allow for external alterations to the windows and doors following internal alterations.

Unit 1 And 2, Victoria Avenue, Timperley, WA15 6SE.

APPLICANT: Mr Dave Ogden, Amor Homes.

AGENT: Mr Gary Hill, Gary Hill Designs.

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee as the application has received objections from six neighbouring occupants contrary to the officer's recommendation.

SITE

The application relates to an industrial unit (use class B2) and surrounding land situated at the end of Victoria Avenue, an otherwise residential cul-de-sac in Timperley. It is understood that the site was previously occupied by two industrial units; however one has since been demolished. The southern side of Victoria Avenue is occupied by two rows of terraced dwellings whilst the northern side has six pairs of semi-detached dwellings. Land to the east and south is also in residential use. Plot boundaries are marked by brick walls to the side (north-east) and rear (south-east). An alley way runs along the plot's side (north-east) and rear (south-east) boundaries.

The site was previous granted planning permission as per reference 89143/FUL/16 for the demolition of the industrial unit to allow for the erection of 4 No. three bedroomed dwelling houses in a terrace row.

PROPOSAL

The previous grant of planning permission was subject to a number of conditions, two of which the applicant now seeks to vary / remove; a standard approved plans condition (Condition 2) and condition 5, relating to the approved ground and first floor windows in the terrace row's gable elevations as follows:

Condition 5

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the ground floor and first floor windows on the side (east and west facing) elevations 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 and in compliance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

The applicant now proposes a variation of condition 2 to allow for amendments to the approved design with the changes comprising of repositioned doors and windows to the front and rear elevations, the removal of the originally approved ground and first floor windows in the terrace row's gable elevations and the insertion of four roof lights in the rear facing roof slope; the latter to accommodate an additional (fourth) en-suite bedroom and a separate store room in each dwelling's loft space. The amended terrace would have the same dimensions and position within the wider plot as the originally approved scheme, albeit with minor changes to the roof and gable chimney stacks, with the latest proposal resulting in the removal of the originally approved central chimney stack. Bin stores would be positioned within each of the new residential plots adjacent to their rear boundaries with access taken via the adjacent alley way.

The applicant has also proposed the removal of condition 5 attached to the original grant of planning permission, due to the fact that the originally proposed gable windows would no longer be included and therefore the condition would not be necessary.

The original grant of planning permission was subject to a condition No. 6 which removed the future dwellings' domestic permitted development rights for the erection of rear extensions and dormer windows and the installation of additional side facing windows. As such it is noted that the proposed amendments in the form of amended windows and outlooks to the front and rear elevations and the installation of rear facing roof lights would not be restricted by this condition and would be permitted development once the dwellings are complete, provided they satisfy the requirements of Schedule 2, Part 1, Classes A (the enlargement, improvement or other alteration of a dwelling house) and C (any other alterations to the roof of a dwelling house) of the General Permitted Development Order 2015 (as amended). Thus for the roof lights to be classified as permitted development they cannot protrude more than 15cm in the perpendicular beyond the roof slope. In addition, once the dwellings are complete, the conversion of their internal loft level layouts into additional bedrooms would not require planning permission.

The applicant proposes brick fascias, dark UPVC windows, dark grey composite doors and slate roof tiles to the amended external elevations.

Section 73 Application

This is an application under s73 of the Town and Country Planning Act for the variation / removal of conditions and it is noted that when determining such applications the LPA should normally limit its appraisal to the relevant conditions, albeit it does result in the grant of a new permission. Should this s73 application be approved the other conditions attached to the original grant of planning permission which have yet to be discharged will continue to be attached to the new permission.

When assessing variation of condition applications the LPA does not only have the option of either approving or refusing the proposed varied condition wording, but also has the power to impose amended conditions, the wording of which has not been requested by the applicant, as well as the option of imposing additional conditions

should this be deemed necessary (but only if this relates to issues raised by the proposed variations).

Value Added

Following an LPA request the applicant has amended the proposed servicing arrangement in accordance with LHA advice.

Notwithstanding the original submission which sought to vary Condition 3, the applicant has subsequently confirmed they are not requesting the variation of condition 3 (materials samples) attached to the original grant of planning permission.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

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

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
SPD3 - Parking Standards & Design;
SPG1 - New Residential Development.

PROPOSALS MAP NOTATION

Critical Drainage Area.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

OTHER LEGISLATION

N/A.

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the 10 Greater Manchester districts and, once adopted, will be the overarching development plan for all 10 districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2017 and adoption anticipated in 2018.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The 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. It has been updated regularly since. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

89143/FUL/16: Demolition of existing general industrial unit (B2) to allow for the erection of four terraced dwelling houses (C3). Approved 8 November 2016.

H/59877: Demolition of existing warehouse buildings and erection of four terraced houses; provision of car parking. Refused 11 November 2004.

APPLICANT'S SUBMISSION

N/A.

CONSULTATIONS

Local Highway Authority – Objection on the grounds that the proposal would include an additional (fourth) bedroom per dwelling which would require the provision of three allocated or two communal parking spaces for each house, however this has not been provided. No objection to proposed cycle and bin storage.

REPRESENTATIONS

Six letters of objection have been received which raise the following issues:

- The proposed additional (fourth) bedroom per dwelling would result in an unacceptable impact on on-street parking and vehicles movements/turning, which is already an issue.

- The proposed terrace row would introduce windows which would result in an unacceptable privacy impact on neighbouring properties.
- The proposal would result in an unacceptable overshadowing impact on neighbouring properties.
- The proposal would result in unacceptable noise and light amenity impacts on surrounding properties when built and occupied.
- Building works would result in an unacceptable amenity impact on surrounding properties.
- Building works could impact the stability of surrounding properties.
- The development could result in an unacceptable flooding impact.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

The principle of the proposed residential development and the resulting loss of an employment use has been established through the previous grant of planning permission, which remains extant, and is therefore deemed to be acceptable with reference to Core Strategy Policies L1, L2 and W1 and the NPPF.

DESIGN

1. Paragraph 124 of the NPPF states: *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: *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. Policy L7 of the Trafford Core Strategy states: *In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.*
3. The proposed amended windows and outlooks, including the proposed roof lights in the rear facing roof slope, are of a type and layout commonly found at such domestic properties. They are considered to be acceptably designed with reference to the host terrace and its surrounding residential context. Planning permission would be subject to a condition requiring the submission of full external fascia material samples for the LPA's written approval prior to the commencement of above ground development.

4. As such the proposed development is considered to result in an acceptable design and visual impact with reference to Core Strategy L7, the New Residential Development SPG and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

5. Policy L7 of the Core Strategy states: *In matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.*
6. The New Residential Development SPG requires new residential developments to result in acceptable privacy, overshadowing and overbearing impacts on neighbouring properties, in addition to the provision of acceptable amenity standards for the future occupants of new developments.

Privacy and Overlooking

7. The proposed window and door amendments to the front and rear elevations would not result in an unacceptable privacy impact with the windows in the front facing elevation being approximately 18.9m from the front elevation of Nos. 19-23 Victoria Avenue opposite, which would be no closer than the existing industrial building, and although it would not satisfy the 21m minimum distance for facing windows across public highways as set down in Council's adopted PG1: New Residential Development, this would nevertheless be in line with the interface distance between other properties along Victoria Avenue and would be no closer than in the previous approved scheme. The application is therefore considered to be acceptable in this respect.
8. The amended rear elevation of the proposed dwellings would introduce ground and first floor windows and openings which would be approximately 14.7m from the rear garden boundaries of properties on Hall Avenue to the rear and 32m from these properties themselves. These separation distances would be in accordance with those set out in PG1: New Residential Development which seeks to achieve 10.5m between habitable room windows and a garden boundary and 27m between facing habitable room windows. The bottom edge of the proposed rear facing roof lights would be set in 1m from the property's rear wall resulting in these elements being 15.7m from the rear boundary of the neighbouring properties to the rear and 28m from their rear elevations, which would be acceptable.

Overbearing/Overshadowing

9. The proposed dwellings would be in the same location and have the same dimensions as the previously approved scheme apart from a partly amended roof, these changes considered to be minor in scope. The dwellings would not result in significant additional overbearing or overshadowing impacts on neighbouring occupants.

Future Occupants

10. The proposed amended layout would provide future occupants with acceptable internal and external amenity spaces. Whilst it is recognised that each dwelling's additional loft level bedroom would have an outlook restricted to a single roof light in the rear facing roof slope, this is nevertheless considered to be acceptable due to the fact that these roof lights would serve ancillary bedrooms and that this arrangement is common in loft conversions.
11. The development would not detrimentally harm the residential amenity of the future occupants and neighbouring and surrounding residential properties with reference to Core Strategy Policy L7, the New Residential Development SPG and the NPPF.

HIGHWAYS, PARKING AND SERVICING

12. Core Strategy Policy L4 states: *[The LPA will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*
13. Core Strategy Policy L7 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; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
14. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.
15. The LHA consultee has objected to the amended scheme as it would result in each of the originally approved three bed dwellings having an additional fourth bedroom. The LHA consultee refers to the fact that the Parking SPD requires three allocated (or two communal) parking spaces per four bedroom dwelling whilst the proposal would be solely reliant on on-street parking. The LHA therefore concludes that the proposed development is not acceptable on parking grounds as it would have the potential to increase parking demands on Victoria Avenue, which already suffers high level of on-street parking and the obstruction of the existing footways through parked vehicles.
16. It is noted that that the main grounds of objection put forward by neighbouring residents relate to this issue with each arguing that to allow the proposed four bedroom dwellings would exacerbate the current parking and manoeuvring problems on Victoria Avenue and that therefore dedicated parking spaces should be provided.

17. Whilst it is accepted that the proposal would not satisfy the requirements of the Parking Standards and Design SPD given that there is no proposed off-street parking provision, it is also noted that the neighbouring terraced properties do not have any off-street parking provision, that the proposal would replace the existing commercial unit which previously generated its own traffic movements and parking requirements, and that there would be a site frontage of approximately 24m which would accommodate some on-street parking immediately in front of the development. In addition, it is noted that the LHA did not object to the previous application. This was on the basis that the site is situated in a sustainable location, close to transport links including bus, train and Metrolink, and on the basis of parking surveys carried out by the applicant that demonstrated that there was sufficient on-street parking for the development as previously proposed.
18. The site has good access to public transport options via multiple bus routes running along Moss Lane to the south and Manchester Road to the west, as well as being within a 10 minute walk to Navigation Road Metrolink station to the south-west and the amenities afforded by Altrincham town centre approximately 1km to the south.
19. The current application would only add one additional bedroom per dwelling (although it is recognised that, according to the SPD3 requirements, this triggers an increased requirement from 2 to 3 spaces per dwelling). However, given the “fallback” position of the existing extant permission, it is considered that any additional impact on on-street parking would be limited and would not justify refusal of the application.
20. In addition, it is also recognised that there is a further ‘fall back’ position, which is that, once the development is complete, future occupants would be able to add a fourth bedroom and install a rear facing roof light using each of the new dwellings’ largely intact domestic permitted development rights without the need to obtain an explicit grant of planning permission. Indeed, the creation of a fourth bedroom in itself would not be considered to be ‘development’.
21. It is therefore considered that, notwithstanding the objection from the LHA and having regard to these “fallback” positions, the additional impact of one additional bedroom in each dwelling in terms of on-street parking would not have a significant additional impact on on-street parking to a level that would justify refusal of the application and that it would be unreasonable to refuse the application on this basis, given that fourth bedrooms could be formed at a later stage in any case using permitted development rights.
- The proposed cycle parking and servicing layout is deemed to be acceptable and would be similar to that previously approved.
22. It is therefore considered that the proposed development is acceptable in terms of parking and highways issues and would comply with Policies L4 and L7 of the Core Strategy in this respect.

REMOVAL OF CONDITION 5 (OBSCURELY GLAZED GABLE WINDOWS)

23. It is considered that the removal of condition 5 attached to the previous grant of planning permission is acceptable considering the amended plans do not include gable windows and therefore the condition would no longer be relevant or necessary. It is noted that planning permission would be subject to a further condition (No. 6 as per the original grant of planning permission) which would prevent future occupants from installing side facing windows using their extant permitted development rights.

OTHER MATTERS

24. A number of other issues were raised in the neighbour representations including impacts in terms of noise and light, amenity impacts and flood risk.

25. It is not accepted that the proposed residential properties would result in unacceptable noise and light amenity impacts on surrounding dwellings when occupied.

26. The amenity impacts unavoidably resulting from building works are not a sufficient reason to refuse planning permission. The applicant's contractors would be expected to work in a professional and considerate manner. The scheme would also be subject to Building Control oversight to ensure it does not compromise the stability of surrounding properties.

27. The original scheme was considered to result in an acceptable flood risk impact and there is no reason to conclude that the amended proposal would be any different. The previous conditions relating to drainage would be carried over to this permission.

DEVELOPER CONTRIBUTIONS

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

29. Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) recommends the provision of an element of specific green infrastructure in the form of three additional trees per dwelling net of clearance, which can be secured by way of the proposed landscaping condition.

CONCLUSION

30. The proposed development is considered to be appropriate in principle and acceptable with reference to its design as well as its amenity, privacy and servicing impacts. Whilst it is accepted that the proposal would not comply with the SPD3 Parking Standards given that there would be no off-street parking provision and that the LHA has objected on this basis, it is considered that the one additional bedroom in each dwelling would not result in significant additional

on street parking to a level that would justify refusal of the application and that it would be unreasonable to refuse the application on this basis, given the fallback position of the extant permission and implementation of this permission would mean that fourth bedrooms could be formed at a later stage in any case utilising permitted development rights.

31. The proposal is therefore considered to be acceptable with reference to Core Strategy policies L1, L2, L4, L7 and R2 and the NPPF.

32. It is therefore considered that the variation of condition 2 (list of plans) and the removal of condition 5 (obscurely glazed gable windows) attached to the previous grant of planning permission are acceptable and that permission should be granted for the variation of conditions.

RECOMMENDATION

GRANT subject to the following conditions:-

1. The development must be begun not later than 8th November 2019.

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 [1289] 1, 2 and 4, received by the Local Planning Authority on 27 July 2018, 6, received by the Local Planning Authority on 2 August 2018, 5 Rev B, received by the Local Planning Authority on 19 October 2018, and 3, received by the Local Planning Authority on 19 October 2018.

Reason: To clarify the permission, having regard to Policies L7 and R1 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 shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans,

specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

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

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

(i) No rear extensions shall be carried out to the dwellings;

(ii) No side-facing windows shall be added to the dwellings;

(iii) No dormer windows shall be added to the dwellings;

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

Reason: To protect the residential and visual amenities of the area, in accordance with Policy L7 of the Trafford Core Strategy.

6. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place.

The submitted report shall include:

i) A survey of the extent, scale and nature of contamination;

ii) An assessment of the potential risks to:

- Human health;
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
- Adjoining land;
- Ground waters and surface waters;
- Ecological systems;
- Archaeological sites and ancient monuments.

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

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

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Trafford Core Strategy Policy L7 and the National Planning Policy Framework.

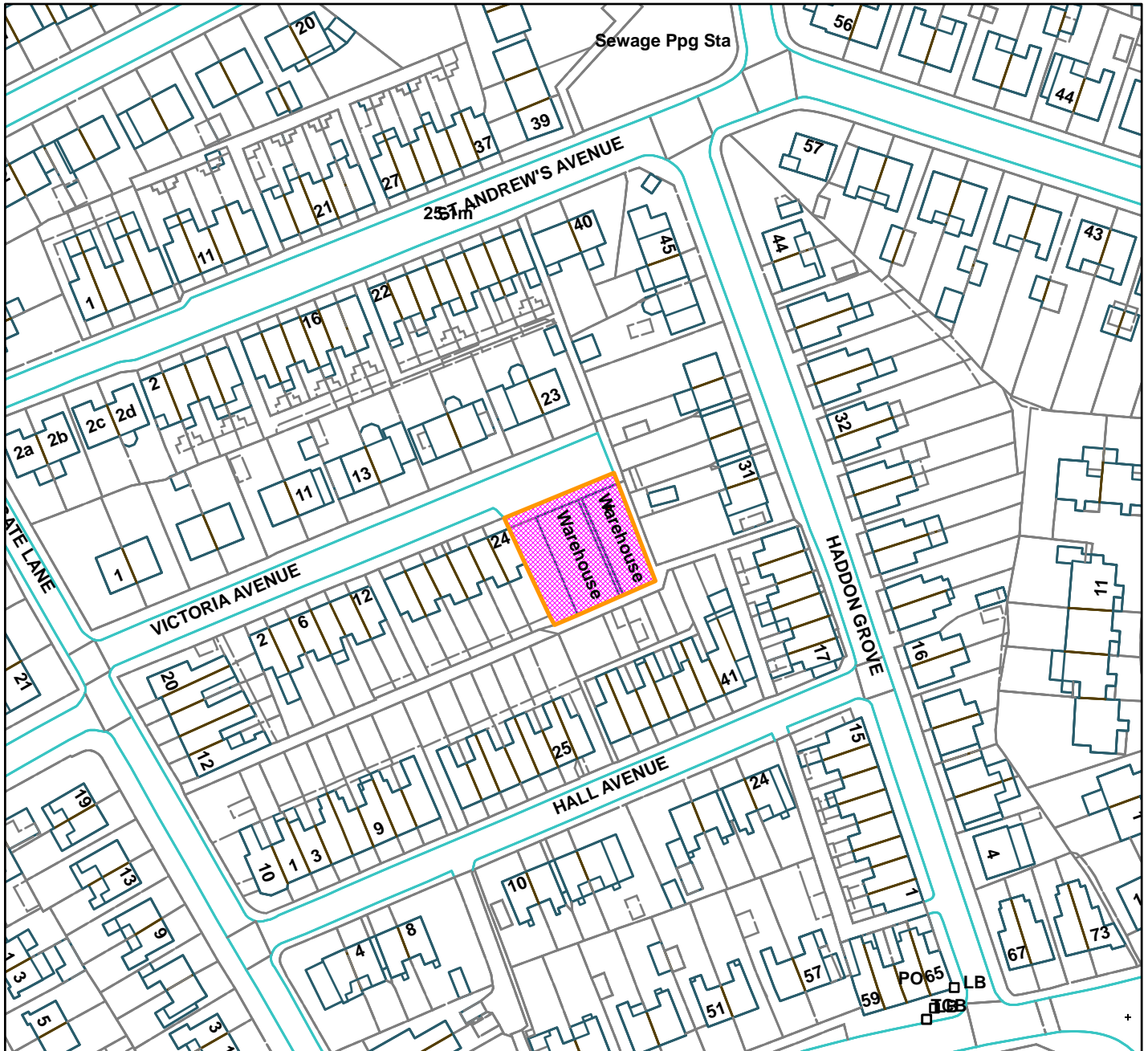
7. No development shall take place unless and until full details of works to limit the proposed peak discharge rate of storm water from the development to meet the requirements of the Council's level 2 Hybrid Strategic Flood Risk Assessment (SFRA) have been submitted to and approved in writing by the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

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.

TP



Unit 1 & 2, Victoria Avenue, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

WARD: Davyhulme West

95301/HHA/18

DEPARTURE: No

Erection of a two storey rear extension and a single storey side extension. Demolition of existing concrete single garage and replacement with brick, block and render garage/workshop with pitched roof and creation of a new access onto Cranford Road

5 Cranford Road, Flixton M41 8PS

APPLICANT: Mr & Mrs A Duckworth

AGENT: Mr P Acton, Consultancy 58

RECOMMENDATION: GRANT

This application is being presented at Committee as the applicant is a Council employee.

SITE

The application relates to a two storey, detached dwelling sited to the western side of Cranford Road. Situated within a dense residential area, the application site is bound by other similar styled residential properties.

The application site occupies a prominent corner position with Cranford Road running along its eastern side boundary and Chesham Avenue to its north facing boundary.

The dwelling is of traditional bay window construction with the front door facing Chesham Avenue. A substantial garden exists to the west of the dwelling with an existing detached garage contained within this. This is accessed via a dropped crossing on Chesham Avenue.

PROPOSAL

This application originally proposed:

- The erection of a single storey side extension to project 4.1m from the northern elevation, with an overall depth of 11.3m. This proposed a flat roof and was proposed to be erected 1.7m from the boundary with Chesham Avenue.
- Two storey rear, infill extension which is to be erected along the boundary with the neighbouring property, no.3 Cranford Road
- Replacement detached garage
- The installation of a new vehicular access to Cranford Road

Revised plans:

- Two storey rear infill extension which is to be erected along the boundary with the neighbouring property, no.3 Cranford Road.
- Reduction and alteration to the design of the single storey extension. A pitched roof is proposed with the overall projection reduced to allow for a gap of 2.06m to be retained to the boundary with Chesham Avenue. The amendment also proposes the set back from the front elevation to be increased from 1.72m to 2.13m. These amendments will therefore reduce the overall footprint.
- Removal of the dropped kerb and vehicular access to Cranford Road.

The application proposals have been amended since their original submission due to design and highway related concerns raised by officers. The revised scheme, as set out above, has been assessed in full within the later sections of this report.

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 – Parking
L7 – Design

PROPOSALS MAP NOTATION

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

H29110 – Erection of a two storey rear extension to form kitchen and bedroom extension – approved with conditions

APPLICANT'S SUBMISSION

None

CONSULTATIONS

Local Highways Authority:

Originally raised concerns with regards to the additional access, the type of door to the garage and the distance between the garage and the back edge of the pavement.

Amended plans have since been received removing the access onto Chesham Avenue and a roller shutter door is proposed to the replacement garage. A distance of 5.2m is proposed between the back edge of the pavement and the garage. This is to allow a vehicle to enter the site without blocking the road whilst waiting for the garage door to open. No highways objection subject to a roller shutter door. This is to be imposed as a condition.

REPRESENTATIONS

Two objections were from the same household in response to the original development proposals. These are summarised as follows:

- The land border is shown incorrectly as No.5 Cranford Road property border actually sits on the land border. On the plans it is shown incorrectly as being set back from the border.
- Encroachment which would lead to damage
- During the building work we would have no external access to the rear of the property due to our side passage being blocked and it would mean that section of our terrace would be unsafe to use for a prolonged period.
- The rear of the property will significantly protrude from the rear of our own property by approximately 2.5 metres. This will give rise to a loss of light to the rear of our property.
- As per section 3.1.2 of the guidelines, we understand that a two storey side extension should not be built within 1 metre of a boundary. This extension proposes a two storey extension actually on our boundary and the eaves themselves will overhang into our side of the boundary.
- As per sections 2.14, 2.16 and 2.17 of your guidelines, the extension will cause the following:
 - A significant loss of light to our patio area and our conservatory.
 - It will have an overbearing impact on our patio area as the extension will create a large expanse of brickwork on our boundary.
- The two storey extension will jut out by approximately 2.5 metres beyond the natural building line for the properties along our street. This is not in accordance to guideline section 2.7.2.
- The size of the proposed extension will dominate the surrounding area as it will be excessive in size and will be nearly double the size of the original house as built in the 1930s. This is contrary to section 2.3.1 of the Council's guidelines.
- The occupiers of Number 5 will require permission from us to access the property under the Party Wall Act. As the plans currently stand we would not be prepared to give such permission.

Following the receipt of revised plans a re-consultation exercise was carried out. The same objector wrote in repeating the previous comments and noting that the plans had not been amended to meet their concerns.

The issues in respect of residential amenity are addressed in the observations below.

All other matters relating to encroachment, disruption are addressed in the Other Matters section below.

OBSERVATIONS

PRINCIPLE

1. Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through

unsympathetic design or harm to the amenity of neighbouring properties and residential areas. Further to this, issues relating to highway reasons are also to be considered. There are no additional constraints in this instance.

DESIGN AND STREET SCENE

2. 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.”
3. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
4. There are several key overlapping considerations as highlighted in SPD 4. Section 3.1 relates to side extensions and states within 3.1.1 that *“Side extensions can have a prominent visual impact on the appearance of your dwelling and they can remove gaps from the street scene that help define the local character. Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not:*
 - *Appear unacceptably prominent,*
 - *Erode the sense of spaciousness within an area*
 - *Detract from a dwelling’s character.*
 - *Adversely affect the amenities of neighbouring properties.*
5. In addition, Section 3.3 focuses on corner properties and states:

“Extensions on corner properties, between the side of the house and the road, can appear unduly prominent and obtrusive, particularly if they come forward of the general line of the fronts of neighbouring properties. Extensions in these locations should not be visually over-dominating or disrupt the sense of openness between the properties and the street scene”.
6. This is supported by Section 3.3.2 whereby:

“Each case must be considered individually, however a proposal is more likely to be acceptable if:

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

7. Section 3.3.3 continues:

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

8. The proposed development would be visible from the public domain and therefore would have a visual impact upon the street scene. The proposed side extension would retain a gap of 2.06m from the site boundary. With regard to corner properties, guidance within SPD4 states that development should not take up more than 50% of the garden and retain a minimum distance of 2m. Whilst the extension will take up more than 50% of the side garden area, this is minimally over the 50% given the house has a staggered northern elevation. Further to this, the overall design has been amended to reflect the character of the property and to complement a single storey side extension to the property on the opposite corner. It is also marginally over 2m from the side boundary with Chesham Avenue and therefore complies with policy in this respect.
9. The proposed extension is to be erected using similar brickwork and roof tiles to the existing dwelling. The immediate area of Chesham Avenue and Cranford Road is characterised by properties of a similar design and era, with any alterations being predominantly brickwork to be similar to the original dwellings. The development, within such a sensitive location at a junction within the street scene, has been amended to ensure the design relates better to the existing dwelling. Further to this, the intervening boundary treatment will ensure limited visual dominance.

10. Overall, it is considered that the proposed single storey side extension, as amended, would be in keeping with the street scene and would retain a sense of spaciousness at the junction of Cranford Road and Chesham Avenue and would appear to relate to the wider residential area noting a similar extension on the opposite corner. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy or the additional guidance within SPD4.
11. With regard to materials, SPD 4 para. 2.5.1. states that:

“The external finish of an extension, including the roof finish, should complement the original building by using appropriate materials. The choice of materials should be in keeping with the locality but most importantly should match the original building as much as possible in terms of type, colour, size, and texture. The brick bond and mortar joints should also reflect the original property.”
12. In an area of similarly designed properties, the proposed materials in the external construction would be of a similar appearance and this is considered to be appropriate in principle. A condition is to be imposed ensuring continuity with materials.
13. The proposed two storey element is to infill a gap at first floor over an existing extension and will incorporate a flat roof. Paragraph 2.2.2, of SPD4 states that extensions should reflect the character, scale and form of the original dwelling. Whilst it cannot be contested that the roof form of the proposed development fails to reflect the original dwelling, the overall harm needs to be considered. The extension would not be evident from any one direction and would appear subservient to the dwelling. Further to this, this element would only be visible in glimpses from a short stretch of Chesham Avenue, the overall size of the extension would not be evident from any one direction and would appear subservient to the dwelling. This element would also be visible in glimpses from a relatively short stretch of Chesham Avenue. Given this, the proposed rear element is considered to be proportionate and would not adversely affect the overall street scene, appearing appropriate in its context.
14. The existing garage is sited to the south-western corner of the site and is accessed off Chesham Avenue. The replacement garage is to be sited in the same location albeit would be of a slightly larger scale and size than the existing garage. Sited back from the pavement edge, and tucked in between the rear of the site and no.1 Chesham Avenue, the garage is not wholly visible within the street scene. Further to this, there is an existing low height brick wall and conifer hedging that helps screen the site. There are a number of other detached garages visible within this area and as the proposals would be for a replacement garage structure, it is considered that the proposal would not appear out of character with the area and would be in accordance with Policy L7 of the Core Strategy
15. Subject to the conditions, the proposed development is considered to positively enhance the application site, without detriment to the site itself or the wider street

scene. The proposals are therefore considered to be in line with policy L7 of the Trafford Borough Council 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.
17. 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.

For two storey rear extensions, normally extensions should not normally project more than 1.5m close to a shared boundary. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary.

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)

Impact on 3 Cranford Road:

18. The neighbour to the south (no.3) is a detached property of a similar era and design to the application property. A first floor side and two storey rear extension is in existence sited close to the boundary. Further to this, no.3 benefits from a rear conservatory that links into the two storey rear element.
19. The single storey element of the proposal is to be sited to the northern elevation and therefore the opposite side of the property from no.3 ensuring this element would not impact adversely upon that property.
20. The two storey rear element proposed is to infill a gap on the rear elevation and will form the boundary with no.3. A flat roof is proposed with the overall extension projecting 3.05m from the original rear elevation and extending to a width of 2.7m. This is to form an extension to the existing bathroom and proposes a window within the rear elevation. With the safeguard of a condition ensuring obscure glazing, this would ensure neighbours amenity is preserved.

21. The first floor element would have a projection of 3.05m beyond the rear elevation of the host dwelling. SPD4 specifies that two storey rear extensions should have a rear projection of 1.5m in addition to the gap to the boundary
22. The application property is built on the boundary with no.3 with a 1.7m gap to the extended side elevation of no.3 Cranford Road. No.3 benefits from a two storey rear extension. The proposed two storey rear extension is to project 3.05m from the original rear wall of the application property. Criterion 3.4.3 of SPD4 states that 'for two storey rear extensions, these should not normally project more than 1.5m close to a shared boundary.' The gap of 1.7m between the side elevation of the application property and the side elevation of no.3. plus the allowance for a 1.5m projection equates to an allowance of 3.2m for the depth of the proposed extension beyond the rear wall of the adjacent property. As the extension will project 2.8m beyond the existing rear elevation of No. 3 Cranford Road this aspect is policy compliant. The proposal also includes a flat roof design which will ensure that any overbearing impact is minimalised, and the orientation of the properties would result in the limited loss of light.
23. It is considered, therefore, that the proposed development would not result in an undue loss of light or overshadowing to the neighbouring property, given the proposed location, scale and form of the proposed extension and taking into consideration the neighbours' extension to the rear.
24. There are considered to be no amenity issues related to the erection of the replacement garage, given its siting and location. The development would therefore not result in any unacceptable overshadowing, overbearing or privacy impacts upon neighbouring properties.

Impact on 1 Chesham Avenue:

25. The property beyond the western boundary is a two storey detached dwelling with bay window frontage. No windows are in evidence along the side elevation overlooking the application site.
26. SPD4 sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant sections for particular types of development.

This application falls to be considered against the following relevant sections of SPD4:

2.15 Overlooking/loss of privacy

- 10.5m (+3m above first floor) from habitable room to site boundary
- Window to window distances of 21m between principal elevations

2.17 Overbearing

– 15m (+3m above first floor) from blank two storey side extensions to neighbouring main habitable room windows

27. The proposed two storey rear extension proposes one window within the rear elevation which will serve a wet room, an extension to the existing bathroom. The distance to the western boundary with no. 1 Chesham Avenue is 16.5m, thus complying with criterion 2.1.5. Given the distance to the boundary with no.1, an overbearing impact or loss of light is not anticipated. Whilst there is a window proposed within the western elevation, this is to be obscure glazed ensuring residential amenity is not adversely affected.
28. The single storey element is to be sited on the northern elevation. No.1 sits beyond the site to the west with an oblique view of the extension proposed. Given the siting, design and intervening boundary treatment, this element will not be of detriment to the amenity of no.1.
29. The replacement garage, albeit of a slightly larger scale and size will be built in the same location as the existing. There are no windows within the side elevation of no.1 Chesham Avenue, therefore there will be no perceived detrimental impact upon the living conditions of no.1
30. The development proposals are not considered to result in any new undue overbearing impacts for existing neighbouring occupants nor are they considered to take on the form of a visually intrusive addition, which would be harmful to the amenity of existing neighbouring occupants.

PARKING AND HIGHWAY SAFETY

31. The original plans proposed an additional access point to the site accessed off Cranford Road. Concerns were raised from LHA with regards to proximity to the junction with Chesham Avenue. Due to the narrow frontage along Cranford Road, the access could not be accommodated to the satisfaction of the Highways Department. Amended plans were received removing this element from the proposal
32. The replacement garage is to be sited in the same location as the existing utilising the existing access off Chesham Avenue. A minimum distance of 5.2m is to be provided along with a roller shutter door. This will ensure a vehicle can access the site allowing the door to be opened whilst ensuring there will be no obstruction along Chesham Avenue. With the safeguard of a condition ensuring a roller shutter door is provided, this will alleviate highway concerns.

OTHER MATTERS

33. In response to comments raised from neighbours, the agent has confirmed that there would be no encroachment onto the neighbouring property, no.3 Cranford

Road. The gutter overhang would be restricted to the existing boundary of the two properties with foundations deep strip concrete design eccentrically loaded by the walls so there would be no projection beyond the face of the brickwork. All work would therefore be carried out on and within the boundary of no.5 Cranford Road.

34. All consideration would be given to Health and Safety of employees, homeowners and neighbours throughout the works.
35. All consideration would be given to protect the adjacent ground, surfaces and fabric of the adjacent property. In the unlikely event of disturbance, all necessary remedial work would be carried out and made good.
36. Covenants on the application site and the wider area do not form part of the planning assessment of this application.
37. All of the above are civil issues and not material planning considerations.

DEVELOPER CONTRIBUTIONS

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

CONCLUSION

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

RECOMMENDATION

GRANT subject to the following conditions:-

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

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

2. The 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.

3. 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 floor in the western elevation facing no.1 Chesham Avenue 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.

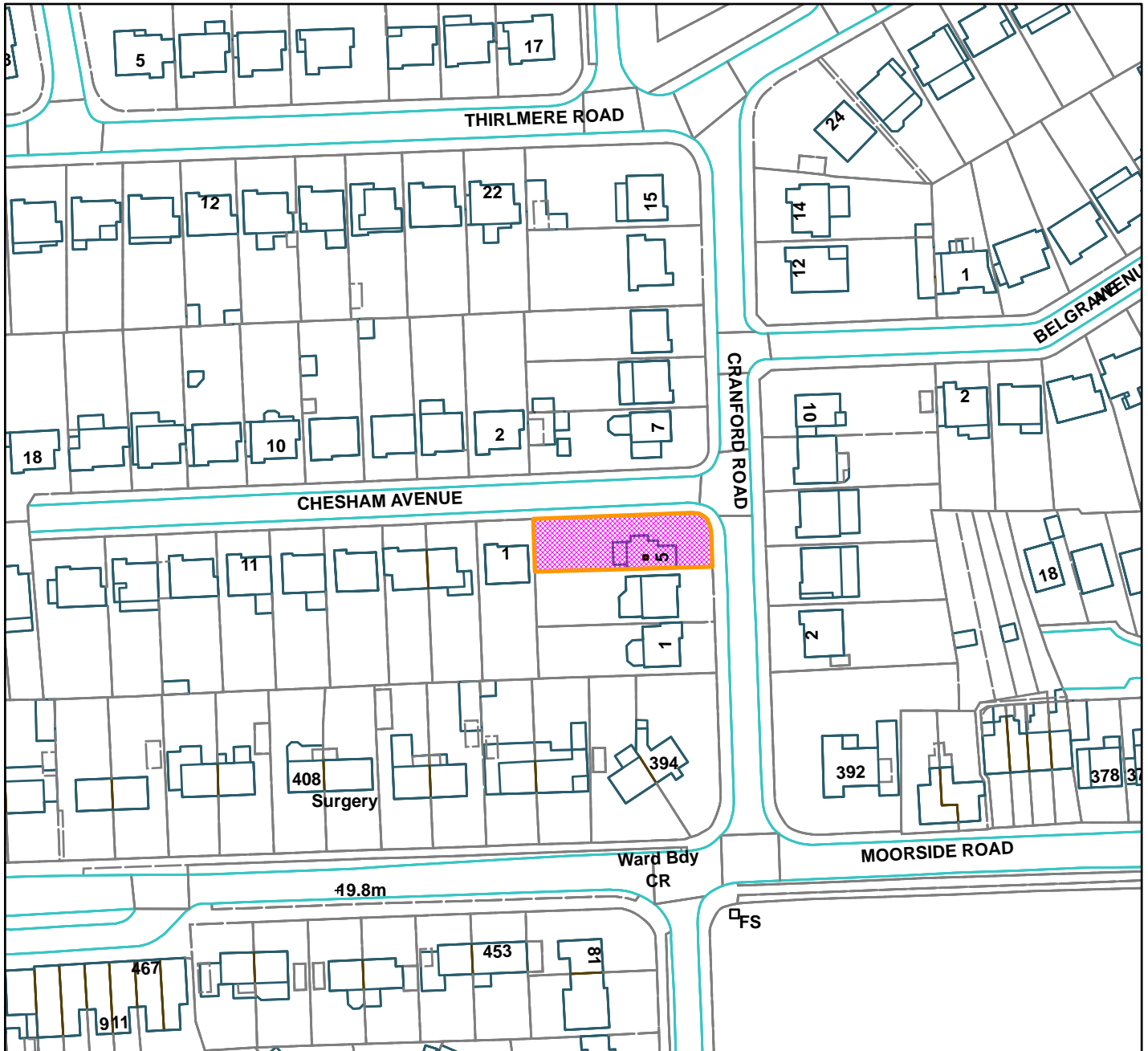
4. Prior to the first use of the garage, hereby approved, a roller shutter door shall be fitted to the northern elevation which is to be retained in perpetuity.

Reason: To ensure there is no obstruction and allow the safe flow of traffic along Chesham Avenue and in the interests of highway safety and to accord with policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

ES



5 Cranford Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

WARD: Flixton

95501/FUL/18

DEPARTURE: No

Demolition of existing single storey element to front elevation of Urmston Leisure Centre, erection of two-storey extension incorporating fitness suite, studios, member changing, party rooms, climbing wall, cafe, kitchen and rooftop plant, erection of bin store and removal of trees externally.

Urmston Leisure Centre , Bowfell Road, Urmston, M41 5RR

APPLICANT: Trafford Council

AGENT: Five Plus Architects Ltd

RECOMMENDATION: GRANT

Reported to the Planning and Development Management Committee as the application has received more than one objection contrary to officer recommendation.

SITE

Urmston Leisure Centre sits on a 0.84 Hectare site to the south side of Bowfell Road. It is bounded on the south and east by the buildings and playing fields (protected open space) of Flixton Girls High School. A Public Right of Way (PROW) is located between the Flixton Girls High School and the Urmston Leisure Centre car park entrance, situated at the west corner of the site.

The site is accessed from Bowfell Road, with a pedestrian and vehicle access serving the site. Bowfell Road is mainly residential with a number of street trees.

The building was constructed in the early 1990s from a steel frame, brickwork and multiple mono-pitch metal profile sheet roofs at varying levels. An existing car park with 103 car spaces (including 5 accessible and 4 parent/child) is situated to the west and south of the building and accessed from Bowfell Road.

The site is not located within a conservation area and none of the buildings within or surrounding the site are listed. Further to this none of the trees on the site are protected by a Tree Preservation Order. The site however is located within a critical drainage area and adjacent to a Public Right of Way and area designated as Protected Open Space.

PROPOSAL

Planning permission is sought for the erection of a two-storey extension to the front elevation, following demolition of the single storey elements on this elevation. The design is based on a central glazed double height entrance, which is flanked by two double storey pods. The proposed two storey extension would measure approx. 55 m (W) x 12 – 15 m (D). The heights of the extensions would be approx. 8.9 m (glazed element and 9.7 m (adjacent pods). The proposed materials would consist primarily of an aluminium capped glazed curtain wall system with secondary steel support, and a secret fixed rainscreen cladding system (Equitone Linea).

As well as general improvements to the existing services and facilities the extension/works would provide the following facilities:

- Improved café style food and beverage offering incorporating reception and retail services
- Clip and climb wall
- Member changing facilities
- Bespoke fitness suite
- 3no. Studio rooms
- 2no. Party rooms

Proposed works would also include elevational changes, the addition of 4no. monodraught windcatchers (natural ventilation systems) to the sports hall and an aluminium louvre rooftop plant (approx. 30 (W) x 6 m (D) x 3m (H)). Furthermore, the car park would be re-configured with the provision of 116 car parking spaces, 5 accessible spaces and associated felling of 6no. individual trees and 2 groups of trees.

This proposal is a revised scheme of the extension approved by Members of the Planning and Development Management Committee in February 2018. The main differences between the approved and this current application include:

- Reduction in size (in terms of overall scale and main entrance),
- Increased use of cladding and reduced glazing, and
- Removal of the coach lay-by on Bowfell Road.

The increase in floor space of the proposed development would be 659 m².

DEVELOPMENT PLAN

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

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

- 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
L8 – Planning Obligations
W2 – Town Centres & Retail
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking Standards & Design

PROPOSALS MAP NOTATION

Protection of Open Space (adjacent fields, east of application site)
Critical Drainage Areas

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 - Protection of Open Space

GREATER MANCHESTER SPATIAL FRAMEWORK

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

RELEVANT PLANNING HISTORY

93892/CND/18 - Application for approval of details reserved by conditions of grant of planning permission 92993/FUL/17. Conditions 7 (tree protection), 9 (drainage) and 16 (construction method statement)

Full Discharge of Conditions – 02 May 2018

92993/FUL/17 – Demolition of existing single storey element to front elevation, erection of two-storey extension, incorporating fitness suite, studios, member changing, party rooms, climbing wall, cafe, kitchen and rooftop plant, along with the erection of a bin store, elevational changes, the removal of 3no. trees, re-configuration of car park and construction of new coach drop-off lay-by on Bowfell Road.

Approved with conditions - 08 February 2018

H45963 – Change of use and extension of part of leisure centre to form public library and relocated staff accommodation

Approved with conditions - 08 July 1998

H25882 – Erection of swimming pool and sports hall with sauna and ancillary facilities, provision of car park and new vehicular access.

Deemed Consent - 20 October 1987

APPLICANT'S SUBMISSION

The application is supported by a:

- Design and Access Statement;
- Flood Risk Assessment;
- Crime Impact Statement;
- Arboricultural Method Statement;
- Preliminary Tree Survey;
- Phase I - Desk Study Report;
- PHASE II – Ground Investigation Report; and

CONSULTATIONS

Local Lead Flood Authority (LLFA - Drainage) – No objection, subject to the drainage scheme being submitted as part of any conditions.

Environmental Health - Contaminated Land – No objections – no further CL investigative or remedial works necessary.

Environment Health – Noise and Pollution – No objections raised, subject to condition in relation to maximum noise levels of all fixed mechanical or electrical plant and equipment.

Local Highway Authority (LHA) – No objection, subject to a condition for long stay secure staff cycle parking.

Trees – No objection, subject to conditions

Tree Unit – No comments received to date

Strategic Planning – Sequential test is not required given that the use exists and the additional floor space could not be disaggregated within the town centre. No objections in principle

Design for Security – Greater Manchester Police (GMP) – No comments received to date

United Utilities – No objection, acceptable in principle

REPRESENTATIONS

A total of five representations have been received as part of the consultation process. This includes three letters of objection, and two letters of support to the proposals. However, it should be noted that the letters of support also raised concern with regard to the proposed parking. The concerns raised are summarised below:

- Insufficient parking –
 - Already an issue
 - Increased users will exacerbate
- Parking on Bowfell Road makes access in and out of Jackson Court difficult
- Comments in regard to the running of Trafford Leisure Centres
 - No thought to Davyhulme community
 - No direct bus route
 - Insufficient space for proposed plans with regard to classes from George H Carnall
- Lack of facilities for disabled people
 - Revised plans have not been changed towards profound disabled people in the community
 - Health & wellbeing facilities (i.e. Hydro pool) or leisure activities (i.e. sensory room) for the disabled have not been considered/ proposed

Comments in support of the application are summarised as follows:

- Delighted about the upgrade and would be encouraged to use facilities, including the coffee shop
- Good idea to extend

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Paragraph 96 of the NPPF states that “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.”
2. Further to this Policy R5.1 of the Core Strategy states: ‘...*the Council will secure the provision and maintenance of a range of sizes of good quality , accessible , play, sport, leisure, informal recreation and open space facilities.*’
3. The proposal would involve the demolition of the front single storey elements of the existing building and the erection of an extension providing 659 sq.m of additional floor space. This would provide new and improved facilities such as a climbing wall, 3 no. studio rooms, party rooms, a larger gym, and re-located member changing rooms, as well as an improved café, reception and retail services - to an existing leisure centre. The proposed works are considered to provide a better provision in terms of quantity and quality of leisure facilities, in line with NPPF and Policy R5 of the Core Strategy.
4. Paragraph 86 of NPPF states *Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.*
5. Policy W2.12 of the Core Strategy states – *Outside the centres identified above, there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance.*
6. Core Strategy Policy R5.2 further states:
The Council will seek to address key areas of deficiency in quality and quantity of open space and indoor/outdoor leisure provision.
7. The Council will also address deficiency by establishing a clear hierarchy of leisure and sport facilities based on 3 types of provision across the Borough. This includes major wet and dry facilities (Stretford, Sale/Altrincham, Urmston and Partington). Therefore, Policy R5 is supportive of an extension to the leisure centre in order to upgrade facilities.
8. The application proposes a larger leisure centre building, which is considered to be a main town centre use outside of a town centre. The applicants consider that the proposed additional facilities at the existing Urmston Leisure Centre cannot

be separately located in the town centre, as outlined within the submitted supporting statement. It is further explained that the extra floor space proposed is interconnected to the existing provision on the site and that the functions of the Leisure Centre necessitates them to be on the same site for logistical, organisational and business reasons.

9. It is considered therefore, that a sequential test is not required as the proposal seeks to provide increased and enhanced facilities to an existing facility that could not be feasibly provided elsewhere. The proposal is therefore considered to be in accordance with the NPPF and Policy R5.

DESIGN AND APPEARANCE

10. 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.
11. The proposed development would demolish the single storey elements to the front of Urmston Leisure Centre and erect a large two storey extension, which involves a series of elements: a double height glazed entrance, flanked by two double height clad pods. The public realm between the new front entrance and Bowfell Road would also be opened up and improved.

Siting/footprint

12. The proposed two storey extension would be some 55 m wide and 9.7 m tall (12 m including the plant room) and would be clearly visible from the public domain, given the predominantly low rise existing roof forms. The building line of the extension would be forward of part of the existing but given the position and siting of the extension building this is not considered to have any significant impact on the street scene. The siting of the extension to the building frontage is purposely designed to appear open and allow the existing building, which is orientated away from the street, to gain a degree of street presence adding to the visual amenity of the wider street scene.

Bulk/scale/mass/height

13. The two storey extension with additional rooftop plant would appear greater in height than the existing building on site. The existing building comprises varying heights: from Bowfell Road the existing roof increases from 3.7m at the eaves to 9.6m and 11.7m at its apex. As such the proposed extension is considered to have appropriately addressed the scale of the existing building in terms of its height.

14. The existing building is 66 m wide along its northern elevation. The proposed would reduce this to 58 m; whilst the existing width on the western elevation would be increased from 50 m to 55 m. The scale would be increased from single storey to two storey, however the use of a glazed curtain wall system would minimise its visual impact from a western approach on Bowfell Road as this large proportion of the scheme is considered to appear lightweight. In addition, the intersecting pod and stepped design would break up the mass/elevation, which is considered to further reduce its visual impact.
15. The rooftop plant would have a similar height to the apex of the existing sports hall. It would also be positioned 4.4m back from the front elevation of the glazed element, 11.4m from the north elevation (Bowfell Road) and 14m from the southern elevation. The proposed materials would be aluminium, which would match the coping materials used in the glazed curtain wall. Illustrated 3D images of the proposal indicate that the views of the rooftop aluminium louvres would be minimal. As such, it is considered the proposed roof plant, given its size, set back position and complementary materials, would have a minimal visual impact upon the street scene.
16. It is recommended that a condition be added to any permission requiring a detailed construction drawing of the window/ door details, plant screening and louvered ventilation system along with a sample of the proposed materials to ensure that they appear as integral elements of the extension and to limit the visual impact.
17. The proposed scale, form and massing of the proposed extension, is considered appropriate with regard to the existing building and intended use, as well as reflecting the buildings in the surrounding area, in accordance with policy L7.

External appearance/materials

18. The contemporary design is considered to enhance the existing building and along with the creation of a new entrance plaza off Bowfell Road is considered to provide a legible and inviting entrance and access way to the present centre, which would meet the third point of policy L7.5: *Where relevant ensure that streets and public spaces are designed to provide safe and attractive environments for walkers and cyclists.*
19. The proposed materials – aluminium capped curtain wall system with secondary steel support, a secret fixed rainscreen cladding system and louvred plant screen to match curtain walling – are considered to be of high quality. The glazing would allow for views through to the café lounge area and clip and climb wall. The proposed materials are considered to contrast with, yet complement, the existing red brick building, glazed elements and metal profile roof sheets. Although considered acceptable in principle, a condition requiring the approval of details and/or samples of the materials to be used is included within the recommendation. .

20. The previously approved scheme proposed an alternative refuse collection strategy, but the current proposals would continue the existing refuse collection strategy. This involves bins stored at the rear of the building near to the existing plant room. The bins are moved on collection days to the existing access road, located at the northeast corner of the site.
21. As intended, views of the extent of the proposed development would be most prevalent from Bowfell Road. Although larger in terms of scale, bulk and massing than the existing building, the proposed is considered to enhance the character and appearance of the existing building and wider street scene. Moreover the proposed materials are considered high quality and appropriate for the intended use of the building. Given the above reasons, it is considered that the proposed development would be in accordance with policy L7 of the Trafford Core Strategy and government guidance contained within the NPPF requiring good design.

Accessibility

22. In relation to matters of accessibility, Policy L7.5 states development must: be fully accessible and useable by all sections of the community; provide good connections within the site and to adjoining areas; where relevant ensure that streets and public spaces are designed to provide safe and attractive environments for walkers and cyclists; and provide safe, convenient links to public transport and community facilities. As appropriate, details on the above matters should be demonstrated by way of a Design and Access Statement associated with a planning application.
23. The public sector equality duty (PSED), contained in the Equalities Act 2010, requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
24. A representation has been made which objects to the development on the grounds that a lack of provision has been made for those with profound disabilities. These comments make specific reference to the provision of specialist facilities such as a 'Changing Places Toilet' (which includes a hoist to enable adults / older children to be changed), a sensory room and hydro pool. Disability is a 'protected characteristic' under the Equalities Act 2010 and the Act states that meeting different needs involves taking steps to take account of disabled people's disabilities.

25. The Council, together with Trafford Leisure CIC, is currently carrying out a wholesale review of investment into all leisure centres across the Borough. The redevelopment of Urmston Leisure Centre subject of this planning application is the first step in a programme of investment schemes, the likely outcome of which is that Altrincham, Sale and Stretford Leisure Centres will be comprehensively redeveloped with new, purpose built facilities replacing the existing leisure centres.
26. The applicant has confirmed that it is impractical to provide the facilities requested for the profound disabled at Urmston Leisure Centre. This is because the scope of works at Urmston is constrained as it is an extension to, and refurbishment of, the existing building. Nevertheless, the Council will need to comply with the PSED as part of the Leisure Centre Investment Strategy. It is considering whether facilities for the profound disabled could, as an alternative, be provided in one of the other redeveloped leisure centres. There is no legal requirement for the Council to provide these specialist facilities at every leisure centre.
27. The sensory room and hydro pool would undoubtedly be beneficial to some with disabilities, but not providing them would not reduce the accessibility of the leisure centre to those with disabilities, nor mean that they were disadvantaged. In order to take steps to take account of different needs, it is reasonable to conclude that facilities for the profoundly disabled could be provided across the leisure centre offer as a whole, rather than at each individual leisure centre. It is also not reasonable, possible or practicable to provide specialist facilities to cater for every person's individual needs at a public facility.
28. The scheme has been designed to comply with Part M of the Building Regulations (all new public buildings and commercial developments to provide reasonable provision to ensure that buildings are accessible and useable) and the Disability Discrimination Act. The proposed development would allow for level access into the building and throughout ground floor, additional accessible toilet and changing facilities, generous door widths (1010mm), a pass door adjacent to the revolving door, and a new lift. The applicant has been requested to respond directly to the concerns raised in respect of disabled provision and any update will be reported in the Additional Information Report.
29. It is therefore considered, that if Members are minded to grant planning permission for the development, they will in making that decision have discharged the PSED and had due regard to the equalities implications of the proposals. No representations have been received in respect of the impact on any other protected groups other than those with a disability. For the avoidance of doubt, it is considered that a decision to grant planning permission would comply with the PSED in respect of all protected groups, not just those with a disability.

NATURAL ENVIRONMENT

Trees

30. Policy R2 of the Core Strategy, seeks to ensure the protection and enhancement of the natural environment within the borough (such as the landscape character, biodiversity, geodiversity and conservation value of its natural urban assets).
31. The majority of the trees associated with the application site are located along Bowfell Road, 4no. groups of trees (G5, G4, G2, & G1) are located between the building and highway and 2no. further groups of trees (G7 & G8) are located within the car park.
32. The proposed development would require the removal of two mature London Plane trees and three tree groups. It is of note that none of the trees located on site or on Bowfell Road are protected by a Tree Preservation Order and therefore do not require permission to be removed. A plan detailing the General Arrangement: Tree Retention and Removal and Arboricultural Method Statement, drawing no. PL1816-PL1816-VW-002- Issue 03, was submitted and approved as part of the discharge of conditions application (ref: 93892/CND/18) dated 02 May 2018. The council's Arboriculturist who has reviewed the submitted documents associated with this application, raises no objection to the proposed development, subject to implementation of the Construction Method Statement, which avoids the storage of materials or vehicles within root protection areas of retained trees.

Landscaping

33. The proposed pedestrian plaza would consist of hard and soft landscaping to the front, which provides a more generous and prominent entrance procession to the building. Existing trees and green space have been maintained where possible. The General Arrangement plan for landscaping, which accompanied the application, appears acceptable in principle, however the proposed softworks schedule was not included. Therefore a condition requiring landscaping details is recommended to ensure that trees lost would be mitigated with appropriate specimens. Thus, subject to condition, the impact upon the visual amenity and natural environment would be minimal and in accordance with policy L7 and R2.

RESIDENTIAL AMENITY

34. 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.

35. The proposed extension would be 10m and 20m from the closest Flixton Girls' High School buildings, a single storey building located in a south-western direction and the older two storey building located south of the proposed. Furthermore it would be 36m from the nearest residential property to the north (No.32 Craig Avenue).

Noise &/or disturbance

36. 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.*

37. The application site is currently in use as a leisure centre. Although the proposed works would increase the internal floor space and thereby the leisure centre's capacity, it is considered the existing noise levels associated with its use would not change so significantly as to prejudice the occupiers of neighbouring properties given the separation distances between the site and the nearest residential property. Nevertheless a condition requiring noise levels from the operation of all fixed mechanical or electrical plant and equipment to not exceed background noise level is recommended to be added to any permission.

38. The Environmental Health Officer requested a Noise Assessment since the development could intensify potentially noisy activities or change the distribution of noise from plant or classes. However, given the building already functions as a leisure centre and the nearest residential property would be 32m from the closest residential property, the officers considered this to be overly onerous in nature and therefore consider appropriate conditions would be sufficient to overcome any potential adverse impact upon residential amenity.

39. The Environmental Health Officer raised no objection to the proposed development and advised that the conditions from the previous approved scheme should be applied to this current application.

40. The intensification of the use of the site is considered to have the potential to increase the number of users to the site, however residential properties are considered to be sited at a sufficient distance from the application site, and its access in order to limit potential harm through noise and disturbance.

Overbearing/loss of light/privacy

41. The proposed development, given its scale and location is considered to be a sufficient distance from neighbouring properties as to not appear overbearing, or result in a loss of light or privacy or result in undue noise and disturbance.

42. The proposal is therefore considered to have a limited impact on the residential amenity of neighbouring and surrounding residential properties and is considered to be in accordance with Policy L7 of the Core Strategy.

ACCESS, HIGHWAYS AND CAR PARKING

43. 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;

44. The proposed development would retain the existing vehicle access to the site whilst providing an enhanced pedestrian plaza off Bowfell Road. The car parking would be reconfigured to provide an additional 13 spaces: a total of 116 (including 5 accessible spaces). The alterations would involve the removal of two groups of trees within the car park and the creation of a line of car spaces on the southern border as well as further spaces on the eastern border.

Appropriateness of Access

45. The current access from Bowfell Road would be unchanged. Additionally, the coach servicing at the site would operate as existing, which involves groups of children being escorted into the site from coaches parked on Bowfell Road. It is considered that the proposed plaza would improve the pedestrian access to the site.

Servicing Arrangement

46. The waste strategy would be unchanged from the current situation. This involves bins being stored at the rear of the building near to the existing plant room. The bins are moved on collection days to the existing access road, located at the northeast corner of the site.

Car Parking & Cycle Parking

47. The proposed plans indicate 116 parking spaces, including 5no. accessible spaces, which would provide an additional 13 spaces from the current situation of 103 spaces. The proposed development also includes provision for 20no. cycle parking spaces (10 stands).

48. A requirement of a maximum of 1 no. car space is required per 22 sqm, as set out in SPD3. The existing Leisure Centre should therefore provide a maximum of 140 spaces, with 103 spaces provided currently on site. The proposed development would result in an additional GFA of 659 m², which equates to up to a maximum of 30 additional spaces being required with 13 additional spaces proposed. This provides a shortfall of 54 spaces from the maximum 170 parking spaces required by the SPD.
49. The primary objection was in relation to inadequate parking around the application site, namely Bowfell Road. The existing provision would be improved by the 13 additional spaces. It is also understood that there is an informal arrangement between Urmston Leisure Centre and Flixton Girls High School, which allows for overflow parking within the school grounds. Furthermore, a total of 20 cycle parking spaces would also seek to reduce car travel and thus the need for car parking. The proposed cycle parking would deliver quality cycling infrastructure, thereby in line with policy L4.4 (which states Developers should demonstrate, through the planning application process how their development will contribute towards these connections and deliver quality cycle and walking infrastructure where appropriate). In addition, the applicant has agreed to providing long stay secure staff cycle parking, which complies with the Local Highways Authority comments and SPD3.
50. The proposed extension and additional floorspace, whilst it is accepted will intensify the use, the increased traffic is not considered to be significant upon the highway network or which would adversely affect highway safety. The proposed car parking provision is considered sufficient for the proposed development and would not result in harm to the occupiers of nearby properties. Furthermore, Bowfell Road is an unrestricted highway and therefore cars are able to park on-street, however this is not considered to result in significant on street parking which would result in harm to the local highway network or residential amenity. It is noted that the LHA has not objected to the scheme.

Conclusion

51. The proposed development, whilst increasing the internal floor space and possible intensification of use, given the additional 13 car parking spaces and improved entrance plaza it is considered that the proposed development would not adversely affect pedestrian or highway safety or have a detrimental impact on parking stresses within the local area, as such the proposal is considered to be in accordance with Policy L4 and L7.2 of the Core Strategy.

DRAINAGE

52. Policy L5 of the Core Strategy, in relation to water states: the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location. Further, that

developers will be required to improve water efficiency and reduce surface water run-off through the use of appropriate measures such as rain water harvesting, water recycling and other Sustainable Drainage Systems (SUDS) appropriate to the various parts of the Borough, as mapped in the Council's Strategic Flood Risk Assessment.

53. It is understood that the overall strategy for dealing with surface water drainage is to mimic or provide betterment to the existing situation. Furthermore, the ground investigation confirmed that the ground has low to very low permeability. As such below ground attenuation storage and vortex flow control device to reduce the rate at which surface water discharges from the site into the public sewer network is proposed.
54. The LLFA reviewed the documents and consider that the proposed works would not cause flood risk to the development or surrounding area, subject to the drainage scheme being submitted as part of any condition, However, a Flood Risk Assessment and Drainage Strategy (Ref: 400-DREP-01), was submitted and approved as part of the discharge of conditions application (ref: 93892/CND/18). The LLFA and UU reviewed the proposal and raised no objections in principle. As such conditions requiring the proposed works to be in accordance with the previously approved documents are recommended with any permission.

CRIME AND SECURITY

55. A Crime Impact Statement produced by GMP was submitted as part of the application. The executive summary advises that the proposed scheme is found acceptable in principle, however certain aspects should be considered further. These include: control of access to various facilities inside the building; control of access to and within the site; provision of cycle parking and bin storage.
56. In relation to security policy L7.4 states: *In relation to matters of security, development must: demonstrate that it is designed in a way that reduces opportunities for crime; and not have an adverse impact on public safety.*
57. Although no comments have been received during the consultation process of this application, it is noted that GMP advised in relation to the previous application (ref: 92993/FUL/17) that the doors separating public and restricted areas should be operable by swipe card or fob, and not numeric key pads. The applicant has been made aware of these comments, however a condition is not considered to meet the 'relevant to planning' criteria as set out within paragraph 55 of the NPPF, as such it is recommended as an informative.
58. Other than the aforementioned controlled access, noted above, the GMP found the scheme acceptable. A condition requiring the details of cycle parking is recommended with any decision to ensure that the design is satisfactory in terms

of safety/robustness. Subject to this condition, the proposed development is considered to comply with policy L7.4.

OTHER MATTERS

59. The applicant has submitted a phase 1 land contamination report, which has been reviewed by the Council environmental protection officers who consider the report to be satisfactory.
60. Policy L5.3 states developments below the thresholds, but involving the erection of a building or substantial improvement to an existing building (such as extensions or change of use), will be encouraged to adopt the principles of energy efficiency and incorporate appropriate micro-generation technologies, to help contribute towards reducing CO2 emissions within Trafford.
61. With regard to energy efficiency the Design and Access Statement explains how the design approach was holistic and sought to incorporate low energy features. The features include the provision of natural ventilation, high efficiency heat recovery devices on ventilation systems, general improvement of fabric, automatic light controls using low energy lamp sources, and time scheduling of central plant via the BMS. Thus the proposed development is in accordance with policy L5.3, as stated above.
62. Reference has been made by objectors to the closure of George Carnell Leisure Centre. However these concerns fall outside the scope of this planning application.

DEVELOPER CONTRIBUTIONS

63. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'leisure' development, consequently the development will be liable to a CIL charge rate of £10 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
64. No other planning obligations are required.

CONCLUSION

65. The proposed development is considered to be acceptable in policy terms and would provide an enhanced leisure facility within Urmston for the use of the local community. The proposed extension is considered to visually enhance the site and the wider street scene without harm to the residential amenity of local residents and highway and pedestrian safety and parking provision, subject to a number of appropriate conditions. As such, it is considered the proposal is in accordance with the NPPF and Policies W2, R5, L4, L5, L7 and L8 of Trafford's Core Strategy and that planning permission should be granted. In granting

planning permission the LPA will also have had due regard to the Equalities Act 2010.

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:

Title	Drawing No.	Revision:
Proposed Site Plan	05692_MP_00_0003	M
Proposed Ground Floor General Arrangement Plan	05692_B1_02_2200	T
Proposed First Floor General Arrangement	05692_B1_02_2201	R
Proposed Roof Plan General Arrangement	05692_B1_02_2202	P
Proposed Elevations (A & B)	05692_B1_04_2201	L
Proposed Elevations (C & D)	05692_B1_04_2202	N

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 building, including the secret fixed rainscreen cladding system, curtain walling, casement window aluminium coping system, and aluminium louvre system, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

4. No above ground level construction works shall take place, until details of all plant and mechanical equipment to be installed externally to the building including elevational drawings (at 1:20) showing proposed screening shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter shall be retained and satisfactorily maintained thereafter.

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 works above ground level shall take place until detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

- i) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths/colour) at scale 1:10;
- ii) design and material of all main entrances including surrounds;
- iii) rain water goods (including locations, fixings, material and colour) and;
- iv) details of mechanical louvres system

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

6. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be brought into use 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 use of the development hereby permitted, whichever is the sooner.

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

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

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

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

8. The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Flood Risk Assessment (Ref No. D-REP-01, Dated 22.08.18) which was prepared by HL Structural Engineers. Any variation to the discharge of foul water shall be approved in writing by the Local Planning Authority prior to development first taking place. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

9. The development hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans, 'Proposed Drainage Layout (P400-D-L-003-P3), Drainage Management Plan (D- REP-002), Attenuation Tank Performance Specification (D-SPEC-001), Below Ground Drainage Standard Details Sheet 1 of 2 (400-01D-D-001-P2), and Below Ground Drainage Standard Details Sheet 2 of 2 (400-01D-D-002-P2). 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 of from the site having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The LAeq noise level from the operation of all fixed mechanical or electrical plant and equipment, when rated and assessed in accordance with BS 4142: 2014 (or the prevailing guidance of the time), shall not exceed the LA90 background noise level without such plant operating, at any residential receptors.

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

11. No part of the development shall be brought into use until 20 short stay secure cycle parking spaces and 20 long stay secure staff cycle parking spaces, designed in accordance with the specifications set out in SPD3 Parking Standards and Design, have been provided in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The approved spaces 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.

12. The car parking shown on approved layout drawing no. 05692_MP_00_0003 Rev M shall be made available for use prior to the development is brought into use and shall be retained as such thereafter for users of Urmston Leisure Centre and no other purpose.

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

13. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted Construction Method Statement – Rev 3 (Dated August 2018). The Statement shall be adhered to throughout the construction period.

Reason: To minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, and 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.

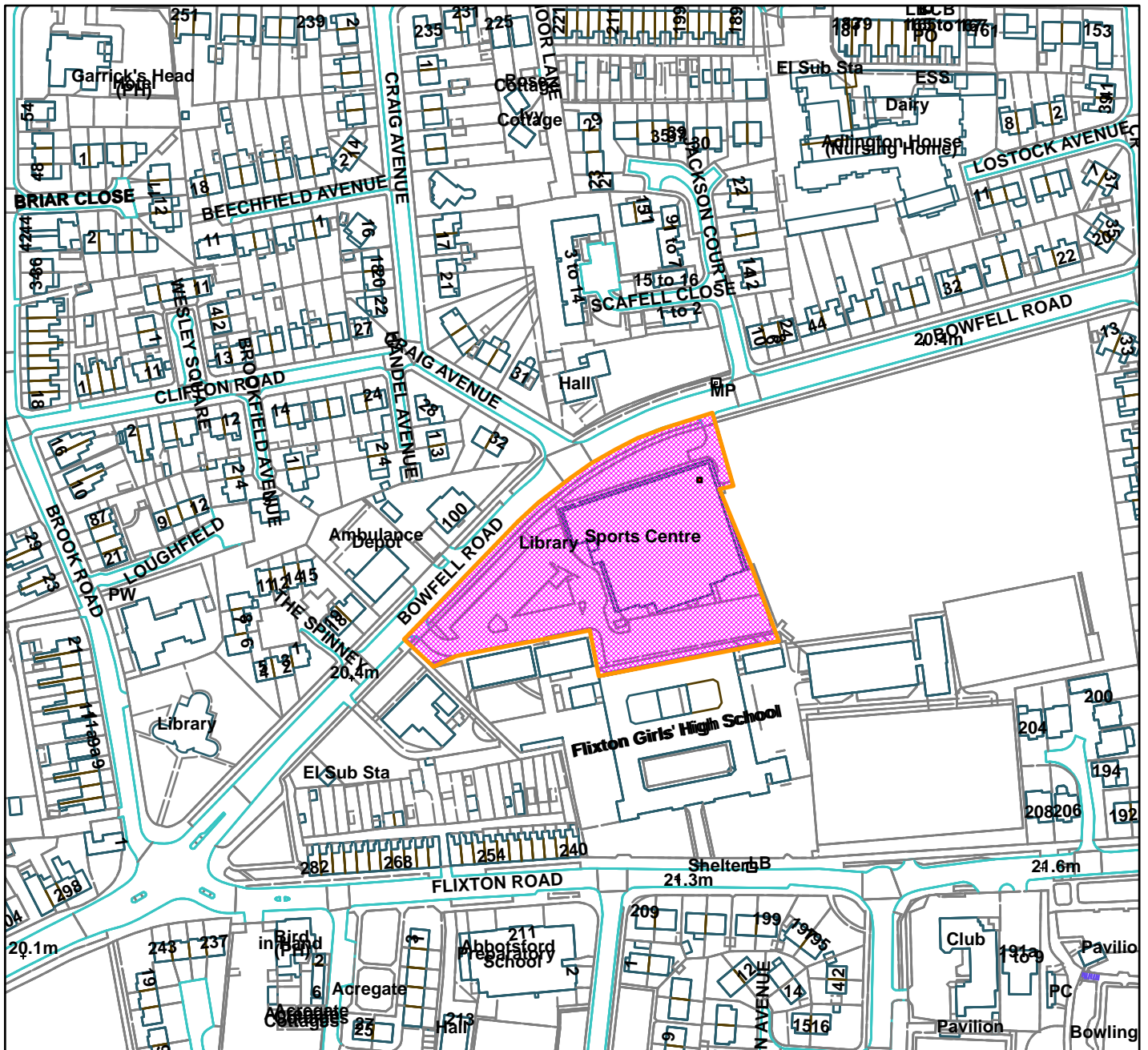
14. No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall only be lit in accordance with the approved scheme.

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

LT



Urmston Leisure Centre, Bowfell Road, Urmston (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

Erection of a single storey extension to the rear of both properties.

41 and 43 Norley Drive, Sale, M33 2JE

APPLICANT: Clark-Strange and Wilkes

AGENT: Mr Phil Booth

RECOMMENDATION: GRANT

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

SITE

The application site comprises Nos. 41 and 43 Norley Drive, which are adjoining semi-detached, two storey dwellings. There is hardstanding to the frontage of the sites with No. 43 having a small area of lawn to the frontage also. Both sites have a moderate sized private garden and detached garages/sheds to the rear. Parking is provided on the hardstanding to the frontages of the properties, with vehicular access taken from Norley Drive.

Located to the southern boundary of the site is the highway and to all other boundaries of the site are other semi-detached, residential properties. The application site is located within a well-established residential area.

PROPOSAL

This application seeks to erect a single storey extension to the rear of both properties, measuring 2.35 in depth, 6.14m in width within each property (12.28m total width of extension), 2.45m in height to the eaves and 3.564m in height to the ridge, with a mono-pitched roof. The proposed extension would be set off both common boundaries with number 39 and 45 by 2.0m.

The proposal would add one habitable room window and patio doors to the rear elevation of No. 43 and patio doors to the rear elevation of No. 41. Six rooflights are proposed to the roof slope of the extension.

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 rear extension to the pair of semi-detached properties. Given the position of the proposed extension to the rear of the dwellings, it would not be immediately viewable from the established street scene of Norley Drive.
4. 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.
5. The proposed extension would be single storey in height and would be positioned to the rear elevation of the existing dwellings. The proposed extension would be 2.35m in depth from the original rear wall of the dwellings. The extension would have an eaves height of 2.45m and 3.564m in height to the ridge, with a mono-pitched roof. As such, the proposed use of a pitched roof form and matching materials to the existing properties ensures that the proposal appears in keeping with the existing dwellings, whilst the moderate projection to the rear ensures that it is of a scale that appears

proportionate to the original built form. 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 rear extensions or conservatories of similar projections from the rear elevation of the dwelling. As such it is not considered that the proposed would be out of context within the established streetscene or surrounding locality.
7. To conclude, the proposed development is considered to complement the existing dwellings 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, SPD4 and government guidance contained within the NPPF requiring good design.

Residential Amenity

8. 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.
9. 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)

10. The nearest neighbours to the proposed development would be properties No. 39 and No. 45 Norley Drive. The proposed development would be approximately 10m from the rear boundary of the application site and would face the side elevation of No. 3 Peover Avenue. Therefore, residential amenity to the rear of the site would not be adversely harmed as a result of the proposed single storey rear extension to both properties.
11. Located to the western boundary of the site is No. 39 Norley Drive, a two storey semi-detached dwelling. To the eastern boundary of the site is No. 45 Norley Drive, a two storey semi-detached dwelling. Neither of these properties has extended to the rear previously. They are located within similar sized plots and share a similar building line.

12. With regards to No. 39 and No. 45 Norley Drive, the proposed development would be located 2.0m from the shared boundaries to either side. The proposed projection to the rear would be 2.35m from the original dwelling, and as such is in accordance with the above mentioned guidance, SPD4. The proposed extension would be 2.35m in depth from the original rear wall of the dwellings. This projection accords with guidance set out in SPD4 which states that single storey rear extensions should not normally project more than 3m from the rear elevation of the original dwelling plus any gap to the boundary. Therefore the proposed extension is considered to be an acceptable depth when considered in relation to the neighbouring properties. The proposed eaves height of 2.45m and ridge height of 3.564m 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.
13. Furthermore, given that the projection of the extension would comply with SPD4 guidelines, it is considered that, if one application property's extension were to be built independently, there would be no unacceptable impact on the other application property.
14. The proposed development would add a new window and doors to the rear, at ground floor level, which would have direct views to the rear private amenity space of the application site and a distance of approximately 10m to the rear boundary. There are no side elevation windows proposed to the rear extension. As such, the proposed would not result in any undue overlooking or loss of privacy to neighbouring properties.
15. Given the above, it is considered that the proposed development would not have any unacceptable impact on the amenity of neighbouring properties and would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF.

Parking

16. The proposed works will increase the living accommodation within the dwelling abut no additional bedrooms are proposed. The existing area to the frontage of the dwellings, currently laid to hardstanding, will remain to provide parking provision for each dwelling.
17. Therefore the proposal is considered to be acceptable in parking and highway safety terms.

Community Infrastructure Levy

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

CONCLUSION

19. The proposed development is considered to be acceptable in terms of design and visual amenity, impact on residential amenity and parking provision and would comply with Policies L4 and L7 of the Core Strategy and guidance in the NPPF. It is therefore recommended that planning permission should be granted, subject to conditions.

RECOMMENDATION:

That Members resolve to **GRANT** planning permission for the development 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;
- Existing Plans and Elevations – Drg. No. 001 Rev A;
- Proposed Plans and Elevations – Drg. No. 002 Rev B.

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

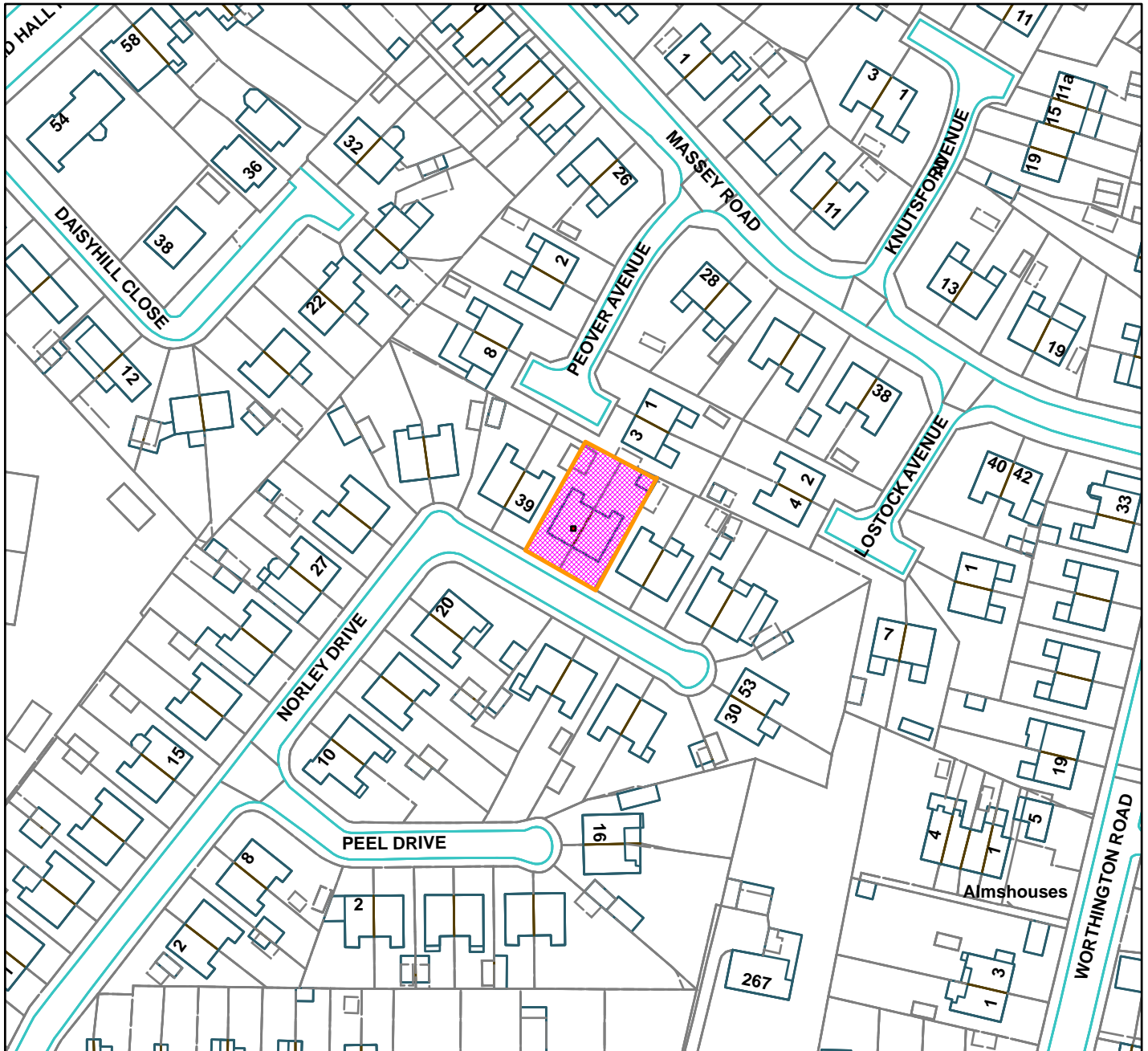
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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.

Re (Regional Enterprise) Limited



41 & 43 Norley Drive, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

Erection of a detached outbuilding, in side garden.

Downs View, 2 Delamer Road, Bowdon, Altrincham, WA14 2NE

APPLICANT: Mrs Butt

AGENT:

RECOMMENDATION: GRANT

This application is presented to the Planning and Development Management Committee as the applicant is a Member of the Council (Councillor Butt).

SITE

The application relates to a three storey semi-detached dwelling sited to the north-western side of the junction between Delamer Road and The Downs, Altrincham. Situated within a largely residential area, the application site has other residential plots to its north and west. To the sites south-eastern side lies Grosvenor House, a commercial unit. The application dwelling features a pitched roof design and has garden areas to its east and west, with access directly off Delamer Road, to the sites south-eastern side.

The application dwelling is late 20th century and is situated within Sub-Area D of The Downs Conservation Area. The application site has not been highlighted as having any significant heritage value within the locally adopted The Downs Conservation Area Appraisal and Management Plan, 2016.

PROPOSAL

The application proposes the erection of a detached outbuilding within the site's north-west facing side garden area. The proposed outbuilding would have a floor-space of 9.6sqm and a total ridge height of 2.5m. The unit would be sited 2.2m away from the sites northern boundary with No. 47 The Downs and 4.6m away from the sites south-eastern side boundary fronting Delamer Road.

DEVELOPMENT PLAN

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

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L7 – Design

R1 – Historic Environment

PRINCIPAL RELEVANT UDP POLICIES

ENV21 – Development in Conservation Areas

PROPOSALS MAP NOTATION

The Downs Conservation Area

OTHER RELEVANT CONSIDERATIONS

SPD 5.5 – The Downs Conservation Area Appraisal- October 2014

SPD 5.5a – The Downs Conservation Area – Conservation Area Management Plan- March 2016

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 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.

OTHER RELEVANT LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

Heritage statement

CONSULTATIONS

None

REPRESENTATIONS

None

OBSERVATIONS

Heritage

1. The site is located within The Downs Conservation Area. 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.
2. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
3. The proposed outbuilding would have a hipped roof design with a total ridge height of 2.5m. The outbuilding would be portable and would have a total floor area of 9.6sqm, with a total width and depth of 3.1m. The proposed outbuilding would be erected with an aluminium style finished frame with large section of glazing to its south and

western facing elevations. The northern and eastern elevation would be finished in cladding.

4. The outbuilding would be sited 2.2m away from the site's north-eastern side boundary and 4.6m from the sites south-eastern side boundary. Given its size, scale and form this is not considered to result in a reduction in the sites existing sense of space or openness or that of the wider street-scene. It is therefore considered to take on the form of a secondary, subordinate sized addition within the application site.
5. It is considered that the proposed works would not have a bearing upon the site's existing degree of space and openness and would further not have an impact upon the sites existing built form or design. The proposed outbuilding would further not affect the sites existing degree of landscaping and would largely remain screened from the wider street-scene. As such the works are found to have a neutral impact upon The Downs Conservation Area in which the application site is located and are not considered to result in any harm to its significance. The proposed works are therefore considered to be in accordance with the relevant sections of the NPPF and policies L7 and R1 of the TBC Core strategy and the relevant guidelines from The Downs Conservation Area Appraisal and Management Plan.
6. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving The Downs Conservation Area. It is considered that in this instance the development would cause no harm to the heritage asset.
7. For these reasons, subject to the attachment of a condition requiring the development to be carried out in accordance with the approved plans, the proposals are considered to be in accordance with policies L7 and R1 of the Trafford Core Strategy and the NPPF.

Design and Impact on Street Scene:

8. 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."
9. At a local level, 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.

10. The impact of the development on the character and appearance of the Conservation Area is discussed above and it is concluded that it has a neutral impact. On that basis, and for the same reasons, it is considered that the proposed outbuilding is of an acceptable size and scale and that the proposals are considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF.

Residential Amenity

11. 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.

12. The proposals are not considered to result in any new undue amenity concerns for the sites existing neighbouring land users.

PARKING AND HIGHWAY SAFETY

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.

14. The proposals are not considered to result in any new highway or pedestrian safety concerns and are further not considered to affect the sites existing off street parking provision; and as such are considered to be acceptable in this regard.

DEVELOPER CONTRIBUTIONS

15. The proposal would not be subject to the Community Infrastructure Levy (CIL)

16. No other planning obligations are required.

CONCLUSION

17. The works as set out above in this instance have been considered to have an acceptable design and scale and are further considered not to have an undue impact upon the amenity of the sites existing neighbouring land users. It should further be noted that considerable importance and weight has been given to the desirability of preserving or enhancing The Downs Conservation Area, in which the site is situated, throughout the assessment of this application and it is considered that the proposed works would not result in any harm to its significance. As such the development is considered to be in accordance with the NPPF and is considered to be compliant with Policies L7 and R1 of the Trafford Borough Council Core Strategy.

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 be constructed entirely of the materials details which are shown on the submitted plans, submitted to the Council on 21/09/2018.

Reason: To ensure that the appearance of the development is acceptable, having regard to Policies L7 and R1 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.

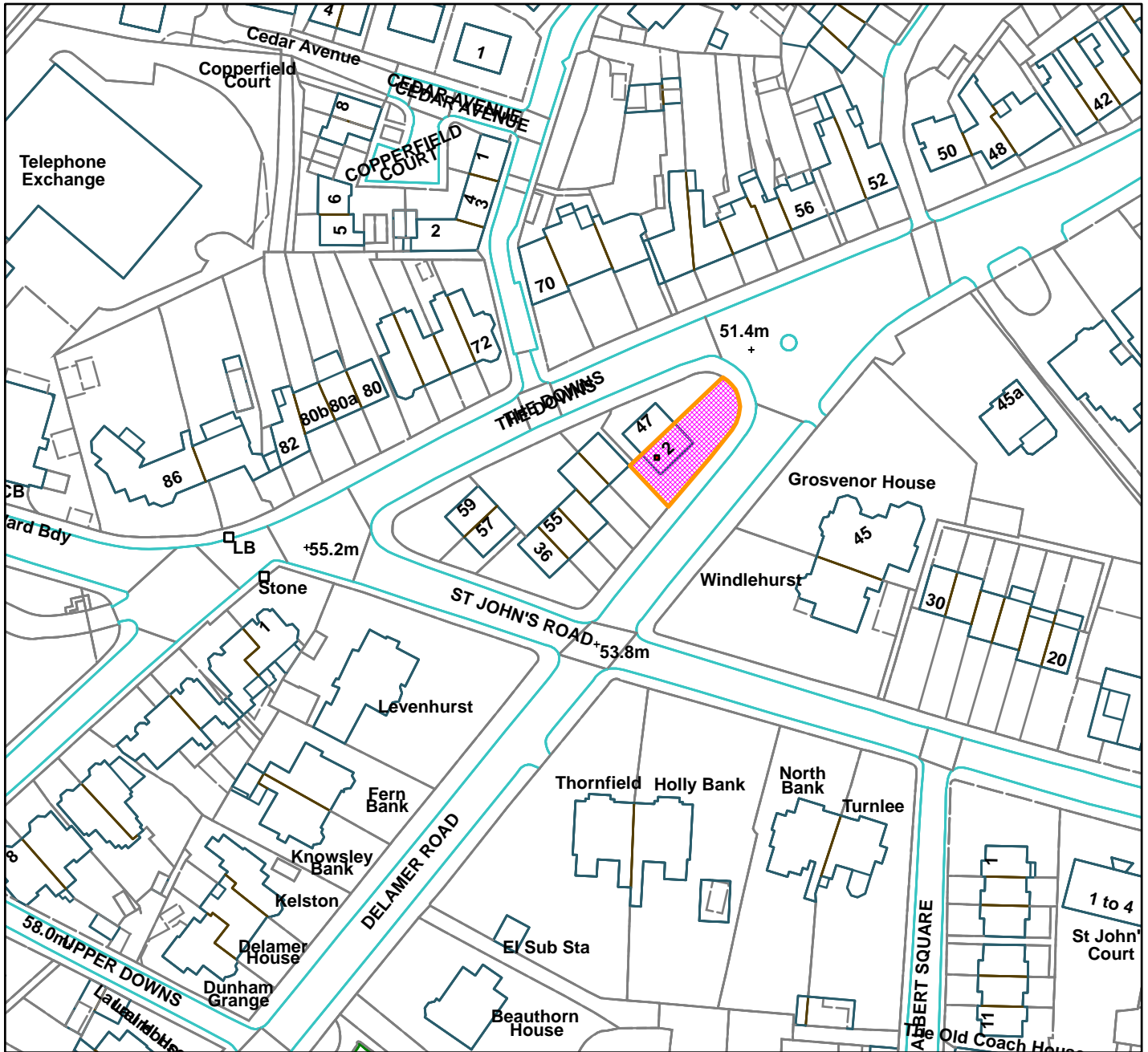
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, submitted to the Council on 21/09/2018.

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

IG



Downs View, 2 Delamer Road, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)

Erection of single storey side and rear extensions following demolition of existing conservatory, including other external alterations.

34 Acacia Avenue, Hale, WA15 8QY

APPLICANT: Mrs Jessica Tait

AGENT: Mr Damian Curran

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee as Councillors live near the application site.

SITE

The application site comprises a semi-detached, two storey dwelling located on Acacia Avenue. There is a hardstanding and shrubbery to the frontage of the site, with a moderate sized private garden existing to the rear. Parking is provided on the hardstanding to the front of the property, with vehicular access taken from Acacia Avenue. The property has extended previously to the side and also rear elevations by way of conservatories.

Located to the northern boundary of the site is No 32 Acacia Avenue, a detached two storey dwelling which has extended to the rear by way of a single storey extension. To the southern boundary of the site is No 36 Acacia Avenue, a two storey detached dwelling, which has extended to the rear by way of a single storey extension also. The application site is located within a well-established residential area.

PROPOSAL

This application seeks to erect single storey side and rear extensions, following the demolition of the existing conservatories.

The single storey side extension would measure 4.019m in depth, 1.68m in width from the original side of the dwelling, 2.808m in height to the eaves and 3.888m in height to the ridge, with a mono-pitched roof. This proposed extension would be set off the common boundary to the north (with no. 32), by approximately 0.58m. The proposed extension would be set behind an existing single storey front and side extension.

The single storey rear extension would measure 4.397m in depth from the original rear elevation of the dwelling, 3.15m in width, 3.352m in height to the eaves, with a parapet roof. This proposed extension would be set off the common boundary to the south (with adjoining neighbour No 36), by approximately 0.18m. The proposed extension would infill the rear elevation of the property at ground floor level.

The proposal would add one door opening to the rear elevation of the side extension and would add new bi-fold doors to the rear elevation at ground floor level, with two rooflights

in the single storey rear extension. The proposal would block up a window and door opening in the side elevation of the existing property at ground floor level.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility;
L7 – Design.

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. Given that the side element is set behind an already existing front and side extension, the proposal will have limited impact on the established street scene of Acacia Avenue.
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.

5. The proposed extensions would be single storey in height and would be positioned to the side and rear of the existing dwelling, replacing existing conservatory extensions. The proposed side element would project to the same width as the existing single storey side projection to which it would adjoin. Given that this projection would be 1.68m, the proposed side element would therefore not be greater than half the width of the original dwelling. The proposed roof form of the side element would match that of the mono-pitched roof form to the existing side extension, and therefore the eaves level and ridge level would tie into each other, ensuring that this element is in keeping with the existing dwelling. As such, the proposed use of a pitched roof form to this element and matching materials ensures that the proposal appears in keeping with the existing dwelling, whilst the moderate projection to the side ensures that it is of a scale that appears proportionate to the original dwelling.
6. The proposed rear element would be 4.397m in depth from the original rear wall of the dwelling, and seeks to replace an existing conservatory projecting to approximately 4.3m. In addition, other properties within the immediate area have extended to similar depths, which include both neighbouring properties, nos. 32 and 36 Acacia Avenue. The proposed use of matching materials ensures that the proposal appears in keeping with the existing dwelling, whilst the low height ensures that it is of a scale that appears proportionate to the original dwelling. Whilst the proposed rear extension would have a flat roof, it is considered that it would be subordinate to the existing building and acceptable in design terms. 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.
7. There are other examples of properties 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 adjoining neighbour to the southern boundary, no. 36, 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 would be out of context within the established streetscene or surrounding locality.
8. 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, SPD4 and government guidance contained within the NPPF requiring good design.

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 property No. 32 and No. 36 Acacia Avenue. The proposed development would be approximately 10.5m from the rear boundary of the application site with no dwellings directly facing to the rear. Therefore no residential amenity to the rear of the site would be adversely harmed as a result of the proposed single storey side or rear extension.
12. Located to the northern boundary of the site is No 32 Acacia Avenue, a detached dwelling which has extended to the rear by way of a single storey extension. To the southern boundary of the site is No 36 Acacia Avenue, the adjoining two storey, semi-detached dwelling, which has extended to the rear by way of a single storey rear extension. Both these properties are located within similar sized plots and share a similar building line.
13. The proposed side extension would be set off the common boundary to the north (with No 32), by approximately 0.58m, and would be to the rear of an existing single storey side extension. This element would be 2.808m in height to the eaves and 3.888m in height to the ridge, with a mono-pitched roof which slopes away from the neighbouring property. The proposed rear element would be 4.397m in depth from the original rear wall of the dwelling and would be set approximately 2.25m away from the boundary with no. 32 and would therefore comply with the SPD4 guidance in respect of that property. In addition, this element seeks to replace an existing conservatory projecting to a similar depth. Therefore, it is not considered that the amenities of the occupiers at this address would be harmfully impacted as a result of the proposed extension. Given the position of the proposed rear extension in relation to the existing built form on the application site, it is considered that this element would not cause harm to this neighbouring property.

14. With regards to No 36, the proposed development would be located approximately 0.18m from the shared boundary to this side. The proposed development would form a parapet roof with an eaves level of 3.352m. The proposed projection to the rear would be 4.397m from the original dwelling, which would be approximately the same depth as the single storey extension to No 36, and would be similar in depth to the conservatory in situ which this proposal seeks to replace. Therefore the proposed extension is considered to be an acceptable depth when considered in relation to the neighbouring property at No 36.
15. 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.
16. Furthermore, the proposed development would add a new door opening to the rear elevation of the side extension and new bi-fold doors to the rear elevation of the rear extension. Both these new openings would have direct views to the private amenity space and garden area of the application site with a distance of approximately 10.5m to the rear boundary. As such, the proposed extensions would not result in undue overlooking or loss of privacy to neighbouring properties.
17. Given the above, the proposed development would not result in an unacceptable impact on the residential amenity of neighbouring properties and would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF.

Parking

18. The proposed works will increase the living accommodation within the dwelling but no additional bedrooms are proposed. As such, the current parking provision to the frontage of the site will remain and will be capable of providing parking provision for a total of two cars.
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 and would comply with Policies L4 and L7 of the Core Strategy and guidance in the NPPF. It is therefore recommended that planning permission should be granted, subject to conditions.

RECOMMENDATION:

That Members resolve to **GRANT** planning permission for the development 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;
- Proposed Site Plan – Drg. No. 29-07-18-3;
- Proposed Plans and Elevations – Drg. No. 29-07-18-2.

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.

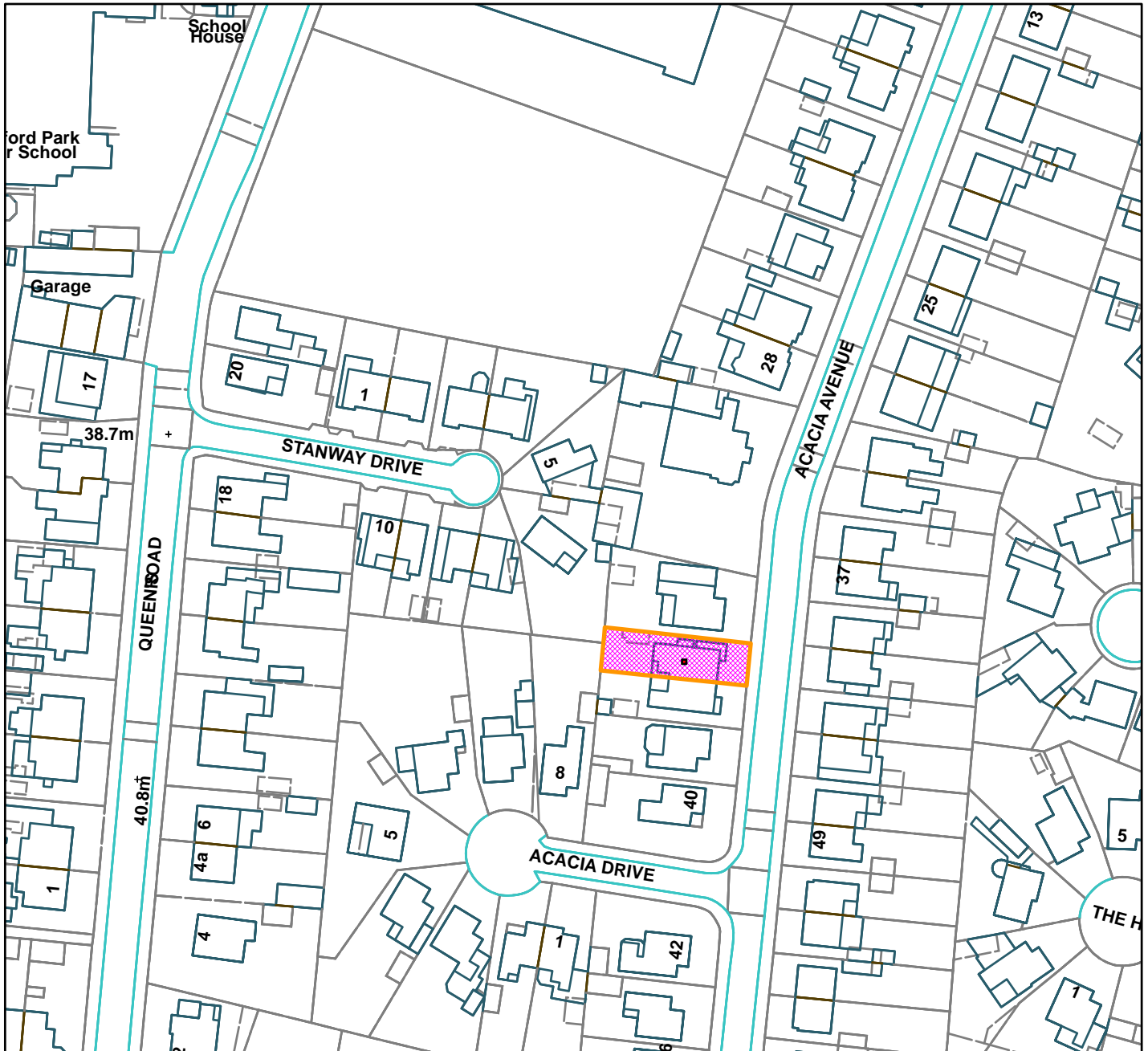
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), the flat roof area of the extension hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on that roof unless planning permission has previously been 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.

Re (Regional Enterprise) Limited



34 Acacia avenue, Hale (site hatched on plan)



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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-08/11/2018
Date	29/10/2018
MSA Number	100023172 (2012)